Child Rights References in the Universal Periodic Review

Summary:
A compilation of extracts featuring child-rights issues from the reports submitted to the first Universal Periodic Review. There are extracts from the 'National Report', the 'Compilation of UN Information' and the 'Summary of Stakeholder's Information'. Also included is the 'Final Report' and 'Conclusions and Recommendations' from the Review.

Uruguay - 5th Session - 2009
11th May 2009, 9am to 12pm

National Report

9. In addition, a specialized unit was created within the national authority for initial, primary and secondary public education in 2006. An Advisory Service on Fundamental Rights was established under the Ministry of Labour and Social Security with responsibility for promotion of freedom of association, elimination of all forms of forced labour, effective abolition of child labour and the struggle against all forms of discrimination. Previously, the only official bodies dealing with the subject had been the Human Rights and Humanitarian Law Department of the Ministry of Foreign Affairs, responsible for relations with international intergovernmental and non-governmental human rights organizations, follow-up of international negotiations in this area, submission of periodic reports and processing of complaints to the Inter-American System or the universal human rights system, and the Human Rights Commission of the House of Representatives.

39. In 2008 the Uruguayan Parliament adopted the Migration Act, which classifies trafficking in persons as an offence. The Act treats as aggravating circumstances the fact of endangering the health or physical integrity of migrants, the fact that the victim is a child, adolescent or disabled person, the fact that the offence is carried out with violence, intimidation or deceit and the fact that the security of migrants is the responsibility or habitual activity of the official concerned. The Government proposes to implement a State policy through an interagency commission comprising various State and civil society bodies.

40. Uruguay has also established the Committee to Eradicate Commercial and Non-commercial Sexual Exploitation of Children and Adolescents, comprising national and international governmental and non-governmental organizations, which in 2007 launched the ongoing Plan to Eradicate Commercial Sexual Exploitation. It is intended to elaborate a similar plan to eradicate non-commercial sexual exploitation. In 2007 and 2008, relevant awareness-raising campaigns were launched.

43. For a long time, the lack of investment and the decline in teachers’ wages contributed to the deterioration of the quality of public education. The social and economic crisis also had an impact on the educational system: the worst educational performance occurs in schools and institutes situated in the poorest areas. Among the more worrying statistics is the fact that 3 of every 10 young people between the ages of 15 and 17 and 6 of every 10 young people aged 18 to 24 do not attend an educational institution. Of young people aged 15 to 20, 8.3 per cent do not study, work or seek employment and have not completed basic secondary education.

44. During this four-year period, the country increased public spending on public education to 4.5 per cent of gross domestic product (GDP). At the same time, special emphasis was placed on the social integration function of the educational system. Under the Equality Plan in progress since 2007, the Government pledged to: expand coverage and quality of educational care for infants up to the age of 3; universalize initial education for 4 and 5-year-olds; improve the quality of primary education, with emphasis on overcoming unequal performance, as expressed in repeat rates; and universalize basic secondary education, with special attention to the problem of dropping-out. The introduction of the community teacher programme led to an improvement in educational performance in primary schools in a critical social and cultural context, combating the problem of repeating and over-age pupils. The community classroom programme has operated as a mechanism for bringing young people back into secondary education.

45. In 2006 and 2007 a national debate on education culminated in a National Congress which produced significant contributions, published material and arguments for use in preparing the draft General Public Education Act. The Act, which was adopted in December 2008, reaffirms the principles that education should be secular, free of charge and compulsory, and sets the goal of quality education with fairness and relevance for all as an inalienable, life-long right. The Act introduces the cross-cutting aim of human rights
education at all levels.

46. By the end of 2009, all pupils and teachers in public primary schools will have a portable personal computer under the CEIBAL Plan deriving from the One Laptop per Child project of the Massachusetts Institute of Technology (MIT). Uruguay will thus be the first country in the world to grant universal access to new information technologies for children of varying social status and geographical location.

68. During the period Uruguay introduced the Honorary National Advisory Board on the Rights of Children and Adolescents, set up by Act of 2004, with the aim of promoting the coordination and integration of sectoral policies for the care of children and adolescents. In the course of the period, the National Committee for the Eradication of Child Labour drew up a list of dangerous forms of work in compliance with ILO Convention No. 182. In 2004 legislation was passed imposing penalties of 2 to 12 years’ imprisonment for commercial and non-commercial sexual violence against children, adolescents or legally incompetent persons.62

69. Children and adolescents have been the hardest hit by poverty in recent decades. Poverty rates are twice as high for this group as for Uruguayans as a whole. One of the focused public policies that has been maintained over time, irrespective of changes of Government, has been the CAIF (Comprehensive Child and Family Care Centres) Plan, channelling the efforts of the State and civil society. In 2008 there was nationwide coverage of 41,216 children in 319 centres. In constant prices, funding for this purpose increased by 175.85 per cent between 2007 and 2008.

