

URUGUAY 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Oriental Republic of Uruguay is a constitutional republic with an elected president and a bicameral legislature. The country has a multi-party electoral system with three major parties. On November 29, in a free and fair runoff election, Tabare Vazquez won a five-year presidential term, and his Frente Amplio party won a majority in parliament. Authorities maintained effective control over the security forces.

Principal human rights problems included widespread use of extended pretrial detention that caused severe overcrowding and harsh conditions in some prisons, violence against women, and trafficking in persons.

Other human rights concerns included societal discrimination against Afro-Uruguayans.

The government took steps to prosecute officials who committed abuses, and there were no reports of impunity during the year.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports government officials employed them.

Prison and Detention Center Conditions

Prison and detention center conditions continued to be harsh and life threatening in some facilities due to police corruption, firearms, and drugs in prison facilities; narcotics trafficking and extortion by prison gangs; poor building maintenance and services; excessive use of force and solitary confinement as disciplinary measures; and inadequate medical attention. Understaffing in some facilities remained a problem.

Physical Conditions: The prison ombudsman's 2013 review reported 9,771 prisoners (625 women), of whom 65 percent were awaiting trial. The rising crime and high recidivism (50-52 percent) rates, as well as widespread use of extended pretrial detention, put the system at 126 percent of capacity. Facilities had a capacity of approximately 9,000 inmates. Public mental-health hospitals in Vilardebo, Colonia Etchepare, Santin Carlos Rossi, and elsewhere in the interior held approximately 360 prisoners, most of whom were reportedly drug addicts. In some facilities authorities held together pretrial detainees and convicted criminals.

Juvenile, female, and male prisoners were held in separate facilities. Prison conditions for women and men did not differ appreciably. There were separate detention centers for female juveniles to be processed and held. Five prisons continued to suffer severe overcrowding: Mercedes (248 percent), Canelones (182 percent), Tacuarembó (165 percent), Canitas in Rio Negro (154 percent), and the former Comcar, now Compen (151 percent). The ombudsman's report noted that 13 out of 28 prisons suffered overcrowding in excess of 120 percent. Prisoners with disabilities faced difficulties in receiving the specialized medical care they needed.

Authorities held military and police officers sentenced for human rights violations committed during the military regime (1973-85) at the Domingo Arena Prison, where conditions differed greatly from those of the other prisons. Cells were furnished and included cable television and a refrigerator. Prisoners had free access to public telephones.

Authorities reported that approximately 7 percent of prisoners were women and that 61 children lived with their mothers in prison. El Molino was the only prison intended for women with children and was at maximum capacity with 30 children. The Ministry of Interior's National Rehabilitation Institute (INR) remodeled another facility to accommodate nine children. The rest lived with their mothers in prisons in the interior of the country. In September, with the support of the United Nations, the government launched a support program for the estimated 10,000 children of incarcerated parents. The program included establishing child friendly

visitation rooms, free transportation to the prisons, and psychological support. In August the Conventos Prison inaugurated a child friendly visitation room.

There were two prison deaths in 2013, both of which occurred at Santiago Vazquez Prison during a riot in Module 1. In September, one prisoner died at Libertad Prison due to prisoner-on-prisoner violence. Some facilities continued to have inadequate sanitation, ventilation, temperature control, lighting, and access to potable water. Prisoner-handcrafted heaters that could set makeshift partitions on fire continued to pose fire hazards. Many facilities lacked both formal security clearance from the fire department and many basic necessities. Prisoners depended on visitors for clothing and enough food to reach the daily minimum caloric intake. Female prisoners often received no support from their families.

The 2013 ombudsman report highlighted the following problems in prisons: a decrease of temporary outings beyond prison walls, the excessive use of force and solitary confinement as disciplinary measures, a poor diet in quantity and quality, a prevalence of tuberculosis in prisons 30 times higher than in the general population, inefficiency and omission in coordinating access to medical services outside prisons, and the lack of alternative treatments for drug addicts.

The Uruguayan Institute for Children and Adolescents (INAU) Adolescent Offenders' Division (SIRPA) reported 697 juveniles were incarcerated in 17 facilities with a capacity for 350. Sixty percent of the juvenile inmates were first-time offenders. Male and female juveniles were kept in separate facilities. In April SIRPA inaugurated an entry and diagnosis center to classify imprisoned adolescents according to their crime and personal profile. In 2013 SIRPA conducted the first census of inmates and worked with nongovernmental organizations (NGOs), state agencies, and private companies to facilitate access of released juveniles to the labor market. In August, SIRPA inaugurated a farm/school low-security facility at Colonia Berro and, in September, opened a higher security facility that includes classrooms, and medical and dental units.

