



PRESS RELEASE

URUGUAY: OMCT high-level mission calls for swift implementation of CAT recommendations

Juvenile Justice reform remains a priority

Geneva-Montevideo, 24 April 2015. At the conclusion of a high level mission in Uruguay the OMCT calls for the new government to prioritize juvenile justice reforms to prevent torture.

“The overuse of detention of children and the appalling conditions of detention that we found during our visit are clearly unacceptable in a democratic society. It is time that the openness of the authorities displayed in our visits is translated into reforms that tackle these long-standing problems”, summarized Carolina Barbara, OMCT Child Rights Coordinator.

The mission intended to follow up on the recommendations issued by the UNs primary anti-torture body (the Committee against Torture (CAT) to the Uruguayan government in May 2014. On that occasion, the Committee highlighted three areas of principal concern: (a) to ensure or reinforce safeguards for persons who have been deprived of liberty and accountability for acts of torture and ill-treatment; (b) to ensure that the juvenile justice system is fully in line with international standards; (c) to promptly investigate and ensure accountability for acts of torture in the juvenile justice system and in order to do so ensure the protection for the victims and witnesses.

The high level mission was conducted with the support of OMCT’s local partner, the Instituto de Estudios Legales y Sociales (IELSUR), the Committee on the Rights of the Child in Uruguay (CDNU), and the Fundación Servicio Paz y Justicia (SERPAJ).

In order to examine the implementation of the recommendations, the OMCT visited and monitored the women’s prison of Montevideo and a number of SIRPA’s¹ juvenile detention centers. Throughout the visits the OMCT has noticed with concern some conditions that may amount to inhuman and degrading treatment, such as solitary confinement cells and insanitary conditions of detention. The OMCT has also received complaints regarding mistreatments, long periods of confinement, excessive use of medication in some detention centers, and the persistence of reprisals towards staff who lodge complaints within SIRPA or disagree with some of its established practices.

¹ Sistema de Responsabilidad Penal Adolescente (Adolescent Penal Responsibility System).

“We are particularly worried about information that employees of SIRPA formally accused of acts of torture and abuse are simply reassigned to other positions of work within the same system with continuous contact to the detained children. Equally troublesome is the information that employees who denounce violence and abuse have lost their jobs as a form of reprisal,” concluded the delegation.

In addition to the monitoring visits, the OMCT met with various authorities, *inter alia* the National Rehabilitation Institute (INR); the new directive of the Adolescent Criminal Responsibility System (SIRPA); the National Human Rights Institution (NHRI); the Supreme Court of Justice; UNICEF; the Ministry of Foreign Affairs, and civil society organizations.

The OMCT appreciates the openness of the government of Uruguay and the NHRI for the opportunity to establish a dialogue, as well as for the coordination and support provided during the visits and the interviews carried out at the detention centers. We hope that the new government of Uruguay will prioritize the legal and policy reforms in juvenile justice system in order to fully comply with international law.

The OMCT, together with IELSUR and CDNU, urge the State of Uruguay to:

1. Conduct a structural, legal and policy reform on the juvenile justice system, prioritizing non-custodial measures for children in conflict with the law.
2. Ensure that the new direction of SIRPA has an adequate budget to promote the urgent structural changes needed in the detention centers, including the evaluation of contracts of work, and adequate training for employees working directly with the children.
3. Ensure adequate safeguards against the overuse of medication in the juvenile justice system.
4. Guarantee that the National Preventive Mechanism has sufficient budget, human resources and structure to monitor all places of deprivation of liberty.
5. Ensure safeguards against torture and ill-treatment in all places of deprivation of liberty. Including the elimination of cells of solitary confinement or punishment cells.
6. To translate the penitentiary reform in real structural changes, guaranteeing conditions of detention in accordance with international human rights.

Next month the OMCT will publish a follow-up report to the Committee Against Torture containing some of the information and the documents received during the mission, as well as new recommendations.

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