



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Tenth periodic report submitted by Uruguay under
article 18 of the Convention, due in 2020*****

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* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.



General

Response to the issues and questions contained in paragraph 1 (CEDAW/C/URY/QPR/10)

1. Statistics on the current status of women in Uruguay reveal gender inequalities in various social sectors.
2. There are gender inequality measurement tools based on the Continuous Household Survey and on the censuses conducted by the National Institute of Statistics that enable disaggregation by gender identity, age, ethnicity, disability status, nationality and geographical location.
3. Women's rate of participation in the labour market is lower than that of men. In 2019, the employment rate was 49.1 per cent for women, compared with 65 per cent for men. Moreover, women performed an average of 35.9 hours of paid work per week, compared with 42.2 hours per week for men. This is in addition to the greater share of the overall workload assumed by women, who perform a higher proportion of unpaid tasks, generally associated with domestic responsibilities. Women also continue to earn lower salaries than men, although that disparity has decreased in recent years.
4. An analysis of household income shows that poverty rates for households headed by women are higher, representing double the average poverty rate for all households. These rates increase exponentially if the head of household is a woman of African descent, a woman with a disability or a woman between the ages of 14 and 29.
5. Another relevant factor is the high prevalence of violence against women in various areas of their lives, such as education, work, the health-care system, social activities and, primarily, the family, with a partner or former partner often being the main aggressor. These levels of violence are higher for women of African descent and for young women.
6. Women also continue to be underrepresented in decision-making positions in the legislative and executive branches, local governments, trade unions and chambers of commerce, and in senior positions in private and public companies. In 2019, women accounted for just 15.2 per cent of members of the House of Representatives and for 29 per cent of Senate members, while holding 30.8 per cent of high-level decision-making positions in government ministries.
7. The National Institute for Women has a gender information system that is used for the preparation of reports on gender inequalities in various social sectors. Monitoring is conducted annually in order to determine changes in these inequalities over time.

Legislative and policy framework

Response to the issues and questions contained in paragraph 2

8. In 2019, the parliament of Uruguay adopted Act No. 19.846 on equality and non-discrimination between women and men,¹ including formal equality, substantive equality and equality of recognition, in accordance with the Committee's recommendations. The definition of discrimination against women set forth in the

¹ <https://legislativo.parlamento.gub.uy/temporales/docu4994596781749.htm>.

Convention, as well as the various types of discrimination and the concepts of intersectionality² and mainstreaming,³ are being incorporated into national laws.

9. Act No. 19.846 sets forth public policies on gender equality that are guided by the principle of the primacy of human rights. The Act provides that temporary measures must be taken in order to give effect to the right to equality and generate data records, in accordance with the guidelines of the national statistical system.

10. The Act also renewed the National Gender Council,⁴ expanding its membership to include new public bodies and civil society organizations with expertise in promoting and defending gender equality and the human rights of women, in particular organizations focused on Uruguayan women of African descent, rural women and care policies.

11. Act No. 19.846 provides for the establishment of the national gender system, a coordinated group of institutions under the leadership of the National Institute for Women whose purpose is to ensure gender equality. The Act also requires all government bodies to have specialized gender units, which must report to the highest levels of the institutional hierarchy, have specifically designated human resources and receive the budget allocations necessary to fulfil their responsibilities.

12. At the same time, the Act provides for the establishment of a competitive grant fund for gender equality, whose purpose is to fund projects conducted by civil society organizations with the goal of strengthening advocacy for public policies on gender equality and the monitoring of their implementation.

13. In 2018, pursuant to Decree No. 137/2018,⁵ the 2030 National Gender Equality Strategy, a strategic and comprehensive road map for the achievement of gender equality in the medium term, was adopted. The Strategy takes into account current trends and critical factors in the area of gender equality and incorporates the main priorities identified by the National Gender Council and organized civil society. It was developed using a participatory and inter-agency approach, in accordance with the 2030 Agenda for Sustainable Development and the Sustainable Development Goals.

14. The 2030 National Gender Equality Strategy is the result of the work of a group of professionals from the various member bodies of the National Gender Council, who comprise the advisory group for the Strategy. The Strategy was also developed using inputs gathered by working groups composed of women's and feminist organizations, of trade union centre representatives and of institutions at the national, departmental and municipal levels of government.

15. The advisory group has analysed the conceptual framework for the Equality Strategy, as well as the prospective studies on gender conducted by the Planning and Budget Office. It has also put forward gender equality aspirations for 2030, in addition to public policy directives and strategic guidelines for achieving them.

16. The National Gender Council is a coordination forum that oversees the 2030 National Gender Equality Strategy, defines cross-sectoral areas for joint implementation and establishes accountability and citizen oversight mechanisms for transparency in public administration.

² An approach that emphasizes that, far from being natural or biological, gender, ethnicity, class and sexual orientation, like other social categories, are constructed and interrelated.

³ A public policy concept that consists of evaluating the various implications for different genders of political initiatives such as legislation and programmes in all areas and at all levels.

⁴ Established in 2007.

⁵ <http://www.impo.com.uy/bases/decretos/137-2018>.

17. With regard to measures taken to amend laws that are discriminatory towards women, Uruguay adopted the following laws during the review period:⁶

- Act No. 19.480 (2017) on the registry of persons required to pay alimony under income withholding orders⁷
- Organic Act No. 19.483 (2017) on the Attorney General's Office (*Fiscalía General de la Nación*), establishing the Honorary Council of General Instructions⁸
- Act No. 19.530 (2017) on setting up breastfeeding rooms⁹
- Act No. 19.538 (2017) on acts of discrimination and femicide,¹⁰ amending articles 311 and 312 of the Criminal Code
- Act. No. 19.549 (2017) on prohibiting extrajudicial mediation in cases of sexual and gender-based violence¹¹
- Act No. 19.555 (2017) on the equitable participation of persons of both sexes in the membership of national and departmental elected bodies and in political party leadership¹²
- Act No. 19.580 (2017) on gender-based violence against women¹³
- Act No. 19.643 (2018) on preventing and combating trafficking in persons¹⁴
- Act No. 19.684 (2018) on comprehensive protection for transgender persons¹⁵
- Act No. 19.685 (2018) on the promotion of gender-equitable development¹⁶
- Act No. 18.689 (2018) on maintaining affirmative action with higher subsidies for hiring young women, and expanding such action to those over the age of 45¹⁷
- Act No. 19.691 (2018) on the promotion of work for persons with disabilities, irrespective of gender or any other characteristic¹⁸

⁶ Period covered by the present report: 2016–2021.

⁷ <https://legislativo.parlamento.gub.uy/temporales/Ley194801264634.htm>.

⁸ <https://legislativo.parlamento.gub.uy/temporales/Ley194834795744.htm#:~:text=Fijar%2C%20dise%C3%B1ar%20y%20ejecutar%20la,de%20cr%C3%ADmenes%2C%20delitos%20y%20faltas.&text=Dirigir%20la%20investigaci%C3%B3n%20de%20cr%C3%ADmenes%2C%20delitos%20y%20faltas.&text=Ejercer%20la%20titularidad%20de%20la,forma%20prevista%20por%20la%20ley.&text=Atender%20y%20proteger%20a%20v%C3%ADctimas%20y%20testigos%20de%20delitos>.

⁹ <https://legislativo.parlamento.gub.uy/temporales/docu2021999025722.htm>.

¹⁰ <https://legislativo.parlamento.gub.uy/temporales/docu7286974676894.htm#:~:text=Como%20acto%20de%20discriminaci%C3%B3n%20por,por%20su%20condici%C3%B3n%20de%20tal>.

¹¹ <https://legislativo.parlamento.gub.uy/temporales/docu4277615479326.htm>.

¹² <https://legislativo.parlamento.gub.uy/temporales/docu9844954528572.htm>.

¹³ <https://legislativo.parlamento.gub.uy/temporales/docu4857564747354.htm#:~:text=%2D%20Esta%20ley%20tiene%20como%20objeto,de%20violencia%20basada%20en%20g%C3%A9nero.&text=Decl%C3%A1rase%20como%20prioritaria%20la%20erradicaci%C3%B3n,debida%20diligencia%20para%20dicho%20fin>.

¹⁴ <https://legislativo.parlamento.gub.uy/temporales/docu9440286420350.htm>.

¹⁵ <https://legislativo.parlamento.gub.uy/temporales/docu9303368293138.htm>.

¹⁶ <https://legislativo.parlamento.gub.uy/temporales/docu158521443446.htm#:~:text=%2D%20Se%20establece%20un%20mecanismo%20de,Habilitadas%2C%20siempre%20que%20existan%20oferta>.

¹⁷ <https://legislativo.parlamento.gub.uy/temporales/leytemp7670261.htm>.

¹⁸ <https://legislativo.parlamento.gub.uy/temporales/docu3616306414494.htm>.

- Act No. 19.716 (2019) on the protocol amending the Convention on Offences Committed on Board Aircraft, expanding the non-exhaustive forms of discrimination mentioned to include gender discrimination¹⁹
- Act No. 19.775 (2019) amending the Organic Law of the Armed Forces,²⁰ incorporating the principle of non-discrimination and taking into account a gender perspective and domestic violence situations
- Act No. 19.778 (2019) regulating the profession of social work, prohibiting discrimination based on gender, age, sexual orientation, ethnic, racial or socioeconomic origin, religious or political affiliation, disability status or other characteristics²¹
- Act No. 19.781²² (2019) amending article 7 of Act No. 11.029,²³ regarding co-ownership of land allocated by the National Settlement Institute
- Act No. 19.789 (2019) on the protocol additional to the Ibero-American Convention on the Rights of Youth,²⁴ indicating the need to mainstream a gender perspective into all public policies
- Act No. 19.791 (2019) on preventive measures for institutions that work directly with children and adolescents, persons with disabilities and older persons in situations of dependency,²⁵ adding a reference to Act No. 19.580 on gender-based violence against women
- Act No. 19.826 (2019) amending the social security scheme of the Notarial Social Security Fund and establishing the Maternity Allowance Fund
- Act No. 19.828 (2019) on the scheme for the promotion and protection of the sports system,²⁶ providing for the advancement of inclusive gender equity policies in organized sports
- Act No. 19.831 (2019) regulating the “probation” regime in cases of gender-based violence²⁷
- Act No. 19.837²⁸ (2019) amending article 141 of Act No. 18.407 on housing cooperatives,²⁹ regarding the right to the use and enjoyment of housing by the person who did not cause the aggression in cases of domestic or gender-based violence
- Act No. 19.841³⁰ (2019) amending the Statute of Foreign Service Officers of Uruguay, ensuring the equitable allocation of management and head of mission functions between men and women foreign service officers

¹⁹ <https://legislativo.parlamento.gub.uy/temporales/docu3706253938363.htm>.

²⁰ <https://legislativo.parlamento.gub.uy/temporales/docu6329264353958.htm>.

²¹ <https://legislativo.parlamento.gub.uy/temporales/docu986491716483.htm>.

²² <https://legislativo.parlamento.gub.uy/temporales/docu3869249710021.htm>.

²³ <https://legislativo.parlamento.gub.uy/temporales/leytemp4482519.htm#:~:text=%2D%20Cr%C3%A9ase%20el%20Instituto%20Nacional%20de,dem%C3%A1s%20leyes%20de%20la%20Naci%C3%B3n>.

²⁴ <https://legislativo.parlamento.gub.uy/temporales/docu6562184292794.htm>.

²⁵ <https://legislativo.parlamento.gub.uy/temporales/docu8063288178510.htm>.

²⁶ <https://legislativo.parlamento.gub.uy/temporales/docu9930679336290.htm>.

²⁷ <https://legislativo.parlamento.gub.uy/temporales/docu9799044449530.htm>.

²⁸ [https://legislativo.parlamento.gub.uy/temporales/docu6868197438328.htm#:~:text=3\)%20En%20caso%20de%20situaciones,que%20no%20causaron%20la%20agresi%C3%B3n](https://legislativo.parlamento.gub.uy/temporales/docu6868197438328.htm#:~:text=3)%20En%20caso%20de%20situaciones,que%20no%20causaron%20la%20agresi%C3%B3n).

²⁹ <https://legislativo.parlamento.gub.uy/temporales/leytemp2956582.htm>.

³⁰ <https://legislativo.parlamento.gub.uy/temporales/docu1688626388638.htm>.

- Act No. 19.849 (2019) on the Convention of the International Labour Organization concerning violence and harassment in the world of work³¹
- Act No. 19.879 (2020) declaring an extraordinary judicial recess and the suspension of procedural deadlines owing to the pandemic,³² with certain situations, such as proceedings related to gender-based violence against women, deserving special treatment

18. It is also important to mention the adoption in 2020 of Act No. 19.889 (the Urgent Consideration Act),³³ which sets forth gender-related amendments to the Criminal Code and the Code of Criminal Procedure, and to the organizational structure of a number of government bodies.

19. Article 2 of Act No. 19.889 amends article 312 of the Criminal Code, except for the references to the aggravating circumstances of femicide and acts of discrimination based on sexual orientation, gender identity, race or ethnic origin, religion or disability status, which were included in 2017 and 2018 pursuant to Acts Nos. 19.538 and 19.645³⁴ and are maintained as very special aggravating circumstances in the new Urgent Consideration Act.

20. Article 6 amends article 272 of the Criminal Code on the crime of rape, admitting contrary evidence when the victim is 13 years old and when there is an age difference of no more than eight years.

21. Article 7 increases the minimum and maximum penalties for sexual abuse, as set forth in article 272 bis of the Criminal Code, to 2 and 12 years of imprisonment. Article 15 adds to the Criminal Code article 359 bis, establishing the removal or destruction of ankle bracelets as a new crime punishable by 10 to 18 months of imprisonment and a fine.

22. Article 26 amends article 272 of the Code of Criminal Procedure,³⁵ establishing that summary proceedings may not be used in cases of homicide committed under special and very special aggravating circumstances (articles 311 and 312 of the Criminal Code), and are not applicable to femicide. Article 26 also decreases from 6 to 4 years the minimum penalty required in order for an offence to be eligible for the use of summary proceedings, making the procedure more restrictive.

23. Article 56 establishes, within the Ministry of the Interior, a national directorate for gender policies, to be led by a director appointed by the executive branch as a position of particular trust.

24. Article 67 replaces article 25 of the Organic Act on Policing,³⁶ providing for the existence of a domestic violence and gender area within operational zones.

Response to the issues and questions contained in paragraph 3

25. Under the new Code of Criminal Procedure,³⁷ reparation agreements are excluded in the case of crimes against personal liberty. Act No. 19.549 adds to the Code of Criminal Procedure article 382.7, excluding extrajudicial mediation in cases

³¹ <https://www.impo.com.uy/bases/leyes/19849-2019>.

