



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Sixty-eighth session

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Item 4 of the provisional agenda

Consideration of reports of States parties

## List of issues in relation to the combined third to fifth periodic reports of Uruguay

### Addendum

## Replies of Uruguay to the list of issues\*

[Date received: 14 November 2014]

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\* The present document is being issued without formal editing.

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## Annexes\*\*

Annex 1	Act No. 17823 Code on Children and Adolescents
Annex 2	Part I. Question 4. Training (judiciary)
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\*\* The annexes may be consulted in the files of the secretariat.

1. The replies provided were coordinated by the Ministry of Foreign Affairs and put together with information provided by the Ministry of Defence, the Ministry of Social Development, the Ministry of Health, the Ministry of Labour and Social Security, the legislature, the judiciary, the Uruguayan Institute for Children and Adolescents (INAU), the Adolescent Criminal Responsibility System and the National Committee to Eradicate Commercial and Non-Commercial Sexual Exploitation of Children and Adolescents.

## Part I

**1. Please provide further information on the organization, functions, activities and human and financial resources of the Honorary National Advisory Council on Children and Adolescents, established by the Code on Children and Adolescents as the body responsible for coordinating public policies on children. Please also provide information on the functions of the Uruguayan Institute for Children and Adolescents (INAU) and its relationship with the Honorary National Advisory Council and other bodies working for children's rights. Please provide further information on the implementation of the National Action Plan under the National Strategy for Children and Adolescents (2010–2015) and on any future plans for a system to evaluate the outcome of the action plan in terms of the implementation of the rights of children and adolescents.**

2. The Honorary National Advisory Council on Children and Adolescents is coordinated by the Ministry of Education and Culture. It includes representatives of the Ministry of Education and Culture, the Ministry of Social Development, the Uruguayan Institute for Children and Adolescents, the Office of the President (through the National Directorate of Human Rights), the National Public Education Administration, the judiciary, civil society organizations, the National Association of NGOs, the Uruguayan Catholic Education Association and the United Nations Children's Fund (UNICEF).

3. Under the Code on Children and Adolescents (Annex 1), the functions of the Advisory Council are to: (a) promote the coordination and integration of the sectoral policies for children and adolescents designed by the various public agencies concerned; (b) produce an annual report on the above activities; (c) express its views during the drafting of the report that the State must submit to the Committee on the Rights of the Child; (d) issue opinions, upon specific request, concerning budget laws, accountability and other standards and programmes related to childhood and adolescence.

4. The Council meets every two weeks and has an executive secretariat. Under its work programme, it decided to initiate a forward-looking analysis of the country agenda for policies relating to children and adolescents, with a view to formulating recommendations for the 2015–2020 National Action Plan for Children and Adolescents. In that respect, in coordination with the Social Policies Council, which reports to the executive, the Council forms part of a technical team mandated to act as the technical secretariat for the National Strategy for Children and Adolescents (ENIA). For that purpose, recommendations organized by life cycle — pregnancy, infancy, childhood and adolescence — were drawn up to generate discussion during the process of devising the forthcoming 2015–2020 Action Plan for Children and Adolescents.

5. A progress report was compiled on implementation of the National Action Plan under the National Strategy for Children and Adolescents. It included a forecast for 2013, with a systematic, detailed assessment of the goals set by the plan. The report was submitted to and approved by the Social Policies Council and then submitted to the Honorary National Advisory Council on Children and Adolescents.

**2. Please provide information on how the State party decides on the allocation of the budget for children and adolescents and what measures have been taken to ensure balanced distribution between the various regions in order to reduce poverty and inequality among children and adolescents.**

6. Under the current administration, the State Administration and Assessment Unit of the Planning and Budget Office (AGEV-OPP) introduced a change in the way the national budget was drawn up in order to incorporate a functionally oriented approach into the traditional institutional system. Thus, the first structural level corresponds to the programme areas representing functions carried out by the State, within which budget programmes are established. This system, however, does not provide for the distribution of appropriations (or expenditures) by age group. Nonetheless, the Unit is working towards defining such a system of distribution in the next five-year budget, due to be presented in 2015.

**3. Please provide information on the measures adopted, or planned, to establish a national centralized system for the collection of data on children and adolescents.**

7. Uruguay's Child Data System has been operational since 1989, in the context of the Uruguayan Institute for Children and Adolescents. In 2006, a start was made on overhauling the system in order to ensure that it could monitor the rights of children and adolescents. Its objective is to provide timely and reliable information on the children and adolescents served by the Institute, so as to strengthen the administration, oversight and assessment of the work done, as well as to promote knowledge-building in the sector.

8. The Integrated Welfare Data System, for its part, was created in order to provide a comprehensive overview of social welfare policy and its effects, generating input for the formulation, design and implementation of policies, programmes and strategic plans. It facilitates public access to information on social welfare policies and represents a major advance in the democratization of information and knowledge. In the initial phase, the following institutions joined the Integrated System: the State Health Services Administration, the National Public Education Administration, the Social Insurance Bank, the Uruguayan Institute for Children and Adolescents, the Ministry of Social Development, the Ministry of Education and Culture, the Ministry of Health, the Ministry of Labour and Social Security and the Ministry of Housing, Regional Planning and the Environment. The system is based in the Ministry of Social Development; in its initial phase, it centralizes information from 40 social welfare programmes originating in 18 information systems.

**4. Please indicate how children and adolescents are made aware of the Convention and whether it has been incorporated in school curricula. Please explain how the Convention has been integrated into the training programmes referred to in the State party's report (CRC/C/URY/3-5, para. 69) and whether those programmes cover all professionals working with and for children and adolescents, particularly in the administration of justice, the education system, medical services and protection services.**

9. Since 2007, one of the measures taken by the National Directorate of Human Rights (see Part III, b) has been to offer a human rights module as part of the Middle Management Programme of the National School of Public Administration. The human rights module is an eight-hour classroom-based course divided into four classes. The course is intended for persons occupying department or unit management positions in the various central Government agencies, autonomous entities, and decentralized services. In addition, a virtual course on human rights and human rights education, intended for educators and human rights advocates, has been conducted since 2013. The course is offered twice a year, and most of the participants are educators from the formal educational system or civil servants.

10. With regard to training in and dissemination of the Convention and its Optional Protocols in the legal system, the Centre for Judicial Studies has organized courses intended for judges, aspiring judges, Public Prosecution Service personnel and public defenders, a list of whom can be found in Annex 2.

