



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

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

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**Concluding observations of the Committee on the  
Elimination of Discrimination against Women: Uruguay**

**Addendum**

**Information provided by the Government of Uruguay on the follow-up  
to the concluding observations of the Committee  
(CEDAW/C/URY/CO/7)\***

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

## **Information provided by the Government of Uruguay on the follow-up to the concluding observations of the Committee (CEDAW/C/URY/CO/7)<sup>1</sup>**

### **A. Follow-up to recommendations in paragraph 15**

#### **1. Participation of women in politics**

1. Act No. 18476, article 1 of which declares “the equitable participation of persons of both sexes in the legislative branch, municipal government, departmental councils, autonomous local electoral boards and the electoral boards and governing bodies of political parties” to be in the general interest, was adopted in March 2009. However, the Act makes it obligatory to include persons of both sexes in the lists for national and local electoral conventions only as from 2009. “In any primary election to fill government posts at the national or departmental level, persons of both sexes shall be included in each of the lists or ballots made up of three principal and alternate candidates out of the total number of candidates listed or balloted.” It will become obligatory to include persons of both sexes in each list of principal candidates only in the next national and departmental elections (2014–2015).

2. This legislation has had various interpretations – hence the adoption, in May 2009, of Interpretative Act No. 18487, which provides specifically for the inclusion of women in all ballots of principal candidates. An excerpt:

Article 1. It is hereby decreed that, for the purposes specified in articles 1 and 2 of Act No. 18476 of 3 April 2009, the lists or ballots mentioned in the second of the two articles shall be subject to the regulations for the system of alternates, in conformity with Act No. 7812 of 16 January 1925, as revised by Act No. 17113 of 9 June 1999.

It is hereby decreed that the preferential system of alternates shall conform to the provisions of both articles through the inclusion of candidates of both sexes in each three-name list or ballot and, for the system of ordinary alternates, through the inclusion of three-name lists in each of the two lists or ballots of principal and alternate candidates.

To this end, in the system of alternates, the lists or ballots of principal candidates and of alternates shall be deemed to be independent of one another for the purposes of making up the corresponding lists and may not be considered as a whole for such purposes. The three-name lists comprising candidates of both sexes shall correspond, on the one hand, to the list of principal candidates, and on the other, to the list of alternates.

Any combination of such systems shall be governed by the rules of the relevant system.

Article 2. The three-name lists of principal and alternate candidates shall be deemed to be those comprising three candidates from each of the lists or ballots, in accordance with the provisions of article 1 of the present Act.

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<sup>1</sup> Report prepared in consultation with the National Women’s Institute of the Ministry of Social Development, with contributions by State agencies and the civil society organizations that are part of the Inter-agency Commission on Gender Issues. Information has been updated through December 2011.

3. While this so-called quotas act must be seen as a step forward, being the first instance of political agreement in favour of this type of affirmative action, the Uruguayan Government is aware of its defects. In reality, it leaves open the position of women in respect of principal compared with alternate posts, and thus it cannot result in any significant increase in the number of women in this area. Moreover, since the law refers only to the 2014 elections, it is clearly just a transitional measure. In the legislative elections of 2009, 14.6 per cent of the seats were won by women, a fairly good showing even though the figure is low as an overall national result.

4. In 2010, three women were elected to the highest post in departmental administration (mayor) for the first time in Uruguayan history. This was real progress for women in politics, and it was particularly satisfying in that the administrations they head are both in the capital city and outside it and the incumbents are from different political parties.

5. These departmental elections marked women's entry into the Uruguayan Government at the municipal or mayoral (tertiary) level. In a total of 89 municipalities, women were elected in 22, representing 25 per cent overall. On the other hand, in elections to local legislative bodies (departmental councils), there was no substantive increase: women represented 17.8 per cent, compared to 17.1 per cent of a total of 589 departmental legislators.

### Political participation of women in Uruguay

#### Results of national elections 2009

##### Percentage of women in parliament (primary office holders)

	1984	1989	1994	2000	2005	2009
Deputies*	0.0	6.1	7.1	12.1	11.1	15.1
Senators**	0.0	0.0	6.5	9.7	9.7	12.9
<b>Total in Parliament***</b>	<b>0.0</b>	<b>4.6</b>	<b>6.9</b>	<b>11.5</b>	<b>10.8</b>	<b>14.6</b>

*Source:* Gender Information System-Inmujeres, based on information from the Electoral Court.

\* Total Deputies: 99.

\*\* Total Senators: 31.

\*\*\* Total in Parliament: 130.

