



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture

### List of issues prior to submission of the fifth periodic report of Uruguay\*

#### Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee's previous recommendations

1. In its previous concluding observations,<sup>1</sup> the Committee requested the State Party to provide information on follow-up to the Committee's recommendations on the development of the national strategy for the reform of the prison system and a national strategy to improve medical treatment and healthcare for prisoners; the investigation of all deaths in custody; and the development of efficient mechanisms for reporting torture and ill-treatment (see paras. 15 (d) and (e), 19 (a) and 31 (a)). Noting that a reply concerning the information sought by the Committee<sup>2</sup> was provided on 15 May 2023, and with reference to the letter dated 13 March 2024 from the Committee's Rapporteur for follow-up to concluding observations,<sup>3</sup> the Committee expresses its appreciation for the information it received. The Committee considers, however, that the recommendations contained in paragraphs 15 (d) and (e) of the previous concluding observations have been implemented in part and that the recommendation contained in paragraph 19 (a) has not been implemented. The Committee does not have sufficient information to determine whether the recommendation contained in paragraph 31 (a) has been implemented.

#### Articles 1 and 4

2. With reference to the Committee's previous concluding observations,<sup>4</sup> please provide updated information on the steps taken by the State Party to criminalize torture and bring article 22 of Act No. 18026 into line with article 1 of the Convention.

\* Adopted by the Committee at its eighty-second session (7 April–2 May 2025).

<sup>1</sup> CAT/C/URY/CO/4, para. 42.

<sup>2</sup> CAT/C/URY/FCO/4.

<sup>3</sup> See

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<sup>4</sup> CAT/C/URY/CO/4, paras. 8 and 9. See also CCPR/C/URY/CO/6, paras. 18 and 19.



## Article 2<sup>5</sup>

3. With reference to the Committee's previous concluding observations,<sup>6</sup> please provide detailed information on the measures taken to ensure that all detainees are afforded, in law and in practice, all fundamental safeguards against torture and ill-treatment from the outset of their deprivation of liberty, in accordance with international standards. In that regard, please provide information on any disciplinary measures taken, since the consideration of the State Party's previous periodic report and in the context of police operations, against public officials who have not immediately allowed persons deprived of their liberty to benefit from these safeguards. Please provide information on the measures adopted to strengthen the public defence system and on information campaigns on the right to and availability of public defence services in various contexts.<sup>7</sup> Please indicate what is being done to ensure that the fast-tracked amendments introduced pursuant to Act No. 19889, under which the time limit for reporting a detention to the public prosecutor was increased from two hours to four, do not affect the right of detainees to timely legal assistance.<sup>8</sup> Please indicate whether the State Party plans to transfer responsibility for the prison system from the Ministry of the Interior to another administrative body. Please provide information on the measures taken to ensure the use of body cameras in all operations involving the use of force by the police.

4. With reference to the Committee's previous concluding observations,<sup>9</sup> please provide information on the steps taken to ensure that the national mechanism for the prevention of torture has the necessary technical, financial and human resources to fulfil its mandate effectively. Please indicate what measures have been adopted to ensure that this mechanism has its own budget, separate from that of the National Human Rights Institution and Office of the Ombudsman. Please provide information on the measures taken by the State Party in response to the recommendations made by the national preventive mechanism during the period under review and indicate whether non-governmental organizations (NGOs) are authorized to engage in activities in prisons in order to verify and monitor respect for the rights of persons deprived of their liberty. Please report on the measures adopted to ensure that the National Human Rights Institution and Office of the Ombudsman has the budgetary autonomy, infrastructure and resources that it needs to fully execute its mandate.

5. In the light of the Committee's previous concluding observations,<sup>10</sup> please indicate what legislative or other measures have been taken by the State Party during the period under review to combat gender-based violence, especially cases involving actions or omissions by State authorities or other entities that engage the international responsibility of the State Party under the Convention. Please provide comprehensive, up-to-date statistical data, disaggregated by the age and ethnic or national origin of the victims, on the number of complaints, investigations, prosecutions, convictions and judgments recorded in cases of gender-based violence since the consideration of the State Party's previous periodic report. Please indicate what measures have been taken to ensure that victims of gender-based violence receive the medical treatment, psychological support and legal aid that they need, including access to adequate shelters. Please report on the steps that have been taken to earmark resources for the implementation of Act No. 19580 and the degree to which practical effect has been given to the provisions concerning the establishment of specialized courts in cases of gender-based violence, including domestic and sexual violence.