70. The country is seeking to overhaul the care model for children and adolescents separated from their families, reducing institutionalization through alternatives such as family placement, family units (in which an adult couple supported by the Uruguayan Institute for Children and Adolescents (INAU) looks after as many as eight children) and speeding up of judicial procedures for adoption. One of the most visible problems is that of street children. Although the phenomenon has been reduced significantly, it continues to give cause for concern. State action is directed to reuniting street children with their families, schools and local communities or, when families are non-existent or not in a position to respond, to create placement opportunities.

71. The system of custodial measures for adolescents in conflict with the criminal law was the subject of complaints by the World Organization against Torture in 2003. High levels of violence and ill-treatment in inadequate institutions, poorly trained personnel, deficient health care and the lack of educational plans and projects were the focus of some of the comments made. The Government reacted to the situation by promoting the recruitment of qualified personnel, the dismissal and reassignment of officials, the upgrading of school facilities and the hiring of emergency mobile services for improved health care. The Programme of Non custodial Measures was also strengthened. Recently the National Advisory Board on the Rights of Children and Adolescents set up an Observer Committee to monitor the situation of adolescents in conflict with the criminal law in respect both of detention and alternative measures. The issue continues to be a cause for special concern.

72. Together with these responses to children and adolescents in a situation of extreme vulnerability, the Government, on the basis of the Children, Adolescents and Family Programme, (INFAMILIA) promoted the formulation of the National Strategy for Children and Adolescents 2010-2030.63 Through a broad process of dialogue, which also included individual consultations with more than 4,500 children and adolescents throughout the country, a set of principles, guidelines and proposals for a 20-year strategy was gathered and collated.

Compilation of UN information

1. The Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Uruguay to ratify CRPD and CED.10 and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.11 The Committee on the Rights of the Child (CRC) recommended that Uruguay ratify CRPD and its Optional Protocol.12

3. In 2007, CRC noted with appreciation the adoption, in 2004, of both the National Code on Childhood and Adolescence and the Sexual Exploitation Act.14 However, CRC noted that the practical application of the Code of Childhood and Adolescence remained a significant challenge, that several legislative reform proposals were pending and that further efforts were required to harmonize different branches of legislation.15 UNICEF considered that the Code still contained provisions and regulations that were in contradiction with the Convention on the Rights of the Child.16

5. Uruguay does not have a national human rights institution accredited by the International Coordinating Committee of National Institutions (ICC).18 CRC recommended that Uruguay establish an independent national human rights institution in accordance with the Paris Principles.19

7. While recognizing the establishment in 2007 of the Consultative Honorary Council for Children, CRC recommended that Uruguay ensure that this Council be assigned stable and adequate resources to fulfil its mandate and that efforts be undertaken to decentralize the Institute of the Child and Adolescent to provide services throughout the country and that it also be assigned stable and adequate resources. CRC further recommended that measures be undertaken to ensure adequate coordination between policy entities and service providers.22

8. CEDAW welcomed the adoption of the First National Plan for Equality of Opportunities and Rights (2007-2011) and the National Plan to combat domestic violence (2004-2010).23 CRC welcomed the establishment of the programmes Infamilia and PANES (Programa de Atención a la Emergencia Social).24 While noting the existence of sector-specific plans, CRC encouraged Uruguay to elaborate and assign adequate budget allocations to a comprehensive national plan of action for children in consultation with civil society, non-governmental organizations (NGOs), children and all sectors involved in the promotion and protection of children’s rights.25

16. While recognizing anti-discrimination provisions in the Code on Childhood and Adolescence, both CEDAW and CRC remained concerned that children born out of wedlock continued to be stigmatized and discriminated against.49 Furthermore, CRC was concerned that children were discriminated against because of their appearance (including their way of dressing) and that Afro-descendant children also suffered discrimination.50 CRC recommended that Uruguay increase its efforts to monitor and ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with the Convention, and adopt a proactive and comprehensive strategy to eliminate discrimination on gender, ethnic, appearance or any grounds and against all vulnerable groups throughout the country with particular attention to Afro-descendants and children born out of wedlock.51

