# Appendix – Annual Reports

The chapter on the normative framework contains the approved norms regarding affirmative action to favor the Afro-descendant population in the workplace. This is illustrated in Table A1.

**Table A1.** Legislation relating to affirmative actions to favor the Afro-descendant population in the workplace

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| **Legislation** | **Content** |
| Law No. 19122 of  21/08/2013 | This Law recognizes the discrimination and historical stigmatization of the Afro-descendant population in the country, which promotes affirmative actions. Among them, it establishes that the powers of the State, the Court of Auditors, the Electoral Commission, the Administrative Court, departmental governments, autonomous entities, decentralized services and persons under non-State public law are obliged to allocate 8% of the jobs to be filled in the year to Afro-descendant persons through public competitions. A period of 15 years is established from the promulgation of this Law. The Honorary Commission against Racism, Xenophobia and all Other Forms of Discrimination is created. |
| Section 23 Law No. 19133  (Youth employment)  (20/9/2013) and Regulatory Decree 115/015  (27/04/2015) | It promotes decent work for young people, linking employment, education and vocational training. It regulates the proportion of young people to be hired by State agencies and non-State public persons in the form of first work experience, fellows and interns, with a quota of 8% for the recruitment of young people of African descent. |
| Section 6 Law No. 19149  (11/11/2013) | Section 6 incorporates into the aims of the ONSC the control of compliance with the quotas of positive discrimination determined by the specific rules in paragraphs 02 to 15. In case of non-compliance, the National Civil Service Office may not authorize competitions made through the Uruguay Concursa Recruitment and Selection System. |
| Decree 144/014  (22/05/2014) | The decree establishes the criterion of self-perception to define the race or ethnic ancestry of each person, following the criteria applied by the National Institute of Statistics. It regulates the procedure of drawings, if any, as well as an equitable distribution among the different grades. For subparagraphs 2 to 15 of the National Budget, it establishes the obligation to include, in the annual planning of their needs for human resources, the jobs to be filled by persons of African descent, specifying their description and the profiles required. This plan will be sent to the ONSC. It is stipulated that by December 31 of each year, all legal persons required to, shall inform the ONSC of the number of persons of African descent hired during the previous year, with a detail of the position occupied and any information that the Office may request. The calculation formula is set. The resulting figure will be rounded up. |
| Section 4 Law No. 19438  (14/10/2016) | This section establishes that each time the public bodies covered by subparagraph 1 of section 49 of Law No. 18651, of 19 February 2010, and section 4 of Law No. 19122, of 21 August 2013, initiate the process of selecting staff to fill vacancies, they must expressly indicate the profile(s) to be covered by the positions, the functions and the budgetary credits involved in the fulfilment of these provisions. It also provides that subparagraphs 2 to 15 of the National Budget shall communicate to the National Civil Service Office and the General Accounting Office of the Nation the data arising from the budget in force by December 31 of the previous immediate year, concerning all permanent positions and contracted functions of any rank and grade, that meet the requirements of the regulations mentioned in this section, the total amount of budgetary credit corresponding to permanent positions and contracted functions, as well as the vacant positions and contracted functions that will be affected in order to meet the statutory minimum percentages. |

Data from 01-Jan-2019 to 31-Dec-2019. Source: ONSC (2019), p. 4.

The chapter “Organic grouping of State bodies and legal persons under non-State public law” details who is required to apply this Law. This includes the Legislative Branch, the Executive Branch, public bodies of section 220 of the Constitution, public bodies of section 221 of the Constitution, and departmental governments.

**Table A2.** Organic grouping of State entities

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| **Classification** | **Subparagraphs** | **Public bodies** |
| Legislative Branch | 01 | Legislative Branch |
| Executive Branch | 02 to 15 | Presidency of the Republic and ministries |
| Public Bodies of section 220 of the Constitution | 16 to 27, 29 and 31 to 35 | Judicial Branch (PJ)  Court of Auditors (TCR)  Electoral Commission (EC)  Administrative Court (TCA)  National Administration of Public Education (ANEP)  University of the Republic (UdelaR)  Institute for Children and Adolescents of Uruguay (INAU)  State Health Services Administration (ASSE)  Technological University of Uruguay (UTEC)  Uruguayan Institute of Meteorology (INUMET)  Office of the Attorney General  Board of Transparency and Public Ethics (JUTEP)  National Institute for Adolescent Social Inclusion (INISA) |
| Public Bodies of section 221 of the Constitution | 28 and 50  to 70 | Social Security Bank (BPS)  Central Bank of Uruguay (BCU)  Bank of the Republic of Uruguay (BROU)  Mortgage Bank of Uruguay (BHU)  State Insurance Bank (BSE)  National Administration of Fuel, Alcohol and Portland  (ANCAP)  National Administration of Power Plants and Power Transfer (UTE)  National Administration of Railways (AFE)  National Administration of Ports (ANP)  National Administration of Telecommunications (ANTEL)  National Administration of Water Works (OSE)  National Post Office Administration (ANC)  National Housing Agency (ANV)  National Institute of Colonization (INC) |
| Local governments | 80 to 98 | Departmental governments  Departmental boards  Congress of Mayors |

Data from 01-Jan-2019 to 31-Dec-2019. Source: ONSC (2019), p. 5.