<sup>5</sup> The questions raised in relation to article 2 could also touch on other articles of the Convention, in particular article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2 by States Parties, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also section V of the same general comment.

<sup>6</sup> CAT/C/URY/CO/4, paras. 10 and 11.

<sup>7</sup> CCPR/C/URY/CO/6, paras. 24 and 25.

<sup>8</sup> A/HRC/54/22/Add.1, para. 75.

<sup>9</sup> CAT/C/URY/CO/4, paras. 36 and 37.

<sup>10</sup> Ibid., paras. 28 and 29. See also CCPR/C/URY/CO/6, paras. 14 and 15.

6. In the light of the Committee's previous concluding observations,<sup>11</sup> please indicate what measures are being taken, including by working towards the adoption of a comprehensive law, to prevent, combat and punish trafficking in persons.<sup>12</sup> Please also indicate what measures are being taken to earmark technical and financial resources for the implementation of Act No. 19643.<sup>13</sup>

### Article 3

7. In the light of the Committee's previous concluding observations,<sup>14</sup> please describe the measures taken during the period under review to ensure that no one is returned to a country where he or she would be at risk of torture. Please describe how the State Party ensures that acts of gender-based and sexual violence against asylum-seekers are investigated and punished.<sup>15</sup> Please indicate what efforts have been made to expedite the processing of applications for refugee status, as well as the measures taken to ensure that the Refugee Commission is provided with the human, technical and financial resources necessary for this purpose.<sup>16</sup> Please also indicate whether individuals facing expulsion, deportation or extradition are informed that they have the right to seek asylum and to appeal a deportation decision, and whether such an appeal has suspensive effect. In addition, please indicate how the State Party ensures that asylum-seekers have access to legal aid and interpretation services during the asylum procedure.

8. Please provide updated information on the number of asylum applications that have been received during the period under review, the number of successful applications and the number of cases in which asylum was granted on the grounds that the applicant had been tortured or might be tortured if returned to his or her country of origin. Please include detailed statistical information on the number of persons who have been returned, extradited or expelled since the consideration of the previous periodic report. Please provide specific information on the grounds on which these measures were taken, including a list of the countries to which the persons concerned were sent. Please also indicate how many returns, extraditions or expulsions have been carried out by the State Party during the reporting period on the basis of the acceptance of diplomatic assurances or the equivalent thereof and in how many cases the State Party has offered such diplomatic assurances or guarantees. Please provide information on the measures taken to ensure appropriate, effective and independent monitoring of individuals after they have been extradited, expelled or returned to other countries pursuant to assurance agreements.

### Articles 5–9

9. Please provide information on any new laws or measures adopted by the State Party to implement article 5 of the Convention, in particular to establish its jurisdiction over cases of torture where the alleged offender is present in any territory under its jurisdiction and it does not extradite him or her. Please provide information on any extradition treaties concluded with other States Parties and indicate whether the offences referred to in article 5 of the Convention are included as extraditable offences in such treaties. Please clarify what treaties or agreements on mutual judicial assistance the State Party has entered into with other entities, such as countries, international tribunals or international institutions, and whether those instruments have resulted, in practice, in the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. Please provide examples.

<sup>11</sup> CCPR/C/URY/CO/6, paras. 20 and 21.

<sup>12</sup> CMW/C/URY/CO/2, para. 57.

<sup>13</sup> CEDAW/C/URY/CO/10, paras. 23 and 24.

<sup>14</sup> CAT/C/URY/CO/4, paras. 26 and 27.

<sup>15</sup> Ibid., para. 27.

<sup>16</sup> CMW/C/URY/CO/2, para. 39.