³² <https://legislativo.parlamento.gub.uy/temporales/docu890189898156.htm#:~:text=Decl%C3%A1rase%20vigente%20una%20Feria%20Jurisdiccional,para%20cualquier%20otro%20proceso%20jurisdiccional>.

³³ <https://legislativo.parlamento.gub.uy/temporales/docu7957276284267.htm>.

³⁴ <https://legislativo.parlamento.gub.uy/temporales/docu5574965326051.htm>.

³⁵ Act No. 19.293: <https://legislativo.parlamento.gub.uy/temporales/leytemp862211.htm>.

³⁶ Act No. 19.315: <https://legislativo.parlamento.gub.uy/temporales/leytemp3870591.htm>.

³⁷ Act No. 19.436: <https://legislativo.parlamento.gub.uy/temporales/docu9502382018765.htm>.

of crimes of sexual violence³⁸ or sexual exploitation (Act No. 17.815),³⁹ domestic violence,⁴⁰ and other crimes of gender-based violence.

26. In 2016, the Attorney General's Office established its specialized gender units, with the aim of promoting actions against gender-based discrimination. In 2019, the number of experts working in the support and protection unit for victims and witnesses was increased from 6 to 27 nationwide.

27. Both units are giving priority to improving responses to sexual violence through the following initiatives:

- Systematization and follow-up of allegations and the care and protection system for pregnant girls under the age of 15 who report being victims of sexual violence.
- A research project supported by the United Nations Children's Fund (UNICEF) on pathways and care for children and adolescents whose mothers have been victims of femicide.
- The consideration of a protocol for supporting and protecting victims and witnesses of sexual exploitation and trafficking and of a protocol on domestic violence.
- An agreement with the Faculty of Psychology of the University of Uruguay on the hosting of internships for undergraduate students studying the psychological effects of domestic violence.
- The Attorney General's Office was a member of the technical secretariat that coordinated the reformulation of the Santiago guidelines on the protection of victims and witnesses.⁴¹ The resulting 2020 version includes specific references to victims and witnesses of domestic violence.

28. There are currently seven offices specializing in the prosecution of sexual, domestic violence and gender-based violence crimes. These offices were established in order to ensure the regular and efficient conduct of such prosecutions and to address the increase in the number of cases registered.

29. In 2017, General Instruction No. 5,⁴² establishing the principles, objectives, scope and general procedures for the victim and witness support to be provided by the Attorney General's Office, was issued. General Instruction No. 8⁴³ contains common criteria for action to address reports of alleged crimes of sexual violence, establishing guidelines on the initial steps to be taken in response to such reports, and setting forth directives on investigation and criminal prosecution. Moreover, in 2018, General Instruction No. 9,⁴⁴ regarding the special protection programme for victims and witnesses of crimes, was issued in order to establish standards for the operation of the special support system for protected victims and witnesses in situations of particular risk or danger.

30. The Coordinating Office for Policies on Victims and Witnesses of Crime, which is coordinated by the Attorney General's Office and comprises all relevant

³⁸ Articles 272, 273 and 274 of the Criminal Code.

³⁹ <https://legislativo.parlamento.gub.uy/temporales/leytemp1979301.htm#:~:text=%2D%20El%20que%20de%20cualquier%20modo%20favorezca%20o%20facilite%20la%20entrada,a%20doce%20a%20Bios%20de%20penitenciar%20a%20ADa.>

⁴⁰ Article 321 bis of the Criminal Code.

⁴¹ [https://eurosocial.eu/biblioteca/doc/guias-de-santiago-sobre-proteccion-de-victimas-y-testigos/.](https://eurosocial.eu/biblioteca/doc/guias-de-santiago-sobre-proteccion-de-victimas-y-testigos/)

⁴² [http://www.fiscalia.gub.uy/innovaportal/file/3482/1/instruccion-nro-5.pdf.](http://www.fiscalia.gub.uy/innovaportal/file/3482/1/instruccion-nro-5.pdf)

⁴³ [http://www.fiscalia.gub.uy/innovaportal/file/3480/1/instruccion-8-.pdf.](http://www.fiscalia.gub.uy/innovaportal/file/3480/1/instruccion-8-.pdf)

⁴⁴ [http://www.fiscalia.gub.uy/innovaportal/file/3480/1/instruccion-general-proteccion-especial-de-victimas-y-testigos-de-los-delitos.pdf.](http://www.fiscalia.gub.uy/innovaportal/file/3480/1/instruccion-general-proteccion-especial-de-victimas-y-testigos-de-los-delitos.pdf)

government bodies, was established pursuant to Decree No. 46/018⁴⁵ in order to provide a strong working mechanism for ensuring protection, care and follow-up for victims and witnesses.

31. In 2020, guidelines on gender stereotypes and international standards concerning women's rights were issued for the Attorney General's Office and the judiciary. These guidelines were developed in order to prevent harmful gender stereotypes and disseminate international standards concerning women's rights in judicial practice in Uruguay, and to better address women's demands for justice and eliminate discriminatory prejudices and stereotypes that become obstacles at various stages of judicial proceedings.

Access to justice

Response to the issues and questions contained in paragraph 4

32. The specialized gender units and the support and protection unit for victims and witnesses of the Attorney General's Office are taking steps to strengthen coordination with institutions that support and assist victims.

33. As a result of the entry into force of the new Code of Criminal Procedure, the Attorney General's Office receives complaints directly, facilitating access to justice. It has also increased the number of receiving offices located throughout the country and ensures that particularly vulnerable victims of gender-based violence receive support from specialized personnel of the Support and Protection Unit for Victims and Witnesses.

34. In 2017, in order to collect and standardize data following the entry into force of the new Code of Criminal Procedure, the Attorney General's Office, with the assistance of the Planning and Budget Office, developed a computerized system for adversarial criminal proceedings which, with the support of the public security management system of the Ministry of the Interior, facilitates interoperability among institutions. The system enables prosecutors to digitally enter and manage all their proceedings and systematizes information regarding complaints of ostensibly criminal acts in order to generate inputs, prepare statistics and monitor and evaluate public policies relating to criminal prosecution. The system also provides valuable information on non-criminal proceedings to the recently created support services of the Attorney General's Office.⁴⁶

Response to the issues and question contained in paragraph 5

35. One step taken to ensure that women are aware of their rights under the Convention, in particular the right to unimpeded access to justice and legal aid, has been the transformation of courts both in the interior of the country and in Montevideo.

36. The judiciary has issued Decision No. 8071,⁴⁷ regarding the implementation of a protocol on good practices in protection proceedings.

⁴⁵ <https://www.impo.com.uy/bases/decretos/46-2018>.

⁴⁶ The Ministry of the Interior has set up non-physical reporting channels, namely, online reporting, the 911 application and the 0800-5000 telephone line, while maintaining the 911 telephone line for police emergencies.

⁴⁷ <https://www.poderjudicial.gub.uy/documentos/148-2020/6614-103-2020-acordada-n-8071-procesos-de-preteccion-previstos-por-la-ley-n-19-580.html>.

37. The judiciary also provides training on gender-based violence to aspiring and current members of the judiciary through the Centre for Judicial Studies. The courses offered include:

- Courses on domestic violence and gender-based violence, with a particular focus on evidence
- Courses on discrimination and gender-based violence
- A workshop on domestic violence and gender-based violence
- A workshop on good practices relating to gender-based violence and the assessment of evidence using a gender perspective
- Training on the use of the guide on gender stereotypes and international standards concerning women's rights

38. Lastly, in reference to legal aid, it is important to mention Circular No. 29/2020 of the judiciary,⁴⁸ which provides that, in accordance with Act No. 19.580, when a victim is summoned to a hearing before a specialized family court, if he or she does not have a private lawyer, he or she must arrive at least 30 minutes in advance in order to have an interview with a public defender.

Women and peace and security

Response to the issues and questions contained in paragraph 6

39. Under Act No. 19.550,⁴⁹ the Attorney General's Office may convert a national office of the public prosecutor into an office of the special prosecutor for crimes against humanity. In 2018, the twenty-fifth Office of the Criminal Prosecutor of Montevideo was converted into the Office of the Special Prosecutor for Crimes against Humanity, giving new momentum to judicial proceedings.

40. That same year, the Office of the Special Prosecutor for Crimes against Humanity reopened the case concerning the crimes of sexual abuse and torture committed against 28 women between 1972 and 1983, during the de facto regime. The Special Prosecutor summoned military personnel and doctors to testify as defendants in this case, which was filed in 2011 by 28 women who were former political prisoners. In 2019, the Office of the Special Prosecutor filed a request for the prosecution and pretrial detention of three former soldiers and one former police officer in connection with this case. The Office of the Special Prosecutor is expected to file prosecution requests for the remaining parties involved, given that the facts have been proven, once the formal requirement of an evidentiary hearing has been fulfilled.

41. Since 2020, the support and protection unit for victims and witnesses has been working with the Office of the Special Prosecutor for Crimes against Humanity to offer assistance to victims of sexual crimes, providing support during ongoing criminal proceedings.

42. However, women who were subjected to crimes against humanity during the dictatorship, particularly the 28 complainants, still need reparation and compensation mechanisms.

43. Act No. 19.684 provides for lifelong monthly reparations for transgender persons born before 1975 who can prove that, because of their gender identity, they

⁴⁸ Annex 1.

⁴⁹ <https://legislativo.parlamento.gub.uy/temporales/docu3402658561841.htm>.

were subjected to violence or deprived of liberty and prevented from fully exercising their rights to freedom of movement and access to work and education by government officials or other individuals acting with their authorization. Decree No. 104/2019⁵⁰ established the Special Reparations Commission, which has received 198 *amparo* applications.

44. Uruguay is developing a plan on women and peace and security through which it will establish an inter-agency working group comprising the Ministry of Foreign Affairs, the Ministry of Defence, the Ministry of the Interior, the National Institute for Women and the Human Rights Secretariat of the Office of the President. Uruguay seeks to incorporate into the plan innovative, national-level measures based on a human-security perspective.

National machinery for the advancement of women

Response to the issues and questions contained in paragraph 7

45. Between 2015 and 2019, the National Institute for Women remained an entity under the purview of the Ministry of Social Development, as previously reported. As from 2021, the National Institute for Women will be an implementing unit within the Ministry of Social Development, in accordance with the 2021–2015 National Budget Act.⁵¹ Although this may represent progress as far as budgeting is concerned, as it will result in the establishment of dedicated provisions and line items for the National Institute for Women, it will not lead to substantive changes to the autonomy and rank of the Institute, which remains under the Ministry of Social Development.

46. The National Gender Council, which is chaired by the National Institute for Women, promotes the development of public policies on gender equality. Comprising high-level representatives of government bodies and civil society stakeholders, the Council represents a forum in which discussions are enriched by a broad range of contributions. Inter-agency coordination is the central strategy adopted in the design, implementation and evaluation of public policies. This has led to a profound change in organizational cultures and has enabled the enhancement of cooperation capacities, the mainstreaming of new perspectives and demands, and more fluid dialogue between political and technical stakeholders.

47. The main results achieved by the National Gender Council during the present review period are reflected in formal, legislative and budgetary changes, specifically the institutional strengthening of the Council, the 2030 National Gender Equality Strategy, Act No. 19.846 and the development of “budget projects” on gender equality within the national budget.

48. In accordance with Act No. 19.846, 12 specialized gender units have been established in government institutions through the National Budget Act. Act No. 19.846 provides that such units must have appointed leaders and the resource allocations necessary to carry out their operations.

49. As part of strategic planning for the formulation of the national budget, the Planning and Budget Office has supported the establishment of objectives and indicators that contribute to the gender equality priorities adopted by the National Gender Council. The Office has also facilitated the development of projects identifying budget allocations for the development of gender equality policies within the purview of each body.

⁵⁰ <https://www.impo.com.uy/bases/decretos/104-2019>.

⁵¹ Act No. 19.924: <https://www.impo.com.uy/bases/leyes/19924-2020>.

50. With regard to the development of projects for both operating expenses and investments, a common budget code has been assigned to all budgetary programmes, taking into account the cross-cutting nature of gender policies, so as to make it easier to identify such programmes within the budget and to monitor their implementation.

51. An annex entitled “Gender equality policies”, in which the information submitted by each body is compiled in a standardized format, has been incorporated into volume II (Planning and evaluation)⁵² of the financial statements for 2018 and 2019 in order to facilitate the identification of the gender-equality initiatives taken, and to be taken, by each body.

52. For example, the Gender Commission of the Ministry of Foreign Affairs was chaired for the first time by a high-level authority, the Under-Secretary for Foreign Affairs, and has been expanded to comprise 45 officials from all levels,⁵³ in order to ensure an open and inclusive membership.

53. The Commission has strengthened the cross-cutting treatment of gender issues in the work of the Ministry of Foreign Affairs. The 2021 Gender Action Plan⁵⁴ was adopted in 2020, and the first gender survey of the Ministry of Foreign Affairs was conducted among the Ministry’s 582 staff members.⁵⁵ Anonymity and voluntary participation were ensured.

54. In accordance with Acts Nos. 19.580 and 19.924, and with objective No. 4 of the 2021 Gender Action Plan of the Ministry of Foreign Affairs, efforts are being made to develop the institutional hierarchy of the Gender Commission. Pursuant to a decree of 16 March 2021,⁵⁶ a specialized gender unit has been established. The unit will be under the leadership of the Directorate General of the Secretariat and will be responsible for developing and mainstreaming a gender-sensitive foreign policy, while ensuring good labour practices. The specialized gender unit will work closely with civil society and the ethnicity and race unit in order to develop foreign policy strategies.

55. The specialized gender unit will also have responsibilities relating to sexual and workplace harassment complaints, as well as mechanisms that will provide greater safeguards and ensure anonymity for those wishing to report incidents of harassment within the Ministry.

56. In addition, in accordance with objective No. 12 of the 2021 Gender Action Plan on promoting shared responsibility between men and women for the care of children, older persons and sick family members, the Ministry of Foreign Affairs is drafting regulations to enable staff members who have sick children in their care to work remotely if they provide the required medical certificate.

57. The Ministry of the Interior has been gradually strengthening its gender mechanism, known as the Gender Reference Centre, since 2005. The Gender Policies Division was established in 2009 and the National Directorate for Gender Policies was established in 2020.

58. In 2020, the judiciary adopted Decision No. 8098⁵⁷ establishing a specialized gender unit, whose responsibilities include providing advice for the mainstreaming of a gender perspective into planning, management, performance and budgeting, for the

⁵² <https://www.opp.gub.uy/sites/default/files/documentos/2020-07/A%C3%B1o%202019.%20Tomo%20II.%20Anexo.%20Pol%C3%ADticas%20Igualdad%20G%C3%A9nero.pdf>.