In April the National Institution of Human Rights (INDDHH) reported overcrowding, inhuman, and degrading conditions, and excessive use of force and psychotropic drugs at SIRPA homes, particularly at the Burgues and Hogar Ser facilities in Colonia Berro. The report noted severe overcrowding, with cells intended for four confining eight adolescents for up to 23 hours per day. Inmates did not have access to proper sanitation or reading materials. The Committee for the Rights of Children (a consortium of 26 NGOs) and the Legal and Social Studies Institution endorsed the report and added that SIRPA authorities lacked a

clear plan of action and a general strategy to address the needs of a vulnerable population. The Union of INAU employees criticized the report stating that it ignored the physical aggression faced by staff. SIRPA authorities attributed overcrowding primarily to stricter security measures that prevent escapes and the enactment of new legislation that imposes a minimum sentence of 12 months for juveniles ages 15-17 years who commit armed robberies.

In June the coordinator of the National Committee for the Rights of Children, Luis Pedernera, presented a report before the UN Committee Against Torture in Geneva, about the alleged abuses committed in SIRPA-managed institutions. The UN evaluation criticized SIRPA. In September, after a visit to SIRPA's Hogar Ser, the UN rapporteur on the rights of children, condemned the condition of the facility and recommended its immediate closure. In October the INDDHH signed a cooperative agreement with the UN Children's Fund (UNICEF) to create a task force to monitor SIRPA facilities. In October, eight officials from Hogar Ser, including two former directors, were indicted for "repeated abuse of authority."

Administration: The INR was responsible for national detention centers, their reorganization, and implementation of probation and rehabilitation measures for prisoners. The INR's recordkeeping on prisoners was adequate and included files on each inmate, which included personal, police record, and sentencing information. The INR assigned prisoners to the appropriate detention facilities according to their profile and crime. The INR created a transfer board to guarantee transparency in the analysis and granting of prisoner transfers. A government decree signed in August established economic incentives for prison officials who establish administrative measures to improve food, optimize economic resources, and avoid jailbreaks. In July the INR hired 235 additional corrections officers for prisons in the interior of the country, 50 percent of whom were women.

The Office of Probation Measures (OSLA) continued to lack sufficient human and financial resources to work in most interior provinces. Despite these difficulties, OSLA's efforts reduced incarceration growth and helped the judiciary increase substitute measures for nonviolent crimes. In July the director of OSLA reported 1,052 cases under supervision, 77 percent more than in 2013. OSLA concluded agreements with the State Waterworks Company and the Postal Service to find job opportunities for prisoners, as well as their families, upon release.

The parliament's General Assembly elects a prison system ombudsman who is responsible for monitoring and reporting annually to parliament on prison conditions in the country's 29 detention centers. Representatives from the Office

of the Ombudsman made 452 visits to prisons in 2013. The ombudsman coordinated its work with the INDDHH. The ombudsman received complaints from prisoners and may present reports and recommendations but may not act on behalf of prisoners and detainees to consider such matters as alternatives to incarceration for nonviolent offenders to alleviate overcrowding. The confinement of juvenile offenders is not within its mandate.

The government investigated and monitored prison and detention center conditions. Visitors had reasonable access to prisoners and detainees, and prison officials permitted prisoners religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhuman conditions.

Although the INDDHH reminded the National Electoral Court of its obligation to guarantee that all eligible imprisoned nationals shall exercise their right to vote in advance of national elections, eligible prisoners were unable to vote in this year's national elections due to operational and administrative difficulties of the Electoral Court.

Independent Monitoring: The government allowed general prison visits by independent human rights observers, NGOs, religious congregations, and foreign diplomats, and such visits occurred unimpeded during the year.