11. The National Programme for Adolescent and Youth Health (PNSAyJ), for its part, has incorporated the content of the Convention in all the instructional activities it has undertaken, as well as in all outputs such as workshops, projects, publications and leaflets. It is also part of the Initiative for the Child, Adolescent and Health Rights in Uruguay, together with the Uruguayan Institute for Children and Adolescents, the Uruguayan Paediatrics Society, the University of the Republic, and UNICEF. The Programme was involved in producing “The Health Rights of Children and Adolescents”, a guide published in November 2012 which lays down specific guidelines for health-care practitioners, thereby making a vital contribution to the process of bringing institutional practices into line with the standards for the protection of the human rights of children set forth in the Convention on the Rights of the Child. The guide has been distributed to public and private health services throughout the country and to specialists through scientific societies.

**5. Please inform the Committee whether the participation councils in the field of education have been set up and what activities they undertake. Please also provide information on the measures taken to ensure the effective participation of children and adolescents in all areas that concern them and to guarantee that their voices are heard.**

12. In the period under consideration, the Uruguayan Institute for Children and Adolescents has steadily pursued its policy of promoting the effective participation of children and adolescents in the areas of concern to them. The Advisory and Consultative Council on children and adolescents has been represented on the Institute’s board since 2009. It has nationwide representation and meets four times a year to work with the board on the lines of action to be developed. In 2012, the Institute submitted a bill to the legislature to approve the existence of the Advisory and Consultative Council and to give it official status as an advisory body to the board. The process has not yet been completed.

13. Departmental and national participation conferences take place yearly: the former were attended by some 3,700 children and adolescents in 2013, the latter by 160 national delegates. In the same year, 1,500 children and adolescents took part in the Institute’s Participation Programme, and 11,000 children and adolescents took part in all activities combined.

**6. In the light of the recommendations made by the Committee against Torture in May 2014 (CAT/C/URY/CO/3, para. 13), please provide information on the steps that have been taken to investigate and punish the persons responsible for cases of ill-treatment and torture of adolescents detained at Adolescent Criminal Liability System (SIRPA) facilities, as well as at other facilities housing children and adolescents. Please provide information on the results of the investigations carried out, measures taken to prevent similar cases occurring in the future and the complaints mechanisms available. Please provide information on measures taken to comply with the conclusions and recommendations of the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/HRC/13/39/Add.2).**

14. The Adolescent Criminal Liability System (SIRPA), created by Act No. 18711 of 25 June 2011, is still being developed, and with respect to the application of the social and educational measures provided for in articles 77 et seq. of the Code on Children and Adolescents, it wields the powers delegated to it by the Uruguayan Institute for Children and Adolescents.

15. All complaints of possible ill-treatment received by SIRPA from family members, officials, the detainees themselves, or ex officio, have been investigated in the framework of the powers established by existing regulations. Where there was sufficient prima facie evidence of ill-treatment, the Delegate Committee ordered the necessary precautionary measures (preventive transfer of the adolescent from the centre where the acts allegedly occurred; preventive transfer of the officials allegedly involved in the acts and preventive removal of the official from his or her post) and the submission of the complaint to the courts. The regular visits to places of detention carried out by members of the judiciary make it possible to monitor the enforcement of precautionary measures.

16. Article 100 of the Code on Children and Adolescents provides for judicial oversight of the enforcement of precautionary custodial measures and social and educational measures ordered in final judgements. This essentially involves on-site visits every three months and the possibility for the adolescent to request a court hearing, a request that is granted immediately, with the consequent transfer of the minor. Likewise, public defenders, who in fact take on more than 90 per cent of defences, are required by law to interview the adolescents in these facilities.

17. Lastly, in 2014 the Supreme Court renewed the practice of visits to enforcement premises, for the inspection of living, health and dietary conditions and so on. During those visits private meetings were held between the Supreme Court justices and the adolescents, so that their versions of the facts could be heard.

18. With respect to complaints mechanisms, it should be noted that each adolescent who is admitted to a centre receives the code of rights and obligations. During periodic interviews with social workers, psychologists and lawyers, adolescents may raise complaints confidentially; they (as well as family members or anyone else) may also lodge a complaint with the legal department of the Adolescent Criminal Responsibility System (SIRPA).

19. With regard to administrative procedures, when a procedural irregularity occurs, the head or person in charge of the department orders an urgent procedure to identify the persons possibly responsible, accessories or witnesses and to prevent the loss of evidence. This procedure is carried out within 48 hours of the acts and is led by the head of the centre. In the event that the urgent procedure reveals irregularities that could give rise to an administrative inquiry, the inquiry will be undertaken by the Inquiries Office, which reports directly to the above-mentioned legal department, so as to remove the investigation from the sphere of influence of the persons involved and ensure the independence of the expert opinion and the inquiry.

20. As Annex 3 shows, most of the administrative inquiries are currently pending.

21. The programmes being run by the Adolescent Criminal Responsibility System for adolescents in conflict with the law should also be highlighted:

(a) Entry, Study and Referral Programme, responsible for the Montevideo Temporary Admissions Centre, produces initial diagnostic reports and makes referrals to existing programmes and projects;

(b) Non-Custodial Social, Educational and Mediation Programme, responsible for the application of the measures provided for in articles 80 to 84 of the Code on Children and Adolescents;

(c) Custodial and Semi-custodial Socioeducational Programme, responsible for the measures provided for in articles 86 to 88 of the Code on Children and Adolescents;

(d) Curative Measures Programme, responsible for the application of the social and educational measures provided for in article 106 of the Code on Children and Adolescents and the development of a drug-use rehabilitation project;

(e) Social and Community Integration Programme (on release), responsible for the actions taken in order to achieve successful reintegration into society. Since its creation, more than 360 young people, with the commitment of civil society as a whole, have returned to the workforce. The cooperation of State-owned and private companies, social organizations and trade unions has made it possible to carry out this public policy, which is based on the comprehensive protection of adolescents.

22. Likewise, the Delegate Committee created three new programmes that began operating in the current year:

(a) An Education Programme, which focuses on training and certification in skills that make possible future employment and uninterrupted formal education;

(b) A Security Programme, which focuses on the external security of the facilities, inspections, transfers and crisis interventions;

(c) A Psychosocial Rights Protection Programme, which is responsible for expert supervision of the psychosocial aspects of work with adolescents entrusted to the Adolescent Criminal Responsibility System. It seeks to enhance the quality of expertise in the framework of restorative justice upheld by the comprehensive-protection paradigm.