17. CRC recommended, inter alia, that Uruguay ensure implementation of the United Nations Standard Rules for Equalizing the Possibilities for Persons with Disabilities; pursue efforts to ensure that children with disabilities may exercise their right to education, health, recreation and cultural development to the maximum extent possible; take measures to ensure practical access to buildings and installations; and undertake greater efforts to make available the necessary professional and financial resources.52

19. UNICEF noted that violence remains a challenge, as some 33 per cent of girls and 43 per cent of boys report that they had been victims of physical and/or psychological abuse.54 While commending the various legislative and policy measures taken to address domestic violence, including the law 17514 on the prevention, early detection and eradication of domestic violence, CEDAW encouraged Uruguay to establish a system for the regular collection of statistical data on domestic violence. It further encouraged Uruguay to establish accessible shelters and crisis centres for victims of violence and ensure that if a victimized woman agrees to reconcile with the perpetrator, counselling services are provided to the perpetrator and the victims and the situation is monitored to prevent further abuse; and to offer training and awareness-raising programmes to judicial personnel, law enforcement officials and members of the legal and health professions.55

20. CRC was concerned that sexual exploitation and the sale of children were growing problems in Uruguay, especially in tourist areas and along the borders, and recommended, inter alia, that Uruguay bring legislation fully into compliance with the Convention and OP-CRC-SC; ensure enforcement of the law to avoid impunity, by assigning further financial and human resources to carry out investigations; train law-enforcement officials, social workers and prosecutors on how to receive, monitor and investigate cases, as well as prosecute and punish those responsible; and implement the National Plan of Action against Sexual Exploitation of children.56 An ILO Committee of Experts noted in 2008 that draft amendments to the Children and Young Persons' Code concerning the sexual exploitation of children for commercial purposes and the economic exploitation of children are under consideration. It asked Uruguay to supply information on the progress made on the proposed amendments.57

21. While welcoming the 2007 National Plan for the Eradication of Commercial and Non-commercial sexual exploitation, CEDAW was deeply concerned about the persistence of trafficking in women and girls from and into Uruguay for the purposes of sexual exploitation. It regretted the lack of sufficient and effective measures to address trafficking in human beings.58 CEDAW urged Uruguay to intensify its efforts to combat trafficking in women and girls and study its scope, causes, consequences and purposes, and systematically compile information to formulate a comprehensive strategy that includes measures of prevention, prosecution and punishment of offenders, as well as measures to protect and rehabilitate victims and reintegrate them into society. 59

22. CRC was very concerned at the high number of children living or working on the street, the lack of social services and reintegration measures available and the stigma they continued to suffer.60 CRC recommended that Uruguay, inter alia, assess the scope, nature and root causes of the presence of children living or working on the street, in order to develop a policy for prevention and assistance; provide those children with adequate nutrition, housing, necessary health-care, educational opportunities, recovery and social reintegration services; and develop a policy for family reunification where possible and when in the best interests of the child.61

25. CRC reiterated its previous recommendation that Uruguay inter alia: develop and implement a specialized system of juvenile justice with adequately trained professionals; ensure that deprivation of liberty is used only as a measure of last resort and that the use of pre-trial detention is minimized; take all necessary measures to ensure that every person below 18 deprived of his/her liberty be separated from adults; ensure that parents or close relatives are informed when the child is detained; provide the child with free legal assistance; establish an independent child-sensitive and accessible system for the reception and processing of complaints by children and investigate alleged violations committed by law enforcement personnel and prisons guards, and prosecute and punish those responsible; ensure that children deprived of their liberty remain in contact with the wider community, in particular with their families, and are given the opportunity to visit their home and family.64 UNICEF noted that regarding juvenile justice, inconsistencies persist between legislation and application in practise. The Judicial Observatory, developed with UNICEF support, showed a significant number of proceedings not being carried out as per provisions by the Child and Adolescent Code.65

27. CRC recommended that Uruguay regulate the system for alternative care, seek to de- institutionalize children, continue to promote foster care as a form of alternative care and suggest that institutionalization be used only as a measure of last resort. CRC also recommended adequate resource allocation, functioning and monitoring of the care institutions, as well as a periodic review of placement.67 CRC recommended that Uruguay approve legislation discontinuing the practice of “simple adoption” and take all legislative and administrative measures to ensure that domestic and intercountry adoptions comply with article 21 of the Convention, article 3 of OP-CRC-SC and the provisions of the 1993 Hague Convention.68