#### Results of departmental and municipal elections 2010

##### Percentage of women in departmental councils

	1984	1989	1994	2000	2005	2010
Artigas	6.5	9.7	19.4	19.4	16.1	12.9
Canelones	0.0	0.0	6.5	19.4	12.9	9.7
Cerro Largo	3.2	12.9	16.1	25.8	22.6	22.6
Colonia	6.5	6.5	3.2	6.5	3.2	6.5
Durazno	12.9	12.9	12.9	12.9	29.0	25.8
Flores	6.5	9.7	16.1	25.8	25.8	35.0
Florida	0.0	6.5	12.9	16.1	12.9	16.1
Lavalleja	6.5	22.6	25.8	12.9	9.7	16.1
Maldonado	0.0	6.5	12.9	16.1	16.1	22.6

	1984	1989	1994	2000	2005	2010
Montevideo	9.7	22.6	22.6	29.0	22.6	32.3
Paysandú	9.7	19.4	16.1	12.9	19.4	12.9
Río Negro	9.7	16.1	29.0	22.6	19.4	19.4
Rivera	6.5	9.7	12.9	12.9	9.7	22.6
Rocha	3.2	3.2	6.5	6.5	29.0	22.6
Salto	3.2	3.2	3.2	3.2	3.2	6.5
San José	0.0	6.5	9.7	16.1	16.1	6.5
Soriano	6.5	0.0	6.5	6.5	9.7	22.6
Tacuarembó	3.2	16.1	6.5	3.2	19.4	6.5
Treinta y Tres	6.5	16.1	25.8	22.6	29.0	19.4
<b>Country total</b>	<b>5.3</b>	<b>10.5</b>	<b>13.9</b>	<b>15.3</b>	<b>17.1</b>	<b>17.8</b>

*Source:* Gender Information System-Inmujeres, based on information from Electoral Court-Congress of Mayors and Departmental Councils.

*Note:* Total legislators by department: 31.

#### Women mayors by department – 2010

	Women mayors by department	Total women mayors	Percentage
Artigas	1	3	33.3
Canelones	8	29	27.6
Cerro Largo	1	2	50.0
Colonia	2	6	33.3
Durazno	0	2	0.0
Flores	1	1	100.0
Florida	1	2	50.0
Lavalleja	0	2	0.0
Maldonado	0	8	0.0
Montevideo	3	8	37.5
Paysandú	2	3	66.7
Río Negro	0	2	0.0
Rivera	0	3	0.0
Rocha	1	4	25.0
Salto	1	6	16.7
San José	0	2	0.0
Soriano	0	2	0.0
Tacuarembó	0	2	0.0
Treinta y Tres	1	2	50.0
<b>Total</b>	<b>22</b>	<b>89</b>	<b>24.7</b>

*Source:* Gender Information System-Inmujeres, based on information from the Electoral Court-Congress of Mayors.

**Women in municipal councils – 2010**

	<i>Percentage</i>
Artigas	20.0
Canelones	19.0
Cerro Largo	25.0
Colonia	25.0
Durazno	25.0
Flores	25.0
Florida	12.5
Lavalleja	0.0
Maldonado	15.6
Montevideo	25.0
Paysandú	41.7
Río Negro	12.5
Rivera	0.0
Rocha	18.8
Salto	12.5
San José	12.5
Soriano	12.5
Tacuarembó	12.5
Treinta y Tres	20.0
<b>Total</b>	<b>19.0</b>

*Source:* Gender Information System-Inmujeres, based on information from the Electoral Court-Congress of Mayors.

**2. Special temporary measures in employment**

6. The policies described in this section were drawn up against the background of clear disadvantages for women in the labour market compared with men.

7. Although in the past few decades various studies have shown that the supply of women workers in Uruguay has gradually and steadily increased (Espino y Leites, 2008; Espino, Leites y Machado, 2009), there are still major gaps between men and women.

**Employment rates by sex and age group – 2006 and 2010**

<i>Age group</i>	<i>2006</i>			<i>2010</i>		
	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
14 to 21	33.6	18.9	<b>26.3</b>	37.7	20.4	<b>29.3</b>
22 to 29	82.6	57.3	<b>69.5</b>	85.4	65.9	<b>75.3</b>
30 to 59	90.3	65.1	<b>76.9</b>	92.2	71.1	<b>81.1</b>
60 and over	28.7	12.6	<b>19.3</b>	33.4	16.0	<b>23.3</b>

Age group	2006			2010		
	Men	Women	Total	Men	Women	Total
<b>Total</b>	<b>66.3</b>	<b>43.7</b>	<b>54.1</b>	<b>69.3</b>	<b>48.9</b>	<b>58.4</b>

Source: Gender Information System-Inmujeres, based on ECH2006–2010 National Statistics Institute (INE).

8. Thus, although we see a general drop in overall unemployment (38 per cent) and in the unemployment rate for men and women (39 and 37 per cent, respectively) between 2006 and 2010, if we take the unemployment figures for men and women by year and by age group, we see that the phenomenon is more acute for women, whose unemployment rates are much higher overall.

#### Unemployment rates by sex and age group – 2006 and 2010

Age groups	2006			2010		
	Men	Women	Total	Men	Women	Total
14 to 21	28.2	40.3	<b>33.0</b>	18.9	31.5	<b>23.7</b>
22 to 29	10.6	20.8	<b>15.3</b>	7.0	13.1	<b>9.9</b>
30 to 59	4.3	9.4	<b>6.7</b>	2.3	5.7	<b>3.9</b>
60 and over	5.4	6.9	<b>6.0</b>	2.5	3.2	<b>2.8</b>
<b>Total</b>	<b>8.2</b>	<b>14.2</b>	<b>10.9</b>	<b>5.0</b>	<b>9.0</b>	<b>6.8</b>

Source: Gender Information System-Inmujeres, based on ECH2006–2010 INE.

