

# Uruguay

## MINIMAL ADVANCEMENT

*In 2013, Uruguay made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government continues to implement the national plan focused on addressing the commercial sexual exploitation of children, as well as the national plan to combat child labor in garbage dumps. Numerous public awareness campaigns about child labor were also implemented during the reporting period and included areas within the interior of the country. However, children in Uruguay continue to engage in the worst forms of child labor in garbage dump scavenging and in commercial sexual exploitation. Uruguay lacks a comprehensive national child labor policy, and programs to prevent and eliminate child labor are limited.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uruguay are engaged in the worst forms of child labor, including in garbage scavenging and in commercial sexual exploitation.(1-4) Research indicates that many children work in the informal sector. However, specific activities related to children’s work in the informal sector are unknown.(5)

Table 1 provides key indicators on children’s work and education in Uruguay.

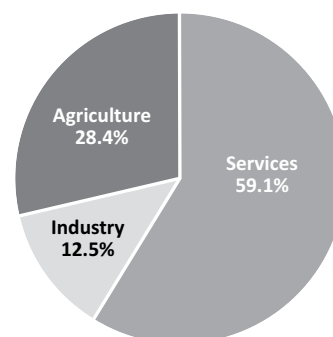
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	6.1(31,955)
Attending School (%)	5-14 yrs.	97.8
Combining Work and School (%)	7-14 yrs.	6.5
Primary Completion Rate (%)		104.3

Source for primary completion rate: Data from 2010 UNESCO Institute for Statistics, 2014.(6)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Encuesta Nacional de Trabajo Infantil Survey, 2009.(7)

**Figure 1. Working Children by Sector, Ages 10-14**



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Livestock raising, activities unknown† (1)
	Fishing,*† activities unknown (1, 3)
Industry	Construction work† in buildings and roads (1, 4)
	Manufacturing, activities unknown† (1, 4)
Services	Street work,*† including begging and vending* (2-4, 8-10)
	Garbage scavenging† (8)
	Domestic service† (1-4)
Categorical Worst Forms of Child Labor‡	Forced domestic service (1-4)
	Used in the production of child pornography* (9, 11, 12)
	Commercial sexual exploitation sometimes as a result of human trafficking (9, 11, 12)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182

The Government has found that the number of children of afro-descent engaged in child labor is higher than that of children of other ethnic groups in Uruguay.(1, 13, 14) Children of afro-descent are more likely to be engaged in work that exposes them to harm.(13, 14) The Ministry of Social Development and the National Statistics Institute (INE) have estimated that approximately 20,000 children scavenge in garbage dumps with their parents.(8, 15) A March 2013 Ministry of Social Development report revealed that children in 1,211 homes in Montevideo, where families sort garbage and recyclables, live in unsanitary and unhealthy conditions. More than 70 percent of these children live in chronic poverty.(5, 8) Children engage in commercial sexual exploitation, especially in tourist areas and near the borders of Uruguay with Argentina and Brazil. There are limited reports that minors engage in prostitution as a way to assist their families.(2-4) Children are also trafficked internally for sexual exploitation, and there is some evidence that they are engaged in child pornography.(9, 11, 12) The 2009 National Child Labor Survey found that 11.6 percent of children between the ages of 5 and 17 were engaged in some form of economic activity. Of these children, 8.5 percent were engaged in work that was considered to be hazardous. Engagement in such work is more likely to occur in rural areas than in urban areas.(1)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Uruguay has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Code for Children and Adolescents (16)
Minimum Age for Hazardous Work	Yes	18	Code for Children and Adolescents (16)
List of Hazardous Occupations Prohibited for Children	Yes		Resolution 1012/006 (17, 18)
Prohibition of Forced Labor	Yes		Constitution (19)
Prohibition of Child Trafficking	Yes		Migration Act (20); Code for Children and Adolescents (16)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Migration Act (20); Code for Children and Adolescents (16) Commercial or Non-Commercial Sexual Violence Committed Against Children, Law 17.815 (21)
Prohibition of Using Children in Illicit Activities	Yes		Drug Act (22, 23)
Minimum Age for Compulsory Military Recruitment	Yes	18	Article 29 of law 18.650 of 2010 (24)
Minimum Age for Voluntary Military Service	Yes	18	Article 29 of law 18.650 of 2010 (24)
Compulsory Education Age	Yes	15	General Education Law 18.437 (25)
Free Public Education	Yes		General Education Law 18.437 (25)