⁵³ Both those assigned to Montevideo and those assigned abroad.

⁵⁴ Annex 2.

⁵⁵ Including the authorities under the corresponding section.

⁵⁶ https://medios.presidencia.gub.uy/legal/2021/decretos/03/mrree_239.pdf.

⁵⁷ Annex 3.

development of proposals for training for staff members, and for the preparation of reports that serve as inputs for accountability mechanisms.

Response to the issues and questions contained in paragraph 8

59. The National Human Rights Institution and Office of the Ombudsperson was accredited with category A status in 2016, demonstrating that it is fully compliant with the Paris Principles.

60. Upon commencing its work, the National Human Rights Institution and Office of the Ombudsperson had only 10 staff members, who were on secondment from other government bodies. It now has 45 staff members of its own and 9 staff members on secondment.

61. The budget requested of the legislative branch by the National Human Rights Institution and Office of the Ombudsperson in order to ensure the Institution's proper functioning was approved at the Senate meeting held on 10 February 2021.

Temporary special measures

Response to the issues and questions contained in paragraph 9

62. In addition to the laws mentioned in paragraph 2 of the present report, which, as well as being laws recently adopted during the review period, represent steps taken to promote de facto equality between women and men, affirmative action for people of African descent has been taken at the national level under Act No. 19.122.⁵⁸

63. Act No. 19.122 requires public bodies to allocate 8 per cent of posts to people of African descent who meet the constitutional and legal requirements for those posts, after a public call for applications. The Act recognizes historical racism and racial discrimination against people of African descent and mainstreams a gender perspective into all the measures set forth. Its impact has been uneven because, while the goal relating to educational scholarships has been substantially exceeded, the stipulated quota for public sector jobs has not been reached. The same is true for the proportion of public service jobs held by persons with disabilities, which in 2019 had barely reached 1.3 per cent, compared with the quota of 4 per cent established in Act No. 18.651,⁵⁹ with men representing a greater share than women.⁶⁰

64. Uruguay has made progress in mainstreaming an ethnic and racial perspective in order to analyse access to human rights. It has also strengthened national frameworks for equality and non-discrimination with the development of the National Plan for Racial Equity and People of African Descent,⁶¹ submitted in 2019 in response to the recommendations of the Committee on the Elimination of Racial Discrimination and to the questions posed to Uruguay in the context of the universal periodic review.

65. Act No. 19.670⁶² established the National Council for Racial Equity, which monitors national plans and laws relating to people of African descent and comprises

⁵⁸ <https://legislativo.parlamento.gub.uy/temporales/leytemp5156639.htm>.

⁵⁹ <https://legislativo.parlamento.gub.uy/temporales/leytemp3265557.htm>.

⁶⁰ See the 2019 report of the National Civil Service Office on the labour market integration of persons with disabilities.

⁶¹ <https://www.gub.uy/ministerio-desarrollo-social/politicas-y-gestion/planes/plan-nacional-equidad-racial-afrodescendencia>.

⁶² <https://www.impo.com.uy/bases/leyes/19670-2018>.

representatives of all ministries, the judiciary, the Congress of Departmental Governors, the National Public Education Administration, the University of Uruguay and organized civil society.

66. In 2018, the National Institute for Women conducted a study on the situation of Uruguayan women of African descent who are entrepreneurs, the programmes that support their productive enterprises, the level of development and viability of those enterprises, and the women's socioeconomic inclusion and levels of social integration in various departments in Uruguay. The Institute has also systematized information about the characteristics of government programmes that promote and support entrepreneurship.⁶³

67. In 2020, the Institute concluded its initiative to support women of African descent whose enterprises are part of the programme of the National Directorate for the Social Economy and Social Integration of the Ministry of Social Development. This support took the form of a series of workshops on gender, matters concerning people of African descent, identity and entrepreneurship, and was aimed at promoting the empowerment of such women and strengthening their self-identification as women of African descent, human rights holders and full citizens, and at building their capacities to develop their productive enterprises successfully.

68. In 2018 and 2019, the Meeting of Ministers and High-level Authorities on Women's Affairs of the Southern Common Market (MERCOSUR) made strategic recommendations for the mainstreaming of an ethnic and racial perspective into the gender policies of MERCOSUR, with the involvement in particular of organizations focused on women of African descent and indigenous peoples in the region.

69. A support workshop was held for representatives of organizations of women of African descent and indigenous women of MERCOSUR, and a meeting was held with the members of the Meeting of Ministers and High-Level Authorities on Women's Affairs of MERCOSUR, the Meeting of Authorities on Indigenous Peoples of MERCOSUR and the Meeting of Authorities on the Rights of People of African Descent of MERCOSUR.

70. With regard to employment, the Ministry of Industry, Energy and Mining has identified the basic and productive needs of Uruguayan women of African descent in order to design joint policies with the Directorate for Uruguayan Women of African Descent of the National Institute for Women and to support the social innovation initiative of the Andean Development Corporation.

71. Since 2017, the Ministry of Labour and Social Security has been reporting on ethnic and racial descent and the labour market, highlighting the most relevant characteristics of the population of African descent. It has also contributed a chapter on work to the comprehensive report on the first five years of implementation of Act No. 19.122.

72. In 2019, the Ministry of Labour and Social Security conducted awareness-raising sessions on gender identity for all staff members, in addition to strengthening training for all operators.

73. In 2019, within the Ministry of the Interior, the ethnicity and race unit was incorporated into the Gender Policies Division and is currently part of the National Directorate for Gender Policies.

74. Through the "I study and work" programme coordinated by the Ministry of Labour and Social Security, students between the ages of 16 and 20 receive their first

⁶³ Beneficiary population, requirements for inclusion in the programmes, existence of affirmative action measures.

formal work experience in order to enhance their employability, while continuing their studies. The programme is universally accessible, with quotas reserved for the participation of young women, youth in vulnerable situations, people of African descent, persons with disabilities and transgender persons.

75. Act No. 19.685, later amended by Act No. 19.292,⁶⁴ promotes the economic empowerment of women and their leadership capacities, establishing mechanisms to help micro- and small-sized enterprises and family farming units to increase their competitive opportunities in public procurement processes. Act No. 19.685 provides for a minimum market reserve mechanism and for specific public procurement subprogrammes for this purpose. This affirmative action for the inclusion of women from various age groups in the education system and the labour market must be supported by care policies.

76. Act No. 19.846 establishes temporary special measures requiring all public bodies to take specific steps to support women in order to correct situations of de facto inequality. Such measures shall apply for as long as such situations persist, and must be reasonable, necessary, appropriate and proportionate to the legitimate aim pursued in each case.

Stereotypes and harmful practices

Response to the issues and questions contained in paragraph 10

77. In 2015, through the establishment, under Decree No. 427/016,⁶⁵ of the integrated national care system, which recognizes care as a human right and promotes shared responsibility between men and women for the provision of care and assistance to people in situations of dependency, Uruguay is advancing the implementation of public policies aimed at meeting the needs of people over the age of 65 who lack the independence to carry out the activities of daily living, of children up to the age of 12, of persons with disabilities who lack the independence to carry out the activities of daily living, and of people who provide care services.

78. The integrated national care system is working to achieve a cultural transformation by actively involving men in family and household chores, carrying out high-impact media campaigns, setting up a line of research on gender and care and establishing a specialized gender unit for the effective mainstreaming of a gender perspective in care policy.

79. Since 2016, the National Institute for Women has been working on the “Caring with equality” seal, which certifies gender-equal practices in public and private early childhood centres. The tool is used to identify the situation of a centre with respect to certain dimensions of equality and to help centres to gradually mainstream a gender perspective into institutional planning, and to rethink and modify their practices. The “Caring with equality” seal is coordinated by the National Secretariat for Care, the “Uruguay Grows with You” programme, the Uruguayan Institute for Children and Adolescents, the Integrated System for the Protection of Children and Adolescents against Violence and the Ministry of Education and Culture. In 2019, the tool was implemented in 18 public and private centres in Montevideo.

⁶⁴ <https://legislativo.parlamento.gub.uy/temporales/leytemp4914591.htm#:~:text=%2D%20Decl%20C3%A1rase%20de%20inter%20C3%A9s%20general%20la,agropecuaria%20y%20la%20pesca%20artesanal.&text=%2D%20Cr%20C3%A9ase%20un%20r%20C3%A9gimen%20de%20compras,y%20de%20la%20pesca%20artesanal>.

⁶⁵ [https://www.impo.com.uy/bases/decretos/427-2016#:~:text=\(Objeto\)%20%2D%20El%20presente%20Decreto,un%20modelo%20solidario%20y%20corresponsable](https://www.impo.com.uy/bases/decretos/427-2016#:~:text=(Objeto)%20%2D%20El%20presente%20Decreto,un%20modelo%20solidario%20y%20corresponsable).

80. The Ministry of Labour and Social Security provides training on gender-sensitive collective bargaining and on good practices relating to shared responsibility for negotiators from the private, public and governmental sectors, drawing on best practices from the previous experiences of the Tripartite Commission for Equal Opportunities and Treatment in Employment. As a result, since 2005 there has been a 50 per cent increase in the number of gender clauses, some of which provide for shared responsibility.

81. The Quality with Gender Equity Model is a tool for organizational change towards gender equality. The Model is part of a public policy aimed at achieving gender quality in employment that the National Institute for Women has been developing since 2008. Since 2016, an ethnic and racial perspective has been mainstreamed at all levels of its implementation. As at 2019, the Model was being used in 22 public institutions, which are progressing through the various levels of the Model.

82. Since 2015, the Ministry of the Interior has had a guide for police personnel on the use of inclusive language in everyday situations and administrative proceedings. In addition, in 2016 the Ministry approved a practical training guide for police entitled “Why incorporate gender and sexual diversity into security policies?”,⁶⁶ which is aimed at enhancing sensitivity to sexual diversity within the current police force.

83. Although the integrated national care system is strategic and has been implemented on the basis of interactive discussions within the national consultative committee set up to monitor and supervise its design and implementation, the system has not yet had an impact on the lives of most women. The steps taken to reduce the care burden remain inadequate, as is the recognition of women’s contribution to sustaining the productive economy.

84. Uruguay has carried out influential media and social networking campaigns to address discrimination and gender-based violence. In 2019, the integrated national care system launched the “Nurture, rather than nature” (*No se nace, se hace*) initiative, designed to encourage reflection on the view that women are naturally suited to caregiving.

85. In 2017 and 2018, during Gender-based Violence Prevention Month, the Office of the President, together with the Uruguayan Network for Combating Domestic and Sexual Violence, broadcast television spots aimed at deconstructing gender stereotypes.

86. In 2018, the “Diverse families” short films competition was held in order to help eliminate gender stereotypes. The Ministry of Industry, Energy and Mining also issued a call for proposals for communication products highlighting women’s contributions to the economy, in particular the production and business sectors of industry in Uruguay. Workshops on good practices in gender-sensitive communication and care in the use of images and information relating to children and young people were held for audiovisual communication services and content creators. Activities were also carried out in observance of Girls in Information and Communications Technology Day, in line with the initiative of the International Telecommunication Union to reduce gender inequalities in areas of study relating to technology.

87. Since 2016, the Gender Observatory of the Advertising Circle has been promoting communication that is free of gender stereotypes, including through a decalogue of good practices for advertising communications and through campaigns carried out in March 2018.

⁶⁶ Annex 4.

88. In order to address gender stereotypes in the labour market, the Inter-agency Committee of Women in Science, Technology and Innovation, chaired by the Planning and Budget Office, was established. The Committee comprises more than 14 institutions, including the National Institute for Women. Among other achievements, the Committee has identified policy instruments relating to science, innovation and technology in Uruguay that contribute to a better understanding of gender barriers and methods for overcoming them.

89. The National Postal Administration has a policy of recognizing women, in particular Uruguayan women of African descent, by featuring them on postage stamps. The purpose of the series entitled “Notable women, outstanding public figures and distinguished Uruguayans of African descent” is to highlight the importance of these women and their accomplishments in national life.

90. In addition, the Social Security Bank offers a course on gender sensitivity for its staff members that is mandatory for career advancement. The course provides information on the foundations of government policies relating to gender equality. Information aimed at raising awareness of and analysing power relations and unequal access to opportunities and rights is also provided.

91. In order to advance cultural change in children’s football, a non-formal educational environment with a broad sociocultural reach and impact, in 2017 the National Institute for Women and the National Children’s Football Organization held eight day-long recreational events in various parts of the country and developed manuals and guides on gender equality in children’s football, which were distributed among strategic stakeholders.

92. Since 2018, the integrated national care system has been implementing a programme on engaged parenting in early childhood, an inter-agency project led by the Uruguayan Institute for Children and Adolescents, with the participation of the “Uruguay Grows with You” programme, the National Institute for Women and the National Secretariat for Care. The programme is focused on supporting, fostering and promoting parenting practices that meet the needs of children, contribute to their comprehensive development, strengthen family ties and ensure the involvement of mothers and fathers in child-rearing, while guaranteeing gender equity.

93. In 2020, the National Institute for Women designed and began implementing a public campaign on shared responsibility for caregiving in order to challenge the view that caregiving is inherently a woman’s responsibility. Priority has been given to reaching men in the poorest quintiles, who dedicate the least amount of time to caregiving. Implementation of the campaign will begin in April 2021.

94. The Ministry of Labour and Social Security has provided all personnel with training on gender, sexual diversity and matters concerning people of African descent in order to reverse all forms of discrimination. It is also committed to eradicating sexual harassment and violence and to monitoring the protection of fundamental rights through the Office of the Inspector-General for Labour. The Ministry of Labour and Social Security has also incorporated monitoring of compliance with the Sexual Harassment Act into the inspections carried out by the General Working Conditions Division, and has issued penalties and recommendations for training relating to sexual harassment to companies that commit violations.

Gender-based violence against women

Response to the issues and questions contained in paragraph 11

95. In 2017, articles 311 and 312 of the Criminal Code were amended through Act No. 19.358 in order to establish femicide as a very particular aggravating circumstance of homicide and to define femicide as the killing of a woman that is “motivated by hatred, disdain or contempt on account of her gender”. In addition, Act No. 18.850,⁶⁷ which provides for financial support,⁶⁸ psychological treatment and national health insurance coverage for orphaned children of people who have died as a result of domestic violence,⁶⁹ is in full effect.

Act No. 19.580 on gender-based violence against women

96. Following the adoption of Act No. 19.580, comprehensive policies for prevention, care, protection, punishment and reparation have been established. Act No. 19.580 defines gender-based violence against women as a form of discrimination that affects, directly or indirectly, their life; liberty; dignity; physical, psychological and sexual integrity; economic situation and property; and personal security. Such violence is understood to consist of any conduct, act or omission in the public or private sphere that is underpinned by an unequal power relationship based on gender and has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise of women’s fundamental human rights and freedoms, including acts perpetrated by the State or its agents or by private institutions or individuals.