9. Even with increased numbers of women entering the labour market, we still see sharp gender differentiation in the breakdown of jobs by branch of economic activity (horizontal segregation). The following table shows that 50 per cent of women and 17 per cent of men are employed in social services. Of these, domestic service, education and health are very clearly the domains of women, whereas the proportion of women in sectors such as fishing, construction and transport is minimal.

#### Percentage breakdown of employed persons by branch of activity and sex – 2010

Branch of activity	Men	Women	Total
Agriculture, fishing and mining	17.0	5.3	<b>11.8</b>
Manufacturing	14.9	10.8	<b>13.1</b>
Electricity, gas and water	1.2	0.5	<b>0.9</b>
Construction	12.7	0.6	<b>7.3</b>
Commerce, hotel and restaurants	20.9	22.2	<b>21.5</b>
Transport and communications	7.6	2.6	<b>5.4</b>
Financial services and real estate	8.6	8.2	<b>8.4</b>
Social services	17.1	49.9	<b>31.8</b>
Public administration and defence	6.5	5.1	<b>5.9</b>
Teaching	2.2	9.8	<b>5.6</b>
Health	2.9	11.9	<b>7.0</b>

<i>Branch of activity</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Other service activities	4.3	5.1	<b>4.7</b>
Domestic service	1.1	17.8	<b>8.6</b>
Organizations and institutions abroad	0.1	0.1	<b>0.1</b>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

*Source:* Gender Information System-Inmujeres, based on ECH 2010 INE.

### **The Objetivo Empleo programme**

10. This programme of incentives entails the payment of subsidies to employers in the private market that hire workers in order to defray the cost to the enterprise. Its purpose is to increase the likelihood that long-term unemployed men and women from poor households will become gainfully employed by promoting their recruitment by private enterprises.

11. Efforts are made to facilitate the hiring of those men and women who are the most vulnerable (socially, economically and in employment) instead of those who have better chances of finding jobs without the help of a subsidy.

12. As part of the commitment to promoting gender equality, an element of affirmative action has been incorporated into the size of the subsidy (60 per cent of labour costs for men and 80 per cent for women).

13. The number of persons covered by the programme is nearly 11,000, 73 per cent women (7,938) and 27 per cent, men (2,915).

14. Whether or not this type of programme is available depends on the phase of the economic cycle in which it is implemented, since its efficacy is directly related to the level of economic recovery.

15. The target population is: the long-term unemployed; people from poor households (below the poverty line), a maximum of one person per household; people over 18 and under 65 years of age; people having had a maximum of nine years' schooling.

16. The programme subsidizes the wages of men and women workers over a period of 12 months.

17. It might also be possible to offer optional compensation, on a one-time basis and at the employer's request, to defray the cost of the worker's training. Such compensation might entail:

(a) The payment of 60 per cent of the wage bill for men and 80 per cent for women (corresponding to the wages set for the relevant occupational category in accordance with the collective labour contract in force for the enterprise, plus the employer's social security contributions). This would be applicable up to a wage ceiling of 50 per cent above the national minimum wage (NMW). Ultimately, the maximum payment would be 60 or 80 per cent of one-and-a-half times the minimum wage, plus social security contributions by the employer;

(b) The payment would be made to the employer upon presentation of documentation certifying that wages and the corresponding social security contributions had been paid. Payment may also be made through credits to the employer, deductible from social security contributions;

(c) The contract is to be drawn up in accordance with the overall legislative framework. Consequently, it would assure the parties of all the contributions, rights and duties established by the legislation in force;

(d) The payment would be for a full 40-hour workweek. Should agreement be reached on a shorter workweek, the compensation would be in an amount proportional to the 40-hour workweek.

18. The maximum duration of the hiring incentive is 12 months. Fixed-term contracts are not covered by this measure. In the event the contract is not fulfilled, the established labour regime is applied. The worker receives social security coverage in accordance with the general regime, and the actual hours worked are agreed upon by the parties. The worker's wages are those established by the collective labour agreement governing the enterprise for the occupational category in which the worker was hired.

### Results of the Objetivo Empleo programme

#### Number of people in the programme, by sex and age

Year	Sex		Total
	Men	Women	
2008	706	2 853	<b>3 559</b>
2009	1 049	2 232	<b>3 281</b>
2010	699	1 855	<b>2 554</b>
2011	461	998	<b>1 459</b>
<b>Total</b>	<b>2 915</b>	<b>7 938</b>	<b>10 854</b>

Source: MTSS.

#### Number of people applying for the programme, by sex and age

Year	Sex		Total
	Men	Women	
2008	20	72	<b>92</b>
2009	70	150	<b>220</b>
2010	118	232	<b>350</b>
2011	157	195	<b>352</b>
<b>Total</b>	<b>365</b>	<b>649</b>	<b>1 014</b>

### PROIMUJER/INEFOP Programme

19. The overall objective is to promote equality of opportunity and treatment of men and women in training and employment. The specific objectives are:

(a) To facilitate labour market entry for women who have difficulties gaining employment, through job-oriented training with a focus on gender and equity;

(b) To enhance the work done by the Training Centres in terms of quality and equity, both in their pedagogical objectives and in their institutional make-up;

(c) To enhance the capacity of institutions outside Montevideo to generate sustainable local training initiatives of quality and equity;

(d) To incorporate gender equity criteria in training and employment policies and programmes.

