

Citizens' Rights in Oriental Republic of Uruguay



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INTRODUCTION

The Oriental Republic of Uruguay is located in South America and is divided in 19 departments. It limits to the north and east with Brazil, to the west with Argentina, and to the south-east with the Atlantic Ocean. Its population is of 3,316,328 as of 2012, of which 2.23 % is non-national or foreign. Its total area composes 176,220 Square meters and its capital is Montevideo. Spanish is its main language and Catholicism their main religion (45.70%)

Uruguay is a democratic constitutional republic. Due to its stable democracy and participation of its citizens, it has a reputation of being the Switzerland of South America. The constitutional president is José Mujica. He is both the head of government and the head of state. It has got a three power division, the executive power, which composes of the President and his cabinet of 13 ministers, the legislative arm which is a General Assembly of two chambers, and the judicial arm.

The economy of Uruguay is partially dollarized, but the Uruguayan peso is the main currency, and the one used for most transactions. IT produces a diversity of agriculture which composes 14 of the economy, and its main exportation is beef, soybeans, rice, wheat, dairy products and wool. The country faced an economic crisis in 2002, but by 2008 it had recovered its pre-crisis numbers, although crime is still high, compared to what it used to be, before 2002. Still, its crime is low compared to other Latin American countries. Uruguay's country GDP is of 49.06 Billion USD, and its GDP per capita PPP 13821.48 USD.

HEALTHCARE

The Healthcare of Uruguay is highly appraised in Latin America and throughout the entire World. The services are of high quality and are also affordable, compared to those from other countries, which counts for both, the public and the private health system.

Constitutionally all citizens are guaranteed access to public healthcare, which is low to no cost at all, and their standards, compared to the private health facilities, is very close. On the downside of the public healthcare system may be that at particular times the facilities are somewhat crowded, and that administrative personnel, who handle a lot of files on a daily basis, are under a lot of stress which at times reflects on healthcare services, but there is a very low complain rate. The coverage of healthcare for citizens in Uruguay is divided in 43% of the population of Uruguay is covered by the public healthcare sector, and 46% of the population is covered by the private sector. This leaves a non-covered formally 10% which are able to go to public healthcare establishments for medical attention, which they will get after some bureaucracy for low to no cost. Uruguay has been leading an initiative for universal healthcare for all of its citizens, where they plan to merge systems to the benefit of all Citizens.

Recently the director of the Pan American Health Organization, Carissa Etienne, congratulated Uruguay on their universal healthcare coverage plans and their harsh politics for their Anti-Smoking campaigns. In 2006 smoking in public and private closed areas was forbidden, and in 2008 all advertising of cigarettes was banned. Each tobacco brand is allowed to have a unique version of their cigarettes in markets, and the cigarette boxes are obligated to have 80% of their surface covered with warnings and prevention ads.

Maternal Mortality rate has been one of their many strongpoints in healthcare, with the lowest rate in Latin America. The Maternal Mortality rate was reduced by 67% since the 1990's.

Uruguay is implementing successfully a newly approved abortion law, from 2012. Women of Uruguay can ask for an abortion to their obstetrician or gynecologist when in the first 12 weeks of their pregnancy, and 14 when pregnancy was product of a forced sexual encounter. The law was protested by a great percentage of the population, and it is said that conservative parties and institutions are organizing a signature collection against the law. If successful, the existence of the law will be defined by a national referendum.



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In 2013 Uruguay legalized Marihuana, and has current plans to administer medicinal marihuana to help specific terminal patients, covered by both public and private sectors. This measure might extend to former addicts of different sorts of drugs.

Result of a study made by the World Health Organization, the air of Uruguay was proclaimed to be the cleanest of Latin America, among other countries mentioned. Also Uruguay has an almost universal coverage of access to potable water for their Citizens. This is not often seen in South America.