Improvements: The 2013 ombudsman's report noted improvements in the transition to a national system of prisons by hiring and training new civilian corrections officers. OSLA increased the implementation of community service programs in lieu of pretrial detention. Prison authorities audited the entry and distribution of foodstuffs to decrease corruption. Hundreds of prisoners volunteered to refurbish facilities that were destroyed by riots or poorly maintained. INR's Industrial Center of Santiago Vazquez (opened in 2009) inaugurated an education unit in May. The center, built by prisoners, has numerous workshops which develop inmates' skills and manufacture products used throughout the prison system. In July the ombudsman stated that 68 percent of prisoners worked or studied or both. In April the government's "one laptop per child" program donated 40 laptops to a women's detention center and 95 laptops to Libertad, Santiago Vazquez, Punta de Rieles, Canelones, and Paysandu prisons.

d. Arbitrary Arrest or Detention

The law and constitution prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The National Police under the Ministry of Interior maintain internal security. Civilian authorities maintained effective control over the National Police, and the government has effective mechanisms to investigate and punish abuse and corruption. The armed forces under the Ministry of National Defense are responsible for external security and have some domestic responsibilities as guardians of the outside perimeter of six prisons. There were no reports of impunity involving police and security forces during the year.

The judiciary continued to investigate the serious human rights violations committed during the 1973-85 military dictatorship. The law classifies crimes committed during the military dictatorship (1973-85) as crimes against humanity.

Arrest Procedures and Treatment of Detainees

Police openly apprehended suspects with warrants based on sufficient evidence (probable cause) issued by a duly authorized official and brought before an independent judiciary. The law provides detainees with the right to a prompt judicial determination of the legality of detention and requires that the detaining authority explain the legal grounds for the detention. The constitution states a person may not be detained for longer than 24 hours without a judge being informed of the detention. The judge then has another 24 hours to determine whether the subject is to be indicted and sent to prison, indicted with bail, or released for lack of probable cause. Any confession obtained by police prior to a detainee's appearance before a judge and without an attorney present is not valid. A judge must investigate any detainee's claim of mistreatment. A lawyer assigned to each police station reports to the Ministry of the Interior concerning treatment of detainees.

For any detainee who cannot afford a lawyer, the court appoints a public defender at no cost to the detainee. For most persons accused of crimes punishable by at least two years in prison, the criminal procedure code prohibits bail. A judge may set bail if the individual is a first-time offender and there are provisions in place to prevent the subject from fleeing. Most persons facing lesser charges were not jailed. Officials allowed detainees prompt access to family members.

Pretrial Detention: The use of pretrial detention is mandatory for particular crimes, and lengthy legal procedures, large numbers of detainees, and staff shortages in the judicial system led to trial delays and prison overcrowding. Some detainees spent years in jail awaiting trial, and the uncertainty and length of detention contributed to tension and psychological stress in the prisons.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The constitution states no individual may be imprisoned without a prosecution and trial. Defendants have the right to presumption of innocence, to be informed promptly and in detail of charges against them, and to adequate time and facilities to prepare defense. Juries are not used; trial proceedings usually consist of written arguments to the judge, which normally are not made public. Defendants have the right to consult an attorney in a timely manner, and those who do not have an attorney are provided one at the state's expense. Only the judge, prosecutor, and defense attorney have access to the written record. Defendants may cross-examine witnesses against them and present witnesses and evidence on their own behalf. Individual judges may elect to hear oral arguments, but most judges chose the written method, a major factor slowing down the judicial process. Defendants have a right of appeal. The law extends these rights to all citizens.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There are transparent administrative procedures to handle complaints of abuse by government agents. An independent and impartial judiciary handles civil disputes, but its decisions were ineffectively enforced. Local police lacked the training and manpower to enforce restraining orders, which often were generated during civil disputes related to domestic violence. Cases involving violations of an individual's human rights may be submitted through petitions by individuals or organizations to the Inter-American Commission of Human Rights, which in turn

may submit the case to the Inter-American Court of Human Rights. The court may order civil remedies including fair compensation to the individual injured.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press. The independent media were active and expressed a wide variety of views without formal restriction.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications, without appropriate legal authority. The International Telecommunication Union reported 58 percent of the population used the internet and 48 percent of households had internet access in 2013.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, asylum seekers, stateless persons, and other persons of concern.

Exile: The law provides that, in extreme cases of national emergency, an individual may be given the option to leave the country as an alternative to trial or imprisonment, but this option has not been exercised in the last three decades.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for the protection of refugees. Through its refugee commission, the government established a system for adjudicating asylum claims, providing protection to refugees, and finding durable solutions, including resettlement.

