

URUGUAY

I) RELEVANT LEGAL EVENTS

MEMBER OF THE ORGANIZATION OF AMERICAN STATES SINCE: AUGUST 17, 1955

RATIFIED AMERICAN CONVENTION: MARCH 26, 1985

Reservations made at the time of signature and at the time of ratification and recognition of competence
(from <http://www.cidh.org/basicos/english/Basic4.Amer.Conv.Ratif.htm>)

Reservation made at the time of signature

Article 80.2 of the Constitution of Uruguay provides that a person's citizenship is suspended if the person is "under indictment on a criminal charge which may result in a penitentiary sentence." Such a restriction on the exercise of the rights recognized in Article 23 of the Convention is not envisaged among the circumstances provided for in Article 23, paragraph 2, for which reason the Delegation of Uruguay expresses a reservation on this matter.

Reservation made at the time of ratification

With the reservation made at the time of signature. Notification of this reservation was given in conformity with the Vienna Convention on the Law of Treaties, signed on May 23, 1969.

Recognition of Competence

In the instrument of ratification dated March 26, 1985 and deposited with the General Secretariat of the OAS on April 19, 1985, the Government of the Oriental Republic of Uruguay declares that it recognizes the competence of the Inter-American Commission on Human Rights for an indefinite period and of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of this Convention, on the condition of reciprocity, in accordance with Articles 45.3 and 62.2 of the Convention.

**ACCEPTED JURISDICTION OF THE IA COMMISSION FOR "INTERSTATE COMMUNICATIONS" (ART. 45):
APRIL 19, 1985**

ACCEPTED JURISDICTION OF IACHR (ART. 62): APRIL 19, 1985

II) DECISIONS, JUDGMENTS AND ORDERS

A) CASES

I) Case of Gelman v. Uruguay

In late 1976, María Claudia García Iruretagoyena de Gelman, a university student in her third trimester of pregnancy, was arbitrarily detained in Buenos Aires, Argentina by Uruguayan and Argentinean military commandos and then transferred to a detention center in Montevideo Uruguay, where she gave birth to her child. Ms. Gelman was forcefully disappeared and her daughter was taken from her and given to an Uruguayan family under "Operation Condor" which involved the systematic practice of arbitrary detention, torture, execution, and enforced disappearances by the Uruguayan dictatorship. In December 1986, the Uruguayan Government approved an amnesty law, which was

also approved by national referendum, that eliminated the possibility that military and police officers who committed human rights violations prior to May 1985 would be investigated, tried, and sanctioned. The Court found that the State violated the American Convention on Human Rights and the American Convention on Forced Disappearance of Persons.

Key Words: *Forced Disappearances; Extrajudicial Killing; Freedom from Torture and other Cruel, Inhumane and Degrading Treatment; Life (Right to); Minors/Children; Judicial Protection (Right to)*

Merits and Reparations

Judgment of February 24, 2011. Series C No. 221

Monitoring Compliance with Judgment

- 1) Order of the Inter-American Court of Human Rights of March 20, 2013 (Available only in Spanish)

II) Case of Barbani Duarte et al. v. Uruguay

In this case, the Banco de Montevideo transferred funds belonging to 539 of its customers to the Trade & Commerce Bank in the Cayman Islands without their permission. An Advisory Commission was created under the Financial System Reform Law to deal with the claims of these customers. This case came before the Court because the State failed to provide the victims with an impartial hearing for their claims before the Advisory Commission. The Court found that the State violated the American Convention on Human Rights.

Key Words: *Due Process Rights; Compensation and Remedies (Right to); Economic, Social, and Cultural Rights*

Merits, Reparations and Costs

Judgment of October 13, 2011. Series C No. 234

Monitoring Compliance with Judgment

[None]

B) Provisional Measures (Art 63.2)

[None]