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The Adolescent Labor Division within the Institute for Adolescents and Children (INAU) grants minors between the ages of 13 and 15 permission to engage in light work. The Government of Uruguay has not yet drafted a list of what occupations constitute light work.(2, 16) Research did not identify any potential penalties for violations of Resolution 1012/006 on hazardous occupations that are prohibited for children.(17) Decree 321 also identifies the agricultural sector as hazardous and prohibits the engagement of children under the age of 18 in this sector. It also stipulates penalties for any infractions.(18) The Migration Act comprehensively prohibits the trafficking of persons into or out of the country for the purpose of forced labor or sexual exploitation. The law also lists trafficking of children as an aggravating circumstance.(20, 26)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Monitor overall enforcement of labor laws and, compliance with labor regulations and issues penalties for violations. Responsible for the legal protection of workers, including by identifying locations and conditions where child labor may occur (5, 8, 27-29) MLSS Inspection Unit responsible for inspections to address violations of the law. MLSS's inspectors refer child labor cases to Institute for Adolescents and Children (INAU).(5, 8, 27, 28)
Ministry of Social Development's Institute for Adolescents and Children (MIDES/INAU)	Lead agency responsible for children's issues in Uruguay. Assist all children, including those employed within informal sector.(2, 30) Enforce and implement policies to prevent child labor and provide training on child labor issues.(29) Evaluate permit requests and grants work permits, ensuring children under 18 are not employed in hazardous work. Support child welfare and protection and coordinate services for children found in child labor.(5, 8, 29, 31) Work with the Ministry of Labor and the National Insurance Bank to investigate child labor complaints and with the Ministry of Interior (MOI) to prosecute cases when legal violations found.(32) INAU's Department of Child Labor: 1) prevent and monitor the participation of minors in work activities that might adversely affect welfare and development, 2) monitor work conditions and environment as well as legislation on minors, 3) investigate all accidents and complaints of irregularities at the national level and 4) propose amendments and regulations of current legislation regarding child labor.(33)
Ministry of the Interior (MOI)	Investigate all organized crimes, including child trafficking, commercial sexual exploitation of children, and use of children in narcotic operations. Gather evidence for a judge to a make ruling.(3, 12, 32, 34) Children identified as victims of the worst forms of child labor through MOI investigations can be placed under protection or custody of INAU.(3, 34)
Specialized Court for Organized Crime	Operated by two judges and two public prosecutors who have ability to mandate police investigations. (3, 12, 34).

Law enforcement agencies in Uruguay took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

When the Ministry of Labor and Social Security (MLSS) or INAU find violations of child labor law while performing inspections, each agency may carry out investigations and apply sanctions according to its legal mandate; where criminal laws may have been violated, it may report cases to the judiciary for further investigation.(32) National Insurance Bank medical staff may also report possible violations that have resulted in labor accidents to the judiciary for further investigation.(32) INAU has 10 inspectors; two are in Artigas, one in Flores, one in Lavalleja, and six in Montevideo. This reflects a decrease from 11 in 2012.(8) There are 130 MLSS inspectors who conduct investigations and assess any penalties associated with labor violations, including child labor.(3, 8, 30) When MLSS receives a complaint regarding child labor via its hotline or other means, it shares this information with INAU, which then investigates and assists the children who might be affected. MLSS classifies hotline complaints under child labor only if the phrase is specifically mentioned, which may result in the misclassification of child labor cases.(3) INAU also operates a hotline to receive complaints about child labor, but it does not keep current statistics on reported cases. INAU conducts most of its inspections in the capital of Montevideo, although the National Child Labor Survey indicates that most child labor occurs in rural areas.(3, 8) INAU's 2013 annual report indicates that, during

the reporting period, it conducted a total of 4,046 inspections, compared to 3,200 in 2012, and that it received 44 complaints of child labor violations.(35) The impact of the large number of inspections conducted by single labor inspectors on the quality of inspections is not known. No information is available on the number of citations or penalties applied.