30. While welcoming the fact that the minimum age for admission to employment or work had been raised to 15 years, CRC expressed concern over the number of children who were still victims of economic exploitation and recommended that efforts be undertaken,
including an assessment of the scope, nature and root causes of economic exploitation and by ensuring provision of adequate budget allocations in order to prevent and combat economic exploitation.74

31. While recognizing the affirmative measures undertaken since 2005, CRC remained concerned that allocations for social expenditure still did not sufficiently benefit children, in particular, the poor and vulnerable sections of society, such as children of female-headed households and Afro-descendants. CRC strongly recommended that Uruguay further increase budget allocations for the implementation of the rights recognized in the Convention, ensure a more balanced distribution of resources and prioritize and target budgetary allocations to alleviate disparities and ensure implementation of the economic, social and cultural rights of all children, particularly the most vulnerable.75

32. CRC was concerned over disparities in the standard of living and the number of children living in poverty or extreme poverty and noted that poverty levels were disproportionately high among female-headed households. It recommended that Uruguay prioritize and allocate more funds to reduce disparities among the various income groups giving priority to families with children and those headed by females, and that it design a poverty reduction strategy and provide it with adequate resources.76

33. While welcoming the provision of free anti-retroviral treatment, CRC noted that prevention and awareness measures were insufficient for adolescents and recommended that Uruguay conduct awareness-raising campaigns, particularly among those belonging to vulnerable groups, such as children living or working in the street, about measures to protect themselves from contracting HIV/AIDS; and provide adequate financial and human resources for prevention measures and information campaigns to combat discrimination against infected children.78 CEDAW was also concerned about the recent increase in the prevalence of HIV/AIDS in Uruguayan women and recommended it to take comprehensive measures to combat this pandemic.79

34. While referring to positive developments in the reform of the health care system, UNICEF noted that half of the country’s children still spend their infancy under adverse health conditions. This is reflected by a worrying nutritional status, with undernutrition standing at 11.3 per cent and obesity at 8.5 per cent.83

35. UNICEF reported that, while access to primary education has become almost universal, the situation in secondary education indicates serious problems. According to a study based on a group of students from public high schools, only 40 per cent of students enrolled in the first year finish the basic cycle on time, while many do not finish secondary school. As a result, only one in every three 20-year-old Uruguayans has graduated from high school.87

36. While welcoming the nearly universal enrolment rates in primary school and programmes such as maestros comunitarios, CRC was concerned at the relatively high repetition and dropout rates, particularly among children living in poverty, boys and Afro-descendants.84 CRC recommended that Uruguay, inter alia, focus on an overall improvement in the quality of education, including by providing increased budget allocations for the educational sector; strengthen measures to reduce repetition and dropout rates; undertake affirmative action to improve equal access to education, particularly for children living in poverty, boys, Afro-descendants and children in rural areas; monitor repetition and dropout rates and the impact of the measures undertaken to combat these problems; effectively monitor discrimination against female students who are expelled due to pregnancy and sanction those responsible within the educational system.85 CEDAW was concerned about the high repetition rate of girls in primary school and high drop-out rates in secondary school, especially among rural and Afro-descendant women and encouraged Uruguay to introduce temporary special measures to reduce and eliminate high drop-out and repetition rates of girls and include incentives for parents to send girls to school.86

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38. UNICEF also noted that children and adolescents have been historically the worst affected by poverty. Although rates have decreased in the last years, this reduction was higher among adults than among children and adolescents. In 2008, 46.4 per cent of children under 6 years of age were living under the poverty line. It was of concern that almost half of the children and adolescents of the country live in households that cannot meet their basic needs.95

39. A 2006 UNESCO report noted that Uruguay has created an Inclusive Education Fund, which promotes inclusive practices in regular schools to help them to integrate children with disabilities.88 A 2005 World Bank report noted that in Uruguay, grants are awarded for schools that put forward proposals for reaching disabled children.89

40. While welcoming the national refugee law in 2006, CRC recommended that Uruguay ensure prompt implementation of legislation in accordance with international obligations for refugee protection; ensure that refugee, asylum-seeking and migrant children are guaranteed speedy processing of their registration and identity documents and that they be guaranteed access to health services and education; and take all measures to guarantee protection of refugee children in line with international human rights and refugee law.92

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42. CRC encouraged Uruguay to introduce budget tracking from a child rights-based perspective to monitoring budget allocations for children and to seek technical assistance for this purpose.100 CRC noted that the right to legal assistance should not deprive the child of his or her right to be heard and encouraged Uruguay to seek further cooperation in this regard.101 CRC recommended that Uruguay seek further technical assistance with regard to: sexual and economic exploitation of children;102 children living and working in the street;103 to combat HIV/AIDS;104 the issue of refugee, asylum-seeking and migrant children,105 and in the area of juvenile justice and police training.106