20. PROIMUJER is the first national job training programme with a gender equity focus. It was launched in 2001, following lengthy negotiations, by the Tripartite Commission on Equality of Opportunities and Treatment in Employment, which advises the Ministry of Labour and Social Security.

21. It was initially a pilot project, and as such, its chief objective was to try out approaches, strategies and methodologies for mainstreaming gender and equity perspectives in vocational training and to formulate a strong training and employment policy incorporating that outlook.

22. By agreement with the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR) of the International Labour Organization (ILO), the project was set up at ILO headquarters and, through the FORMUJER Programme of the Inter-American Development Bank (IDB), ILO and CINTERFOR, it receives technical assistance in aspects of project design and administration. The pilot phase of the Programme took place from June 2001 to July 2003, during which a model similar to the one used for the FORMUJER Programme in three Latin American countries was tested.

23. In September 2003, the Programme was redesigned in the light of the recommendations resulting from an evaluation of the model. The recommendations centred on administrative aspects and on certain methodological approaches to training activities.

24. The main activities carried out by the Programme so far have been the design, implementation and monitoring of training and workforce preparation activities with a gender equity focus. The Programme was initially addressed solely to unemployed women in urban or rural areas who were first-time job-seekers or subject to some type of employment constraint.

25. In 2006, co-educational courses were added, it being thought that including men would deepen the gender focus conceptually and methodologically by opening up the analysis to relations between men and women. In 2008, after training for staff of the Training Centres, the male perspective was incorporated, in view of the perceived need to provide a conceptual framework for a new approach that would enrich and enhance the training process based on the construction of male and female identities under certain sociocultural circumstances.

26. Also in 2006, new modalities were introduced, focusing on groups with very specific workforce entry challenges, some of which had never been addressed in any other programme; these were implemented starting in 2011. From the outset (August 2009) to the present, a total of 225 courses were held nationwide. Participants during this period totalled 4,240, with about 1,300 more expected in the current year. In addition, the Programme carried out annual workshops to upgrade the Training Centres in the area of administration as well as design, methodology, management and evaluation, with 20 training institutions currently operating in Montevideo and elsewhere.

27. Strategies were developed to strengthen the Programme's links with enterprises and workers, both in terms of outreach in raising awareness of gender issues and in consultations and identification of employment sectors where workers were needed. Both local and national government officials were involved in these strategies.

28. Meetings were held twice among participants in the Programme representing various fields of employment, recruitment methods, geographical areas and Training Centres. The purpose was to evaluate the training methods, the performance of the Training Centres and the Programme's resources. While the evaluation was encouraging, various problems prevented these measures from being carried out as from 2007.

29. The National Institute of Employment and Vocational Training (INEFOP) was set up by Act No. 18406, of 24 October 2008, as a non-State tripartite public entity. Its principal objective is to carry out vocational training policies and find more jobs for men and women workers in Uruguay. Its Board of Directors comprises seven members and their alternates, representing three groups: the executive branch, employers and trade unions.

30. In 2009, 66 courses were held, 52 in Montevideo and 14 elsewhere, with a total of 1,488 participants – 1,190 women and 298 men.

31. In 2010, 25 courses were held, 13 in Montevideo and 12 elsewhere, with 646 participants, 517 women and 129 men.

32. So far in 2011, 32 courses have been held, with 650 participants, while 14 courses, with 300 participants, are still in progress, and 11, with 220 participants, are to be held next year. In all, there have been 1,170 participants in the Programme, 80 per cent women and 20 per cent men. As at November 2011, the Programme had an achievement rate for recruitment in the formal job market of 33.5 per cent.

33. The target population is:

(a) Unemployed women aged 25 to 55 who have difficulty entering or remaining in the labour market;

(b) Unemployed women and men (the number of men being limited to 20 to 50 per cent of total participants) aged 25 to 55 who have difficulty entering or remaining in the labour market;

(c) Women over 40 years of age who are long-term unemployed or have never been employed in the formal labour market, who are from middle and lower-middle class economic backgrounds and who have completed their secondary schooling but have had no higher education or specialized job training;

(d) Women from the lower socio-economic strata, aged 18 to 29, with dependant children, who have difficulty entering or remaining in the labour market. This component is carried out jointly with the “Desarolla” programme of the United Nations Development Programme (UNDP) under an agreement signed in 2005 with the National Employment Council (JUNAE). The component is based on complementary activities and resources with a view to creating better job opportunities for this group;

(e) Domestic workers. As part of the sectoral strategy envisaged in the Programme and following the adoption of Act No. 18065 on domestic labour, efforts were coordinated with the Tripartite Commission on Equality of Opportunities and Treatment in Employment, which advises the Ministry of Labour and Social Security, to develop a proposal for specific vocational training. To this end, working meetings were held in which representatives of the Liga de Amas de Casa (Housewives’ League) and the domestic workers’ union participated;

(f) Workers receiving unemployment insurance. A pilot project is envisaged as a means of learning more about this group so as to develop a gender focus.

34. With regard to subparagraph (d) above, work is being carried out under UNDP Project M, a joint agency-wide programme designed to underpin the development and implementation of the *Juntos* plan – a national plan for housing and social integration. This two-phase pilot experiment is being carried out in two housing settlements; the approach to be used is to work on life skills and subsequently to develop vocational projects. The objective is to generate know-how for the implementation of the *Juntos* plan nationwide over the next four years. The relevant methodologies have been validated based on the experience gained in implementing the programme, and the necessary adjustments have been made based on evaluations carried out jointly with the Training Centres.