97. Act No. 19.580 also recognizes various forms of violence, namely, physical, psychological and emotional violence; sexual violence⁷⁰ resulting from prejudice based on sexual orientation, gender identity or gender expression; economic violence; property-related, symbolic, obstetric and workplace violence; violence in the educational, political and media spheres; femicide; street-based sexual harassment; and domestic, community-based, institutional and ethnic and racial violence.

98. The Act’s seven chapters cover the inter-agency response system and contain guidelines for public policies, mandating government institutions to adopt programmes, measures, protocols, registers and investigative mechanisms for the elimination of gender-based violence. The Act also establishes a network of care services, protection, investigation and punishment processes, and administrative and judicial processes. In addition, it amends certain provisions of the Criminal Code, introducing a set of updated criminal provisions on sexual offences, and authorizes the courts to exempt women from being sentenced to homicide in particularly serious cases of domestic violence involving a partner or former partner.

99. In article 6 (c) of Act No. 19.580, marital rape is mentioned as one of the types of sexual violence covered by the Act. However, marital rape does not need to be established as an express criminal offence, as provisions concerning the offence of rape make no distinction between rape committed within or outside of marriage.

100. The Act also established the Observatory on Gender-based Violence against Women, which continuously monitors, collects, produces, records and systematizes

⁶⁷ <https://legislativo.parlamento.gub.uy/temporales/leytemp7308236.htm>.

⁶⁸ Subsidy and special monthly family allowance.

⁶⁹ Individuals under the age of 21 or older individuals who are unmarried and have disabilities that prevent them from performing any type of work.

⁷⁰ In article 6 (c) of Act No. 19.580, marital rape is mentioned as one of the types of sexual violence covered by the Act. However, marital rape does not need to be established as an express criminal offence, as provisions concerning the offence of rape make no distinction between rape committed within or outside of marriage.

data and information on violence against women. The Observatory is directed by an inter-agency commission comprising the Planning and Budget Office, the Ministry of the Interior, the National Institute for Women and the Uruguayan Network for Combating Domestic and Sexual Violence. Until 2019, the Observatory operated within the purview of the Planning and Budget Office. Since 2020, the Observatory has been under the leadership of the National Institute for Women, and the commission is now composed of the National Institute for Women, the Ministry of the Interior and the Attorney General's Office and may invite civil society organizations dedicated to combating gender-based violence to participate in its work.

Second national survey on gender-based violence

101. In 2018, inter-agency agreements were established between the Observatory on Gender-based Violence against Women, the National Advisory Council for a Life Free from Gender-based Violence and the National Institute of Statistics for the design and implementation of the second national survey on the prevalence of gender-based and generational violence.⁷¹ The survey was formalized in 2019 through an agreement between the government bodies comprising the Observatory on Gender-based Violence against Women and the National Institute of Statistics. The results were presented in 2020, as part of the activities conducted in observance of the International Day for the Elimination of Violence against Women on 25 November. The survey included a disability parameter for the first time, in order to measure the incidence of gender-based violence among women with disabilities.

102. New fields of inquiry were incorporated, as provided for in Act No. 19.580. Among the public spheres included were education, social life, employment and the health system. Within the private sphere, violence against children, violence in contemporary families, violence against older women, intimate partner violence,⁷² and, for the first time, violence based on race, gender identity, sexual orientation, immigration and disability status were included.

103. According to the survey, in 2019 a total of 76.7 per cent of women aged 15 and older residing in Uruguay indicated that they had experienced gender-based violence in one of the spheres identified during their lifetimes, representing approximately 1.1 million women. This figure represents an increase of 4 percentage points from that reported in 2013. It cannot be assumed from these data that gender-based violence has increased, as there may be many processes that have enhanced the visibility of gender-based violence and made it less acceptable, ensuring that it is identifiable as a rights violation.

104. Of these women, 47 per cent reported having been subjected to gender-based violence by a partner or former partner during their lifetimes, and 19.5 per cent in the past year. The most prevalent form was psychological violence (44.6 per cent), reported to a greater extent by Uruguayan women of African descent than by Uruguayan women of other backgrounds (60.5 per cent versus 44.6 per cent during their lifetimes). In addition, gender-based violence affects women between the ages of 30 and 49 to the greatest extent when their entire lifetime is considered (54.8 per cent), but affects the 15–18 age group to the greatest extent when the past 12 months are considered (27.2 per cent).

105. Data on the impact of gender-based violence on women with disabilities indicate that, in the private sphere (family, current and former partner), such women are more likely to have experienced gender-based violence at some point in their lifetimes than

⁷¹ https://www.ine.gub.uy/c/document_library/get_file?uuid=85e1bfd7-b3e5-4095-abf9-76be055fe3b5&groupId=10181.

⁷² Current partner, most recent partner and previous partners.

women without disabilities (55.4 per cent versus 47.0 per cent). The trend is similar when the past 12 months are considered (33.3 per cent versus 27.2 per cent). However, in public spheres (employment, education, health care and social life), women without disabilities were more likely to have experienced gender-based violence during their lifetimes and in the past 12 months than women with disabilities, given that women with disabilities are broadly excluded from such spheres.

106. The data derived from the two national surveys are critical for developing and adapting public policies aimed at eradicating gender-based violence through an intersectional approach.

2016–2019 Plan of Action for a Life Free from Gender-based Violence, from a generational perspective⁷³

107. The Plan of Action for a Life Free from Gender-based Violence, approved in 2015 through Decree No. 306/015,⁷⁴ presents a comprehensive view of gender-based violence and establishes an interdisciplinary and cross-sectoral approach. The Plan summarizes the progress made with regard to institutional policy responses, while recognizing the enormous challenges that society in Uruguay must overcome to enable women, children and adolescents, youth and older persons to enjoy their right to a life free from gender-based violence.

108. Under the Plan of Action, the National Advisory Council for a Life Free from Gender-based Violence has conducted training sessions relating to detection, care and the restitution of the rights of women, children and adolescents, aimed at technical operators in urban and rural areas. Training and awareness-raising sessions were conducted for a total of 62,105 people during the reporting period.

109. The National Advisory Council has also focused on improving, systematizing and developing indicators and records relating to gender-based violence. In addition, it has focused on establishing a forum for inter-agency collaboration and coordination on the design and definition of a system for collecting, recording and producing statistical information and for monitoring and evaluating policy policies relating to gender-based violence. In order to strengthen femicide prevention policies, the various conditions that led to the crime between 2012 and 2018 were analysed and categorized.

110. Campaigns carried out in 2019 included “Let’s Break the Silence”, conducted under the auspices of the National Advisory Council; the fifth edition of “Dating without violence: 50 days of reflection”, in which more than 10,000 adolescents and educators throughout the country participate each year; “Relaunch hope” (*Pelota al medio a la esperanza*), an initiative of the Ministry of the Interior and the non-governmental organization Gurises Unidos aimed at promoting violence-free relationships between children and adolescents through play; the “Violence-free” campaign of the Uruguayan Institute for Children and Adolescents, which included a photography exhibition and workshops with children and adolescents; and an initiative entitled “Montevideo: a harassment-free city”, aimed at increasing the visibility of harassment as a social problem.

111. The response system of the National Institute for Women, the integrated national health system, the Ministry of Public Health, the Attorney General’s Office, the Ministry of the Interior, the Ministry of Labour and Social Security and the Office of the Governor of the Department of Montevideo have presented new protocols and updated existing protocols addressing violence against women.

⁷³ Annex 5.

⁷⁴ <https://www.impo.com.uy/bases/decretos/306-2015/2>.

Gender-based violence response system

112. The gender-based violence response system comprises various care mechanisms. The system serves all women located in Uruguay, including women of African descent, women with disabilities and migrant, refugee and asylum-seeking women. The number of care services provided by the system nationwide has increased from 18 to 33.

113. A new unit in Montevideo has joined the 18 units for territorial coordination. Moreover, the number of care teams for male aggressors has increased from 3 to 12. There are two regional services for women victims of trafficking for the purpose of sexual exploitation in Montevideo and Cerro Largo, covering 12 departments in Uruguay, in addition to a reception team for victims of trafficking for the purpose of sexual exploitation.

114. The Short-stay Shelter for women who are victims of life-threatening domestic violence and the transitional housing alternatives programme, established under an agreement with the Ministry of Housing and Land Management, have been strengthened. During this period, a halfway house, two temporary-stay centres in Montevideo and Tacuarembó and an entry portal to 24-hour centres were established. In addition, training to facilitate employment and labour market integration was provided under an agreement with the National Institute of Employment and Vocational Training. A telephone guidance and consultation service⁷⁵ has also been established for women in domestic violence situations. In 2019, responsibility for managing the service was transferred from the Office of the Governor of the Department of Montevideo to the National Institute for Women, helping to integrate and strengthen the response system.

115. A number of steps have been taken to provide information on, prevent and better respond to gender-based violence against girls and women with disabilities in Uruguay. A total of 200 response services personnel have received training on the intersection between violence, gender and disability, informed by a rights-based approach and the social model of disability. The mainstreaming of disability into protocols, guidelines and national regulations on gender-based violence has been analysed, and accessible communication materials on gender-based violence have been developed. Relationships have also been established with women with disabilities in order to increase the recognition of their rights through a series of workshops aimed at such women.

116. Response mechanisms keep systematized administrative records that enable them to monitor the activities conducted. These records have been compiled into a centralized system, known by the acronym “SMART”, in order to ensure proper processing and subsequent analysis of cases of violence. Two qualitative assessments of care services aimed at women in situations of gender-based violence have been carried out. This has made it possible to establish a more detailed profile of the affected population and to assess the mechanisms available to facilitate access to services. A new assessment focused on service performance is planned.

117. Under the National Budget Act, the budgetary resources allocated to the response system of the National Institute for Women have increased by 50 per cent. The additional resources will be used to increase the number of care services for male aggressors from 12 to 19; establish an additional care service for victims of gender-based violence in Montevideo; establish an additional care service for women victims of trafficking; set up, in conjunction with the Disability Directorate, a care service for women with disabilities who are victims of gender-based violence; increase the hours

⁷⁵ Through the telephone line 0800 4141 (*4141 on mobile devices).

of operation of existing care services for victims of gender-based violence; and extend the coverage of the telephone service for women in situations of gender-based violence to 24 hours.

118. The Integrated System for the Protection of Children and Adolescents against Violence has 33 local reception committees, which serve as points of reference for victims of violence in all 19 departments. Seven new regional reference centres of the Uruguayan Institute for Children and Adolescents have been established in four departments. In addition, all health-care providers under the auspices of the Ministry of Public Health have reference teams for domestic violence and sexual violence, and the Ministry of the Interior has 58 specialized gender units nationwide, an increase of 10 since 2020.

119. The Ministry of the Interior has developed an ankle-tagging programme for high-risk perpetrators of domestic violence as a way of monitoring compliance with protective measures ordered by courts in high-risk domestic violence cases through the management and use of electronic ankle bracelets, psychosocial support and legal advice for victims and offenders. The programme currently has nationwide coverage, which is essential to its efficiency. In 2020, the number of available electronic ankle bracelets increased from 1,200 to more than 1,700. Between January and October 2020, a total of 1,720 ankle bracelets were in use.

120. The Attorney General's Office has seven offices dedicated to the prosecution of sexual, domestic violence and gender-based violence crimes. Two of those offices were established during the past year. The support and protection unit for victims and witnesses provides information, assistance and support to victims and witnesses of gender-based violence.

121. There are 10 specialized family courts in Montevideo that work in double shifts around the clock, 365 days per year, and are competent to hear the protection proceedings provided for in Acts Nos. 17.514⁷⁶ and 19.580, as well as the proceedings set out in article 117 of the Code on Children and Adolescents,⁷⁷ on the protection of the rights of children and adolescents when those rights are threatened or violated. In the interior of the country, until courts specializing in cases involving gender-based, domestic and sexual violence are established, as provided for in Act No. 19.580,⁷⁸ justice-of-the-peace courts, irrespective of their category, will have emergency jurisdiction over domestic violence cases.

122. The Office of the Governor of the Department of Montevideo has the "Women's Commune" (*Comuna Mujer*) programme, through which it provides legal and psychosocial assistance to women in domestic violence situations in 11 areas of Montevideo. The Office also has a care service for men who decide to stop using violence. In addition, the government of the department of Tacuarembó has a care service for victims of domestic violence, and the government of the department of Paysandú has a care service for women in situations of gender-based violence.

123. The Ministry of Defence has a centralized domestic violence team within the National Health Directorate of the Armed Forces, as well as reference teams within each of the Forces.⁷⁹

124. Under Act No. 19.580, the National Advisory Council for a Life Free from Gender-based Violence is mandated to design the new national plan on combating

⁷⁶ <https://legislativo.parlamento.gub.uy/temporales/leytemp8039580.htm>.

⁷⁷ <https://legislativo.parlamento.gub.uy/temporales/leytemp3651794.htm>.

⁷⁸ Initiative promoted by the Women's Bicameral Parliamentary Caucus. These courts will be set up in the northern part of the country, where there is the greatest need for access to justice for women in situations of gender-based violence.

⁷⁹ Navy, air force and army.

gender-based violence against women, as well as other specific plans, programmes and measures for the implementation of that plan. The Council will implement the plan through an inter-agency approach, taking into consideration criteria concerning the decentralization of public policy, and will ensure the participation of civil society in the design, implementation and evaluation of the plan, in accordance with Act No. 19.580.

125. Although Uruguay has increased the level of resources allocated for the implementation of the Act and plan, more funds are needed to ensure the effective implementation of both instruments. A number of ministries have significantly increased the funds allocated to those instruments.

126. Since 13 March 2020,⁸⁰ the number of calls received by the telephone service for women in situations of domestic violence has increased substantially. The National Advisory Council for a Life Free from Gender-based Violence decided, among other measures, to request the Supreme Court of Justice to issue a general and urgent measure addressing the expiration of protection measures as a matter of priority, and containing provisions relating to custody and alimony. This measure has been implemented and the National Institute for Women has strengthened its telephone service by increasing its human resources, having sustained an 80 per cent increase in the number of calls received since the beginning of the health emergency.

127. During the daily press conferences held by the Office of the President to inform the public about the status of efforts in Uruguay to combat the coronavirus disease (COVID-19), the National Institute for Women was invited to report on steps taken to protect women, girls and adolescents against domestic violence. An advertising spot publicizing the support and police-complaint hotline for victims of violence has been widely disseminated in the mass media. During the quarantine period in March 2020, there was a 5 per cent decrease in the number of complaints compared with the same period in 2019.