## Article 10

10. With reference to the Committee's previous concluding observations,<sup>17</sup> please provide updated information on the training programmes on human rights and the prohibition of torture developed by the State Party to ensure that all public servants are fully familiar with the provisions of the Convention and the absolute prohibition of torture and are aware that perpetrators will be investigated and prosecuted. Please provide information on the programmes used to train police officers and other law enforcement officials in non-coercive investigation techniques. Please indicate the number, institutions and percentage of public servants that have participated in such training programmes. Please also indicate whether the State Party has considered establishing a methodology for evaluating the effectiveness and impact of its training programmes in reducing the number of cases of torture and ill-treatment. If so, please provide information in this regard. Please indicate what measures are being taken to mainstream a gender perspective in the human rights training provided to justice and law enforcement officials.<sup>18</sup> Please also provide information on the measures taken to give effect to the provisions of article 10 (2) of the Convention.

11. In the light of the Committee's previous concluding observations,<sup>19</sup> please provide updated information on training programmes for judges, prosecutors, forensic doctors and medical personnel dealing with persons deprived of their liberty to enable them to detect and document the physical and psychological after-effects of torture. Please indicate what steps are being taken to provide medical and judicial personnel with training on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised.

## Article 11

12. Please describe the procedures that have been put in place to ensure compliance with article 11 of the Convention, including any regulations, interrogation methods and detention provisions, especially those adopted or revised since the last report, and indicate the frequency with which they are reviewed. With reference to the previous concluding observations<sup>20</sup> and the State Party's follow-up replies,<sup>21</sup> please indicate the status of the national strategy for the reform of the prison system and the study aimed at identifying the structural problems of the prison system and to what extent civil society, relatives' associations and experts have been involved in the design of the strategy and the study.

13. Please describe the measures taken by the State Party to improve conditions of detention, including those aimed at reducing overcrowding in prisons and adolescent detention centres<sup>22</sup> and promoting the use of alternatives to imprisonment, both before and after trial.<sup>23</sup> Please provide statistical data, disaggregated by sex, age and ethnic or national origin, on the number of pretrial detainees and convicted prisoners and on the occupancy rate of all places of detention.<sup>24</sup> Please provide clarification on the legislation and policies relating to pretrial detention and on the measures taken to avoid the excessive use of such detention. Please provide information on the measures taken to ensure that persons in pretrial detention are separated from convicted persons.<sup>25</sup> Please provide information on action taken to remedy

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<sup>17</sup> CAT/C/URY/CO/4, paras. 39 and 40. See also CCPR/C/URY/CO/6, para. 19.

<sup>18</sup> CAT/C/URY/CO/4, para. 39 (d).

<sup>19</sup> Ibid., paras. 39 and 40.

<sup>20</sup> CAT/C/URY/CO/4, paras. 14 and 15. See also CCPR/C/URY/CO/6, para. 22, and CEDAW/C/URY/CO/10, para. 42 (c).

<sup>21</sup> CAT/C/URY/FCO/4, paras. 2–4. See

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<sup>22</sup> CAT/C/URY/CO/4, paras. 22 and 23.

<sup>23</sup> Ibid., paras. 14 and 15. See also CCPR/C/URY/CO/6, para. 22.

<sup>24</sup> CAT/C/URY/CO/4, paras. 14 and 15. See also CCPR/C/URY/CO/6, para. 22.

<sup>25</sup> CAT/C/URY/CO/4, paras. 14 and 15. See also CCPR/C/URY/CO/6, para. 22.

the shortcomings in the general conditions in prisons<sup>26</sup> and adolescent detention centres.<sup>27</sup> Please provide information on the measures taken by the State Party to ensure that its law and practice regarding solitary confinement are consistent with international standards. Please describe the measures taken to ensure that body searches in prisons are not degrading to inmates or visitors. Please report on the steps taken in prison units housing women deprived of their liberty to prevent delays in the processing of visitors and ensure the uniformity of the criteria for authorizing entry.

14. With reference to the Committee's previous concluding observations<sup>28</sup> and the State Party's follow-up replies,<sup>29</sup> please indicate what steps have been taken to develop a national strategy to improve medical treatment and healthcare for prisoners. Please report on the measures that have been adopted to ensure that persons deprived of their liberty may request an independent medical examination at the outset of their detention and to guarantee the confidentiality of medical examinations. Please indicate what measures are being taken to ensure that persons deprived of their liberty have access to outdoor areas and enjoy the living conditions necessary for their physical and mental well-being. With reference to the Committee's previous concluding observations<sup>30</sup> and the State Party's follow-up replies,<sup>31</sup> please indicate what steps are being taken to ensure that prisons are allocated sufficient human and material resources to provide medical treatment and healthcare.