EDUCATION

Education is protected and free for all citizens of Uruguay by their Constitution. from Pre-primary, until university levels. Attendance to school is mandatory for the first 9 years of education, starting in primary school. Attendance and enrollment is high on the primary and secondary levels. All aspects of education in Uruguay fall under the direct administration and supervision of the *Ministerio de Educacion y Cultura* (The Ministry of Education and Culture). The education system of Uruguay is divided in primary education which are 6 years, and secondary education, which is divided in two 3 year levels. Grades awarded are S (OUTSTANDING), MB (VERY GOOD), BMB (GOOD TO VERY GOOD), B (GOOD), R (REGULAR), and D (INSUFFICIENT); B is the lowest passing mark. In superior Education, Uruguay offers all common professions, and is of a very high level.

Although statistics show very positive numbers on education in Uruguay, the country faces the same problem as most South American countries when it comes to providing enough space for new enrollments in the near future. Over the years population has been growing outside of Montevideo, and the Government is worried about not having enough space to accommodate students, especially on the secondary level. There have been governmental plans to try to solve this issue, and an increase in the amount spent of their national budget is very present.

The government has received a lot of local criticism on the fact that superior education is very centralized in Montevideo. The government is aware of this problem, and has started a program to try to give other cities a good technical education opportunity, but it may not solve the problem of students having to move to Montevideo to become professionals.

Due to the easy access to education of the Uruguayan citizens, the literacy rate of the country is the highest of Latin America (98%).

HOUSING :

The housing situation in Uruguay, seen from a general point of view, is more favorable than most Latin American Countries. Citizens are granted a constitutional right to access appropriate Housing.

In Uruguay they take care of all housing related policies through the *Dirección Nacional de Vivienda* (Uruguayan National Housing Directorate), and the *Ministerio de Vivienda, Ordenamiento Territorial y Medio Ambiente* (Ministry of Housing, Regional planning and Environment). Also there is the *Agencia Nacional de Vivienda* (National Housing Agency), which acts as a decentralized body, and manages public funds towards Housing. All of these public institutions are responsible for implementing policies regarding to Housing matters, and align social policies that affect the subject. The three public institutions may show the seriousness of the matter of housing taken by the government, but at times, the attributions and policies seem to overlap at times and are confused and mixed up. The result of this is poor implementation, although they have been known as being effective.

The Uruguayan national housing policies have three main goals for the benefit of all Uruguayan Citizens; i) ensuring that existing housing is appropriate and that housing meets the necessities of Citizens; ii) that new housing is generated nationwide, and iii) that the poorest and low income sectors of the population is granted access to housing, and the means of maintaining and keeping it properly.

One important matter is that construction is managed by the public sector, but there is a lot of private investment in Uruguay also. There are lots of credits for housing ownership, as well as microcredits for improvements. Also there are regulated programs for construction loans, and other sort of credits which attempt to meet the goal of availability of Housing to all Citizens.

Real estate cost compared to Latin American standards is above average. Rent is not as accessible as other surrounding countries, but has a big difference when compared to other cities and towns which are not Punta Del Este or Montevideo. Punta Del Este is a beach resort, which currently holds the most expensive real estate of Uruguay. A high number real estate property there is owned by wealthy Argentinian and Brazilian people.

EMPLOYMENT

Employment and access to it is a fundamental right of Uruguayan Citizens.. Employment is regulated in Uruguayan labor law. All Citizens must be granted the opportunity of being employed, regardless of their status, academic preparation, gender, race, and/or economic situation. The unemployment rate is of 6.3%, and is relatively good, compared to regional standards. The minimum wage for employed citizens is 411 USD, ranking third in Latin America, after Argentina (444 USD) and Panama (432 USD).

The Uruguay Labor law is pro employee and obliges the employer to cover and aid in matters such as social security, healthcare coverage, paid vacations, maternity leave, severities and employer seniority.

Social Security is covered and has very specific laws, as is the case for most South American Countries. Old Age pensions are most common, and are divided into social accounts and individual accounts. They can be combined. Benefits such as Survivor pensions and disability pensions are also ruled very strictly, and there is also a funeral grant. Uruguay is one of the few Latin American to have an active unemployment insurance policy for its Citizens. There are different levels depending on sector, academic preparation and age, which are benefited from this insurance.

The *Ministerio de Trabajo y Seguridad Social* (Ministry of Labor and Social Security) oversees and enforces the law to be abided by all of the population equally, The Central Bank of Uruguay oversees the pension fund management and the Social Insurance Bank supervises the social insurance programs.