The difference between the reports was the inclusion of paragraph thirty-four from 2015 and paragraph thirty-five from 2016 in the public bodies of section 220 of the Constitution. The first of the abovementioned reports adds the following public bodies: Uruguayan Institute of Meteorology (INUMET), Office of the Attorney General, Board of Transparency and Public Ethics (JUTEP). In the second, the National Institute for Adolescent Social Inclusion (INISA) is incorporated.

As for the two preceding chapters, a data table has been included, for legal persons under non-State public law, for 2019, the last year included in this research.

**Table A3.** Legal Persons under Non-State Public Law (PJDPNE)

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| Electricity Market Administration (ADME)  National Agency for Research and Innovation (ANII)  National Agency for Development (ANDE)  Banks Retirement and Pension Fund (CJPB)  University Professionals Retirement and Pension Fund (CJPPU)  Social Security Notary Fund (CNSS)  Ceibal Center for Support to Education for Children and Adolescents (Plan Ceibal)  Centre for Fiscal Studies  Uruguayan Center for Molecular Imaging (CUDIM)  Medical College of Uruguay  Honorary Administrative Commission of the Health Insurance Fund for OSE Staff  Honorary Commission for the Control of Tuberculosis and Prevalent Diseases (CHLAEP)  Honorary Commission for the Fight Against Cancer (CHLCC)  Honorary Commission of the Board for the Protection of Psychopaths  Honorary Commission for Cardiovascular Health (CHSC)  Professional Training Council (COCAP)  National Cooperative of Milk Producers (CONAPROLE)  Corporation for the Protection of Bank Savings (COPAB)  National Corporation for Development (CND)  National Directorate of Official Printing and Publications (IMPO)  Unemployment and Retirement Fund for Construction Workers (FOCER)  Financing and Sustainable Development Fund for Dairy Activities (FFDSAL)  Solidarity Fund (FS)  National Music Fund (FNM)  National Resources Fund (FNR)  Institute for the Promotion of Investment and Exports of Goods and Services (Uruguay XXI)  Institute for Cannabis Regulation and Control (IRCCA)  National Institute of Quality (INACAL)  National Institute of Meat (INAC)  National Institute for Employment and Vocational Training (INEFOP)  National Institute of Educational Evaluation (INEED)  National Institute of Agricultural Research (INIA)  National Institute of Milk (INALE)  National Institute of Logistics (INALOG)  National Institute of Seeds (INASE)  National Institute of Wine (INAVI)  National Institute of Cooperatives (INACOOP)  Agricultural Plan Institute (IPA)  Technological Laboratory of Uruguay (LATU)  Movement for the Eradication of Unhealthy Rural Housing (MEVIR)  Science and Technology Park of Pando  Metropolitan Agro-alimentary Unit |

Data from 01-Jan-2019 to 31-Dec-2019. Source: ONSC (2019), p. 6.

It is worth noting the inclusion, since the 2017 report, of the Food Unit of Montevideo, renamed in 2018 as Metropolitan Agro-alimentary Unit.

The report also presents a table summarizing the public bodies that did not provide the mandatory information and those that did so incompletely. For the period considered, 2014–2019, the number of public bodies that do not comply with providing the required information decreases, while one or more than one provides the information but the data is incomplete. All reports show that the National Cooperative of Milk Producers (CONAPROLE) has never provided the information.

Subsequent reports have an introduction that restates the current objective for each one, the provisions of Law No. 19122, which establishes affirmative action aimed at achieving “effective equality” for the fulfilment of the rights of persons of African descent. Some of the disadvantages of this population in relation to the situation of the non-African population are shown, and some aspects identified as relevant in the final declaration of the Santiago Conference are recalled. For example, in several countries poverty is increasing in sectors composed of Afro-descendants, indigenous peoples, and migrants, and in quantitative studies on the situation of Afro-descendants in Uruguay. For 2016 and 2017, data on compliance with the quota by the public bodies required to do so is introduced, a study that seeks to provide information on the actions being taken to comply, and the advice required. ONSC introduces questions on the form, to address the above mentioned issues at the request of MIDES, in their capacity as a member of the Implementing Commission of Law No. 19122.

This is followed by a conceptual framework defining discrimination, equal opportunities, and other issues in the Durban Declaration and Program of Action (2001).

Each report continues with the analysis of the information, a final synthesis, bibliography, and annex. The analysis refers to the recruitment of persons of African descent according to the period considered, the profile of persons hired, and the characteristics of the job. Since 2016, the reports include an evolutionary analysis, and the 2016 and 2017 reports also include the data requested by MIDES: a survey on training, planning and advice required for competitions, a survey of ethnic-racial self-definition, training, planning, and advice required to carry out competitions for the hiring of persons of African descent, conducting or planning an ethnic-racial self-definition survey, and hiring Afro-descendant young people through the I Study and Work program (Yo Estudio y Trabajo). The reports for 2018 and 2019 do not include the above mentioned points.