Summary of Stakeholder compilation

4. IELSR notes that Uruguay recently brought its legislation into line with the Convention on the Rights of the Child in 2004, 14 years after ratifying that instrument. However, the legislative amendments have not resulted in any structural or practical changes.7

6. According to OPPDHM, a bill is pending adoption to establish a national human rights institution with several members and a very broad mandate regarding its sphere of competence.9 Uruguay’s lack of a national human rights institution is also noted by CLADEM,
which points out that the legislature has been discussing creating such a body for over two years. IELSUR considers that independent monitoring mechanisms, such as ombudsman’s offices for the protection of the rights of children and adolescents, are essential to guarantee children’s rights. La Red de Instituciones Nacionales de Derechos Humanos del ContinenteAmericano (Red) (Network of National Human Rights Institutions of the American Continent) requests that consideration be given to the importance of establishing a national human rights institution in Uruguay, bearing in mind that functioning national human rights institutions are a guarantee of an increasing culture of respect for human rights and, consequently, democracy.

38. According to OPPDHM, the ILO Worst Forms of Child Labour Convention, No. 182, has not yet been incorporated into domestic legislation.

39. According to IELSUR, children are the worst affected by the country’s poverty, with almost 45 per cent of children under the age of 5 born to poor households. It adds that children benefit least from Uruguay’s investment choices, since the country’s spending favours adults.

Final Report

8. Uruguay also adopted a law prohibiting corporal punishment or any type of humiliating treatment of children and adolescents. In April 2009, Uruguay enacted Law No. 18.476 promoting increased participation of women in political life. Moreover, gender was set as a cross-cutting theme in the Plan for Equal Rights and Opportunities.

13. The reform of the language and concept of family law in the Civil Code is expected to be completed during this legislative session. According to the Children and Adolescents Code, adolescents can register their children even if not married.

14. Uruguay reported on a draft bill to amend the definition of sexual crimes and child pornography in the Criminal Code, whose approval was expected before the end of the current legislative session.

16. With regard to situations of violence, ill-treatment and abuse of children and adolescents, Uruguay noted that children are now more aware of their rights and have several places where they can lodge complaints. The Integrated System of Protection of Children and Adolescents from Violence has issued its first report.

17. Pending challenges to address domestic violence include changes to the Code of Children and Adolescents, as well as the establishment of new specialized courts and the training of officials of the justice system on issues relating to the ill-treatment and abuse of children and adolescents.

23. Brazil appreciated the cooperation with Uruguay since 2006, through an agreement to combat trafficking and sexual exploitation of children and adolescents. Brazil asked Uruguay about its experience with the right to truth and memory. Brazil recommended that Uruguay: (a) consider ratifying the UNESCO Convention against Discrimination in Education, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance; (b) continue its efforts to combat impunity and human rights violations with particular focus on the rights of women and children; (c) attain the voluntary human rights goals approved by the Human Rights Council.

24. The United Kingdom noted that the principle of co-operation with the international system was a mainstay of Uruguay’s foreign policy and that Uruguay was an important partner on human rights issues. It noted that the practical application of the National Code on Childhood, and the Adolescence and the Sexual Exploitation Act remained a challenge. It referred to the Committee on the Elimination of Discrimination against Women concern at the inequality between men and women, the persistence of stereotypes and the minimum age for marriage. The United Kingdom recommended that Uruguay: (a) establish a national human rights institution accredited by the International Coordinating Committee of National Institutions in accordance with the Paris Principles; (b) ensure that its national preventive mechanism is compliant with the Optional Protocol to the Convention against Torture and that sufficient human, financial and logistical resources are granted to it; (c) involve non-governmental organizations fully at the national level in the follow-up of this review.

30. Malaysia commended Uruguay for the measures taken to address extreme poverty and destitution in the country and asked about measures to ensure a balanced distribution of resources among different groups in the country. Malaysia recommended that Uruguay: (a) step up efforts to improve the overall quality of education for children, including by providing increased budget allocations for the education sector; (b) provide more allocations for social expenditures that could sufficiently benefit women and children, in particular those from the poor, rural and vulnerable sections of society; (c) conduct more public prevention and awareness-raising campaigns on protection measures against HIV/AIDS, in particular for poor adolescents and people from vulnerable groups.

