

HUMAN RIGHTS IN URUGUAY 2024

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UPR Pre-sesiones

WATER situation in URUGUAY – (1)

- **We understand that the recommendations made previously have not been addressed (Eslovenia y Mauricio).**
- **Despite the strong regulations that highlight Uruguay, today we are witnessing a strong privatization advance, violating Article 47 and also Article 188 of the Constitution of the Republic.**
- **Basins and watersheds have been neglected, which has affected the supply of drinking water to our population; false solutions are resorted to, which also violate our regulations and have a high impact on public and environmental health.**
- **At the same time, in a territory with abundant sources of fresh water, a private initiative wants to impose a project with a water intake directly from the Río de la Plata river, and specifically from the Arazatí area: there are legal, scientific and economic arguments that indicate the inconvenience of this initiative (violation of Article 188 of the Constitution and Law 17,555).**

WATER Recommendations – Issue 1

- Annul contracts with private companies and/or public companies of other states (thus avoiding the violation of Article 188 of the Constitution of the Republic).**
- Suspend the signing of the Neptuno/Arazatí Project, as it is a false solution also violating our regulations (Law 17,555) to the problem of access to water in the metropolitan area, given that our territory has abundant sources of fresh water.**
- Derogate the Irrigation Law (Law No. 19,553).**
- Reverse the impact on water sources and begin to adjust and implement the measures already discussed for the recovery of the Santa Lucia River basin, including sludge treatment.**
- Implement effective environmental restrictions and exclusions in critical areas of some activities that are incompatible with the production of water for human consumption; an example is the elimination of priority forestry areas in the headwaters of the Santa Lucia River basin.**
- Ensure effective citizen participation, respecting National and international regulations, without the judicialization of the protest.**

Childhood Memory Situation in Uruguay–Issue 2

- **We understand that the recommendations made previously have not been addressed (Estado de Cuba 118.58 - (A/HRC/41/8).**
- **The Collective *Memoria en Libertad* is made up of children and adolescents who were direct victims of State terrorism during the period 1968-1985.**
- **The Uruguayan State recognizes (in its midway report) that the country's reparatory laws No. 18,033 and 18,596 do not guarantee comprehensive reparation to the victims. This is reaffirmed in Law 18,596 that protects psycho-health care for victims of second-generation State terrorism, since it is not complied with.**

Recommendations Childhood Memory – Issue 2

- **Recognize and compensate the people who, as children and adolescents, were direct victims during the illegitimate actions and State terrorism, as stated in the recommendation of the National Human Rights Institution and Ombudsman's Office in 2019, the resolution of the Committee against Torture, the Committee for Human Rights and the United Nation´s Working Group on Enforced or Involuntary Disappearances in 2022.**
- **Implement the necessary administrative measures to guarantee the effective provision of comprehensive health coverage provided for in the legal regulations in force (Laws No. 18.033 and 18.596, Decree 297/10 and Judgment/Ruling No. 64/2022 of the Judiciary) to the members of the *Memoria en Libertad* Collective and to all persons who as children and adolescents were victims of State terrorism, ensuring that they receive the corresponding health benefits, throughout the national territory.**

Memory and Human Rights in Uruguay– Issue 3

- In the last decade, the Uruguayan State has received two sentences from the Inter-American Court for human rights violations during the dictatorship, but the rulings have not been fully implemented.
- The State has maintained a debt for five decades in the struggle against impunity, which constitutes a continued crime that does not allow the development of a full Democracy. Although the legislative and institutional reforms of the last decade have allowed some progress, ongoing investigations and trials are characterized by their extreme slowness: the combination of a deficient legislative framework, an amnesty law and a judiciary that has not interpreted the law in light of international law, violating judicial guarantees.
- On the other hand, the State does not pay due attention to Uruguay's slave past, with which it maintains a debt from the point of view of the contribution of Afro communities to the development and growth of the country. Meanwhile, the “Caserío de la Real Compañía de Filipinas” is material proof of the actions of the colonial State in the violation of human rights in the past. But it maintains continuity with the emergence of the national State, where the Afro population is subjected to new mechanisms of discrimination and exclusion.

Recomendations Memory and Human Rights in Uruguay – Issue 3

- **Guarantee the right of access to justice for victims of human rights violations, or their families, to know the truth about what happened and investigate, judge and, where appropriate, punish those responsible, incorporating the gender approach especially in those cases in which the victims are women.**
- **Comply in its entirety and without delay with the ruling in the Gelman vs. Uruguay case, of 2011 as well as that of the Maidanik and others vs. Uruguay case, of 2021 of the Inter-American Court of Human Rights.**
- **Ensure that no serious violation of human rights goes unpunished and guarantee that these acts are not subject to prescription, amnesty and immunities.**
- **The State must generate the conditions to make visible and value the “Caserío de los Negros” Site Museum in relation to the protection of human rights and human trafficking.**

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- MEMORIA EN LIBERTAD
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