Durable Solutions: The government resettled 42 Syrian refugees, 60 percent of them children, from refugee camps in Lebanon in coordination with the UNHCR and the International Organization for Migration. The government provided temporary housing and financial assistance as well as food, clothing, language, and employment training for the adults.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the ability to change their government through free and fair elections, and citizens exercised this ability through elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In November, Tabare Vazquez of the Frente Amplio (Broad Front) coalition won a five-year presidential term in a free and fair runoff election. The runoff followed a series of party primaries in June and a free and fair first-

round election among the four leading parties in October. President-elect Vazquez will take office in March 2015. In parliamentary elections in October, the Frente Amplio won 15 of 30 seats in the Senate and 50 of 99 seats in the Chamber of Deputies.

Participation of Women and Minorities: Women participated in the political process and government, although primarily at lower and middle levels. There was notable underrepresentation in the middle and higher levels of government. Two of 30 senators and 12 of 99 representatives were women. Two of the 13 cabinet ministers and four of 19 mayors were women. There was one minority member in the cabinet and one in parliament. Parliament enacted legislation to implement a one-time quota for women in the October parliamentary elections. The number of elected women senators increased to nine and women representatives to 14.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. There were some formal and informal reports of police and government corruption, which authorities addressed with appropriate legal action.

Corruption: The Board of Transparency and Public Ethics is responsible for promoting transparency in government and implementing preventive measures in the fight against corruption. It serves as an advisory board for the executive branch and collects financial disclosure information from appointed and elected government officials. In July a judge of the Organized Crime Court indicted three navy officers and 10 authorized suppliers for irregularities and fraud in the acquisition of supplies.

Financial Disclosure: The law requires income and asset disclosure by appointed and elected officials. Each year the presidentially appointed Transparency and Ethics Board lists the names of government officials expected to file a declaration on its web page and informs the individuals' organizations of those expected to comply. The information in the declarations may be accessed by the incumbent, the judiciary, a special congressional committee, or the ethics board (by majority vote). The board may direct an official's office to retain 50 percent of the employee's salary until the declaration is presented, and it may publish the names of those who fail to comply in the federal register.

Public Access to Information: The Public Information Access Law, which defines public access to government information as a human right, promotes transparency of administrative procedures in government agencies, and provides for general access to public information. By law public information includes all information held by a government entity except information considered classified. The law requires government agencies to make public their organizational charts, responsibilities, salaries, and budget allotment and to produce regular reports. Authorities effectively implemented the law; however, there were no public outreach activities to encourage its use.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to their views.

Government Human Rights Bodies: The National Institute of Human Rights and Ombudsmanship, an autonomous branch of congress that began operations in 2012, is composed of five board members proposed by civil society organizations and approved by a two-thirds vote in the General Assembly for a period of five years (renewable one time). It received 260 complaints in 2013, primarily about personal integrity, access to jobs, equality and nondiscrimination, and access to justice.

One-half of the complaints were resolved through mediation. The institute worked with the prison ombudsman who reported to the General Assembly. It did not deal with human rights violations committed during the military regime (1973-85), which were handled by the Human Rights Secretariat in the Office of the Presidency.

The Commission against Racism, Xenophobia, and All Forms of Discrimination, headed by the human rights bureau of the Ministry of Education and Culture, includes government, religious, and civil society representatives. In 2013 the commission investigated 178 cases of alleged discrimination. The commission has been without an allocated budget since 2010, and the terms of its members have lapsed, although it still operates on an ad hoc basis.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, sex, disability, language, sexual orientation, and/or gender identity or social status, and the government effectively enforced these prohibitions, although societal discrimination against some groups persisted.

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape. The law allows for sentences of two to 12 years' imprisonment for a person found guilty of rape, and the law was effectively enforced. The Ministry of Interior reported 290 cases of rape in 2013. Ministry officials believed some survivors of rape did not report such incidents because they did not understand their rights and due to fear of social stigma or retribution.

The law criminalizes domestic violence, including physical, psychological, and sexual violence, but survivors without severe injuries often did not file complaints. Survivors of domestic violence requiring hospitalization were more likely to receive follow-up assistance from health-care and police authorities. The Interior Ministry reported 26,086 cases of domestic violence in 2013, of which 17 cases resulted in death.