Trafficking in women and exploitation of prostitution

Response to the issues and questions contained in paragraph 12

128. Uruguay has intensified efforts to combat trafficking in persons, focusing in particular on trafficking in women, children and adolescents.

129. Act No. 19.643 sets forth public policy guidelines and mandates government institutions, within their areas of competence, to take action and adopt and implement programmes, measures, protocols, registers and investigations aimed at eradicating human trafficking and exploitation. The Act also defines the rights of victims, setting out special provisions regarding children and adolescents, in accordance with the Palermo Protocol and without prejudice to the rights of all persons, as recognized in the international treaties and conventions ratified by Uruguay, the Constitution and national laws.

130. Article 4 contains definitions that promote a better understanding of the Act and characterize the phenomenon of trafficking in persons, referring to the smuggling of migrants as a risk factor for trafficking and a precursor to various forms of exploitation.

131. Under national law, trafficking is defined as a separate criminal offence for which evidence of the means is not required, in line with the definition provided in article 3 of the Palermo Protocol. It is sufficient for the activity (“recruitment,

⁸⁰ Date on which the health emergency was declared in Uruguay.

transportation”, and so on) to have been carried out and for the purposes (“forced labour or services, slavery”, and so on) to have been identified for the offence to be considered as having been committed.

132. Act No. 19.643 criminalizes the storage of pornographic material featuring children and adolescents and persons with disabilities and increases the penalty for enslavement. It also criminalizes forced or servile marriage or cohabitation, as well as forced prostitution and the wrongful removal of children and adolescents for adoption.

133. In 2019, in accordance with Act No. 19.643, the National Council on Preventing and Combating Human Trafficking and Exploitation was set up, with the participation of high-level authorities. Its work during that year centred on identifying challenges to public policy on trafficking, focusing on the implementation of the Act and its budgetary implications through a comprehensive approach. The challenges identified relate to, among other issues, the development of a specific response to address housing needs, the provision of specific care services for men, and the need for relevant institutions to have additional human resources dedicated to combating human trafficking and exploitation.

134. In 2020, the National Council on Preventing and Combating Human Trafficking and Exploitation met with new authorities and invited its technical teams to engage in discussions on the current situation and status of trafficking in persons in Uruguay and to bolster inter-agency collaboration through an inter-agency response protocol, which is still being developed.

135. Act No. 19.643 sets forth the rights of victims of trafficking in persons and related crimes in administrative and judicial proceedings. The Act also contains articles relating to protection measures for victims and witnesses, the exemption of victims from punishment, and the prohibition of the use of evidence for discrediting purposes, of confrontation and of extrajudicial mediation.

136. Article 246 of Act No. 18.719⁸¹ sets forth the specific responsibilities of the Directorate General for Combating Organized Crime and for the International Criminal Police Organization. The national police assists and maintains continuous contact with the bodies that receive reports of such offences, such as specialized gender units, police units, the Attorney General’s Office and courts specializing in organized crime.

137. In 2018, the Ministry of the Interior conducted 17 investigations relating to trafficking for the purposes of sexual exploitation, labour exploitation, the sale of children and adolescents, organ removal and trafficking-related crimes. It conducted 18 such investigations in 2019.

138. The Uruguayan Institute for Children and Adolescents is implementing the “Journey” (*Travesía*) project, aimed at supporting children and adolescents who are victims of trafficking and commercial sexual exploitation. This project, together with the establishment of mobile teams that provide care to children and adolescents who are victims of commercial sexual exploitation, has bolstered the identification and assessment efforts of local teams and has improved the quality of the care provided and the training offered to experts. The protocol for addressing situations involving international and domestic trafficking of the Uruguayan Institute for Children and Adolescents is currently being revised with the support of a consulting firm.

139. In 2018, the Uruguayan Institute for Children and Adolescents established the new role of “focal point for a life free from violence”, with 27 focal points at the national level. These experts support coordination and collaboration on projects to

⁸¹ <https://legislativo.parlamento.gub.uy/temporales/leytemp413513.htm>.

provide care for victims of violence. They also offer guidance and advice upon request and participate in the coordination of the Institute's programmes and in inter-agency coordination to support citizens and public bodies. The Institute also has local projects for the provision of comprehensive care to children and adolescents in situations of gender-based and generational violence in six departments. These projects are targeted at children and adolescents who have been subjected to ill-treatment, sexual abuse, commercial sexual exploitation or trafficking.

140. The National Institute for Women provides psychological, social and legal advice and guidance to adult women who are directly involved in situations of trafficking and exploitation, and to their close relatives and family members. The Institute also provides women with timely information and advice regarding prosecution and possible complaints. In the event that beneficiaries wish for their cases to be prosecuted, they are represented in proceedings by legal professionals.

141. In 2019, the Institute revised its care model, updated its registration form, set up its own reception team and expanded its care service to cover Montevideo, Canelones, San José, Maldonado, Rocha, Lavalleja and Florida. In addition, the care centre covering the Departments of Rivera, Durazno and Treinta y Tres has been set up in Cerro Largo.

142. The Office for Assistance to Compatriots and Community Services of the Ministry of Foreign Affairs addresses cases of international trafficking by assisting victims in cooperation with Uruguayan consulates abroad, repatriating victims upon their request and referring them to the appropriate national care services. In addition, the Office, together with the Directorate of Human Rights and Humanitarian Law of the Ministry of Foreign Affairs, offers ongoing training designed to provide diplomatic officials and local personnel serving in missions abroad with information and updates concerning international trafficking.

143. The Office of the Inspector-General for Labour and Social Security processes all labour trafficking complaints received. In cases in which advice and other types of services are needed, the Office coordinates with the member institutions of the National Council on Preventing and Combating Human Trafficking and Exploitation.

144. In Uruguay, applications for refugee status are not used to provide victims of trafficking with access to protection and support services. With regard to protection, Act. No. 19.643 sets out equality and non-discrimination as its guiding principle. The Act also enshrines the principle of comprehensive care, providing that government institutions must take steps to ensure comprehensive care for victims, whether or not they have filed a criminal complaint. These principles are supported by the articles on the rights of victims, even if they have not filed a judicial or administrative complaint; the rights of victims to gain access to justice; the rights of children and adolescents who are witnesses or victims of trafficking and exploitation; and protection measures for victim and witnesses, taking into account all relevant factors, including age and gender.

145. Among other priorities, the member institutions of the National Council on Preventing and Combating Human Trafficking and Exploitation are committed to raising awareness and providing training and education on trafficking in persons for social operators and public officials, using various approaches and forums.⁸² This is a permanent area of work for the Council. The Council has identified two ways of fulfilling this commitment: interventions within each institution to develop the specific competencies of staff in the areas of detection, care and prosecution, and inter-agency collaboration aimed at improving coordination and networks between staff working on the issue from different angles. A number of campaigns have been

⁸² Presentations, workshops, seminars, and in-person and virtual courses.

conducted to improve public awareness of this topic, including the “Responsible tourism” campaign; the “Free from trafficking in persons” campaign of MERCOSUR; the “Stop collaborating” campaign; the “Welcome to Uruguay: a country of fair treatment” initiative; the “Keep to the right” (*Por la mano correcta*) campaign; the “No excuses” campaign; the “End trafficking in Uruguay” campaign; the “Don’t use their bodies” (*No consumas sus cuerpos*) campaign; an initiative on the responsible use of social networks; and the “I want you free” (*Te quiero libre*) campaign.

146. The Ministry of Tourism has conducted awareness-raising campaigns relating to preventing the sexual exploitation of children and adolescents in the context of travel and tourism. Between 2016 and 2020, the Ministry was the coordinator of the Regional Action Group of the Americas, working alongside 15 countries and two international observer organizations.

147. In Uruguay, Act No. 17.515⁸³ regulates sex work and provides for the establishment of the Honorary National Commission for the Protection of Sex Work.⁸⁴ The purpose of the Commission is to advise the executive branch, ensure compliance with the Act and its implementing regulation, inform sex workers of their rights and responsibilities and support them in any legal action aimed at protecting them against any form of exploitation, promote sexual and health-related education for sex workers and collaborate on relevant campaigns conducted by competent authorities using the media and other means of dissemination. However, the Act does not take into account key aspects related to the social protection system and rights violations that arise in the course of such work. It is currently being revised.

148. In 2020, the Office of the Governor of the Department of Montevideo and the civil society association El Paso conducted a study on sex work in Montevideo.⁸⁵ This is the first empirical examination of sex workers and the conditions under which they perform their work. In Uruguay, sex work is legal, has a legal framework and is regulated by the Government.

149. The Ministry of Labour and Social Security is developing the Comprehensive Plan for the Promotion of Employment, which, among other initiatives, provides for programmes that offer differential subsidies to companies that hire vulnerable people, unemployed women and women seeking job retraining. There are employment centres throughout the country that provide job counselling, referrals for training and labour intermediation in private companies, giving priority to women who have been subjected to the most serious rights violations, such as those who have experienced gender-based violence and multiple forms of discrimination. The centres coordinate at the local level with public institutions and civil society organizations. Efforts are under way to provide the operators of the centres with further training on trafficking, sexual exploitation and sex work.

150. Although Uruguay is examining this phenomenon and has a set of social policies targeted at various vulnerable populations, there are no specific programmes for women who wish to leave sex work.

⁸³ <https://legislativo.parlamento.gub.uy/temporales/leytemp2273378.htm>.

⁸⁴ Comprising the Ministry of Public Health, the Ministry of the Interior, the Ministry of Labour and Social Security, the Uruguayan Institute for Children and Adolescents, the Congress of Departmental Governors and non-governmental organizations representing sex workers.

⁸⁵ <https://montevideo.gub.uy/sites/default/files/biblioteca/diagnosticosobretrabajosexual2020.pdf>.

Participation in political and public life

Response to the issues and questions contained in paragraph 13

151. The historical rates of female participation in parliament show the difficulties faced by Uruguayan women in attaining political decision-making positions and the need for legislation to address the situation.

152. The quota law in force in 2014 and 2015⁸⁶ was applied only once and only superficially, achieving a 30 per cent rate for female representation in the Senate but having no impact whatsoever in the Chamber of Deputies. In 2017, Act No. 19.555 was approved, under which the equitable participation of persons of both sexes in national and departmental elected bodies and the leadership of political parties is declared to be in the public interest, reiterating the concepts and criteria for implementation of the legislation it replaced.⁸⁷

153. In the 2019 parliamentary elections, the proportion of women parliamentarians stood at 19.2 per cent, increasing by 0.7 percentage points compared to the rate for women elected in 2014 (18.5 per cent). In the Cabinet appointed in 2020, the proportion of female ministers was 14.3 per cent, compared to 38.5 per cent in the previous period. Uruguay still has the lowest levels of female participation in the legislative branch in Latin America and the Caribbean.

154. At the local government level, the proportion of female mayors elected in 2020 was 10.5 per cent, compared to 21.4 per cent in 2015. The proportion of women councillors for the term from 2020 to 2024 is 26.8 per cent, compared to 27.5 per cent in the previous period.⁸⁸

155. There are many factors leading to women's underrepresentation in politics but the main filter for screening women candidates in elections is simply the political parties and the electoral system themselves. Under electoral systems with closed and blocked lists, such as the Uruguayan system, the leaders of the party fractions have the main responsibility for selection and it is they who decide on the order in which candidates are listed. In the absence of rules mandating the inclusion of women, decisions are skewed and prejudiced, based on stereotypical assessments of women's political skills and experience. Consideration must be given to the difference in access for men and women to the material and symbolic resources that are valued in the political arena and that favour men while severely limiting opportunities for women.

Response to the issues and questions contained in paragraph 14

156. In the Senate, there is a Special Committee on Human Rights, Equity and Gender and there has been a Special Committee on Equity and Gender in the Chamber of Deputies since 2015.

157. In March 2020, with a woman Vice-President of the Republic at the helm, the Women's Bicameral Parliamentary Caucus, composed of women legislators from all political parties, was publicly reinstated. The Caucus has been operating on an ad hoc basis since 2000.

⁸⁶ Act No. 18.476: <https://legislativo.parlamento.gub.uy/temporales/leytemp6260241.htm#art1>.

⁸⁷ One in every three candidates or alternates must be of a different sex, with the difference that there is no end date.

⁸⁸ 2015–2020.

158. Despite the fall in women's representation in the executive branch in the last legislative period compared to the previous one, a woman Vice-President was elected and a woman Minister of Economy was appointed, in two historical firsts.

159. In the autonomous agencies, 17 of the 64 senior positions are held by women. It is also hard for women to reach the top positions in public enterprises, where only 4 of the 31 senior positions are held by women.

160. In the labour market, women who have jobs have less access to management and leadership positions than men,⁸⁹ despite having higher levels of education. In the private sector, only 19.4 per cent of businesses have women in senior positions, a rate that is 22.9 per cent at small enterprises, 13.8 per cent at medium-sized enterprises and only 4 per cent in management positions at large companies, respectively.

161. In 2016, a bill was introduced to ensure parity in men's and women's political participation in the legislative branch, departmental councils, departmental boards, municipalities, electoral boards and all political party bodies. However, it did not gather the support needed for a reading. Regulations were also discussed to promote a greater allocation of State financing for political parties to lists headed by women and to seats actually held by women, but the negotiations did not bear fruit. The drafting of a parity bill has been publicly announced for this new period, but it has not yet been formally introduced. In 2020, it was announced that a new parity bill would be submitted to parliament in 2021.

162. According to information from the National Civil Service Office, in the executive branch, 78 per cent of leadership positions at the levels of minister, head of executive units and politically appointed director, are held by men and 22 per cent by women, while the proportion is close to parity (55 per cent men and 45 per cent women) at the levels of unit manager, division director and department heads and lower levels. Horizontal segregation, associated with traditional gender roles, is also visible, with a greater concentration of women in leadership in occupations historically considered to be for women.⁹⁰

163. Vertical segregation is also evident in academia. At the University of the Republic, women are underrepresented in the most senior positions despite being in the majority among teaching personnel as a whole. According to data from the Directorate-General of Planning of the University of the Republic, although women accounted for 57.1 per cent of grade 1 teaching positions in 2020, the proportion falls as the grade rises, dropping to 33.7 per cent by grade 5. Of the University of the Republic's 15 faculties, only 8 deans are women, giving a gender breakdown of 53.3 per cent for women and 46.6 per cent for men.

164. While much remains to be done to narrow the gap in women's access to the highest levels of decision-making, studies were conducted and published in 2017 and 2020 to monitor and obtain data on the situation.⁹¹

165. For the current government period (from 2020 to 2025), the National Institute for Women has set itself the goal of promoting women's political participation as a strategic action line. In 2020, work began on a training programme for women politicians to strengthen skills to improve their opportunities in decision-making positions. The intention is to train women across the country, improving their skills and knowledge for political positioning.

