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Uruguay

Country:

Uruguay

Year:

2018

Freedom Status:

Free

Political Rights:

1

Civil Liberties:

1

Aggregate Score:

98

Freedom Rating:

1.0

Overview:

Uruguay has a historically strong democratic governance structure and a positive record of upholding political rights and civil liberties while also working toward social inclusion. Although all citizens enjoy legal equality, there are still disparities in treatment and political representation for women, Uruguayans of African descent, and the indigenous population.

Explanatory Note:

The full report for this country or territory will be published as soon as it becomes available.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected to a five-year term, and may hold nonconsecutive terms. The most recent general elections were held in 2014. The Tabaré Vázquez–Raúl Sendic ticket of the Frente Amplio captured the presidency after a run-off. The elections took place peacefully and the stakeholders accepted their results.

Sendic resigned as vice president in September 2017 amid a probe into his alleged misuse of a corporate credit card while head of a state-run oil company. Lucia Topolansky, a senator, assumed the vice presidency under constitutional procedures, and became the first woman to hold the post.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral General Assembly consists of the 99-member Chamber of Representatives and the 30-member Senate, with all members directly elected for five-year terms. In the 2014 elections, the Frente Amplio retained a majority in the parliament, winning 50 seats in the Chamber of Representatives and 15 seats in the Senate. The elections took place peacefully, and stakeholders accepted their results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Uruguay's Electoral Court serves as the highest authority on elections, and supervises the National Electoral Office, which oversees voter registration. Electoral laws are generally fair and well implemented.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Uruguay's multiparty system is open and competitive. The major political parties are the Colorado Party, the National Party (also known as Blanco), the Independent Party, and the Frente Amplio coalition, which is currently in power.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties are regularly competitive in the national elections.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 4 / 4

People's political choices are generally free from undue influence from undemocratic actors.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The small Afro-Uruguayan minority, comprising approximately 8 percent of the population, is significantly underrepresented in government. Indigenous peoples have no representation at the national level. Representation of women in national, regional, and local government is also low, though women hold about 20 percent of seats in the legislature and a number of mayorships. A gender quota system was implemented for the first time in the most recent national elections to increase the participation of women as candidates.

In October, Michelle Suárez of Frente Amplio became the first transgender senator in Uruguayan history upon replacing Senator Marcos Carámbula, who had stepped down. Her tenure was short, however, as she resigned over forgery allegations in December.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The head of government and national legislature determine the policies of the government without undue interference.

C2. Are safeguards against official corruption strong and effective? 4 / 4

The level of corruption in Uruguay is relatively low by regional standards. While former vice president Sendic faces corruption allegations, the investigation into the matter is ongoing and reflects a commitment by the government to its anticorruption platform.

C3. Does the government operate with openness and transparency? 4 / 4

Government institutions have established a robust record of accountability to the electorate. Enforcement of the Transparency Law, which prohibits a range of offenses related to abuse of office, is relatively strong at the national level.

CIVIL LIBERTIES: 58 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Constitutional guarantees regarding free expression are generally respected. The press is privately owned; the broadcast sector includes both commercial and public outlets. There are numerous daily and weekly newspapers, some of which are connected to political parties. Despite the relatively open media environment, there have been reports of intimidation against journalists who report critically on the president.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is legally protected and broadly respected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is generally open and robust. However, the government operates an electronic surveillance system, and the circumstances under which it may be deployed are opaque.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law, and the government generally respects this right in practice. Protests are frequent.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 4 / 4

A wide array of community organizations and national and international human rights groups are active in civic life, and do not face government interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to exercise the right to join unions, bargain collectively, and hold strikes. Unions are well organized and politically powerful.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Uruguay's judiciary is generally independent.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The courts in Uruguay remain severely backlogged. However, new criminal procedures have reduced pretrial detention.

Efforts to seek justice for human rights violations committed under the military regime that ended in 1985 have been slow and inconsistent. Civil society groups petitioned before the Inter-American Commission of Human Rights (IACHR) in September 2017 in protest

against further delays in trials. A bill in October was approved to create a special prosecutor's office to investigate unresolved cases.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Prisons are over capacity, and conditions in many facilities are inadequate.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

Transgender people have historically been discriminated against in Uruguay. However, in 2017 the government was considering legislation that would allow transgender people to change their names and gender on official documents without a judge's approval; provide scholarships to transgender people so that they may more easily receive schooling; and give transgender people born before 1975 a monthly pension in an effort to make up for hardships endured both during the country's dictatorship and afterward.

The Afro-Uruguayan minority continues to face economic and social inequalities. A 2013 affirmative action law included incentives to increase their graduation rates, and an 8 percent quota in government employment. The law has seen some success in raising the enrollment rate of Afro-Paraguayans, but other mandates have not been fully implemented. The government has initiated additional programs aimed at seeing it realized.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is protected, and individuals are generally free to choose their residence, employment, and institution of higher education without interference.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The right to own property and establish private business is respected.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Women enjoy equal rights under the law but face discriminatory traditional attitudes and practices, including a persistent wage gap. Violence against women remains a serious concern, but the country is combatting gender-based violence; the Parliament in September 2017 voted to make femicide a special circumstance that can increase sentences, and has begun confiscating guns from policemen who have been convicted of domestic violence.

The parliament voted overwhelmingly to legalize same-sex marriage in 2013. Abortion for any reason during the first trimester has been legal since 2012. However, a case in February 2017 where an abortion was halted because of a male ex-partner's objections threatens the practical application of the country's abortion law.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Individuals generally enjoy equality of opportunity. However, according to reports, the government is not doing enough to combat transnational trafficking, and laws do not prohibit internal trafficking. Forced labor can be found in a number of industries including agriculture, fishing, lumber processing, and in domestic services. The government does not provide adequate assistance for victims.

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