31. Sweden referred to the concerns expressed by the Committee on the Elimination of Discrimination against Women over several discriminatory legal provisions in matters relating to family and marriage. It also noted the concerns expressed by the Committee on the Rights of the Child about sexual exploitation and the sale of children being growing problems in Uruguay and welcomed the information that a new bill is being discussed in this area. Sweden recommended that Uruguay (a) strengthen its efforts to ensure full equality between men and women and bring its legislation into line with the recommendations of the Committee on the Elimination of Discrimination against Women, as well as human rights obligations and other international standards; (b) continue taking strong measures with a view to fully combating sexual exploitation and sale of children; (c) ensure that the law is strengthened to tackle impunity for crimes of sexual exploitation and sale of children.

33. In response to questions concerning street-children, the delegation stated that efforts by the Child and Adolescent Institute of Uruguay to provide support for children living in the street have been underway for years and provided information about specific programmes. In the south, where the needs are greater and populations with scarce resources are concentrated, 21 primary attention
centres were created. A mobile unit was also created for emergencies and homes have been established for children in transit in 17 departments of the country. However, 500 children still live on the streets, especially due to mistreatment and abuse in their families.

35. Uruguay said that child mortality has been reduced as well as maternal mortality, including a reduction in high-risk pregnancy and teen pregnancy. Uruguay has complied with international standards concerning access to drinking water and sanitation, which is enjoyed by more than 98 per cent of the population.

36. Uruguay has been conducting a survey on child labour and will prohibit by decree the worst types of child labour in compliance with the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention No. 182). Uruguay has criminalized human trafficking (Law No. 18250 of 2008) as well as pornography, prostitution and trafficking related to sexual exploitation (Law No. 17815 of 2004). Among training initiatives a protocol for consulates and embassies is under consideration; efforts are also being made to develop various local and national initiatives to address this phenomenon. At the level of MERCOSUR there have been coordinated efforts to monitor the situation in some border areas.

37. Turkey noted that prison conditions remain a problem. Turkey recommended that Uruguay (a) continue to allocate sufficient resources to address the challenges of overcrowding and inadequate health and other services in the prisons and to bring prison conditions into line with international standards; (b) strengthen its efforts to draw up comprehensive strategies and action plans to eradicate the scourge of trafficking in persons; (c) implement effectively the action plan launched by the Committee to Eradicate Sexual Exploitation of Children and Adolescents in 2007; (d) step up efforts to address the problem of high dropout rates, particularly in the secondary schools, and continue to invest in education.

38. India commended the launching of the National Plan for Equality of Opportunity and Rights, the establishment of a committee to eradicate commercial and non-commercial sexual exploitation of children and adolescents and the adoption of the Migration Act, the issuance of identity cards for all citizens and the introduction of the electronic live births certification scheme in 2008. India asked questions about the Law on the Expiry of the Punitive Claims of the State, minimum age of marriage and ratification of the Convention on the Rights of Persons with Disabilities. India urged Uruguay to maintain its high standards with respect to retention rates and secondary education and to expedite the process of setting up an independent and effective national human rights institution in accordance with the Paris Principles.

39. Japan supported the recommendations of the Committee on the Rights of the Child regarding the allocation of further financial resources to address the issue of children living in poverty. Regarding detention facilities, Japan hoped that Uruguay would further strengthen efforts to create a system that focuses on preventing repeat offenses and accelerating criminal trials. Japan recommended that Uruguay set up a national action plan with policy focusing on making the family the fundamental base for childcare, reducing the number of street children and child labour and ensuring the right of the child to education.

40. Chile welcomed Uruguay’s achievements in terms of the fight against extreme poverty as well as education, health, women’s rights, freedom of expression, combating discrimination and recognizing the contribution of indigenous peoples to Uruguayan society. Chile recommended that Uruguay (a) continue strengthening the implementation of those measures already adopted and adopt new measures, whenever necessary, to ensure the enjoyment of human rights for its population, according particular importance to eradicating violence against women and ensuring the rights of the child; and (b) implement alternative measures to the deprivation of liberty, especially with regard to minors.

41. The Holy See noted that despite the fact that virtually all Uruguayans attend primary school the percentage of youth attending school diminishes dramatically at the level of secondary school. The Holy See asked about initiatives to encourage young people to continue education.

42. The Netherlands welcomed the establishment of a Committee of Observers by the National Advisory Board on the Rights of Children and Adolescents. The Netherlands recommended that Uruguay (a) take further structural measures and provide adequate resources to protect women and children from domestic violence; (b) take further measures to improve the conditions of the juvenile detentions centres and structural measures aimed at promoting rehabilitation of minors in conflict with the law and preparing them for their integration into society; (c) continue to reform the prison system and look further into ways to reform the Penal Code to ensure adequate prison conditions and treatment of prisoners according to international standards; and (d) amend the Civil Code to raise the minimum age for marriage for both women and men to 18 years according to international standards.