**7. Please provide additional information on the activities and achievements of the Integrated System for the Protection of Children and Adolescents from Violence, on other measures taken to prevent violence in all areas, including at school and in the home, and on their results in the capital and elsewhere in the country. Likewise, please provide information on the protection measures available for children and adolescents who have been victims of violence, including domestic violence, in the capital and elsewhere in the country.**

23. The most significant recent policy in the area of preventing violence is the reinforcement, coordinated by the Uruguayan Institute for Children and Adolescents, of the Integrated System for the Protection of Children and Adolescents from Violence, which gave it the institutional impetus necessary for the proper fulfilment of its role and for the consolidation of its presence countrywide. It is important to mention, for example, the hiring of specialists to reinforce the deployment of the System's Local Reception Committees (inter-institutional bodies at national level), which are being set up in the departments in the interior of the country. The increase from 11 such committees in March 2012 to a countrywide total of 22 nine months later attests to the steady growth in the number of committees. The Institute's five-year goal was to have 16. Every year, some 800 cases of violence against children and adolescents are referred to and handled by these specialist teams. Also worthy of note is the reinforcement of the campaign for kind treatment, which is growing year by year in size and in media coverage, thus giving it considerable scope to convey its message to the population at large. In 2013 the Institute financed activities in 10 towns in the interior of the country.

**8. In the light of the recommendation made by the Human Rights Committee in 2013, in its concluding observations (CCPR/C/URY/CO/5, para. 18), please indicate what steps the State party has taken to act on that recommendation, and whether complaints alleging the sexual abuse of girls held in an admissions centre for adolescents have been investigated, and with what result.**

24. The case of alleged sexual abuse that took place in 2009 is being investigated by the Uruguayan Institute for Children and Adolescents and by the courts; the official who had been reported was removed from his position. Male staff members were no longer

responsible for direct supervision of girls at night, while during the day only one male official, who did not work in the accommodation units, was on hand to effect transfers and deal with possible visitors. Since that case no similar situations have arisen.

**9. In the light of paragraph 260 of the State party's report, please provide information on measures taken to promote inclusive education for children with disabilities.**

25. With the adoption of Act No. 18418, which incorporates the Convention on the Rights of Persons with Disabilities into domestic law, and Act No. 18437 (Annex 4, General Education Act), mechanisms were set up to enhance the inclusion of children with disabilities in educational establishments, recognizing that education is a human right and public good. All persons living in the country are covered by this definition, with no distinction between individual groups, thus ensuring enforcement of the rights of minority groups or particularly vulnerable groups.

26. The University of the Republic provides support to students with hearing impairments by hiring sign-language interpreters to assist the students in all the activities in their chosen course of studies. The programme is subsidized by the Central Unit for University Well-being under a framework agreement between the Research and Development Centre for Deaf Persons and the Uruguayan Association of Parents and Friends of Deaf Persons. The participation of Uruguayan Sign Language interpreters in classrooms for deaf students has likewise increased.

27. Since the first experiment with bringing Uruguayan Sign Language interpreters into the secondary-school classrooms for deaf students, in 1995 (also the first such experiment in Latin America), an increasing number of secondary schools in the capital and in the interior have become involved. Even so, Uruguay recognizes that more work must be done in this area and that more resources are needed, as it is clear that the situation is critical. According to figures from the Research and Development Centre for Deaf Persons, more than 15,000 deaf persons do not know how to read or write.

28. In addition, the University (which is a member of the Committee on Accessibility of the Physical Environment of the Uruguayan Technical Standards Institute) is taking initiatives regarding the rights of persons with disabilities both at central level and using its own university services. Since 2008, in fact, the University has been holding training and awareness-raising workshops, debates, seminars and so on, including through the signature of agreements with national entities and international organizations. The success of these initiatives led to the establishment in 2012 of a series of mobile workshops that cover the country to deal with these issues.

29. University offices have also taken many initiatives, chief among them being the psychological services of the Faculty of Psychology, the Comprehensive Training Module of the Faculty of Social Sciences ("Disability in relation to Social Welfare"), the Comprehensive Training Modules of the School of Nutrition and the Faculty of Psychology ("Assisting Persons with Disabilities and the Members of Their Families" and "Disability and Land Use Planning"), the 2011 Nexo project, which focused on developing software and hardware for children with cerebral palsy, and projects to make the University's web pages accessible.

30. Moreover, the Continuity Committee of the special schools of the Early Childhood and Primary Education Board, whose purpose is to enable school-leavers to benefit from educational and socio-occupational continuity, has been meeting since 2011. Its objective is to provide persons with disabilities — on a continuing basis and with no age limits — with the means for full development in the educational, recreational, cultural and social spheres, ensuring compliance with Act No. 18651 (Annex 5, Comprehensive Protection of Persons with Disabilities). For that purpose, the current year has seen work on the creation and



implementation of vocational courses for young people with moderate intellectual disabilities, as well as the creation of a register of private institutions offering educational and/or vocational opportunities for such young people.

31. In that connection, a data survey on institutions serving persons with disabilities took place in 2013. The data collected show that those institutions serve a total of 1,157 persons, of whom 53.4 per cent are between 12 and 29 years of age and 11.3 per cent are of preschool or primary school age. Regarding staff profiles, the study showed that all the institutions employed university graduates with psychology degrees and that 94 per cent employed teachers and educators. Half had a high percentage of social workers, in addition to speech therapists, physical therapists, dance and physical education teachers and others.

**10. Please provide additional information on the steps taken by the State party to ensure adequate support services for families at risk or in situations of vulnerability with a view to preventing the separation of children from their family environment. Please also provide information on measures taken to ensure that children are separated from their parents only as a last resort and that siblings are not separated when alternative family care measures are applied. Please provide information on measures introduced to promote deinstitutionalization, as well as to improve the monitoring of alternative family care measures and the assignment of children and adolescents to female “caregivers”.**

32. Article 3 of Act No. 19092 (Annex 6) states that, if children or adolescents cannot be kept in their families of origin (including their extended families), the courts shall have forms of family integration at their disposal, while attempting to avoid institutionalization. For that purpose, priority shall be given, in descending order, to placement with a view to adoption with a family selected by the Uruguayan Institute for Children and Adolescents, placement in foster care, placement with third parties and, last, placement in an institutional home offering guarantees for their proper development.

