



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### List of issues in relation to the fifth periodic report of Uruguay\*

#### I. General information

1. Please indicate whether the rights enshrined in the Covenant may be invoked before the domestic courts and directly cited as a basis for judicial decisions and, if so, please provide specific examples of case law from the last five years. Please also indicate to what extent those decisions have been enforced.

#### II. Issues relating to the general provisions of the Covenant (arts. 1-5)

##### Maximum available resources (art. 2 (1))

2. Please provide information on the budgetary resources allocated to social expenditure and their implementation during the last five years, in particular in the areas of employment, social security, housing, health and education, indicating what percentage of the total national budget and of gross domestic product (GDP) each budget line represents.

3. Please also provide information on measures taken to increase real tax receipts with a view to increasing resources for the realization of economic, social and cultural rights and tackling socioeconomic inequalities.

4. Please indicate whether the State party is executing the 2030 Agenda for Sustainable Development and explain how it intends to make sure that the implementation of the Agenda will take into account the Covenant obligations, ensuring that no one is excluded from exercising his or her economic, social and cultural rights.

##### Non-discrimination (art. 2 (2))

5. In view of the information given in the State party's report (see E/C.12/URY/5, para. 17), please indicate whether comprehensive anti-discrimination legislation has been enacted. Please also provide information on the legal mechanisms in place to prevent, combat and punish all forms of discrimination, both direct and indirect. Please also indicate whether an

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\* Adopted by the pre-sessional working group at its fifty-ninth session (10-14 October 2016).



independent mechanism has been established to receive complaints of discrimination and, if so, provide information on the number of complaints investigated, prosecutions launched and sanctions imposed.

6. Please provide information and statistical data on the impact of specific measures taken to combat structural discrimination against persons of African descent and indigenous peoples. Specifically, please provide information on the impact of the implementation of Act No. 19,122 of 21 August 2013 on the promotion of educational and work opportunities for people of African descent.

7. Please provide information and statistical data on the impact of the measures taken to combat discrimination against persons with disabilities. Please also provide information on the impact of the measures taken to combat discrimination on the grounds of sexual orientation and/or gender identity, particularly with respect to access to employment, education and health services, including sexual and reproductive health services.

**Equal rights of men and women (art. 3)**

8. Please provide information on the remaining challenges impeding the achievement of gender equality following the implementation of the National Plan for Equal Opportunities and Rights (2007-2011). Please provide examples of how measures to combat gender inequality are being incorporated into public policies by the National Institute for Women and the competent ministries.

**III. Issues relating to specific provisions of the Covenant (arts. 6-15)**

**Right to work (art. 6)**

9. Please provide statistical information, disaggregated by age, sex, disability, ethnic or national origin and urban/rural area of residence, on the employment situation in the State party. Please also provide further information on the implementation, outcome and evaluation of the steps taken to increase employment, particularly for young people. In this regard, please report on the results of the implementation of Act No. 19,133 on the promotion of youth employment and of the “Uruguay at Work” programme.

10. Please provide information on the impact of the Programme for the Promotion of Equal Opportunities for Women in Employment and Vocational Training (PROIMUJER) run by the National Employment and Vocational Training Institute and of other steps taken to combat vertical and horizontal gender-based segregation in the labour market and to eliminate the wage gap between men and women.

**Right to just and favourable conditions of work (art. 7)**

11. Please provide more information on the impact of measures taken to improve in the working conditions of domestic workers in the State party, including migrant domestic workers. Please provide information on labour inspections carried out in this sector and their outcome. Also provide information on the number of reported cases of labour abuse and exploitation, investigations carried out and sanctions imposed.

12. Please provide information on measures taken to ensure the effective implementation of Act No. 19,196 on workplace accidents and indicate whether a national policy on health and safety at work has been adopted. Please also provide information on the resources allocated to the General Labour Inspectorate and specify whether the activities of the Inspectorate cover all workers, including those in the informal sector.