15. Please provide information on the measures taken by the State Party during the period under review to address the specific needs of women and minors in detention. In the light of the Committee's previous concluding observations,<sup>32</sup> please describe the measures taken to ensure that children in conflict with the law are deprived of their liberty only as a last resort. Please provide information on the programmes promoting the social reintegration of minors deprived of their liberty. Please report on the steps taken to prevent and punish ill-treatment in juvenile detention centres. Please provide information on the measures adopted to ensure that officials who are under investigation for ill-treatment are suspended. Please specify the total number of adolescents in detention centres, as well as the number of young people over 18 who have been given sentences requiring them to fulfil social and educational requirements. Please indicate the duration of these sentences and whether the individuals concerned serve them in the centres of the National Institute for the Social Inclusion of Adolescents.

16. With reference to the Committee's previous concluding observations<sup>33</sup> and the State Party's follow-up replies,<sup>34</sup> please provide statistical data on the number of deaths in custody during the period under review, disaggregated by place of detention, sex, age, ethnic or national origin and cause of death. Please describe the measures taken to ensure that investigations into such deaths are conducted by an independent body. Please also report on the measures adopted to ensure that these investigations are carried out in accordance with the Minnesota Protocol on the Investigation of Potentially Unlawful Death. Please include information on the investigation into the fire that broke out in section 4, unit 4, of Santiago Vázquez Prison on 25 September 2024, in which at least six inmates died, and on the outcome thereof. Please indicate what steps the State Party has taken to prevent similar incidents in the future. Please also indicate whether the strategies and programmes for the prevention,

<sup>26</sup> CAT/C/URY/CO/4, para. 15.

<sup>27</sup> Ibid., paras. 22 and 23.

<sup>28</sup> Ibid., para. 15 (e).

<sup>29</sup> CAT/C/URY/FCO/4, para. 3. See also

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<sup>30</sup> CAT/C/URY/CO/4, para. 15 (e).

<sup>31</sup> CAT/C/URY/FCO/4, para. 3. See also

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<sup>32</sup> CAT/C/URY/CO/4, paras. 22 and 23.

<sup>33</sup> Ibid., paras. 18 and 19.

<sup>34</sup> CAT/C/URY/FCO/4, paras. 18 and 19. See also

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detection and treatment of infectious and other diseases in prisons have been reviewed. Please provide information on acts of inter-prisoner violence, especially those involving possible negligence by officials and authorities, and on the number of complaints filed in that regard and the results of investigations into those complaints.

17. Please indicate the measures taken by the State Party during the reporting period to ensure that the detention of asylum-seekers and undocumented migrants is used only as a last resort, where necessary and for as short a period as possible, and to resort more often to alternatives to detention. Please provide updated information on the number of asylum-seekers and undocumented migrants arrested and detained during the period under review.

18. In the light of the Committee's previous concluding observations,<sup>35</sup> please provide information on the steps taken to close the specialized centres that provide acute mental healthcare, in line with the Mental Health Act (No. 19529). Please also provide information on the number of persons deprived of their liberty in psychiatric hospitals and other institutions for persons with intellectual or psychosocial disabilities. Please report on alternative forms of treatment, such as community-based rehabilitation services and other outpatient programmes. Please describe the measures taken to prioritize family reintegration. Please provide updated information on the procedures relating to involuntary admission and those for reviewing and appealing decisions made in that regard. Please also provide information on the protocols that govern the use of restraint measures and solitary confinement in psychiatric and social assistance institutions. Please comment on reports that persons being transferred from prisons to psychiatric hospitals have their hands and feet shackled for long periods. Please indicate what is being done to guarantee the establishment of set time frames for involuntary commitment. Please provide information on the measures taken to ensure that persons who are fit to be medically discharged do not remain hospitalized on the basis of a judicial decision or owing to their social circumstances.

## Articles 12 and 13

19. With reference to the Committee's previous concluding observations<sup>36</sup> and the State Party's follow-up replies,<sup>37</sup> please provide information on the steps taken to ensure the efficiency of the mechanisms for reporting acts of torture and ill-treatment. Please provide updated and disaggregated data on the number of complaints relating to acts of torture or ill-treatment and excessive use of force<sup>38</sup> filed during the period under review. Please include information on the investigations initiated, the disciplinary and criminal proceedings opened, the convictions and criminal or disciplinary sanctions handed down and the redress obtained by the victims or their families. Please provide examples of relevant cases and judicial decisions.