43. González commended the efforts undertaken by Uruguay to eradicate poverty. It stated that the great attention attached by the Government to street children is noteworthy and welcomed the support provided to the Centres for Comprehensive Attention to Children and Families. Venezuela recommended that Uruguay (a) continue with its sound social programmes and plans undertaken to satisfy the most basic needs of people living in extreme poverty, including food, education, housing, health and work; (b) continue the consolidation of effective policies in the framework of the National Strategy for Childhood and Adolescence (2010-2030), enabling the participation of the whole society in the fight for the recognition of the rights of boys, girls and adolescents who find themselves in a situation of extreme vulnerability.

44. Noting that poverty affects almost every second child, Finland asked Uruguay to share examples of actions to prevent social exclusion. Finland recommended that Uruguay (a) take measures to address the high repetition rates and the high dropout levels in schools, especially among girls in vulnerable situations or facing multiple forms of discrimination. These should include incentives for parents to send girls to school; (b) continue developing its juvenile justice system in terms of both legislation and practice, ensuring in particular that there are adequately trained professionals and adequate infrastructure and that deprivation of liberty only is used as a measure of last resort in the case of under-aged persons.
54. Nigeria commended Uruguay for the administrative and judicial reforms for the promotion and protection of human rights. Nigeria also made reference to challenges faced by Uruguay in the areas of poverty, sexual exploitation, marital rape and the sale of children, as described in its national report. Nigeria recommended that Uruguay: (a) establish a national human rights institution in line with the Paris Principles; and (b) ratify the Convention on the Rights of Persons with Disabilities as recommended by the Committee on the Elimination of Discrimination against Women.

56. Regarding the situation of adolescents in conflict with the law, the major obstacle has been the failure to appear before a court. As a result, a programme works with children and family members to ensure that non-custodial measures can be applied. The National Advisory Board on the Rights of Children and Adolescents recently set up a Committee of Observers responsible for seeing that all international standards are complied with and conducting visits to detention centres on a regular basis. The Child and Adolescent Institute of Uruguay designated a mechanism to investigate human rights complaints. A number of officials have been dismissed. There is also a programme aimed at helping children and adolescents in situations of vulnerability not to lose contact with their families and society. Training in practical areas such as computer services, carpentry and other areas is provided. Information on other health programmes and budgetary provisions for child and adolescents programmes was also provided.

57. Measures to address school dropout rates include the emergency plan and the plan on equity. These measures, which include family benefits for children of school age as well as health and other support services, have given good results. In 2008, about 60 per cent of adolescents were reincorporated in intermediate education.

60. Bangladesh commended Uruguay for the legal and policy framework adopted. It noted with concern the high dropout and repetition rates among school children, particularly from certain socio-economic and ethnic segments of society. Bangladesh recommended that Uruguay (a) continue to scale up national efforts to eliminate poverty particularly targeting disadvantaged groups, with the support of the international community; (b) continue to promote gender equality and combat all forms of discriminatory practices against women; and (c) further strengthen its efforts to protect the rights of children, with particular emphasis on preventing school dropouts and eliminating child labour and sexual exploitation of children.

61. Portugal asked questions about the impact of the 2004 National Plan to Combat Domestic Violence and the measures to address the problem of overcrowding in the prisons, beyond public investment in expanding and building prisons. Portugal recommended that Uruguay (a) eliminate discriminatory legal provisions in matters relating to family and marriage, such as raising the minimum age of marriage for both men and women to 18 years, eliminating the concepts of “modesty”, “virtue” and “public scandal” from the characterization of sexual offences and making marital rape an offence under the Penal Code, as recommended by the Committee on the Elimination of Discrimination against Women; (b) implement reforms to improve the situation of overcrowding in prisons, with special attention being paid to the strengthening of the specialized system of juvenile justice and the recommendations of the Committee on the Rights of the Child; and (c) consider signing the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights at the opening-for-signature ceremony of 24 September, during the treaty event in New York.