## **B. Follow-up to recommendations in paragraph 29**

### **1. Progress in legislation and the judicial system and strengthening of the rights, protection and compensation of victims**

35. The international legislative instruments on human rights that are the basis for the State's efforts to tackle the problem of human trafficking are the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), supplementing the United Nations Convention against Transnational Organized Crime, which Uruguay ratified in 2004, as well as the Protocol against the Smuggling of Migrants by Land, Sea and Air (Act No. 17861 of 28 December 2004).

36. The Palermo Protocol sets up a series of measures in the judicial sphere for the protection of victims, their physical, psychological and social rehabilitation, the prevention of trafficking and the fight against organized crime networks.

37. At the national level, major steps have been taken towards improving the legislative framework; progress has been made in classifying offences connected with human trafficking and smuggling (Migration Act No. 18250 of October 2008).

38. The justice system has also been strengthened through the establishment of two specialized courts for organized crime with jurisdiction at national level, two public defenders (Accountability Act No. 18362 of October 2008) and two specialized prosecutors (Act No. 18390 of October 2008).

39. Some progress has been made with efforts to uphold more strongly the right of victims to access to justice: complainants, victims and family members must have access to all proceedings and have the right to furnish any proofs that are in their possession and participate in all judicial proceedings as well as to request the re-examination of a case or information on the status of proceedings (article 13 of Act No. 18016, with reference to article 80 of Act No. 18250 and article 8 of Act No. 18494). During the trial, at the request of the prosecutor or ex officio, the judge is obliged to take all measures deemed necessary and appropriate to protect the safety, physical and psychological integrity, dignity and private life of victims and witnesses, taking into account all relevant factors, including age, sex, health and the nature of the offence, especially when it involves sexual violence, gender-based violence or violence against children and adolescents (article 13 of Act No. 18016, with reference to article 80 of Act No. 18250).

40. Act No. 18494 (Prevention and Control of Money Laundering and of the Financing of Terrorism), of June 2009, provides for: (a) the physical protection of victims and witnesses, with expenses to be borne by the police; (b) measures to prevent the visual identification by third parties of victims and witnesses whenever they have to appear in evidentiary proceedings; (c) sparing quotation of their words; (d) their transport in official vehicles, the hearing of their statements in seclusion and the prohibition of their being photographed, recorded or their likenesses disseminated, both by private individuals and by the media.

41. Concerning the prevention of revictimization, article 13 of Act No. 18026 (Cooperation with the International Criminal Court in the Struggle against Genocide, War Crimes and Crimes against Humanity) states that the victim's testimony does not need to be corroborated, no evidence concerning the past sexual conduct of victims or witnesses is to be admitted and the victim's alleged consent is not to be used as an argument for the defence. The judge may permit evidence to be presented through electronic or other specialized technical means. Provision is made for legal advisors to the prosecution who are

specialists in sexual violence and for the participation of specialists in dealing with trauma victims, including trauma related to sexual and gender-based violence.

42. The State is responsible for reparations to victims of offences that are committed either in the country's territory or abroad by State agents or others who are not its agents but act with the authorization, support or agreement of agents of the State. Such reparations must be in full and include indemnization, restitution and rehabilitation, and must be provided also to the victim's family, group or community (article 14 of Act No. 18026, with reference to article 80 of Act No. 18250).

## **2. National coordinating mechanisms, case response capacity and victims' assistance services**

### **National coordinating mechanisms**

43. In 2007, the first inter-institutional exchange meetings were held, convened by the National Women's Institute (INMUJERES) of the Ministry of Social Development and the International Organization for Migration (IOM). They set the stage for the holding of an inter-institutional round table to address trafficking in women for commercial sexual exploitation.

44. Uruguay adopted its first National Plan for Equality of Opportunities and Rights: Public Policy on Women 2007–2011<sup>2</sup> which, among the strategies for equality, includes "the development of measures for persons subjected to severe discrimination, including measures to protect women, girls and adolescents against human trafficking and smuggling". It further indicates that by 2011, Uruguay is to adopt a public policy on the matter. By legal mandate, the measures proposed under the plan are to be implemented through the various State institutions, in consultation with civil society organizations, and INMUJERES has been designated as responsible for ensuring the coordination of public policies and institutions in this area.

45. Against this background, the inter-institutional round table to address trafficking in women for commercial sexual exploitation was held in 2008 for the purpose of launching a dialogue among public institutions and civil society organizations and developing a public policy for dealing with the problem. The round table is headed by the National Women's Institute and comprises:

- (a) Judges and court prosecutors specializing in organized crime;
- (b) Public defenders;
- (c) Officials of the Ministry of the Interior associated with the International Criminal Police Organization (Interpol), the National Directorate of Migration and the Victims' Aid Centre;
- (d) Officials of the Ministry of Foreign Affairs associated with the Human Rights and Humanitarian Law Directorate and the General Directorate for Consular Affairs and Coordination;
- (e) Representatives of the Ministry of Public Health;
- (f) Representatives of the Ministry of Education and Culture associated with the Human Rights Directorate and the Public Prosecution Service;
- (g) Officials of the Ministry of Tourism and Sports;

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<sup>2</sup> Endorsed by the President of the Republic at a Council of Ministers meeting on 15 May 2007.

