



**Economic and Social
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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social and Cultural Rights

URUGUAY

1. The Committee considered the second periodic report of Uruguay (E/1990/6/Add.10) at its 42nd to 44th meetings, held on 27 and 28 November 1997, and adopted 1/ the following observations:

A. Introduction

2. The Committee welcomes the second periodic report submitted by Uruguay and the written replies to the Committee's list of issues (E/C.12/Q/URU/1), as well as the constructive dialogue conducted between its members and the expert and high-level delegation from the capital. The Committee notes with appreciation that the report was prepared in accordance with the guidelines regarding the form and content of reports submitted by States parties.

B. Positive aspects

3. The Committee notes with satisfaction that the State party has ratified the Protocol of San Salvador additional to the American Convention on Human Rights.

1/ At its 54th meeting, held on 5 December 1997.

4. The Committee welcomes the progress made by the State party in attaining a high rate of literacy, in ensuring free primary education for all and in making secondary and higher education free of charge. It also regards positively the establishment of programmes for less favoured children such as the school meals programme (bandejas escolares).

5. The Committee notes that some of the rights enshrined in the Covenant can be directly invoked before the courts. It appreciates the list of relevant jurisprudence that was provided with the report.

6. The Committee appreciates the steps taken by the State party to adopt employment policies for the young and for rural workers, as well as the measures taken to provide further training for unemployed persons.

C. Factors and difficulties impeding the implementation of the Covenant

7. The Committee notes the economic difficulties encountered by the State party, in particular the high rate of unemployment.

D. Principal subjects of concern

8. The Committee is concerned that despite the efforts and progress made by the State party to raise the standard of living, a high proportion of the population continues to live below the poverty line, in particular the black minority. Furthermore the Committee is concerned about the surveys conducted among the population of the State party itself which tend to show that prejudice against the black minority continues to exist in the country.

9. The Committee notes with concern that there has been a substantial decrease in the number of persons affiliated with trade unions and that the minimum wage is established unilaterally only for the agricultural sector. It is particularly concerned about the fact that the minimum wage is totally insufficient to live on and is only used as an indicator, despite the recommendations made by the International Labour Organization Committee of Experts in 1993 in respect of the Minimum Wage-Fixing Convention, 1970 (No. 131) and by the Committee on Economic, Social and Cultural Rights in 1994.

10. The Committee considers that the governmental resources devoted to public health and education are inadequate. In particular, it is alarmed by the fact that the very low wages paid to nurses has led to a low ratio of nurses to doctors (lower than 1:5) in Uruguay, which tends to diminish the quality and accessibility of medical care available to the community. A similar problem exists in the education sector, as manifested especially by the continued deterioration of teachers' salaries in terms of purchasing power.

11. The Committee is concerned about the increase in labour related accidents due to non-compliance with security measures, particularly in the construction sector, as expressed by the ILO Committee of Experts in 1995, in relation to Convention No. 62.

12. The Committee is deeply concerned about the situation of children in Uruguay. Child labour continues to be a serious problem, as attested to by the concluding observations of the Committee on the Rights of the Child, and that the minimum working age as provided for in ILO Convention No. 138, is not fully respected in the State party. It is also concerned at the health situation of young minors in view of the high incidence of obesity and suicides.

13. The Committee notes with concern that the Civil Code retains a distinction between legitimate children and children born out of wedlock.

14. The Committee is also concerned about the continued existence in practice of discrimination between men and women in terms of salaries received for equal work. It also regrets the insufficiency of the information provided regarding the situation of women in general, and domestic violence in particular.

15. The Committee is concerned about the large number of persons with disabilities in the population (7 per cent), of whom 70 per cent are reported to be mentally disturbed, and about the problem of alcoholism, which leads to high rates of traffic accidents and fatalities.

16. The Committee continues to be concerned by the shortage of housing, the high levels of rent, and the conditions under which forced evictions may be carried out, particularly for the most vulnerable groups.

E. Suggestions and recommendations

17. The Committee would welcome additional information on the steps taken by the State party to ensure enjoyment to economic, social and cultural rights by the black minority, in particular their right to protection against discrimination.

18. The Committee calls upon the State party to comply with its obligations under article 7 of the Covenant and, in particular, to take steps towards fixing a national minimum wage indexed to the cost of living in consultation with employers' and workers' representatives. The Committee urges the State party to ensure that its existing legislation in respect of the occupational health and safety of workers is fully implemented and that the labour inspection system is strengthened.

19. The Committee recommends that the necessary legislative and economic measures be adopted to protect the rights of persons with disabilities and of street children. Particular importance should be given to information programmes in respect of health care, both physical and mental. Furthermore, all discriminatory provisions in the Civil Code or family law in respect of children born out of wedlock should be repealed.

20. The Committee recommends that the State party take measures to increase the real salaries of teachers and nurses.

21. The Committee urges the State party to take steps to improve health care for people living in rural areas.

22. The Committee considers that the efforts made by the State party to implement an adequate housing policy remain insufficient and urges it to increase its efforts in this respect. It also wishes to receive more detailed information on the number of forced evictions and the manner in which these are carried out.

23. The Committee urges that greater attention be given to the problem of de facto discrimination against women and that programmes be implemented for the eradication of inequalities between men and women, in both the public and private sectors. It recommends that appropriate legal measures be undertaken in relation to crimes of violence against women within or outside the family.

24. Finally, the Committee recommends that the concerns expressed in the present concluding observations, as well as the issues raised during the discussion of the second periodic report which remained unanswered, be addressed in the State party's third periodic report, and it urges the State party to disseminate widely the present concluding observations adopted by the Committee following its consideration of the State party's second periodic report.