13. Please provide information on measures taken to ensure effective compliance with the principle of equal pay for work of equal value.

**Trade union rights (art. 8)**

14. Please provide information about the way in which the right to strike and the right to collective bargaining are recognized in the laws of the State party and about the safeguards in place to ensure that these rights can be exercised effectively and in accordance with article 8 of the Covenant.

**Right to social security (art. 9)**

15. Please provide information on steps taken by the State party to ensure that workers in the informal economy, and also asylum seekers, refugees and migrants, have access to social security.

16. Please provide information on the coverage of non-contributory programmes and indicate whether the level of benefits is sufficient to ensure an adequate standard of living.

**Protection of the family, mothers and children (art. 10)**

17. Please provide updated information, including disaggregated statistics, on the prevalence of child labour in the State party. In this respect, provide information on: (a) the results of measures taken to prevent the involvement of children under the age of 15 in child labour; (b) the impact of measures taken to prevent the involvement of children in dangerous work; and (c) specific steps taken to protect children from all forms of abuse and/or exploitation.

18. Please provide an assessment of the impact of measures taken to combat domestic violence, and of the remaining challenges in punishing those responsible, protecting victims and preventing cases of domestic violence.

**Right to an adequate standard of living (art. 11)**

19. Please provide disaggregated statistics on the extent of poverty in the State party and indicate what specific action has been taken to combat the poverty experienced in particular by children and adolescents, persons of African descent and indigenous peoples, as well as other disadvantaged and marginalized groups.

20. Please provide information on the impact of Act No. 18,795 on access to social housing and its role in reducing the shortage of social housing. Please provide disaggregated statistical information on access to adequate and affordable housing, in particular for the most disadvantaged and marginalized individuals and groups and for low-income groups.

21. Please provide information on steps taken to ensure that persons living in irregular settlements have access to adequate basic services and are not subjected to forced evictions.

22. In the light of paragraph 181 of the State party's report, please provide further information on the impact of the measures taken to improve water quality and to protect water resources. Please also provide information on progress made in ensuring universal access to safe drinking water and improving access to sanitation for all, in particular for persons living in irregular settlements.

**Right to physical and mental health (art. 12)**

23. Please report on the steps taken by the State party to ensure that sexual and reproductive health facilities, services, goods and information are accessible for all women

and teenage girls in all regions of the country. Please also report on the steps taken to prevent teenage pregnancies, including sexual and reproductive health awareness campaigns and educational programmes aimed at adolescents.

24. Please provide further information on progress made towards drafting and adopting a new mental health act and indicate whether there are any plans to develop a national mental health policy. Please indicate, as appropriate, how the mental health act and/or policy are expected to improve the accessibility, availability and quality of appropriate mental health services throughout the State party. In the light of the Committee's previous recommendation (see E/C.12/URY/CO/3-4, para. 26), please provide information on the steps taken to improve living conditions in the Bernardo Etchepare and Santin Carlos Rossi psychiatric clinics.

**Right to education (arts. 13 and 14)**

25. Please provide information on the specific steps that have been taken to increase secondary school enrolment and lower the secondary school dropout rate, particularly in rural areas and among children of African descent, children with disabilities and children from low-income households. Please also report on the measures taken to improve the quality of education, in particular in terms of further developing training for teachers and improving their working conditions.

26. Please indicate what percentage of students pursue higher education and what measures have been taken to ensure that higher education is accessible and affordable, especially for students from disadvantaged and marginalized families, including persons of African descent and persons with disabilities.

**Cultural rights (art. 15)**

27. Please provide information about the specific steps that have been taken to protect the country's cultural diversity, to foster an awareness of the cultural heritage of indigenous peoples and Afro-descendant communities, and to create favourable conditions for them to preserve, develop, express and disseminate their identity, history, language, traditions and customs.

28. Please indicate what steps have been taken by the State party to ensure affordable access to the Internet for disadvantaged and marginalized persons and groups, including those in rural areas.

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