

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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URUGUAY: Time to address impunity for crimes against humanity

Human Rights Council adopts Universal Periodic Review outcome on Uruguay

Amnesty International welcomes Uruguay's sustained engagement with the UPR and its acceptance of all recommendations received during its third review.

The organization welcomes Uruguay's interpretation of recommendation 118.83 on the protection of the family in line with the highest human rights standards and including families formed by same-sex couples, and of recommendation 118.24 on parents' rights implying the subordination of these to children's rights and well-being, as set forth in the Convention on the Rights of the Child.

Amnesty also welcomes Uruguay's acceptance of recommendations to ensure that crimes against humanity and human rights violations committed between 1973 and 1985 are not subject to a statute of limitation,¹ and to take measures to bring to justice those responsible for these crimes² as well as those responsible for more recent threats to judicial officials and human rights defenders.³ Today, 97% of detained-disappeared persons have yet to be found,⁴ and in 91% of current cases of human rights violations,⁵ accusations have yet to be made.

Amnesty encourages Uruguay to urgently implement recommendations to improve the poor living conditions of prison inmates and opportunities for their rehabilitation and integration,⁶ and to effectively implement and fund the measures set out in the Law on Gender-Based Violence against Women.⁷ In 2018, 30% of prison inmates lived under conditions that amount to cruel, inhuman or degrading treatment,⁸ and only 26% had opportunities for rehabilitation. We continue to be concerned about the prevalence of femicide, and the recent claim by the Supreme Court that the budget to implement Law on Gender-Based Violence is insufficient.⁹

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Uruguay*, A/HRC/41/8, 18 April 2019, recommendations 118.61 (Panama), 118.163 (Argentina), 118.164 (Costa Rica),

² A/HRC/41/8, 18 April 2019, recommendations 118.59 (Ghana), 118.162 (Republic of Korea)

³ A/HRC/41/8, 18 April 2019, recommendations 118.59 (Ghana).

⁴ According to official figures of the Presidency's Human Rights Secretariat for the Recent Past, of the 196 detained-disappeared persons, only 5 have been found.

⁵ According to a report of the National Prosecutor for Crimes Against Humanity, of the 187 active cases, 153 are in the stage of preliminary investigation and in the other 17 accusations are still pending.

⁶ A/HRC/41/8, 18 April 2019, recommendations 118.31 (Croatia), 118.33 (France), 118.34 (Greece), 118.35 (Portugal), 118.36 (United States), 118.37 (Russian Federation), 118.38 (Spain), 118.39 (Turkey), 118.40 (Australia), 118.41 (Belarus), 118.42 (Bangladesh), 118.44 (Switzerland), 118.45 (Republic of Korea), 118.47 (Germany), 118.48 (Canada).

⁷ A/HRC/41/8, 18 April 2019, recommendations 118.129 (Germany), 118.127 (France), 118.130 (Canada), 118.131 (Ireland), 118.132 (Togo), 118.139 (Australia), 118.140 (Philippines), 118.141 (Slovenia), 118.142 (Spain), 118.143 (Sweden) 118.17 (Malaysia), and 118.149 (Switzerland).

⁸ Parliamentary Commissioner for the Penitentiary System, *Annual Report 2017 Updated on August 2018*, p 39.

⁹ El Observador, "Suprema Corte 'seriamente' preocupada por no poder implementar la ley de violencia de género", 1 February 2019, available in Spanish at <https://www.elobservador.com.uy/nota/suprema-corte-seriamente-preocupado-por-no-poder-implementar-la-ley-de-violencia-de-genero-201921164437>

The organization welcomes Uruguay's acceptance of recommendations to investigate all acts of violence towards LGBTI persons and to bring the perpetrators to justice and encourages the government to implement recommendations to improve the protection of the rights of migrants.¹⁰ To date, Uruguay lacks an action plan to meet the goals of its migration law and, as a result, vulnerable migrants often lack protection of their rights to decent employment, housing and education.

Finally, Amnesty recommends that Uruguay promotes meaningful involvement of civil society in the follow up of these recommendations, including by ensuring that its Recommendations Monitoring System platform is usable by non-experts and provides clear and updated information on the degree of implementation.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Uruguay on 4 July 2019 during its 41st session. Prior to the adoption of the report of the review, Amnesty International delivered this oral statement.

Amnesty International also contributed to the information basis of the review through its submission on Uruguay: <https://www.amnesty.org/en/documents/amr52/8841/2018/en/>

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International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK www.amnesty.org

¹⁰ A/HRC/41/8, 18 April 2019, recommendations 118.225 (Maldives) and 118.226 (Myanmar)