⁸⁹ 33.1 per cent were women in 2016.

⁹⁰ In the areas of health, education and social services.

⁹¹ <https://www.gub.uy/oficina-nacional-servicio-civil/comunicacion/publicaciones/brechas-acceso-puestos-decision-administracion-central-2017>.

166. It is recognized that all these initiatives are insufficient to bring about a cultural change in gender patterns and stereotypes. Cultural transformation is a slow process and requires many strategies, including educational, cultural, communicational and institutional strategies, and others involving public and private institutions as well as families and the community.

Nationality

Response to the issues and questions contained in paragraph 15

167. Mechanisms have been adopted to facilitate access to the identity card, allowing for the immediate documentation of migrants who choose to live in Uruguay. Upon initiation of the residency procedure, applicants receive a provisional identity card, which ensures their eligibility for social security benefits related to their work or family situation, on an equal basis with Uruguayan workers, including with equal opportunities. In Uruguay there is an Act that recognizes the equal rights of foreign migrants and Uruguayans.⁹²

168. In 2018, Act No. 19.682⁹³ on the recognition and protection of stateless persons was passed to establish a framework of legal protection to ensure that stateless persons and persons applying to be recognized as stateless can effectively exercise their fundamental human rights and have access to the process of naturalization, enabling them to become legal citizens of Uruguay.

Education

Response to the issues and questions contained in paragraph 16

169. According to the 2018 national survey on adolescence and youth of the National Institute of Statistics,⁹⁴ 49.2 per cent of 18-year-old women had completed high school, compared to 37.9 per cent for men of the same age. At 38.9 per cent, the main reason given for dropping out of formal education was starting a job, followed by not being interested in learning anything else (22.5 per cent). Finding the curriculum difficult was the reason given by 7.7 per cent, 7.4 per cent dropped out owing to their own or their partner's pregnancy, 3 per cent had to attend to family matters, 1.5 per cent had economic problems and 0.8 per cent had to take care of children under 12 years of age. Among those who dropped out of high school, 73.1 per cent planned to resume their studies in the future.

170. The General Education Act⁹⁵ establishes the right of pregnant students to continue their studies, receive specific educational support and be granted authorized absences for pre- and post-natal care. In 2017, the Governing Board of the National Public Education Administration issued specific regulations establishing flexible conditions in public schools and childcare solutions such as flexible hours, financial support, face-to-face and virtual tutoring and exemption from evening classes. The National Public Education Administration has specific rules and measures to help secondary and higher education students who are pregnant or nursing infants to avoid dropout, including a special system for taking attendance, special support to maintain

⁹² Act No. 18.250: <https://www.impo.com.uy/bases/leyes/18250-2008>.

⁹³ <https://legislativo.parlamento.gub.uy/temporales/S2018100734-009144847.pdf>.

⁹⁴ https://www.ine.gub.uy/c/document_library/get_file?uuid=cd8dfe98-5abf-4e9b-90e7-06214706e970&groupId=10181.

⁹⁵ Act No. 18.437: <https://legislativo.parlamento.gub.uy/temporales/leytemp2338277.htm>.

regulated student status for the academic year and qualifications according to the study plan, to take examinations as regulated students.⁹⁶

171. The National Public Education Administration's Gender Network promotes gender equality throughout the national education system, focusing on pedagogical, organizational, financial and human resources-related aspects, with a view to reducing the multiple inequities that impede comprehensive personal development. It was established in 2009 and is coordinated by the Directorate of Human Rights of the Governing Board.

172. As part of the strategy for the prevention of adolescent pregnancy and the integrated national care system, the National Public Education Administration is implementing a childcare project for the children of young mothers and fathers so that these young parents can ensure that there is no gap in their secondary education. There are six care centres operating in the afternoons and evenings in the Departments of Canelones, Montevideo, Río Negro, Rocha, Soriano and Treinta y Tres. In addition, provision has been made for customized curriculums for students with children under 5 years of age in their care when the school identifies absenteeism and/or a risk of dropout.

173. Since 2002, the Social Insurance Bank has been offering a system of benefits⁹⁷ for mothers under 23 years of age in situations of social vulnerability to enable them to continue their studies and acquire knowledge that will give them opportunities to start work and for social integration.

174. Women of African descent have lower levels of education than other women and face higher rates of poverty and gender-based violence in both the public and private spheres.

175. According to data from the Ministry of Education and Culture's National Scholarships Office, there was a significant increase in the number of grants awarded to students of African descent, from 1.39 per cent in 2011 to 19.02 per cent in 2016. In university education, 13 per cent of scholarship recipients self-identify as being of African descent.

176. In 2019, the Ministry of Education and Culture conducted a train-the-trainer course on education and African descent, aimed primarily at members of teacher training programmes. In 2019, through an agreement with the Faculty of Psychology of the University of the Republic, the Honorary Commission against Racism, Xenophobia and All Other forms of Discrimination supported an internship with students from the No. 11, Cerro – Montevideo high school, addressing issues of human rights and discrimination. The Wikipedia Editatona 2019 event was held on the theme of feminisms in Uruguay and, under the Ministry's education and gender line, a day editing Wikipedia content related to feminisms in our country was coordinated together with the non-governmental organization Cotidiano Mujer, Wikimedia Uruguay and the National Library.

177. The National Public Education Administration adopted the Comprehensive Plan for the Promotion of Access for Girls and Young Women to Training Opportunities in Science and Technology.⁹⁸ It began to implement the Plan in 2019 and has planned actions scheduled until 2024. The Plan provides for specific goals to be met by the

⁹⁶ Minute No. 8 of 28 February 2018, Decision No. 57, Minute No. 29 of 30 May 2017, Decision No. 1, Minute No. 84 of 13 December 2017, Decision No. 1, Extemporaneous Minute No. 2 of 13 March 2017, Decision No. 74 and Minute No. 87 of 26 December 2017.

⁹⁷ Economic support, social assistance and educational workshops.

⁹⁸ <https://www.anep.edu.uy/sites/default/files/images/Archivos/publicaciones-direcciones/DDHH/noticias/2020/200505/materiales%20ni%C3%B1as%20-%20STEM.pdf>.

Governing Board of the National Public Education Administration and the different Councils that comprise the Administration, and contains action lines to achieve them.

Response to the issues and questions contained in paragraph 17

178. The General Education Act includes sex education as a cross-cutting area in the National Education System and in 2006 established a programme on sex education.⁹⁹ This effectively incorporates the topic into the education process at all levels, including teacher training, technical-vocational education and primary education. Sex education is a cross-cutting and priority area implemented through various methodologies depending on decisions of the Councils. The Gender and Sexuality Unit of the Central Education Board's Human Rights Department ensures that sex education is incorporated into the formal education system, based on the principles of development, health and rights, and the fostering of citizenship.

179. The Social Security Bank conducts a programme for teenage and young mothers¹⁰⁰ whose specific objectives are to enable the recruitment of teenage and young mothers who are under 23 years of age, beneficiaries of the Social Security Bank and the "Uruguay Grows with You" Programme and interested in continuing their studies, in order to facilitate their entry into the formal and specialized labour market; to promote the acquisition of social skills by teenage and young mothers; and to increase their autonomy in economic and physical terms and in decision-making, in both public and private life. The benefits are economic, social and educational. The economic support takes the form of a personal cash transfer, intended to cover the cost of training, transportation, study materials, care of the child, use of public or private educational institutions, support classes and drop-off childcare facilities for unforeseen situations. The social support is focused on promoting the autonomy and personal and social development of mothers and on improving their family environment, by providing them with support in the construction and consolidation of their life project. The educational support consists of mandatory workshops for scholarship holders, planned and conducted by Social Security Bank social workers, on topics such as sexual and reproductive health, gender, self-esteem, parenting guidelines, entry into the labour market, gender-based violence. The grants can be paid out for a period of up to 36 months of actual payments, depending on each mother's project.

180. In 2016, in the Education Directorate of the Ministry of Education and Culture, the education and gender line was formalized within the education and human rights area. It has specific human, material, physical and budgetary resources and its objectives are to coordinate and articulate public policy actions in the field of education on issues of gender, sexuality and diversity, with an intersectional approach; to strengthen the process of mainstreaming gender equality in the Education Directorate of the Ministry of Education and Culture; to participate in a substantive and ongoing way on institutional and inter-institutional committees working with the National Gender Council and in accordance with the 2030 National Gender Equality Strategy and Act No. 19.580, among other regulations; to conduct training activities for students, teachers, educators and technicians working in formal and informal, public and private education on the thematic areas in question; and to carry out campaigns and other activities to raise awareness among the general public.

181. In 2016, the Training in Education for Equality Programme was established, coordinated by an inter-institutional team made up of representatives of the education and gender areas of the Education Directorate of the Ministry of Education and

⁹⁹ <https://www.anep.edu.uy/programa-educaci-n-sexual>.

¹⁰⁰ <https://www.bps.gub.uy/14796/programa-de-apoyo-a-madres-adolescentes-y-jovenes.html>.

Culture, the National Institute for Women, the Governing Board of the National Public Education Administration's Human Rights Directorate and the team from the Ceibal Plan's Training Department.

182. Since 2016, more than 7,000 teachers, educators and technicians working in formal and informal education throughout the country have received training. Training activities carried out so far have included the themes of dating free of violence; strategies for educational practice (five editions); education and sexual diversity (two editions); education and African descent issues (three editions); human rights education (three editions); prevention of sexual abuse in the educational environment (three editions); contribution of masculinity studies to thinking about educational practice (two editions); prevention of trafficking in persons for sexual exploitation (one edition); education, sexual rights and reproductive rights (one edition); and workshops on prevention of sexual abuse in the sports education environment (two workshops).

183. In 2019, a new edition of the virtual course on human rights education was organized. The special edition, with the theme of "30 years of the Convention on the Rights of the Child", was aimed at teachers, educators, education technicians and education students from all over the country.

184. Pursuant to the National Human Rights Education Plan,¹⁰¹ the Ministry of Education and Culture and the Uruguayan Institute for Children and Adolescents conducted 15 human rights education workshops in 2019 for teams working in the Institute's 24-hour protection centres in several of the country's departments.

185. In 2019, the National Commission for Human Rights Education continued to work on a follow-up and monitoring mechanism for the implementation of the National Human Rights Education Plan under the fourth National Plan of Action on Open Government¹⁰² and on the establishment of operational plans with commitments by various institutions and social organizations for the period from June 2019 to June 2020.

186. In 2019, several day-long activities were held with young people from several departments of the country and personnel from the programmes and projects conducted by the institutions on the Council, focusing on the socio-educational aspects of human rights education. In addition, a similar event was held in parliament, where participants spoke with parliamentarians about the Code of Children and Adolescents to advocate for work on the recognition of their rights in this area of legislation.

187. The Ministry of Education and Culture held a series of seven workshops, entitled "Contributions to think about education in terms of human rights", aimed at the Ministry's personnel and proposed by the education and human rights area and the management team, in response to the needs identified by different programmes, areas and projects for understanding and agreement on various elements and common language regarding issues related to education and human rights.

188. In 2019, curricula were designed for two new courses, one on the prevention of trafficking in children and adolescents for sexual exploitation in the educational environment and another on the prevention of sexual abuse of children and adolescents in the educational environment, and also for a workshop on the prevention of sexual abuse in the educational sports environment.

189. In the first half of 2020, together with the Education and Gender Line of the Education Directorate of the Ministry of Education and Culture, an awareness-raising

¹⁰¹ Annex 6.

¹⁰² Annex 7.

module on human rights education was taught at meetings of informal education educators held by the Education Directorate of the Ministry of Education and Culture. The module was conducted remotely as a result of the COVID-19 pandemic.

190. In addition, an online seminar on the right to education and human rights education in times of crisis was organized by the National Commission for Human Rights Education that was aimed especially at teachers, educators, technicians and education students from all over the country.

Employment and social security

Response to the issues and questions contained in paragraph 18

191. In Uruguay, the greater difficulties that women face in entering and remaining in the labour market and in accessing certain production sectors, goods and services have a negative impact on their social integration and possibilities for personal development.

192. Men and women have different levels of access to their own income and unequal levels of economic autonomy. The lack of their own income affects women to a greater extent, especially those living in lower-income households. In 2019, 21.2 per cent of women living in households in the lowest income quintile had no income of their own of any kind.

193. Data from the most recent census, conducted in the country in 2011, show the large differences in employability rates between men and women with and without disabilities. While the employment rate for men without disabilities is 74.0 per cent, compared to 54.3 per cent for women without disabilities, among persons with disabilities the difference is more pronounced: compared to the 44.5 per cent employability rate for men, women only reach an employment rate of 27.5 per cent.

194. The youngest women with dependent children and low levels of education comprise one of the groups facing the greatest difficulties in terms of employment and access to projects for a life beyond motherhood, which is considered essential. Women over 45 are another disadvantaged group, as are migrant women, transgender persons and persons with disabilities. Even for women with the highest levels of education, employment is more elusive, and they face glass ceilings and a gender wage gap.

195. In 2019, the labour force participation rate was 14.1 percentage points lower for women than for men. A comparison of the female labour force participation rates¹⁰³ for 2020 and 2006 shows a growth of 5.8 per cent (3 percentage points) for the country as a whole, while the rate for men decreased by 5.9 per cent (a fall of 4.3 percentage points) in the period. Unemployment continued to affect women more, with higher rates than for men (12.4 per cent versus 8.6 per cent, respectively). This situation is worse for Uruguayan women of African descent, among whom the unemployment rate for 2019 was 14.3 per cent. This latter group also faces higher rates of informal employment.¹⁰⁴

196. In 2019, Uruguayan women's hourly wages were 5 per cent lower than for men. In most branches of activity, male hourly income exceeds female income, with the widest gap seen in professional, scientific and technical activities, where women earn

¹⁰³ Proportion of economically active women as a ratio of the female population of working age.

¹⁰⁴ For 2018, 34.9 per cent of Uruguayan women of African descent compared to 23 per cent for women not of African descent.

67 per cent of the salary earned by their male counterparts, and in financial and insurance activities, where women earn 71 per cent of men's salaries.

197. The Ministry of Labour and Social Security provides training to women negotiators from the private, public and government sectors in collective bargaining with a gender perspective and in shared responsibility. In the sixth collective bargaining round in 2018, 75 per cent of agreements had gender clauses. In the seventh round in 2019, the goal was for all agreements to contain gender clauses and for better implementation. During the eighth round in 2020, for the most part it was decided to extend the agreements already concluded, except for those established on a once-only basis.