64. Germany stated that it shares concerns with regard to high child poverty, economic exploitation and homelessness of children, as well as trafficking in children for the purpose of sexual exploitation and sale. It recommended that the Government (a) abolish the Law on the Expiry of the Punitive Claims of the State to allow for thorough and all-encompassing investigation and prosecution of all human rights violations in the past; (b) establish, at the earliest possible date, an independent human rights institution in compliance with the Paris Principles; (c) promote equality between women and men, in particular concerning the level of participation of women in public life and in the employment sector; (d) take adequate measures to fight trafficking in women and girls for the purpose of sexual exploitation as well as domestic violence against women; and (e) abolish all discriminatory laws against women with regard to family and marriage.

68. Slovenia asked what measures have been taken to accelerate de facto equality between men and women, especially in the workplace and politics, and to diminish trafficking in women and girls. It expressed concern with regard to the high number of children living or working on the street. Slovenia recommended that Uruguay take steps to fully incorporate the core treaties it has ratified, namely CEDAW and the Convention on the Rights of the Child (CRC), into domestic legislation.

70. South Africa commended the Government for taking steps to combat trafficking in persons, with due attention to the health or physical integrity of migrants, especially children and persons with disabilities. The steps undertaken to establish various mechanisms to combat racism, especially in the case of persons of African descent, were mentioned as a noteworthy achievements. However, South Africa remained concerned about the continued existence of poverty and high levels of destitution and social exclusion despite the Government’s efforts. South Africa recommended that Uruguay expedite the process of eradicating poverty through targeted programmes and social inclusion policies.

Conclusion and Recommendations

6. Take steps to fully incorporate the core treaties ratified by Uruguay, namely CEDAW and CRC, into domestic legislation (Slovenia);

14. Set up a national action plan with policies focusing on making the family the fundamental base for childcare, reducing the number of street children and child labor and ensuring the right of the child to education (Japan);

15. Continue the consolidation of effective policies in the framework of the National Strategy for Childhood and Adolescence (2010-2030), enabling the participation of the whole society in the fight for recognition of the rights of boys, girls and adolescents who find themselves in a situation of extreme vulnerability (Venezuela);

16. Further strengthen the Government’s efforts to protect the rights of children, with particular emphasis on preventing school dropouts
and eliminating child labour and sexual exploitation of children (Bangladesh);

18. Take on with determination the pending challenges with regard to children and women as a way to continue giving a good example to the region and the rest of the world in the promotion and protection of human rights (Paraguay);

19. Continue strengthening the implementation of those measures already adopted and adopt new measures, whenever necessary, to ensure the enjoyment of human rights for its population, according particular importance to eradicating violence against women and ensuring the rights of the child (Chile);

21. Prioritize action on the recommendations of different treaty bodies, in particular the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee against Torture (Pakistan);

32. Reform provisions of the civil code that discriminate against women, such as those that set a minimum age of 12 for marriage, prohibit widows and divorced women from getting married again before 300 days, or provide a food pension for women who lead a “disorganized life” (Spain);

44. Take practical steps to address the serious problems of street children and sexual exploitation of children (Azerbaijan);

45. Continue taking strong measures with a view to fully combating sexual exploitation and sale of children (Sweden);

46. Ensure that the law is strengthened to also tackle impunity for crimes of sexual exploitation and sale of children (Sweden);

47. Implement effectively the action plan launched by the Committee to Eradicate Sexual Exploitation of Children and Adolescents in 2007 (Turkey);

50. Take adequate measures to fight trafficking in women and girls for the purpose of sexual exploitation as well as domestic violence against women (Germany);

55. Implement reforms to improve the situation of overcrowding in prisons, with special attention being paid to the strengthening of the specialized system of juvenile justice and the recommendations of the Committee on the Rights of the Child (Portugal);

57. Take effective measures to improve the general situation in prisons and particularly the conditions under which women and children are detained (Italy);

62. Continue its efforts to combat impunity and human rights violations with particular focus on the rights of women and children (Brazil);

69. Continue developing its juvenile justice system in terms of both legislation and practice. In particular, ensure that there are adequately trained professionals and adequate infrastructure and that deprivation of liberty is only used as a measure of last resort in the case of under-aged persons (Finland);

70. Emphasize prevention over detention, especially regarding minors in conflict with the law (Belgium);

86. Step up efforts to improve the overall quality of education for the children including by providing increased budget allocations for the education sector (Malaysia);

87. Step up efforts to address the problem of high school dropout rates particularly in the secondary schools and continue to invest in education (Turkey);

88. Take measures to address the high repetition rates and the high dropout levels in schools, especially of girls in vulnerable situations or facing multiple forms of discrimination, as recommended by the Committee on the Elimination of Discrimination against Women, including further incentives for parents to send their children, boys and girls, to school (Finland).