The law allows for sentences of six months to two years in prison for a person found guilty of committing an act of violence or making continued threats of violence. Civil courts decided most of the domestic cases during the year. Judges in these cases often issued restraining orders, which were difficult to enforce. In 2013 the judiciary began a pilot program with the Ministry of the Interior to impose the use of electronic bracelets with GPS for perpetrators of domestic violence. The double- bracelet sets (one bracelet for the victim and one for the aggressor) track distance between the perpetrator and victim. The program included awareness training for judges. During the year the program was extended to the provinces of San Jose and Canelones.

The Ministry of Social Development (MIDES), some police headquarters in the interior, INAU, and NGOs operated shelters where abused women and their children could seek temporary refuge. All services were funded and staffed according to the reported prevalence of domestic violence in each location; nonetheless, NGOs and government actors reported that these shelters were often oversubscribed. The Montevideo municipal government and the state-owned

telephone company, Antel, funded a free nationwide hotline operated by trained NGO employees for survivors of domestic violence.

In September the network of organizations against domestic violence (Red Uruguaya Contra la Violencia Domestica) expressed “their deepest concern over the absence of any mention of this issue in the speeches and campaigns of the presidential candidates despite being the most reported crime.”

In November the government presented the *First National Survey on Prevalence of Violence Based on Gender and Generations*. The report stated that seven out of 10 Uruguayan women had suffered some kind of sexual, physical, economic, or psychological violence and that 45 percent of survivors suffered violence from their partners. Gender violence affects primarily younger women (ages 19-29 years), members of the Afro-Uruguayan community and residents of the southeastern region of the country. The report concluded that many survivors were unaware of laws that could help them.

Female Genital Mutilation Cutting (FGM/C): The law prohibits FGM/C, and the practice did not occur.

Sexual Harassment: The law prohibits sexual harassment in the workplace and punishes it by fines or dismissal. The law establishes guidelines for the prevention of sexual harassment in the workplace, as well as in student-professor relations, and provides damages for survivors. In August the Ministry of Labor and Social Security and the labor organization PIT/CNT supported a Bank Employees’ Union one-day awareness seminar on sexual harassment in the workplace.

Reproductive Rights: Couples and individuals had the right to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so, as well as the right to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. Access to contraception; skilled health attendance during pregnancy and childbirth; emergency health care, including services for the management of complications arising and at delivery; and prenatal and postpartum care were widely available. Skilled personnel attended an estimated 75 percent of births. The law grants free access to basic fertility treatments in the private and public health sectors.

Discrimination: By law women enjoy the same legal status and rights as men, including rights under family, labor, property, and inheritance laws. Women, however, faced discrimination in employment, pay, credit, education, housing, and

business ownership. The law does not require equal pay for equal work. No gender discrimination cases have ever been litigated. The National Institute for Women supervised the work of the Tripartite Committee on Equal Opportunities and Employment, which includes a subcommittee on gender consideration in salaries and benefits. Women constituted almost half of the workforce but tended to be concentrated in lower-paying jobs, with salaries averaging 51 percent of those of men for comparable work. The unemployment rate for women was 8 percent, while for men it was 4 percent.

Children

Birth Registration: Citizenship is derived by birth within the country's territory or through one's parents. The government immediately registered all births.

Child Abuse: In April the NGO Gurises Unidos reported that 80 percent of child abuses occurred within the home, and violence against children occurred frequently. The government sponsored awareness campaigns against child abuse. The Integral System for the Protection of Childhood and Adolescence Against Violence, which is led by INAU and includes MIDES, the Ministries of Health and Interior, and the National Education Board, coordinated interagency efforts regarding protection of children's rights. INAU's hotline reported an average of 30 calls per day with information or requests for assistance in 2013, the latest period for which information was available. INAU reported an improvement in human resources and software to record the information provided during those phone calls. The services were available 12 hours daily, five days a week, and six hours on Saturdays.

Early and Forced Marriage: The legal minimum age for marriage is 18 years, but with parental consent it is 12 years for girls and 14 years for boys. Early marriages were not perceived to be a significant problem.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C, and the practice did not occur.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children and child pornography and the authorities enforced the law through investigations and prosecutions. The penal code establishes the minimum age for consensual sex is 12 years. When a sexual union takes place with a minor under age 15 years, violence is presumed, and statutory rape laws, which carry a penalty of two to 12 years in prison, may be applied. Minors between the ages of

12 and 15 years may legally engage in consensual sex with each other. Penalties for pimping children range from four to 16 years in prison. Child pornography is illegal, and penalties range from one to six years in prison. Some children were victims of commercial sexual exploitation, pornography, and sex trafficking. Laws against child pornography were effectively enforced. In November authorities arrested and charged a suspect for alleged trafficking in child pornography; no further information was available.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country – specific information see the Department of State’s at travel.state.gov/content/childabduction/english/country/uruguay.html.