198. The Tripartite Commission for Equal Treatment and Opportunities in Employment held a meeting of women negotiators to increase the number of women among the representatives of social actors in the Wage Negotiation Committee, thereby strengthening the representation of women who negotiate working conditions and awards for both employers and workers.

199. In addition, ongoing support was provided to domestic workers in order to enforce laws on domestic work and strengthen the capacity of employers and workers to negotiate and reach agreements. This sector has been strongly affected by the crisis generated by the COVID-19 pandemic, combined with the subsequent large-scale exodus of workers, increases in unemployment benefits (partial or total) and the informal nature of the sector.

200. The Collective Bargaining Division of the Ministry of Labour and Social Security has developed a computer-based platform for internal use in processing information from various sectors, including indicators that reflect whether decisions and agreements comply with regulations and take gender issues into account. From 2005 to 2019, there was a 50 per cent increase in gender clauses, some of which provide for shared responsibility.

201. The Ministry of Labour and Social Security conducted training on sexual diversity and public policies for the entire staff of the National Employment Directorate and the Technical Employment Centres throughout the country. The employment centres in Canelones have become trans-friendly centres.

202. In 2020, under the new Administration, the National Employment Directorate strengthened the Employment Policies Division and reviewed all public employment services. The following lines of work were established: strengthening of gender training in relation to the law on equality and the law on gender-based violence against women; review of career guidance and labour intermediation practices to eradicate gender biases and promote substantive equality; prioritization of care for women who suffer from gender-based violence and an urgent focus on those women referred by the judiciary; continuation of programmes of subsidies for the hiring of workers, giving priority to those women who are more vulnerable and to ensuring support to facilitate their access to and security in employment; hiring of women in the interior of the country by companies linked to the Uruguayan Chamber of Information Technologies, including on-the-job training, mentoring and job placement for women in non-feminized sectors and contributing to reducing gender wage gaps and the digital divide; recognition for companies with shared gender and social responsibility policies; affirmative action in productive investment projects for the establishment of criteria to encourage women's entrepreneurship.

203. Act No. 19.133 of 2013, the Youth Employment Act, within the framework of the protected youth work model,¹⁰⁵ provides incentives for the recruitment of women in the form of an increased subsidy for companies that hire women for periods of 12 to 18 months. The Act promotes the elimination of all forms of violence at work through information, awareness-raising and training activities on the prevention and punishment of sexual harassment in the workplace for persons responsible for implementing its provisions and provides for training and initiatives to raise awareness of harassment in companies of the Act on the prevention and punishment of sexual harassment in the workplace. Support is also offered to young people to prevent discrimination and sexual harassment in the workplace.

204. Act No. 18.065 on domestic work¹⁰⁶ authorizes the Ministry of Labour and Social Security to conduct labour inspections in this sector. Registration has been improved since 2014 and operations are carried out, both in response to specific complaints and ex officio. With reference to complaints, there is a protocol that establishes that when a complaint is made of alleged informal domestic work, other households in the area are automatically visited at the same time as the inspection of the complaint is carried out so that the complainant cannot be identified. Since 2013, there has been an increase in the number of labour complaints by migrant workers.

205. In the context of mainstreaming the gender perspective contained in the Social and Productive Complementarity Plan into the proposals for work stimuluses and pursuant to Act No. 19.580, the need has been recognized for the adoption of measures for the placement of women in the labour market and for support in exiting situations of violence. In the Ministry of Industry, Energy and Mining, a project to train women electricians was established and implemented through an agreement between the National Institute for Women and the National Institute of Employment and Vocational Training related to job training for women in situations of gender-based violence. The trainees work in paid internships through the Programme of Cooperative Training, through an agreement between the National Institute of Cooperatives and the National Institute of Employment and Vocational Training. The goal is to incorporate the trainees into the formal labour market so that they will have their own income, helping them to exercise their rights and to live a life free of violence.

206. An Industry, Energy and Technology Observatory has been established within the Ministry of Industry, Energy and Mining that is incorporated into a web platform providing reliable information on different areas of the Ministry and indicators of economic autonomy, especially in physical and economic terms and in decision-making. Gender and generation gaps were found in production sectors that are a priority in Uruguay, such as electronics and robotics; the audiovisual field; biotechnology and nanotechnology; forest design; timber; computer services and information and communications technology, to identify areas of labour market opportunities for young women.

207. A national survey of micro-, small and medium-sized enterprises was also conducted, producing diagnostic data for improvements in public policies in this area.¹⁰⁷

¹⁰⁵ <https://legislativo.parlamento.gub.uy/temporales/leytemp3501857.htm#:~:text=%2D%20La%20presente%20ley%20tiene%20por,perspectiva%20de%20los%20derechos%20fundamentales.>

¹⁰⁶ [https://legislativo.parlamento.gub.uy/temporales/leytemp2607957.htm#:~:text=%2D%20Establ%C3%A9cese%20la%20limitaci%C3%B3n%20de%20la,Art%C3%ADculo%203%C2%BA%20\(Descanso%20intermedio\).&text=Trat%C3%A1ndose%20de%20trabajadoras%2Fes%20%22sin,duraci%C3%B3n%20m%C3%ADnima%20de%20dos%20horas.](https://legislativo.parlamento.gub.uy/temporales/leytemp2607957.htm#:~:text=%2D%20Establ%C3%A9cese%20la%20limitaci%C3%B3n%20de%20la,Art%C3%ADculo%203%C2%BA%20(Descanso%20intermedio).&text=Trat%C3%A1ndose%20de%20trabajadoras%2Fes%20%22sin,duraci%C3%B3n%20m%C3%ADnima%20de%20dos%20horas.)

¹⁰⁷ Annex 8.

Response to the issues and questions contained in paragraph 19

208. The integrated national care system has three specific forums for coordination: the National Care Board, the National Secretariat for Care and the Care Advisory Committee.

209. The National Care Board is the highest decision-making body in the integrated national care system and is where strategic guidelines are agreed and responsibilities and deadlines for inter-institutional work are assigned. The National Secretariat for Care operates from within the Ministry of Social Development and is responsible for coordinating implementation of the integrated national care system, drawing on the work of all member institutions. The Care Advisory Committee is the forum for dialogue between the State and the social actors involved in care policies.¹⁰⁸

210. In early childhood, the intention was to expand the coverage of care services for children under 3, through a range of offerings, with a focus on certain parts of the country and on extending coverage for the 3 years-of-age level. To spread coverage, attention was paid to aspects that can ensure quality and the promotion of care and parenting with shared responsibility, from a gender perspective.

211. It is worth noting that there was an increase in public coverage from 62,565 places in 2014 to 74,736 in 2019, an increase of nearly 13,000 children.

212. A Socio-educational Inclusion Grant Programme has been in place since 2016, under which care and education services are provided to children under 3 (and, exceptionally, of 3 years of age), in families enrolled in the family support programmes of the Ministry of Social Development and the Uruguayan Institute for Children and Adolescents, living in areas with a shortage of public childcare and education services. If the number of children receiving the above-mentioned grants is included, public coverage totals 76,991.

213. Between 2014 and 2018, the coverage provided by private childcare and education centres fell in terms of the number of children in attendance, from 29,955 to 26,598. The expansion of public services could be causing a crowding-out effect, shifting them from the private to the public sector.

214. In 2017, the first community care house began operating and there are currently 12 houses, with two more to open soon. This service is operated by the Uruguayan Institute for Children and Adolescents and provides care for children between 45 days and 12 months of age. Care and education spaces were also inaugurated for the children of high school students, with six spaces currently in operation.¹⁰⁹ The service aims to provide quality care while ensuring that there is no gap in the education of their mothers and fathers.

215. For dependent people, a goal was established of access to quality care that promotes autonomy and inclusion through the Personal Assistant Services for the Long-term Care of Severely Dependent Persons Programme and the Tele-care Programme. Although the services are designed for applicants in a situation of severe dependency, regardless of their age, priority has been given to those under 30 or over 80 years of age. There were 5,791 people actively using personal assistant services in October 2019.

¹⁰⁸ The Inter-Union Plenary of Workers – National Workers' Convention, the academic sector, civil society organizations and private service providers in the care sector.

¹⁰⁹ In Canelones, Montevideo, Río Negro, Rocha, Soriano and Treinta y Tres.

216. There has been a significant increase in the number of people working as personal assistants, from almost 2,000 in 2017 to 4,510 in 2019. Ninety per cent of such assistants are women.

217. In 2016, the design of the curriculum for dependency care was adopted by the National Care Board. The general competences established in the caregiver profile are providing encouragement, assistance and support in the basic, instrumental and advanced activities of daily life; and improving the quality of life and well-being of dependent persons. Care also entails promoting and encouraging, as facilitators, all those activities that contribute to the development of autonomy. In addition, risks and situations of vulnerability are identified, helping to anticipate problems in caregiving duties.

218. This programme began operating in 2017 and provides subsidies so that persons in a situation of mild and/or moderate dependency can contract a service to notify their family, neighbours or a medical service of any incident occurring in the home. It works through a bracelet or pendant that, when pressed, activates a connection to a 24-hour care centre. The service had 1,371 users in 2019.

219. Other services provided by the integrated national care system include day-care centres. These are spaces that provide care in the day for persons over 65 who are slightly or moderately dependent and who live at home. The intention is to extend living at home and provide relief to the caregiving family.

220. The integrated national care system is responsible for training the staff of long-stay centres to ensure minimum quality standards and to include them in the systemic culture.

221. In 2017 and 2018, the integrated national care system also promoted initiatives on men and women's shared responsibilities as complementary activities throughout Uruguay, building on sociocultural and communicative proposals to raise awareness of the shared responsibility of men and women in caregiving.

222. Currently, as part of a restructuring of the Ministry of Social Development, the former directorates of the disability programme and the integrated national care system have been merged into one directorate.

223. Steps to distribute family responsibilities equitably between men and women include extension of the leave system for the self-employed workers provided for in Act No. 19.161.¹¹⁰ Beginning in 2016, maternal leave was extended from 13 to 14 weeks, postpartum paternal leave was extended from 3 to 10 days (plus 3 days for employed workers) and the half-time schedule care subsidy was extended from 4 to 6 months of age of the child and is transferable between father and mother.

224. The data show that in 98 per cent of cases, those availing themselves of the half-time option are women, which is evidence of the rigid sexual division of labour with respect to care.

225. Act No. 19.729¹¹¹ of 2018 grants 10 days' leave to parents with children with disabilities for medical check-ups, while family members of dependents who are disabled or terminally ill may request up to 96 hours per year. In the civil service, the biological or adoptive parents of children born prematurely can take special leave.

226. In 2017, Act No. 19.530 was enacted on breastfeeding rooms. All institutions with more than 19 women workers or students, or more than 50 women workers, must have an area set up exclusively for breastfeeding.

¹¹⁰ <https://legislativo.parlamento.gub.uy/temporales/leytemp7248087.htm>.

¹¹¹ <https://legislativo.parlamento.gub.uy/temporales/docu83914705022.htm>.

227. Measures to prevent sexual harassment in the workplace¹¹² include numerous training sessions organized for the personnel of public bodies and private companies with which the Ministry of Labour and Social Security has agreements. There is provision for a special complaints office and advice on discrimination issues at the Inspectorate of Labour and Social Security, in addition to a protocol to apply in cases of harassment or discrimination in the workplace. The Ministry of Labour and Social Security reports annually on complaints of sexual and labour harassment and all forms of discrimination. In addition, an agreement promoted by the Tripartite Commission for Equal Treatment and Opportunities in Employment has been signed with the National Institute of Employment and Vocational Training on a training programme for private companies, which has been used as an alternative measure to punishment in some cases.

228. In 2019, prior to the annual conference of the International Labour Organization, the Tripartite Commission for Equal Treatment and Opportunities in Employment disseminated information on International Labour Convention No. 190 concerning the elimination of violence and harassment in the world of work, which was ratified by Uruguay before any other State. Also in 2019, the Ministry of Labour and Social Security trained its entire staff on Convention No. 190, focusing on sexual harassment in the workplace, while the Law and Gender Group of the University of the Republic raised awareness of Act No. 19.580 on gender-based violence.

Health

Response to the issues and questions contained in paragraph 20

229. Pursuant to Decree No. 344/020,¹¹³ the integrated national health system has been ensuring a free choice of health care providers since 1 March 2021. The system does not discriminate on the basis of income and women can choose from among all providers in the system.

230. In this regard, whether or not a woman can use the childbirth facilities nearest her home is not determined by health insurance and it is left up to the mother-to-be to decide where to have the child.

231. All regions of the country have fully equipped and staffed childbirth facilities.

232. Distance, population density and demographic distribution are all factors in ensuring that there is accessibility in all parts of the country.

Response to the issues and questions contained in paragraph 21

233. In recent years there has been a marked decline in fertility in the country in all age groups but especially among adolescents and young people. This fall can also be seen in the preliminary figures for 2020.

234. Since 1996, the proportion of births to teenage mothers had stubbornly remained in the vicinity of 16 per cent, but declined to 10.6 per cent in 2019.¹¹⁴

235. The fall in the adolescent fertility rate reached a historic low in 2019, at below 34 per cent (adolescents from 15 to 19 years of age). This sets Uruguay apart from

¹¹² Act No. 18,561: <https://legislativo.parlamento.gub.uy/temporales/leytemp2477522.htm>.

¹¹³ <http://www.impo.com.uy/bases/decretos/344-2020/17>.

¹¹⁴ 3,970 adolescents.

other Latin American countries (67 per cent) and sees a return to the decline in this indicator at the national level.

236. Care protocols for dealing with situations of sexual violence in the health system have been introduced, supported by training on their application by health workers.

237. Access to justice is provided through the specialized gender units in the form of an inter-institutional network. If the violence occurred in a situation of commercial sexual exploitation, it is addressed by the National Committee to Eradicate Commercial and Non-commercial Sexual Exploitation of Children and Adolescents.

238. Regarding women's access to abortion, the health care providers of the integrated national health system have specialized teams who perform voluntary interruptions of pregnancy. Although there are conscientious objectors throughout the country, women' access to abortion is not impeded as they may be transferred to a different facility when necessary.

239. Regarding the measures taken to implement Act No. 18.426 on the right to sexual and reproductive health,¹¹⁵ the Ministry of Public Health is conducting an assessment of compliance and will provide guidelines for an effective public policy.

240. In 2019, only 55 per cent of women who had an abortion attended follow-up visits and, of these, 82 per cent started to use contraception. There have been two abortion-related deaths (in 2018 and 2020) and the corresponding administrative proceedings were initiated.

241. Act No. 19.580 provides for an exception to Act No. 18.987,¹¹⁶ giving foreign women in a situation of violence access to abortion without the need to file a police report, even if they do not meet the one-year residency requirement.