- (h) Civil society organizations: Casa Abierta (Open House); Youth Forum – “El Faro” programme; Uruguayan Network against Domestic and Sexual Violence;
- (i) Members of the National Committee to Eradicate Commercial and Non-Commercial Sexual Exploitation of Children and Adolescents (CONAPESE);
- (j) IOM;
- (k) The Bicameral Women’s Caucus.

46. Noteworthy among the main activities carried out as part of this round table are the following:

- (a) Training and awareness-raising for members of the round table, to develop common ground;
- (b) Development of an institutional map to illustrate the strengths and weaknesses in tackling the problem;
- (c) Forging consensus on a State strategy for intervention and response.

47. Of particular note is the fact that a round table with justice system workers was held, the objective being to intensify exchanges about techniques for intervention in human smuggling cases. For this purpose, a one-day working meeting was held with the involvement of an international expert. This led to an understanding of the need for a specialized police unit and reinforcement of the specialized services providing assistance to victims.

48. Since 2010, the round table’s efforts have been devoted to developing a protocol for inter-institutional action to address specific challenges in the trafficking of women for commercial sexual exploitation.

49. In 2010, a visit by the Special Rapporteur on trafficking in persons, especially women and children, was instrumental in strengthening the efforts being made at the governmental level and in placing the issue on the public agenda.

#### **Case response capacity**

50. From 2006 to 2008, INMUJERES worked with IOM to develop a programme for the assisted return of migrants in irregular situations that will provide clinical care and psychological counselling for the social reintegration of women victims of trafficking for commercial sexual exploitation. For this purpose, it has trained a number of professionals (psychologists, social workers and lawyers) through national and international courses.

51. As pointed out earlier, as from 2009, INMUJERES endeavoured to promote a comprehensive policy so as to ensure comprehensive assistance to victims. The Ministry of Foreign Affairs was designated as the focal point for providing assistance when victims turned to Uruguayan consulates abroad to ask for help.

52. With technical assistance from INMUJERES through the provision of specialized staff and logistical support for carrying out these tasks, a programme of training for officials was launched in 2008. The primary partners are the General Directorate for Consular Affairs and Coordination, especially the Office for Assistance to Compatriots, and the Directorate of Human Rights and Humanitarian Law.

53. During a number of training and exchange days, several requirements were discussed, including the need to develop ways of assisting offices abroad (embassies and consulates).

54. In 2008, work began on a protocol to enable embassies and consulates to deal with the problem, the objective being, first, to identify theoretical tools to provide a common

conceptual framework, and secondly, to put forward specific guidelines for action in all cases. On the first point, the conceptual framework proposed comprises definitions and approaches to understanding the problem (gender, generational and human rights perspectives), the purposes of trafficking, the similarities and differences between smuggling and trafficking, the overall effects on trafficking victims and the main lines of domestic legislation. On the second point, specific approaches to dealing with cases that come up in embassies and consulates include the identification and acceptance of cases, design of a plan for early intervention, coordination of efforts, advice and support in access to the judicial system, follow-up and the development of a resource map.

55. The protocol has now been approved and will soon be published, although it has already been issued electronically and circulated to the various Uruguayan embassies and consulates abroad. There is an item in the budget for INMUJERES and the Ministry of Foreign Relations providing for the creation of institutions for training consular authorities in the appropriate use of this instrument.

#### **Victims' assistance services**

56. As mentioned earlier, from 2006 to 2008 INMUJERES had a team of professionals to provide psychological and social support to trafficking victims. Although a number of problems were identified during this period, essentially a lack of State policy on the issue, the experience was instrumental in laying the groundwork for the establishment of two units for specialized assistance to trafficking victims.

57. In 2009, INMUJERES, in cooperation with the Ministry of Foreign Relations and two civil society organizations, one Uruguayan and another Spanish, submitted a request to the European Union for the funding of a project entitled "Measures for developing public policy on the smuggling and trafficking of women, children and adolescents for commercial sexual exploitation".<sup>3</sup> The project was approved in December 2010 and, in May and June 2011, two pilot units for assistance to victims of trafficking for commercial sexual exploitation were opened in the Department of Montevideo. The unit for adults is administered by INMUJERES and the one for children and adolescents is managed by a non-governmental organization (NGO) that is a partner in the project. When international financing comes to an end, both units are to be funded from the State budget, the first with financing from the Ministry of Social Development and the second, from the Uruguayan Institute for Children and Adolescents (INAU).

58. In addition, two small-scale experiments in assistance to trafficking victims have been launched by non-governmental bodies. The oldest is carried out by the NGO Casa Abierta (Open House) and provides assistance to prostitutes and victims of trafficking for commercial sexual exploitation. The second is the "El Faro" programme carried out by the NGO Foro Juvenil (Youth Forum), which provides assistance to children and adolescents who are victims of commercial sexual exploitation. Both organizations offer psychological, social and legal counselling to the victims who approach them, even if financial resources have not been earmarked for such activities. At present, the pilot units are drawing on this rich experience and, since they have dealt with a large number of cases for many organizations, both public and private, they have become reference services for the entire country.