Anti-Semitism

The Jewish Central Committee (JCC) estimated the Jewish population at 15,000. Jewish authorities reported an increase in anti-Semitic acts following Israeli military actions in the Gaza Strip. Anti-Semitic incidents occurred around the country and included graffiti and virulent expressions against the Jewish community and Israel on the internet. In January the government granted media networks time to broadcast a commemorative message for International Holocaust Day, and congress paid homage during a special session. Jewish leaders reported effective cooperation with police investigating incidents of anti-Semitism. The JCC continued to organize seminars to raise awareness of anti-discrimination legislation.

Trafficking in Persons

See the Department of State’s Trafficking in Persons Report at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. The government in general did not monitor compliance and did not effectively enforce provisions or promote programs to provide for access to buildings, information, public transportation, and communications. The National Disabilities Honorary

Commission of MIDES oversees implementation of a 2010 law to protect the rights of persons with disabilities.

The law reserves no less than 4 percent of public-sector jobs for persons with physical and mental disabilities. New government decrees established regulations certifying the use of walking sticks and provisions for extending adequate training in their use and granted guide dogs full access to public and private premises and transportation. Most public buses did not have provisions for passengers with disabilities, although airports and ports offered accessibility accommodations. The law also provides for tax benefits to private-sector companies and grants priority benefits to small- and medium-sized companies owned by persons with disabilities. The law grants children with disabilities the right to attend school (primary, secondary, and higher education) and prohibits patterns of abuse in education and mental facilities, including degrading treatment, arbitrary commitment, and abusive use of physical restraints, unhygienic conditions, inadequate or dangerous medical care, and sexual or other violence. The law also grants persons with disabilities the right to vote and participate in civic affairs without restriction.

A 2013 UNICEF report on the estimated 9.2 percent (47,779) of children and adolescents with disabilities stated strong social barriers limited the possibilities of these children. Some parks in Montevideo and Canelones offered wheelchair accessible facilities. The report stated that since 2002, authorities built or adapted public elementary and high school facilities for the use by wheelchair users, allowing 87.3 percent of children and adolescents with disabilities to attend school, including higher-education facilities. The University of the Republic has a program to offer sign language interpreters for deaf students. Some movie theaters and other cultural venues lacked access ramps. The country's One Laptop per Child program continued to offer specially adapted laptops to children with disabilities.

National/Racial/Ethnic Minorities

The country's Afro Uruguayan minority, estimated at 8 percent of the population, continued to face societal discrimination. NGOs alleged increased racial discrimination against migrants from the Caribbean Region. A 2013 law grants 8 percent of state jobs to the Afro-Uruguayan minority and establishes a timeframe of 10 years, after which a review is to be done to determine the need to maintain the quota. The National Employment Agency is required to include Afro-Uruguayans in future training courses. The law also requires that all future scholarship and student support programs include a quota for Afro-Uruguayans

and grants financial benefits to companies hiring them. In July a government decree created a follow-up commission of inter-institutional actions and agreements to eradicate racism and discrimination to be headed by the Ministry of Education and Culture. At year's end no further information on the commission was available.

The NGO Mundo Afro reported that the percentage of Afro-Uruguayans working as unskilled laborers was much larger than for other groups. Afro-Uruguayans were underrepresented in government (only the vice minister of industry, one congressman, and the vice president of the National Postal Service were Afro-Uruguayan), academia, and in the middle and upper echelons of private-sector firms. The first ambassador-at-large for Afro-Uruguayan Affairs was appointed in 2013, a position created by law in 2010. During the year Mundo Afro continued its AM radio talk show to raise awareness of racism and its antidiscrimination campaign through a network of informal AM radio stations; other outreach efforts included regional exhibitions and seminars.