242. Access to abortion is not impeded, despite some situations in the interior of the country associated with conscientious objectors, mainly after the expert ruling (2015 Administrative Court ruling No. 586/2015¹¹⁷) against 11 articles of Decree No. 375/12¹¹⁸ regulating the law on the voluntary termination of pregnancy.

243. As a result of the ruling, in 2016 the Ministry of Public Health resolved to address the vacuum left by the articles repealed by the Court by approving three ordinances (No. 243/016,¹¹⁹ No. 247/016¹²⁰ and No. 366/016).¹²¹ These ordinances set establish the mandatory simultaneous work of the multidisciplinary teams in charge of abortion services, the obligation for health care providers to offer regular abortion services and the concept of partial conscientious objection, which allows gynaecologists to object to certain stages of the abortion process but not necessarily to the entire process.

244. Another change was the obligation for health care providers to submit to the Ministry of Public Health a list of objecting professionals, who must provide a sworn statement as written proof of their status as objectors.

245. Pursuant to Act No. 18.426, policies are being drafted to ensure universal access to safe and reliable contraceptive methods.

246. As regards persons with disabilities, the State Health Services Administration worked on the definition of good practices for the promotion of sexual and

¹¹⁵ <https://legislativo.parlamento.gub.uy/temporales/leytemp7185382.htm>.

¹¹⁶ <https://legislativo.parlamento.gub.uy/temporales/leytemp3452374.htm>.

¹¹⁷ <http://www.mysu.org.uy/wp-content/uploads/2012/10/FALLO-TCA.pdf>.

¹¹⁸ <https://www.impo.com.uy/bases/decretos/375-2012>.

¹¹⁹ <http://www.mysu.org.uy/wp-content/uploads/2016/09/IVE-Ordenanza-N%C2%BA-243-1.pdf>.

¹²⁰ <http://www.mysu.org.uy/wp-content/uploads/2016/09/IVE-Ordenanza-N%C2%BA-247-1.pdf>.

¹²¹ <http://www.mysu.org.uy/wp-content/uploads/2016/09/IVE-Ordenanza-N%C2%BA-366-1.pdf>.

reproductive rights with a gender perspective and on the inclusion of such persons, carrying out training activities on good practices for the treatment and care of persons with disabilities in the health sector. It has graphic material that promotes the autonomy of women with disabilities in decision-making and provides protocols for working with language interpreters when necessary.

247. In 2016, 1,543 applications for financial coverage for highly complex human reproduction procedures were received by the National Resource Fund, as provided for in the Assisted Reproduction Act and its regulations. The provision established by the Ministry of Public Health and the National Resource Fund is applied on the understanding that, depending on the applicant family's income, access to the procedure requires a co-payment. Uruguay is the only country in Latin America with universal coverage for assisted reproduction.

248. The Ministry of Public Health defined the strategic national health objectives for the period from 2015 to 2020 to ensure progress in the achievement of concrete and measurable results, from a rights-, gender- and generational perspective that also addresses sexual and reproductive health. The Ministry of Public Health monitors gender-related health goals, with disbursements from national budget project No. 121 concerning gender equality.

249. In addition, the national intersectoral strategy for the prevention of unintended adolescent pregnancy¹²² was drafted to address the complex causes underlying the high adolescent fertility rate. The design and implementation of the strategy involved coordinated intersectoral work from a gender-, rights- and diversity-equality perspective, making it a social, health, educational and economic challenge. Four components were prepared, with goals, lines of action and activities, in addition to general activities to prevent unintended pregnancies aimed at all adolescents, by strengthening the autonomous exercise of rights and supporting reproductive decision-making, while conducting actions focused on actual situations of pregnancy or parenthood.

250. Policies were implemented to improve access to planned-pregnancy services for women, especially adolescents. A consultation space was set up on social media, providing a place where questions can be answered by experts from the Faculty of Psychology. Campaigns such as the one known as #My Adolescent Plan were conducted and disseminated on social media, with audiovisual work done by and for adolescents, who understand the importance of choosing and planning when they become parents.

251. Between July 2019 and June 2020, 5,500 health professionals were trained in protocols for dealing with situations of violence against women and to address sexual violence and the abuse of children and adolescents. All were approved by the gender-based and generational violence programme area of the Ministry of Public Health.

252. In 2017, awareness-raising and training activities were carried out in various departments of the country. In addition, an inter-institutional commission was created within the National Institute for Children and Adolescents to ensure the implementation and follow-up of the actions carried out under the relevant strategy.

253. The Health Forum of the National Institute for Children and Adolescents distributes contraceptive methods free of charge and provides consultations with sexual health professionals and family doctors. Subdermal implants are fitted and female and male condoms are provided, accompanied by sex education courses and follow-up on all cases. Workshops are also organized on violence, gender-based

¹²² <https://www.gub.uy/comunicacion/publicaciones/estrategia-intersectorial-y-nacional-de-prevencion-del-embarazo-no>.

violence and diversity for educators and adolescents. The first stage relating to voluntary termination is being implemented with advice from and in coordination with secondary care centres. In 2018, teams were trained in rights and sexual and reproductive health and a forum for consultation was established on social networks so that adolescents could ask a team from the Faculty of Psychology all their questions.

Rural women

Response to the issues and questions contained in paragraph 22

254. The 2011 national gender-sensitive agricultural census¹²³ shows that women in rural areas are poorer than men and face obstacles to entering employment and the economy in general. They have twice the unemployment rate of men, and 20 per cent of all rural women are engaged exclusively in household chores.

255. In 2019, women accounted for 30 per cent of social security contributors in the rural sector, 58 per cent of whom were identified as employers or assisting spouses.

256. To improve the situation of rural women, central policies of the Ministry of Livestock, Agriculture and Fisheries were amended by drawing on studies and research on rural development and public policies with a view to establishing sound guidelines on how to incorporate the gender perspective in policies for family farming. Amendments were made to bidding processes for finance, access to technology, technical assistance and institution-building through weighting and quotas to promote the inclusion of women, and changes were made in the Family Production Registry to include women as producers with the same right to submit projects.

257. The development of an inter-institutional policy aimed at rural women includes affirmative production policies;¹²⁴ legal initiatives focused on rural women; gender mainstreaming in agricultural policies; training in gender for teams of State employees and expert extensionists; drafting of a work agenda together with rural women; and the establishment of a governance forum with civil society and government actors.

258. Subsequent to the establishment in 2015 of the forum for dialogue for rural women, in 2017 the Ministry of Labour and Social Security was present at national meetings of rural women in Artigas (2017), in the Legislative Palace (2018) and in Río Negro (2019). It also carried out several workshops on self-employment in the rural environment.

259. The 2030 National Gender Equality Strategy proposes to mainstream the gender perspective in agricultural areas, inter alia by changing the category of “collaborating spouse in the Social Security Bank” to that of “collaborating partner”; introducing co-ownership of land in land settlement processes (2014); and supporting access to credit, production, training and support for the development of new businesses.

260. In 2020, a stage of citizen consultations was launched to prepare the National Gender Plan in Agricultural Policies, taking into account public agricultural policies and mainstreaming gender as it relates to the demands and perceptions of civil society; national and international diagnoses in specific areas; the technical expertise

¹²³ Annex 9.

¹²⁴ The “We are Rural Women” programme and co-ownership of State lands and land on the family production registry.

of officials who execute, design and evaluate public policies; and economic and political feasibility studies.

Women in detention

Response to the issues and questions contained in paragraph 23

261. In 2020, the Ministry of the Interior and the Nada Crece a la Sombra (Nothing Grows in the Shade) collective, sponsored by the Parliamentary Commissioner for the Prison System, the Comprehensive Support Service for Persons Deprived of Liberty of the State Health Services Administration and the Uruguayan doctors' union, conducted a survey on the health of women prisoners. This led to the conclusion that the two main health problems suffered by women in detention in Uruguay are associated with mental health and sexual and reproductive health.

262. Eighty per cent have problems related to drug use and do not have up-to-date Papanicolaou tests. In Montevideo, 92 per cent of women in detention over 50 do not have updated mammograms. Eight out of ten women believe that their access to health care is impeded. As a result, the Ministry of the Interior established a sexual and reproductive health plan that is open to all women in detention in Uruguay. The objective is to carry out the pending examinations and to provide advice on contraception and unwanted pregnancy. The plan will be implemented in coordination between the executive branch, the University of the Republic, the Uruguayan doctors' union and civil society organizations.

263. The number of women in detention whose children live with them is currently around 50, almost half of whom are in Unit 9 and the remainder are in eight units in the interior of the country. It is worth mentioning that Unit 9 is situated on the first floor of Unit 5, the Colón women's prison, and has its own entrance and a separating wall. However, the inmates in both units can see and hear each other, and they are managed in conjunction. Currently, there are women with children in prison units in the interior of the country. The distribution of children in other prison units is worth noting because, out of the 57 children currently housed in prisons in the country as a whole, only approximately 25 are in Montevideo.

264. The increase in the prison population, which has remained constant in recent years, has led to high population densities in many areas of the prison system, which houses more than 13,000 women inmates. This is also true in the particularly sensitive area of prison units for women with dependent children, intended for prisoners who have no other option to bring up their small children; such children are sometimes newborns or just a few weeks old.

265. There are no spaces in the mother-and-child units, where these cases are usually received. In 2016, the parliamentary commissioner submitted to parliament, the National Rehabilitation Institute and the Ministry of the Interior a report recommending that work be started to establish rehabilitation facilities that could also receive children with their mothers, when the lack of alternatives or security reasons prevented other options. In 2021, the commissioner submitted a special report on the establishment of joint activities to promote a model of care for women with children containing alternatives to imprisonment.

Marriage and family relations

Response to the issues and questions contained in paragraph 24

266. Under Act No. 19.075, the minimum age of marriage has been raised to 16 years for men and women.¹²⁵

267. In 2016, the Senate Committee on the Constitution and Legislation received for study a bill to amend the Civil Code and raise the minimum age of marriage to 18 years, irrespective of gender. More time was requested to study other articles of the Civil Code that would be affected. The issue was not dealt with again and was placed on the parliamentary docket at the close of the session.

268. The Uruguayan Institute for Children and Adolescents is working to prevent early marriage through a number of programmes, which offer a range of forums and proposals that promote young people's autonomy and capacity to make decisions about their own life projects.

269. The Civil Code provides for the celebration of civil marriage, while Act No. 18.246¹²⁶ governs de facto unions, pursuant to the regulations on the status of cohabitation, which must meet the requirements indicated therein for their recognition and protection. The Act is a milestone in that it recognizes that cohabiting partners have the same rights as spouses, both in personal and property matters. In the general property regime, the principle of community property governs assets acquired during marriage and cohabitation. Likewise, spouses or cohabiting partners may choose to establish a special property regime.

270. Pursuant to Act No. 19.480, a registry of persons required to pay alimony under income withholding orders was established, under the responsibility of the Social Security Bank. The goal is to ensure payment of court-ordered or approved alimony to children and adolescents and to incapacitated adults.

271. The registry receives and processes court orders mandating alimony payments that have been issued as a result of the dissolution of a relationship. The person in charge of the children does not have to follow any in-person or remote procedure in this regard. The court order initiates a series of computerized communications between the court, the Social Security Bank and the companies that expedite access to and continuity of alimony payments, pursuant to the rules on the protection of children and adolescents.

272. As at August 2020, 30,307 people were registered as persons obliged to pay alimony, 97 per cent of whom were male. There were 25,350 beneficiaries of alimony orders, 98 per cent of whom were women.

Additional information

Response to the issues and questions contained in paragraph 25

National Mechanism for Reporting and Follow-up on Recommendations

273. Decree No. 358/2016¹²⁷ of November 2016, which created an inter-institutional network for reporting and follow-up on the implementation of human rights recommendations and observations and established the Recommendations

¹²⁵ <https://legislativo.parlamento.gub.uy/temporales/leytemp7792773.htm>.

¹²⁶ <https://legislativo.parlamento.gub.uy/temporales/leytemp3547108.htm>.

¹²⁷ <http://www.impo.com.uy/bases/decretos/358-2016>.

Monitoring System (a public-sector online tool for recording State action relating to compliance with and implementation of the recommendations and observations formulated by the universal system for human rights protection), heralded the start of a coordinated inter-institutional effort to streamline the methodology by which Uruguay reports to the international community and gives effect to human rights commitments at the national level.

274. The consolidation of the inter-institutional network and the introduction of the Recommendations Monitoring System laid the foundations for the formation of the National Mechanism for Reporting and Follow-up on Recommendations.

275. The National Mechanism is coordinated by the Directorate of Human Rights and Humanitarian Law of the Ministry of Foreign Affairs and consists of an inter-institutional network composed of the three branches of government, departmental governments, decentralized services and autonomous bodies. The National Human Rights Institution and Office of the Ombudsperson has the status of permanent observer of the National Mechanism and participates in its work at all levels.

276. Inter-agency work is divided among seven thematic committees dealing, respectively, with the topics of women; children and adolescents; discrimination; rights of persons with disabilities; memory, truth and justice; persons who are deprived of liberty or institutionalized; and institution-building.

277. The thematic committee on women monitors the implementation of the recommendations made by the Committee on the Elimination of Discrimination against Women to the country, as a State party to the Convention on the Elimination of All Forms of Discrimination against Women. It also monitors implementation of recommendations related to women that are issued by other United Nations human rights protection mechanisms, such as the special procedures and the universal periodic review of the Human Rights Council.

278. The National Mechanism uses the dialogue and consultation system of the Ministry of Foreign Affairs as a formal channel of communication with civil society. Pursuant to Decree No. 89/2018,¹²⁸ adopted on 9 April 2018, the Ministry of Foreign Affairs, on its own initiative or at the request of the inter-agency committees, through the Mechanism, undertakes to publicly convene meetings with civil society organizations interested in the subjects covered in the country's reports to the treaty bodies and to the universal periodic review prior to their submission, providing a forum for dialogue between the State and civil society with regard to the report in question.

279. In February 2021, the dialogue and consultation system organized a consultation event at which the report to be submitted to the Committee on the Elimination of Discrimination against Women was presented to civil society. Attendees were given a date by which to send their comments, which were taken into consideration as this report was prepared.

International cooperation in the field of gender

280. At the close of this report, 17 international cooperation projects were being implemented with gender as their focus. These address various issues such as: gender stereotypes with judicial practitioners; women's leadership on the Internet; entrepreneurship among Uruguayan women of African descent; access for girls and women to science and technology; gender equity and sexual and reproductive health; institutional strengthening for the response to gender-based violence; trafficking and South-South cooperation in the care policy of Uruguay.

¹²⁸ <https://www.impo.com.uy/bases/decretos/85-2018>.