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<sup>3</sup> The full project and all its components are described below, in the section entitled "Agreements and other modalities for bilateral, regional and international cooperation".

59. As part of the project, INMUJERES is developing two protocols for assistance to the two target groups that are expected to be finalized in 2012. At the same time, the cases handled are to be systematized in 2012, facilitating the collection of statistics on assistance.

### 3. Agreements and other modalities for bilateral, regional and international cooperation

#### National level

60. In late 2008, INMUJERES took part in meetings convened by the European Commission for the purpose of setting priorities for human rights funding in 2009<sup>4</sup> and designating the issue as one of the top priorities for Uruguay.

61. In February 2009, jointly with specialists in the subject, INMUJERES devised a project entitled “Measures for developing public policy on the smuggling and trafficking of women, children and adolescents for commercial sexual exploitation”. In implementing the project, INMUJERES joined with the Ministry of Foreign Relations and the NGO Foro Juvenil (Youth Forum), in partnership with a foreign NGO – Enjambra – and a national NGO – Casa Abierta – as well as IOM. The overall objective of the project is “to contribute to a public policy for the eradication of trafficking in women, children and/or adolescents for commercial sexual exploitation in Uruguay”.

62. The specific objectives of the project are: (a) to draw attention to the situation of women, children and adolescents who are victims of trafficking for commercial sexual exploitation in Uruguay and the rest of the region; (b) to strengthen institutional capacity for dealing with the problem of trafficking in women, children and adolescents for commercial sexual exploitation in Uruguay; and (c) to provide comprehensive and qualified assistance to women, children and adolescents who are victims of trafficking for commercial sexual exploitation.

63. The project was approved in late 2009 and implementation began in 2010. The desired results when the project comes to an end (2012) are:

(a) Development, printing and dissemination of informational materials on human trafficking;

(b) Systematization of information on cases of human trafficking handled by the justice system;

(c) Convening of regional awareness-raising and training workshops with various representatives of public and private bodies who have experience in handling the problem;

(d) Development of a draft protocol for inter-institutional approaches;

(e) Holding of training courses for those involved in cases (judges, prosecutors, experts in organized crime, public defenders, police officers and other officials);

(f) Technical support for staff of the Office for Assistance to Compatriots of the Ministry of Foreign Affairs;

(g) Opening of two pilot units for specialized assistance to trafficking victims, one for women and the other for children and adolescents;

(h) Development, publication and dissemination of one draft protocol on assistance to women and another on assistance to children and adolescents.

<sup>4</sup> See [www.delury.ec.europa.eu](http://www.delury.ec.europa.eu).

**Regional level**

64. Through INMUJERES and the Ministry of Foreign Relations, Uruguay took part in the Meeting of Ministers and High-level Authorities on Women's Affairs of MERCOSUR (Southern Common Market), which brought together women ministers and/or directors of national institutions for the advancement of women in the member countries of MERCOSUR (Argentina, Brazil, Paraguay and Uruguay) and associated States (Bolivia, Chile, Colombia, Ecuador, Peru, Mexico and Venezuela). This Meeting focused on trafficking in women and drew up and adopted specific regional initiatives in this regard.

65. As from April 2009, the Meeting launched a project entitled "Mainstreaming gender perspective in MERCOSUR" (2009–2012) with the support of the Spanish Agency for International Development Cooperation (AECID); the project has four main areas of work at the regional level: (a) integrating the Meeting more closely with MERCOSUR institutions; (b) promoting the political involvement of women; (c) combating trafficking in women for commercial sexual exploitation; (d) building a regional system of information on domestic violence.

66. As regards trafficking in women, the workplan for the Meeting's regional project includes efforts to develop specific approaches to trafficking in women for commercial sexual exploitation. To this end, work has been done to develop diagnostic studies for each State party and for the MERCOSUR region which have served as the basis for a draft regional protocol for action to combat trafficking in women for commercial sexual exploitation that was recently approved for implementation in 2012.

**4. Preventive measures, awareness-raising programmes and training for law enforcement, migration and border police officials, inter alia****Dissemination of the Committee's recommendations**

67. In late May 2009, INMUJERES invited a member of the Committee on the Elimination of Discrimination against Women to help with the dissemination of the Committee's recommendations on the most recent country report and with the promotion of gender perspective policies. The Committee member held meetings with the candidates for President of the Republic from the various political parties and officially submitted the Committee's recommendations.

68. In 2009, 900 compact discs containing the Committee's recommendations were distributed. In 2010, another 800 compact discs were produced.

**Training activities**

69. In 2009, in cooperation with IOM, INMUJERES held a number of awareness-raising and training days in the Departments of Río Negro, Colonia, Soriano and Paysandú. The target audience was public officials and members of civil society involved in the relevant issues at the grass-roots level. Among the participants were officials of the judicial branch and the Ministry of the Interior and members of civil society organizations.

70. Further work along these lines was carried out in two seminars on "Institutional Approaches to Assistance of Victims of Human Trafficking" held in the Departments of Colonia and Montevideo and attended by national-level public officials and representatives of civil society from Uruguay and Argentina.

71. In 2010 and 2011, INMUJERES carried out activities at the local and national levels, focusing on departments in areas adjacent to land borders or where tourists congregate, since it is there that women are in the greatest danger of being "recruited". The issues were discussed with the gender focal points of INMUJERES, governmental officials

and members of civil society with a view to considering and agreeing on a series of measures at local level.