33. The primary objective set by the Institute was to overhaul the system of early-childhood care, placing special emphasis on children whose families are unable to provide them with the necessary protection and care, giving them an alternative space, while also working with the families to address the factors responsible for family crises. In that connection, the Institute undertook to develop a new foster-care system, guided by the most progressive child-protection policies, which makes it possible to give priority to the deinstitutionalization of children and adolescents living in residential centres or institutions and their transition to a “caring family”, which basically provides them with a family environment of care and protection. The system includes different models of foster care, strengthening the ties between children and their extended families and seeking an unrelated family to take in the children, according to their need, if placement with a direct relative is not possible.

34. In keeping with the best interests of the child, several alternative modes of care have been developed, which meet children’s needs by seeking the place that will best help them obtain restitution for the violation of their rights. The new foster-care programme forms part of a policy of strengthening parental roles. It has been in place since 2012 and involves setting up a system bringing together various modes of care, including a “gateway” project, residential centres, foster care and adoptions.

35. In this context, two projects were launched as “gateways”: the Matei Project, for children up to 7 years of age, and the Tribal Project, for children and adolescents from 8 to 18 years of age. These projects facilitated cumulative progress of 75 per cent towards the five-year goal of opening four residential centres for seriously harmed children. In November 2013, 1,348 children and adolescents were looked after in the different modes of foster care.

36. In addition, the Uruguay Crece Contigo Programme (Uruguay grows with you) (operating under the Planning and Budget Office and with the technical support of the Ministries of Health and Social Development) is an early-childhood protection programme of a national scope, targeting vulnerable families with pregnant women and children under 4 years of age, building individual capacities and encouraging good child-rearing practices. In 2013, the programme directly served 8,400 persons from approximately 4,400 households, and it was hoped to reach 20,000 in 2014.

37. The programme achieved results in respect of the objectives that had been set, including the following in particular:

- In the 980 households targeted (1,419 children and 690 pregnant women), under the category of what is commonly referred to as the hard core of poverty, all indicators improved;
- Thirty-three per cent of the children were anaemic at the start of the intervention, as opposed to only 10 per cent at the end (10 months later);
- Chronic child malnutrition rates fell from 24 to 18 per cent. Food quality (a varied diet) increased from 26 to 48 per cent;
- In terms of child development (including language and mobility), 24 per cent of the children exhibited an abnormality at the start of the intervention, as opposed to 17 per cent at the end.

38. Lastly, the number of adoptions has increased year by year. In 2012 there were 81, in 2013 there were 115 and over the course of 2014 there have been 98. This increase attests to the work done with the judiciary and in the relevant agency, which made it possible to tailor interventions to the time periods and the conditions laid down in the new law.

**11. Please provide information on the Adoption Act (Act No. 18590) of 2009, the recent amendments to the Act and any measures taken to shorten the lengthy adoption procedures.**

39. The current adoption system is regulated under the Code on Children and Adolescents by the amendments made by Act No. 19092. In general, adoption remains an exceptional, irrevocable institution for the protection of children and adolescents that entails replacing a person's civil status with a new one.

40. When the relevant information is received, the Uruguayan Institute for Children and Adolescents shall transmit it to the courts, or vice versa. A new development is a provision for the adoption by the Institute of immediate material protection measures, subject to hearing the child or the adolescent, in accordance with the notion of the gradual achievement of autonomy of will.

41. The material protection measure consists of respecting the following order of priority: placement with a member of the biological or extended family; placement with a family from the Institute's single adoption register (the Institute is the sole body authorized to select adoptive families); placement with a foster family; and, as a last resort, in extraordinary circumstances, temporary admission to an institution.

42. In the event of particularly close ties between a child and his or her biological family, there is an option for a full adoption that takes place while maintaining those ties through visiting arrangements. In that context, the law recognizes the right of all adopted children to know that they have been adopted and to have access to the information on the process by which they were adopted. The Institute shall support the persons concerned in that search.

43. Time periods were established for the legal procedures having to do with adoption applications. These procedures (of a precautionary nature) shall not exceed 45 days for children up to 2 years of age or 90 days for those between 3 and 7 years of age. For the purposes of strict compliance with the time limits on institutionalization, the Institute exercises constant monitoring of the situation of children separated from their families through the Child Data System. A family court recently ruled that the Institute had an obligation to keep a register, which was to be updated every 30 days, of all the children who are involved in those procedures. As can be seen, the amending Act itself establishes mechanisms designed to provide a remedy by administrative or judicial means, for the slowness of the decision-making process, which was the fundamental problem of the earlier system.

**12. Please also provide information on the implementation of the National Adolescent Health Programme and the Comprehensive Model for the Prevention of Early Pregnancy, as well as on support measures available to adolescent mothers.**

44. After four consecutive years, the National Programme for Adolescent and Youth Health concluded its courses on guidelines for a comprehensive approach to adolescent health intended for specialized staff working in primary health care. These courses have always incorporated an individual-rights perspective.

45. Since the Programme was launched, health technicians have been trained in the use of the clinical history stored in the Adolescent Data System, with special emphasis on interviews for checks on adolescents' health and giving health technicians guidance on the contents of the Convention and the principle of gradual autonomy. Four hundred and fifty health technicians were trained in both courses.

46. In addition, a system of free medical check-ups for adolescents and young people, to be performed yearly by an attending physician, has been put in place. In 2010, this service benefited adolescents between 15 and 19 years of age; since 2012, children aged between 12 and 14 have been included. Dental, ophthalmological and gynaecological check-ups by an attending physician are free of charge for children under the age of 18.

47. In this period, 90,000 adolescents have had a yearly check-up with an attending physician, and 5,000 children and adolescents have received psychotherapy in the Comprehensive National Health-Care System free of charge or for token co-payments, which may be continued up to the age of 25.

48. All health-service users, nationwide, have the right to universal access to contraceptives. Adolescents have access to them on the same terms as adults, and there is no requirement for the consent of a parent or guardian. There are also special, comprehensive services for that age group, such as adolescent spaces staffed by interdisciplinary teams. Abortion services are also available to all throughout the country. Adolescents undergo abortions at a rate similar to that of the population as a whole. The comprehensive approach to teen pregnancy is specific, and it includes tools for, inter alia, economic, nutritional and social support.