The National Police Academy, National School for Peacekeeping Operations of Uruguay, and Ministry of Foreign Affairs' School of Diplomacy included discrimination awareness training as part of their curricula. Mundo Afro's Higher Institute for Afro Training offered courses on sociology, politics, history, anthropology, music, art, and literature related to afro culture.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

No laws criminalize sexual orientation, and authorities generally protected the rights of lesbian, gay, bisexual, or transgender (LGBT) persons. There were isolated reports of street violence against LGBT individuals; the police did not intervene in these incidents. Colectivo Ovejas Negras (CON - Black Sheep Collective), an LGBT rights NGO, claimed police occasionally refused to file reports on discrimination and street violence. The NGO also asserted that in the provinces police committed acts of violence and degradation against transgender persons who were legally registered prostitutes. There were occasional reports of nonviolent societal discrimination, including in employment and occupation based on sexual orientation and gender identity. The INR inaugurated a separate facility for transgender women at Compen (former Comcar) Prison.

The Public Health Service Administration in tandem with LGBT NGOs offered workshops and public awareness training for health workers to create health

centers free of prejudice and discrimination. The 21st LGBT parade again occurred without incident. In June the Association of Relatives of LGBT Persons petitioned the Ministry of Public Health to revoke a decree that establishes a 12-month prohibition on blood donation after an individual has had sexual intercourse with a same sex partner. In April authorities of the National Marriage Register reported 70 same-sex marriages during the first year of national legalization.

HIV and AIDS Social Stigma

There were isolated reports of societal discrimination against persons with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, protects the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively, and the government respected these rights in practice. Civil servants, employees of state-run enterprises, private-enterprise workers, and legal foreign workers may join unions. The law regulates collective bargaining and grants the government a significant role in adjudicating labor disputes. The law also designates trade unions to negotiate on behalf of workers whose companies are not unionized. The law prohibits antiunion discrimination and requires employers to reinstate workers fired for union activities and pay an indemnity to such workers. In addition, if an employer contracts employees from a third-party firm, the law holds the employer responsible for possible labor infringements committed by the third-party firm. Both foreign and domestic workers in the informal sector were excluded from these protections.

The Collective Bargaining Division of the Ministry of Labor and Social Security (MTSS) investigates antiunion discrimination claims filed by union members. Information on government remedies and penalties for violations were not provided. There were generally effective albeit lengthy mechanisms for resolving workers' complaints against employers. The law establishes a conciliatory process before a trial begins and requires the employer be informed of the reason for a claim and the alleged amount owed to the worker.

Worker organizations operated free of government and political intervention. Collective bargaining occurred regularly. Workers exercised the right to strike.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The MTSS and other authorities did not report identifying or investigating cases of forced labor during the year. Information on the effectiveness of inspections and government remedies was not available. Prescribed penalties for forced labor varied between two to 12 years depending on the statute used. Foreign workers remained vulnerable to forced labor in agriculture and domestic service.

Also see the Department of State's Trafficking in Persons Report at <http://www.state.gov/j/tip/rls/tiprpt>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum age for employment at 15 years, but work permits for those ages 13 to 15 years may be issued by INAU under special circumstances specified by the law. Minors ages 15 to 18 years require government permission to work, must undergo physical exams prior to beginning work, and must renew these exams yearly to confirm the work being performed does not exceed the physical capacity of the incumbent. The government maintains a list of hazardous or fatiguing work minors should not perform and for which it does not grant permits. Children ages 15 to 18 years may not work more than six hours per day within a 36-hour workweek and may not work between 10 p.m. and 6 a.m.

The MTSS is responsible for overall compliance with labor regulations, but INAU is responsible for enforcing child labor laws. Violations of child labor laws by companies and individuals are punishable by fines of up to 1.2 million pesos (\$50,000) determined by an adjustable government index. Parents of minors may receive a sentence of three months to four years in prison, according to the penal code. These penalties were sufficient to deter violations.

Due to a lack of dedicated resources, enforcement was mixed and particularly poor in the informal economy, where most child labor occurred.

In 2013, the latest year for which data were available, INAU granted 3,336 work permits. The main labor activities deemed nonhazardous were in the food industry (supermarkets, fast food restaurants, and bakeries) and on small farms and poultry farms; typical activities included clerical work, egg sorting, and cleaning. In 2013, the latest year for which data is available, INAU worked with the MTSS and the

National Insurance Bank to investigate 44 complaints of child labor and worked with the Ministry of Interior to allow the judiciary to prosecute cases. INAU had 11 trained child-labor inspectors, who completed 4,046 inspections in 2013. During the year INAU continued its efforts to prevent and regulate child labor and provided training on child labor issues.