20. Please provide updated information on the investigation and/or prosecution of cases involving alleged acts of torture and ill-treatment, sexual exploitation and abuse, unauthorized outings, deaths, including that of an adolescent girl in 2024, and trafficking in which the victims were minors under the protection of the Uruguayan Institute for Children and Adolescents. Please report on the measures adopted to ensure that redress for the failures identified is provided through the Integrated System for the Protection of Children and Adolescents against Violence, thereby guaranteeing the rights of the children and adolescents under its protection.

21. With reference to the Committee's previous concluding observations,<sup>39</sup> please indicate what progress has been made in the investigation and prosecution of acts of torture and other serious human rights violations that took place from 13 June 1968 to 28 February

<sup>35</sup> CAT/C/URY/CO/4, paras. 24 and 25.

<sup>36</sup> Ibid., paras. 30 and 31.

<sup>37</sup> CAT/C/URY/FCO/4, para. 6. See also [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FURY%2F57740&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FURY%2F57740&Lang=en).

<sup>38</sup> CAT/C/URY/CO/4, para. 13 (b). See also CERD/C/URY/24-26, paras. 23 and 24.

<sup>39</sup> CAT/C/URY/CO/4, paras. 32 and 33.



1987. Please provide information on the measures taken by the State Party to guarantee just and adequate reparation for women survivors of the gender-based violence perpetrated during the dictatorship and to prevent their revictimization.<sup>40</sup>

## Article 14

22. Taking into account the Committee's previous concluding observations,<sup>41</sup> please provide information on measures of reparation and compensation, including means of rehabilitation, ordered by the courts or other State bodies and effectively provided to victims of torture or their families since the consideration of the previous periodic report. Please provide information on ongoing reparation programmes, including those providing for the treatment of trauma and other forms of rehabilitation, for victims of torture or similar traumas, and on the material, human and budgetary resources allocated to these programmes to ensure their effective functioning.

## Article 15

23. Please provide information on the specific measures taken to ensure respect, both in law and in practice, for the principle of the inadmissibility of evidence obtained through torture.

## Article 16

24. In the light of the Committee's previous concluding observations,<sup>42</sup> please provide information on the measures taken by the State Party to prevent and punish crimes of a racist or xenophobic nature and those motivated by the victim's sexual orientation or gender identity.<sup>43</sup> Please provide data on instances of hate crimes committed on racist, xenophobic or ethnic grounds or on the grounds of sexual orientation or gender identity reported and investigated during the period under review, disaggregated by type of motive or basis of discrimination and by the sex, gender, age group and ethnic origin or nationality of the victim. Please indicate whether the perpetrator was a public official and provide information on the outcomes of these investigations.

## Other issues

25. Please describe the concrete measures that have been taken to widely disseminate the Convention and the Committee's previous concluding observations in all appropriate languages in the State Party, including through the media and NGOs.

26. Please provide updated information on the measures taken by the State Party to respond to the threat of terrorism. Please describe whether these measures have affected human rights safeguards in law and in practice and, if so, how. Please also describe how the State Party has ensured that its counter-terrorism measures are compatible with its obligations under international law, especially the Convention. Furthermore, please indicate what training is given to law enforcement officers in this area; the number of persons who have been convicted under legislation adopted to combat terrorism; the legal remedies and safeguards available in law and in practice to persons subject to counter-terrorism measures; and whether there have been complaints relating to the non-observance of international standards and, if so, what the outcome was.

<sup>40</sup> [CEDAW/C/URY/CO/10](#), paras. 13 and 14.

<sup>41</sup> [CAT/C/URY/CO/4](#), paras. 40 and 41.

<sup>42</sup> *Ibid.*, paras. 6 and 7 (a).

<sup>43</sup> [CCPR/C/URY/CO/6](#), paras. 10 and 11. See also [CERD/C/URY/24-26](#), paras. 21 and 22.

**General information on other measures and developments relating to the implementation of the Convention in the State Party**

27. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the State Party's previous periodic report to implement the provisions of the Convention or the Committee's recommendations. Such measures may include institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other relevant information.

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