49. Six thousand seven hundred adolescents from secondary schools have taken part in health-promotion activities, while 600 young people have received basic training in cardiopulmonary resuscitation. In 2012 the second Global School-based Student Health Survey was taken, examining various aspects of health and thus shedding light on the views and behaviour of adolescents, as well as on their ideas about the family and social environment.

**13. Please provide information on measures taken by the State party to reduce the high dropout and repetition rates among secondary school students. Please also**

**provide information on measures adopted to facilitate access to education in rural areas and for children of African descent.**

50. One particularly important measure has been the establishment of a system of scholarships for low-income pupils who need support in order to cover the basic costs associated with school attendance. The following table shows how this system has been expanded in order to meet that objective.

<i>Year</i>	<i>Scholarships</i>	<i>Secondary Education Council</i>	<i>Technical Vocational Education Council</i>	<i>Basic secondary education</i>	<i>Upper secondary education</i>	<i>Persons of African descent</i>
2011	1 436	1 115	321	856	580	20
2012	2 894	2 323	571	867	867	31
2013	3 719	3 136	583	721	721	180
2014	4 545	3 751	794			423

*Source:* Scholarships Office — Education Directorate — Ministry of Education and Culture.

51. In addition, other programmes and measures, as detailed below, target various needs of the student population:

- The Educational Transition Programme (to promote universal secondary education) provides educational support to pupils in their sixth year of school who are preparing to begin their first year of basic secondary education but who are at risk of dropping out. The programme focuses on enhancing schools' technical and educational resources, strengthening multidisciplinary teams composed of psychologists, social workers and social educators, providing funding, supporting pupils at risk of school failure and promoting social participation and communication. It is aimed at pupils at the basic secondary level of education;
- The inter-agency "Commitment to Education" programme began in 2011 and involves the National Public Education Administration, the Ministry of Education and Culture, the Ministry of Social Development, the University of the Republic and the Uruguayan Institute for Children and Adolescents. This initiative is designed to enhance the existing range of educational programmes in order to ensure that adolescents and young people remain and prosper in the public education system and that they succeed in completing their higher secondary education. The programme is made up of three interrelated components: peer-to-peer mentoring, education agreements and scholarships. Between 2011 and 2013, more than 25,000 socially vulnerable young people received scholarships. The programme is currently running in 95 educational establishments throughout the country; as part of this programme, more than 600 university students draw on their own experiences to provide support to secondary school students by addressing their needs and concerns as a means of helping them to complete their education successfully. In 2012–2013, 97 per cent of the 1,102 pupils who participated in the second phase of the programme in 25 different locations around the country remained enrolled in school;
- The Community Classrooms Programme is aimed at adolescents aged between 13 and 17 who, having registered for basic secondary school, were unable to complete their first year but wish to continue studying and are seeking an opportunity to return to the educational system. The coverage of this programme increased from 1,064 persons in 2009, to 1,756 in 2011 and 2,087 in 2013;
- Tutoring centres have been set up in schools with high dropout and repetition rates and those with large numbers of socially vulnerable students. The objectives of this

initiative are to ensure that all students complete their secondary education, to improve promotion rates and to lower dropout rates by ensuring greater educational equity. The number of secondary schools with tutoring facilities increased from 83 in 2011 (serving 17,000 students) to 102 in 2013 (serving 25,000 students) in 2013.

52. In order to achieve these objectives, work is focusing on the following three aspects:

(a) Technical-educational enhancement: The aim of this effort is to equip educational support centres with the resources they need to improve the learning environment and, as a consequence, achieve greater levels of educational inclusion. Within this framework, the roles of tutor (*profesor tutor*) and of contact teacher (*profesor referente en lo vincular*) have been created. Both of these types of posts were defined when the enhancement programme was launched, but those definitions have subsequently been amended on the basis of performance evaluations and education policy decisions. The programme started out with an interdisciplinary tutoring system which was later divided up by areas of knowledge. Since 2013, tutoring is being provided on the basis of specific subjects: physics, chemistry, physical sciences, biology, history, geography, Spanish language, English and literature. Also in 2013, the post of contact teacher was replaced with the post of educational coordinator (*profesor coordinador pedagógico*), which has a broader remit that includes oversight of the institutional education process and promotion of links with families and the community;

(b) Strengthening of psychological and social support teams: The aim here is to provide centres with teams composed of a psychologist and a social worker to monitor and assist pupils facing social and economic difficulties and/or having problems integrating into the student body which are adversely affecting their academic performance;

(c) Transfer of resources to the local level: The programme's educational centres are supplied with funding in order to help ensure that students do not end up having to repeat a year or drop out altogether because of the indirect costs of obtaining an education:

- Free public transport passes for secondary school students up to the age of 20;
- Family allowances for parents able to certify that their children (under the age of 18) attend an educational establishment. The allowances are granted from the time a student starts school and continue until the completion of basic secondary school.

53. Under Act No. 19122, a specified number of scholarships and other forms of student financial aid must be set aside for children of African descent, both at the national and the departmental levels. In 2011, the Unit for the Rights of Persons of African Descent of the Municipality of Montevideo launched a pilot project under which 20 scholarships were offered to secondary school pupils of African descent. The project proved successful and was extended to the entire country, with the Ministry of Education and Culture increasing the quota to 180 scholarships to support the continuing education of vulnerable young people of African descent who are at risk of dropping out of school. Furthermore, under article 32 of Act No.18046, 30 per cent of the funds of the Carlos Quijano Scholarship Programme are allocated to persons of African descent.

**14. Please provide additional information on legal and administrative measures taken by the State party to prevent the economic exploitation of children and adolescents and on the activities of the National Committee for the Elimination of Child Labour and on the Plan of Action to Eliminate Child Labour in Waste Collection 2011–2015.**

54. In 2009 there were approximately 67,000 children and adolescents in Uruguay who were engaged in child labour (defined as any kind of work carried out by persons aged

under 15 and hazardous work carried out by adolescents aged between 15 and 17), according to a survey carried out by the National Institute of Statistics. If intensive labour in the home is taken into account, the figure for 2009 rises to 13.4 per cent of children between the ages of 5 and 17 (approximately 91,000). Not only was Uruguay the first country in the world to ratify the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), but in 2006 it passed Act No. 18065, article 11 of which states: “The minimum age for a domestic worker shall be 18 years. Nevertheless, the Uruguayan Institute for Children and Adolescents may, whenever reasonable cause exists, authorize a person to undertake such work as from the age of 15.” The number of children and adolescents involved in hazardous work has fallen in recent years thanks to the introduction of a broader and more integrated system of social protection which focuses on addressing situations of extreme social vulnerability.