#### **Training of INMUJERES staff**

72. Since 2009, INMUJERES has promoted and prioritized the participation of its policy/technical team in seminars and updates on human trafficking, since the national, regional and international situation is evolving and some relevant developments must be taken into account and used for the elaboration and implementation of government policies.

73. One such example is participation in the first seminar on human trafficking, which took place during the Meeting of Ministers and High-level Authorities on Women's Affairs of MERCOSUR, presided over by the President Pro Tempore of Paraguay and held in Hernandarias in May 2009.

#### **Awareness-raising efforts**

74. From 2009 to the present, the NGO Casa Abierta, with the technical and financial support of INMUJERES, has been developing a campaign to raise awareness about human trafficking for commercial sexual exploitation. The campaign includes the development of a pamphlet with information on human trafficking and special recommendations for women who have been invited to work abroad; in addition, contacts have been made with victims' support organizations in Spain, Italy and Uruguay.

75. As a result of the work done jointly by INMUJERES and IOM, with the assistance of AECID, a publication entitled "Trafficking in women for commercial sexual exploitation in Uruguay: Towards the development of public policy" has been prepared. It has been circulated at the national and regional levels.

76. In 2010, in connection with the International Day to Combat Human Trafficking, a press release was prepared and disseminated in order to enhance public awareness.

77. In 2011, posters with the slogan "You can be tricked into slavery" and telephone numbers for advice and information were designed, printed and distributed; 150 were sent to each Department outside Montevideo in which INMUJERES has focal points. The posters were also distributed at land and river terminals, in a number of offices of the Ministry of Social Development and in health clinics. Three banners on other themes of the awareness-raising campaign were made and hung up at the Ministry of Social Development (MIDES), the Ministry of Foreign Affairs and the Ministry of Transport and Public Works.

78. Blue badges on the day's theme were handed out to MIDES staff: the colour was chosen by analogy with the Blue Heart Campaign against Human Trafficking of the United Nations Office on Drugs and Crime.

#### **Compilation of information**

79. The first fact-finding study of human trafficking in Argentina, Uruguay and Chile was conducted in 2007, based on a request from the President Pro Tempore of MERCOSUR to the Director General of IOM.

80. The study showed that the modalities, magnitude and gravity of trafficking differ in different countries. Nevertheless, some general conclusions and recommendations for the region were drawn up based on certain similarities.

81. The chapter on Uruguay, in addition to reviewing legislation, covered field research carried out in the Departments of Montevideo, Colonia, Maldonada, Paysandú, Cerro Largo and Rivera. In the course of the research, local authorities and focal points were interviewed about trafficking, and eyewitness reports were obtained through visits to night

spots and places where a significant risk of sexual exploitation exists. Many first-hand accounts were collected during these investigations. As part of the research, a study was carried out to determine the number of court cases on sexual procurement or other activities related to human trafficking; a questionnaire was sent to Uruguayan consulates in the countries of destination of trafficked persons (Italy and Spain, inter alia); and a survey of potential victims was carried out. The latter, consisting of an anonymous survey of sex workers who attended the sexual disease prevention clinic of the Ministry of Health at Maciel Hospital in Montevideo, gave extremely valuable results.

82. During the research, the IOM team interviewed several victims of trafficking, including women who had returned to the country after undergoing traumatic experiences in Europe and being rescued by humanitarian agencies such as IOM. The survey pointed to the growth in the number of formal and informal complaints, illustrating the existence of sexual exploitation, particularly of minors.

83. The study revealed the link between “operatives” in the world of “sex markets” and a number of European countries. Offers to travel to other countries, especially in Europe, are a common feature in sex work, and it is noteworthy that for sex workers travelling to Europe, all the barriers to immigration can be overcome.

84. The survey carried out among sex workers who regularly attend the sexual disease prevention clinic of the Ministry of Health at Maciel Hospital showed that 43 per cent had received offers of work in foreign countries and 17 per cent had actually been sex workers outside Uruguay. The survey showed that most offers of work in foreign countries went to women under 24 years of age, the most common destination being Italy.

85. It was also revealed that 24 per cent of the women had been initiated as sex workers before the age of 18, in a great many cases because of pressure, de facto situations, manipulation or “suggestions” from people they were close to.

86. As a result of the research, a number of geographical areas at risk for human trafficking were identified. These are:

(a) The Department of Colonia, both its capital city, Colonia de Sacramento, and the city of Nueva Palmira (both having ports and river links with Argentina);

(b) Montevideo (a “recruitment” area from which trafficked persons are sent to Europe);

(c) The Department of Paysandú (river links with Argentina).

87. The threat of trafficking was slightly less, although some highly dangerous places existed, in the Department of Maldonado (heavy regional and international tourist trade).

88. The identification of the Department of Paysandú as a risk area was noteworthy, since it was not initially one of the places of particular concern. However, night outings in the city unequivocally revealed the existence of networks for the sexual exploitation of minors, networks that had not been discovered or stopped in time. While the study was being carried out, a network of Uruguayan traffickers operating in Italy and exploiting young women from Paysandú was discovered, and IOM even helped one young woman to return to her homeland.