Child labor continued to be reported in activities such as street vending, garbage collection and recycling, construction, and in agriculture and forestry sectors, which were generally less strictly regulated and where children often worked with their families. The most recent data available from the National Committee for the Eradication of Child Labor indicated that, of approximately 60,000 working children and adolescents, 8.5 percent performed activities considered hazardous or dangerous. INAU authorities estimated 31,000 additional minors worked illegally. In 2011 the MIDES National Census Bureau survey of child labor estimated 20,000 children were collecting garbage alongside their parents. The same report characterized 75 percent of the work performed by children ages five to 17 years as dangerous because it involved the use of machinery or tools and lifting heavy weights. A small percentage of children ages five to 17 years begged for a living. Children were also engaged in commercial sexual exploitation (see section 6, Children).

Also see the Department of Labor's Findings on the Worst Forms of Child Labor at <http://www.dol.gov/ilab/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment or Occupation

Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV- positive status or other communicable diseases, or social status and the government in general effectively enforced these laws and regulations.

Discrimination in employment and occupation occurred with respect to sex and race (see section 6).

e. Acceptable Conditions of Work

The monthly minimum wage for all workers was 8,960 pesos (approximately \$370). The official per capita poverty income level was approximately 9,272 pesos (\$385) per month, according to the National Statistics Institute.

The law stipulates that the standard workweek for those in the industrial and retail sectors may not exceed 44 or 48 hours with half an hour to two-and-a-half hour daily breaks depending on the sector. The law requires workers receive premium pay for work in excess of regular work schedule hours. The law entitles all workers to 20 days of paid vacation after a year of employment and to paid annual holidays, and prohibits compulsory overtime beyond a maximum 50-hour workweek. Employers in the industrial sector are required to give workers either Sunday off or one day off every six days of work (variable workweek). Workers in the retail sector are entitled to a 36-hour block of free time each week.

The MTSS sets occupational safety and health standards and such standards are current and appropriate for the main industries in the country. The law and regulations protect the rights of foreign and national workers in the formal sector but does not extend protection to the informal economy.

Except in the informal sector, workers, including domestic and migrant workers and workers in the agricultural sector, are covered by laws on minimum wage, hours of work, and occupational health and safety standards. Agricultural workers have a slightly higher minimum wage.

The MTSS is responsible for enforcing the minimum monthly wage for both public and private sector employees and for enforcing legislation regulating health and safety conditions. The number of general inspectors for labor issues and the penalties imposed by the MTSS were unavailable, and penalties appeared to be insufficient to deter violations of labor laws in all cases. The MTSS received and investigated 1,433 reports of unacceptable conditions of work situations in 2013, the latest year for which data is available.

The government monitored wages and other benefits, such as social security and health insurance, through the Social Security Fund and the Internal Revenue Service. The Ministry of Public Health Bureau of Environment and Occupational Work is responsible for developing policies to detect, analyze, prevent, and control risk factors that may affect workers' health. In general authorities effectively enforced these standards in the formal sector but less so in the informal sector.

In addition the MTSS Social Security Fund continued to monitor domestic work and may obtain judicial authorization to conduct home inspections to investigate potential labor law violations. The law establishes August 19 as a paid holiday to recognize the Day of Domestic Workers. The MTSS organized awareness

activities with the Domestic Workers Union and the Labor Organization PIT/CNT. The number of inspections conducted was unavailable.

Formal-sector companies generally complied with minimum wage regulations, and most workers earned more than the minimum wage. Many citizens and foreign workers were employed informally, however, and thus did not benefit from certain legal protections. The law establishes that workers may not be exposed to situations that endanger their health or safety, and can remove themselves from such situations without jeopardy to their employment. Government authorities and unions protected employees who removed themselves from such activities. The Ministry of Agriculture is responsible for carrying out safety and health inspections in the agricultural sector. The number of inspections conducted was not available.

There continued to be reports of exploitation of foreign workers in the agricultural sector and in the fishing and lumber industries. Labor accidents, mainly in the construction sector, resulted in approximately one fatality per week. The MTSS reported 51,000 labor accidents in 2013, primarily in the fishing, construction, and manufacturing industries.