55. The National Committee for the Elimination of Child Labour and the Protection of Working Adolescents, which plays a vital role in the analysis of this problem and in the proposal of ways to prevent and eradicate it, has centres in the departments of Rivera, Canelones and Maldonado. These centres are part of the corresponding departmental governments and are thus in a position to mount specific responses to situations existing in different areas of the country. One of the most important advances in addressing some of the most difficult situations faced by child labourers has been the development of the National Strategy for Children and Adolescents 2010–2030. The Strategy includes a plan of action for 2011–2015 that sets out specific provisions on the elimination of child labour while, at the same time, maintaining the broad scope of action required to tackle this issue.

56. One of the initiatives specifically targeting child labour is the Plan of Action to Eradicate Child Labour in Waste Collection and Sorting, which was developed by the National Committee for the Elimination of Child Labour in 2010. Another is a set of guidelines which the Committee worked on during 2013 and 2014 concerning the identification of cases of child labour in waste collection and the actions to be taken in such instances. The institutional members of the Committee have drawn up an initial draft of the guidelines which will be completed in consultation with all the bodies involved in the relevant activities.

57. At the national level, and in view of the fact that most workers under the age of 18 are between 15 and 17 years old, in 2012 the Committee began preparing the Plan of Action to Protect Adolescent Workers. The aim is to formalize the employment of adolescents who carry out non-hazardous work and to reduce the number of cases in which adolescents carry out work which is harmful to their health or prevents them from studying. Between 2013 and 2014, the Committee collected data from different parts of the country for use in analysing the situation of adolescents who work in rural areas. This provided extremely useful inputs for the design of specific initiatives for the eradication of hazardous work in agriculture and for the formalization of the employment of persons aged 15 years or more and the improvement of their working conditions. The Rural Employment Unit of the Ministry of Labour and Social Security has been set up to coordinate institutional measures focusing on rural workers, including adolescents, and is currently carrying out a nationwide awareness-raising campaign on workers’ rights.

58. Three particularly relevant initiatives for reconciling school attendance and work are: the “I Study and Work” Programme, in which the educational performance of around 1,000 young people is being monitored while they continue to work in an effort to help them reconcile the demands of the two activities; the “Young People Online” Programme, which is specifically designed for highly vulnerable young people and seeks to encourage them to return to school before taking up formal employment; and the Youth Employment Act, which provides for new ways of helping young people to enter the labour market and to reconcile school attendance and employment by offering special benefits for firms which

hire young people who fit certain profiles and by making more types of arrangements available that will allow adolescents and young people to work and study at the same time.

59. Finally, the National Committee is currently drawing up a sustainability plan with technical and financial support from ILO. The plan will address the main challenges that Uruguay is facing as it seeks to eradicate child labour once and for all and to ensure protection for all adolescent workers.

**15. Please provide the Committee with information on measures adopted to prevent the excessive and disproportionate use of force or ill-treatment by public security officials against children in conflict with the law or street children arrested as a part of a police operation and any inquiries or convictions arising from such cases.**

60. The main objective of the relevant provisions is to ensure that cases in which children have come into conflict with the law are immediately brought before a court of law. Article 5 of the Police Procedures Act (Act No. 18315) (see annex 7) states that, when dealing with juvenile offenders or children who violate the rights of third parties, the police must apply the measures laid down in the Police Procedures Act, with the exception of the special procedures set forth in the Code on Children and Adolescents. The Police Procedures Act also expressly prohibits the infliction, instigation or toleration of the torture or cruel, inhuman or degrading treatment of any person. The Code on Children and Adolescents is intended to keep contact between police and minors to a minimum (under article 76, a judge must be informed of the detention of a minor within a maximum of two hours) and to avert any instances of arbitrary or illegal detention or violence by ensuring that the police uphold due process guarantees. To this end, the Ministry of the Interior has stepped up training for police officers. Complaints of ill-treatment of minors by police officers have decreased substantially over recent years.

**16. As to the juvenile criminal justice system, please provide information on:**

**(a) How the principle of the best interests of the child has been taken into consideration and what studies were carried out in preparation for the recent amendment of articles 69 and 76 of the Code on Children and Adolescents, introducing stricter measures in the administration of juvenile criminal justice;**

61. The amendments are based on both political and technical considerations. Act No. 19055 (annex 8) is seen as providing a bridge between the current state of affairs and a future law on juvenile criminal responsibility, which both academic studies and the recommendations of UNICEF have identified as an important supplement to the Code on Children and Adolescents. These amendments are part of the package of measures set out in the “Strategy for Life and Living Together”, an initiative which has played a central role in efforts to address problems that disrupt harmonious civic relations.

62. Although the 2004 Code on Children and Adolescents represented a significant improvement over the 1934 Children’s Code, difficulties in interpretation have arisen, particularly as regards juvenile criminal responsibility. Legislative amendments have clarified the text while accommodating the demands of various parties and delimiting the scope for judicial discretion.

**(b) Measures adopted to change the stereotypical image of adolescents as delinquents;**

63. Policy objectives in this field have principally revolved around increasing education and training opportunities for young people. This helps to send a message to the general public that young people are an important part of society and contribute to its progress. Particular effort is being devoted to convincing people not to drop out of school, achieving universal secondary education coverage and making it possible to attend school and work at

the same time, especially for low-skilled young people from low-income households. The policies in place to achieve these objectives are described throughout this document.

64. Efforts are also being made by such institutions as the National Institute for Youth to support activism among young people and to increase their sense of citizenship and empowerment. The Institute was set up to plan, formulate, coordinate, monitor, implement and ensure compliance with youth policies and to provide advisory services in this connection. The Institute's mission is to revitalize the strategic role of young people in social affairs and to support their full participation in the various sectors of society within a framework of solidarity and social equality.

**(c) Measures adopted to prevent the excessive use of the deprivation of liberty as a precautionary measure or as a punishment for adolescents in conflict with the law, given that around 50 per cent of adolescents alleged to have committed an offence are deprived of their liberty;**

**(d) Existing non-custodial socio-educational measures and how the relevant institutions ensure that they are applied;**

65. Although the Code on Children and Adolescents states that deprivation of liberty is to be used only as a last resort, the State recognizes that the use of non-custodial precautionary measures are an exception to the rule.