The International Labor Organization has praised Uruguay on keeping a high rate of employment, without affecting its quality of work standards. This is mainly due to a National Employment Stimulation Program, which was set forth in 2006. Also, regional international treaties promoted by organizations such as MERCOSUR (regional economic and political agreement by most of the most southern countries of South America), provide the member countries to have specific law protecting their labor force, to guarantee equality and fair competition of their members opened markets.

DIGNITY OF INDIVIDUAL

The Constitution of Uruguay is very clear about granting their Citizens constitutional rights regarding religious belief. It states in the 5th article that all religious cults in the country are free to exercise their belief, and that the Uruguayan State Office does not sustain or endorse any particular religion. A percentage 41,5% of the Uruguayan Citizens declare themselves catholic, but most of them do not consider themselves to be active in their religions. There is no immersion whatsoever of the Government in the practices of religion in Uruguay.

Citizens are all equal before the law, and all people must respond to their actions, as stated in the Uruguayan Constitution. The principle is well applied, and there are different public instances and constitutional instruments people can use to defend their basic rights. One of the reasons Uruguay is considered the Switzerland of South America is for having implemented ways and legal actions where participative democracy is developed. If Citizens or their signatures are gathered they can promote an referendum to decide on particular issues which affects them. Citizens or Uruguay are protected against any form of discrimination and racism by aw which entered into law officially in 2004.

A bill was approved in August 2013, allowing same-sex marriages. The bill extends the already existent “freedom to marry” of the Citizens of Uruguay to Citizens of the same sex. This way Uruguay became the third Latin American country to permit same-sex marriages. Gays and Lesbians are allowed to serve openly in the Uruguayan Military. In general, LGBT rights in Uruguay are among the most liberal in Latin America.

Uruguayan Constitution warrants to the Citizens fair trials through their judicial systems. An emphatic prohibition of imprisonment without previous right to a fair trial is set forth by the Uruguayan Constitution and other law. Uruguay, in its democratic period, has not seen the characteristic intermittent abuse committed by governments against Citizens. No people have gone missing or are being pursuit or prosecuted illegally after the end of the dictatorship period in 1985.

Of this period there has been critique on the National Congress of Uruguay for not voting a bill to remove amnesty to certain sectors of ex-Uruguayan authorities, to be able to prosecute them for their crimes against Citizens during the Dictatorship. This was cataloged as a huge blow to justice by different local and international Human Rights institutions.

CONCLUSION

Uruguay is definitely an example to the countries of Latin America, and perhaps even to other more developed parts of the world, when it comes to Citizens Rights and appropriate Government Policies to encourage them. This South American country shows its South American equals that achievement through “*avant garde*” policies are to be obtained and with good results in the short, medium and long term. It also shows that the constant rethinking and developing of existing law, and adapting them to current tendencies and local reality renders to be efficient and marks a firm pace in the progression and improvement of the country in all aspects.

On their few low points, the big stain on their country’s resume might be the existence of the amnesty law of 1986 which makes past authorities unaccountable for their criminal acts during the Dictatorship which extended from 1973 to 1985. It gives an indicator of how current leaders might be treated should they incur into the same acts as during the dictatorship in frank detriment of Citizens Rights.

Making more improvement to the legal system, especially on their prison law, is also becoming a necessity. Overcrowding of prisons is a problem of many countries in Latin America of which Uruguay is not foreign to. Improving the facilities to better the living conditions for the inmates should be treated as a top priority.

Other matter on which Uruguay could work in is to better the way the abortion law is being applied. When the law was approved the Professional Associations of Medics and Psychologists were reluctant when having to deliver the services to women which applied for an abortion. This has since then been overcome, but there are still risks for women to be exposed to discrimination by people participating in the process, as well as by others.

Although there might be more room for improvement on some other aspects on Citizen Rights in Uruguay, such as children and women traffic, and creating a better instrumentation to enforce their anti-discrimination laws, Citizens of Uruguay are well protected under the Uruguayan Constitution and other laws of the country.

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