66. Article 89 of the Code on Children and Adolescents states that deprivation of liberty involves holding young people in an institutional environment but without infringing their rights. If a sentence involving the deprivation of liberty has been issued as a penalty, it is possible to request the modification or withdrawal of that measure (art. 94) when the associated socio-educational objectives have been achieved.

67. Non-custodial socio-educational measures (article 79 of the Code on Children and Adolescents) include an official warning issued by a judge in the presence of the parents or guardian, community service, counselling and probation.

**(e) Conditions of detention for adolescents in conflict with the law and measures adopted to ensure the provision of adequate basic services, such as water supply and sanitation;**

**(f) Measures adopted to prevent overcrowding in a number of detention facilities, particularly in the Ser and Las Piedras detention facilities in Colonia Berro, where adolescents may spend up to 23 hours confined to their cells without access to training or recreational activities.**

68. Under the provisions of articles 324 and 325 of Act No. 19149 on the statement of accounts for the financial year 2012 and of article 254 of Act No. 18834 on the statement of accounts for the financial year 2010, the legislature has allocated funds to the Adolescent Criminal Responsibility System (SIRPA) to cover the wages and other costs of hiring staff to fill newly created posts and for infrastructure and equipment.

69. The year 2013 saw the start of construction work designed to resolve the problem of overcrowding; 301 new places have now been created and, by the end of the current year, the goal of reducing overcrowding and confinement will have been achieved. The following table gives an outline of the increase in capacity and the current status of the work.



Increase in capacity								
Centre		Number of additional places	Surface area (built, refurbished, planned) (m <sup>2</sup> )	Status	October 2014	March 2014	May 2014	
Montevideo	Operating	CIEDD	56	1 450	Completed	56		
		Paso a Paso	10	72	Completed	10		
	Under construction	Max. security bldg. (Cufre)	60	1 720	To be completed Aug./Sept.	60		
		Santa Rita (former quarters of Battalion No. 9)	113	4 200	To be completed Sept./Oct.	113		
		Tablada 1 (temp. bldg.)	18	465	To be completed Sept.	18		
		Tablada 2 (main bldg.)	98	2 320	To be completed Mar. 2015		98	
Colonia Berro	Casona	20	490	To be completed Dec.		20		
	Granja	28	390	To be completed Sept.	28			
	Puente	12	192	Completed	12			
	Ser Centre	24	187	Completed	24			
Regional	Mercedes	38	413	To be completed Apr./May 2015			38	
	Minas	36	1 140	To be completed Apr./May 2015			36	
	Salto	32	672	To be completed Mar. 2015		32		
Totals		545	13 711		321	150	74	

70. All the centres have a daily workplan which includes cultural workshops (non-formal education), primary and secondary educational activities, and physical education. The courses are conducted under an agreement with the vocational Universidad del Trabajo del Uruguay. Annex 9 contains tabulated information concerning these activities.

71. The SIRPA reform process also provides for strict compliance with the requirements concerning the separation of inmates on the basis of their age, gender and status before the law. The Admissions Centre for Female Adolescents (CIAF), the only such institution for female prisoners, has 29 inmates. The Challenge Centre houses adolescents between the ages of 13 and 15 and currently has a population of 29. The Entry, Study and Referral Centre (CIEDD) houses male adolescents over the age of 15 who are subject to precautionary measures and currently has a population of 99. Other centres supervise adolescents from the age of 15 onward who are subject to custodial or semi-custodial arrangements. The La Tablada Centre is currently being refurbished, and all adolescents over the age of 18 are to be housed there by some time next year.

<i>Custodial and semi-custodial arrangements</i>	<i>Number of inmates</i>
Dr. Roberto Berro School	322
Centres in Montevideo	297
<b>Total</b>	<b>619</b>

<i>Precautionary measures</i>	<i>Number of inmates</i>
CIAF	8
Challenge Centre	4
CIEDD	99
<b>Total</b>	<b>111</b>

## Part II

**In this section the Committee invites the State party to provide a brief update (no more than three pages in length) of the information presented in its report regarding:**

**(a) New bills or enacted legislation and any accompanying regulations;**

72. The following legislation should be mentioned:

- Act No. 19254 of 28 August 2014: Measures to facilitate permanent residence in Uruguay for spouses, partners, parents, siblings and grandchildren of Uruguayan citizens and nationals of MERCOSUR member and associate States;
- Act No. 19161 of 1 November 2013: A parental subsidy for private-sector workers and a subsidy for the care of newborn children, together with a reduction in working hours;
- Act No. 19140 of 11 October 2013: Promotion of healthy eating habits among children and adolescents attending school;
- Act No. 19133 of 20 September 2013: Promotion of youth employment;
- Act No. 19122 of 21 August 2013: Promotion of educational and work opportunities for people of African descent;
- Act No. 19119 of 2 August 2013: Amendments to the Civil Code and the Code on Children and Adolescents;
- Act No. 19098 of 21 June 2013: Provision for a protocol on prevention, detection and intervention in cases of physical, psychological or social ill-treatment in educational centres throughout the country;
- Act No. 19092 of 18 June 2013 and Act No. 19055 of 4 January 2013: Amendments to the Code on Children and Adolescents;
- Act No. 19039 of 28 December 2012: Provision for social security payouts in the form of a pension for victims of violent crime;
- Act No. 18970 of 14 September 2012: Amendment of article 4 of Act No. 18771 and establishment of operating regulations for SIRPA;

- Act No. 18895 of 20 April 2012: Establishment of regulations concerning the return of persons under the age of 16 who have been unlawfully transferred or held;
- Act No. 18850 of 16 December 2011: Provision for a non-contributory pension and a special family allowance for the children of persons who have died as a result of domestic violence.

**(b) New institutions, their mandates and funding;**

73. No new institutions have been created during the reporting period. However, in October 2013, following the legislature's approval of the statement of accounts for the financial year 2012 (arts. 67, 68 and 69), the National Human Rights Directorate of the Ministry of Education and Culture became the Secretariat for Human Rights of the Office of the President of the Republic.

74. The Secretariat was then detached from the Ministry of Education and Culture and entered into operation in January 2014. The Secretariat is now the lead agency for the human rights components of public policy within the executive branch and is thus responsible for policy promotion, design, coordination, alignment, follow-up and evaluation in this area. The Secretariat is tasked with helping to strengthen human rights throughout the country; promoting human rights awareness and the exercise of human rights; mainstreaming the human rights perspective in public policy; building capacity among public officials, government experts and political leaders with a view to incorporating a human rights perspective into the formulation, implementation and evaluation of public policy; and backstopping cooperation between the Government of Uruguay and international organizations in the promotion and defence of human rights.

**(c) Newly adopted and implemented policies and programmes and their scope;**

75. The policies and programmes that have been adopted are covered under the corresponding sections in this document.

**(d) Newly ratified human rights instruments.**

76. On 5 February 2013, Uruguay accepted the individual communications procedure set forth in the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

77. On 13 April 2012, it accepted the individual complaints procedure of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## **Part III**

### **Statistical and other information, if available**

**1. Please provide consolidated budget information for the past three years on resources allocated for children and social sectors, indicating the percentage of each budget line in terms of the total national budget and gross domestic product (GDP) of the State party.**

78. A large percentage of social public expenditure is devoted to children, adolescents and the elderly. In 2012, around 24 per cent of social public expenditure was allocated for persons under the age of 18. This concentration in the distribution of public funds is due to the fact that such a large share of expenditure on education is accounted for by minors.

79. Budget allocations for the Uruguayan Institute for Children and Adolescents over the last three years (2011–2013) were as follows (in millions of current Uruguayan pesos): for 2011, 4,750; for 2012, 5,687; for 2013, 6,784. In 2013, the Uruguayan Institute for Children and Adolescents represented 2.35 per cent of the total budget and around 0.6 per cent of GDP.

**2. Please provide data, disaggregated by age, sex, socioeconomic status, ethnic origin and geographical location, covering the past three years, on:**

**(a) Cases of abuse and violence against children, including all forms of corporal punishment, with additional information on the type of assistance given to child victims and the follow-up provided, including prosecution of the perpetrators and the sentences handed down in the State party;**

80. Annex 10 contains statistical data for the period 2011–2013.

**(b) Investigations of cases of sexual violence and rape, and the outcome of prosecutions, including information on the penalties for perpetrators, and reparation and compensation awarded to the victims;**

81. The requested statistical data cannot be provided.

**(c) Street children;**

82. Annex 11 presents the available statistical data for 2011–2013.

**(d) Children infected with or affected by HIV/AIDS.**

83. According to the records of the Ministry of Health, 118 children (65 boys and 53 girls) between the ages of 0 and 4 are currently infected with or affected by HIV/AIDS.

**3. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, regarding the situation of children deprived of a family environment and separated from their parents, covering the past three years, citing the number of children:**

**(a) Separated from their parents;**

**(b) Living in institutions;**

**(c) Living with foster families;**

**(d) Adopted within the country or through international adoptions.**

84. Annex 12 presents the available statistical data for 2011–2013.

**4. Please specify the number of children with disabilities, disaggregated by age, sex, types of disabilities, ethnic origin and geographical location, for the past three years, citing the number of children:**

**(a) Living with their families;**

**(b) In institutions;**

**(c) Attending ordinary primary schools;**

**(d) Attending ordinary secondary schools;**

**(e) Attending special schools;**

**(f) Not attending school;**

**(g) Children with disabilities who have been abandoned.**

Annex 13 contains the available statistical data for 2011–2013.

**5. Please provide data disaggregated by age, sex, socioeconomic background, ethnic origin and place of residence (urban or rural), for the past three years, on:**

**(a) Enrolment and completion rates as a percentage of each corresponding age group, for preschool establishments and primary and secondary schools;**

85. Annex 14 presents tables and charts that provide the requested information covering the period 2011–2013.

**(b) Number and percentage of dropouts and repetitions;**

86. Annex 15 presents tables and charts that provide the requested information.

**(c) Teacher-pupil ratio.**

87. According to information from the National Public Education Administration of the Ministry of Education and Culture, the teacher-pupil ratio at the primary education level improved from 27.6 in 2006 to 23.5 in 2012, at the basic education level from 31.6 in 2000 to 29.1 in 2012 and at the higher secondary education level from 32.9 in 2000 to 26.2 in 2012.

**6. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and place of residence (urban or rural), on social protection measures over the past three years, on:**

**(a) The number of children involved in child labour;**

**(b) The number of children working in domestic service, fishing, agriculture, the lumber industry and construction;**

**(c) The number of children involved in hazardous work.**

88. The national report on child labour in Uruguay presents the main results of the nationwide survey on child labour conducted by the National Institute of Statistics between September 2009 and May 2010. The survey coverage totalled 7,004 households. Although statistical data on child labour in Uruguay has been collected in the past (1999 and 2006), this nationwide survey is the first and only assessment of child labour in the country to be undertaken using a vetted, internationally comparable methodology. Unfortunately, it has not been repeated since then; doing so will constitute an important challenge in coming years.

89. The above notwithstanding, Uruguay has taken major strides forward, particularly in the last three years, in the area of employment. Progress in this vital area of social protection has included a steady increase in real wages, a doubling of the national minimum wage and the extension of social security coverage to what have traditionally been informal sectors of employment. Within the overall framework of social policies, wage policy has been a decisive factor in the sharp drop in poverty and inequality, which has helped to strengthen the fabric of society and to improve the quality of life of children and adolescents. The results of these efforts have contributed to children's well-being not only because of the social assistance provided to their families (for example, access to the health-care system owing to employment in the formal sector), but also as a result of the fact that the creation of decent job opportunities for adults makes a direct contribution to the elimination of child labour and of the performance of hazardous work by adolescents.

**7. Please provide data, disaggregated by age, sex, ethnic origin and type of offence, covering the past three years (in particular the number of the following):**

**(a) Children alleged to have committed a crime that was reported to the police;**

- (b) Children sentenced and the type of penalty or punishment corresponding to the offence, including length of deprivation of liberty;
- (c) Detention facilities for minors in conflict with the law and their capacity;
- (d) Children detained in facilities for minors and minors detained in adult facilities;
- (e) Children in pretrial detention and the average length of such detention;
- (f) Cases of abuse and ill-treatment of children occurring during detention or imprisonment.

90. Annex 16 presents information compiled by the statistics department of the judicial branch regarding proceedings involving juvenile offenders. This information, which only partially covers the issues raised, is all that is available on this subject. Minors are not held in detention with adults anywhere in the country.

**8. Please provide the Committee with an update on any information in the report that may now be out of date and replace it with data collected more recently or other new developments.**

91. None of the information requires updating.

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