### *Criminal Law Enforcement*

The enforcement of criminal laws is mainly the responsibility of the Ministry of Interior (MOI) and INAU. The Government reported that, during the reporting period, investigators received adequate training on the relevant worst forms of child labor.(8) No information is available about the number of investigations or prosecutions carried out, the number of convictions, or the adequacy of the investigations. The Specialized Court for Organized Crime only reviews criminal cases involving three or more individuals, which excludes many human trafficking and child labor cases.(36) Generally, it takes 1 to 2 years to resolve a case involving the commercial or sexual exploitation of children, and the same amount of time before penalties called for in the law can be applied.(3, 34)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Committee for the Eradication of Sexual Exploitation of Children and Adolescents (CONAPEES)	Implement actions to combat sexual exploitation of children and adolescents.(2, 3) Develop public policies and a national plan of action with respect to commercial sexual exploitation of children and adolescents, taking into account Uruguay's existing norms and international commitments. Led by INAU and composed of representatives from several government agencies, NGOs, and UNICEF.(37)
Committee for the Eradication of Child Labor (CETI)	Coordinate efforts between law enforcement bureaus and NGOs to develop a plan of action for child laborers and their families.(30) CETI is led by the Ministry of Labor and INAU; it is chaired by the Inspector General and coordinated by the Sub-Inspector General of the MTSS. It is composed of government agencies, industry representatives, labor groups, and NGOs. The Committee meets every two weeks.(2, 8, 37, 38)
Anti-Trafficking Interagency Committee	Coordinate Uruguay's anti-trafficking efforts; chaired by MIDES.(2, 3)

During the reporting period, INAU increased coordination with MLSS's Inspection Unit to immediately communicate child labor irregularities found during inspections. INAU established a mechanism to quickly deploy teams to remedy these irregularities.(8) The Committee for the Eradication of Child Labor (CETI) opened branches in the interior of the country to work with provincial committees to advance government efforts to fund the permanent deployment of child labor inspectors in that region.(8)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Uruguay has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy for Infancy and Adolescence*	Covers a time frame of 20 years (2010-30) and identifies goals to be achieved by 2030. Developed by government agencies, political parties, civil society, and private sector organizations; recognized as a roadmap to policies on children.(2, 39)
CONAPEES National Plan for Eradication of Commercial and Non-commercial Child and Adolescent Exploitation	Works to eliminate the commercial sexual exploitation of children. Goals include strengthening victims' rights, improving protection measures for victims and witnesses, keeping children in school, reintegrating children who had previously left school, and developing alternative income strategies for families.(2, 3) In 2010, CONAPEES proposed the creation of three teams of service experts who could be sent to various regions of the country to assist child victims of commercial sexual exploitation.(3) It is unknown, however, whether this plan was implemented during the reporting period.

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**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Action Plan to End Child Labor in Garbage Scavenging	CETI-launched national action plan implemented by government agencies, including MLSS and MIDES, to combat child labor in garbage dumps. The plan includes specific projects that involve education, healthcare, housing, and law enforcement agencies.(5, 8)
MIDES 5-year Plan	Range of programs intended to impact child labor. Major focus areas include: social and labor inclusion, citizen participation, social and educational inclusion, awareness-raising, and programs giving special benefits to youth and populations at risk.(8)
MERCOSUR United Against Child Labor Campaign	Develops public awareness about the need to combat child labor in MERCOSUR. Addresses child labor in agriculture, domestic work, and sexual exploitation, with particular emphasis on communities along country borders.(40)
Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR (2012)	Promotes greater articulation between governmental agencies, levels of government, and with civil society among MERCOSUR members.(41)
MERCOSUR Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor; by improving country legal frameworks to harmonize them with international conventions affecting children, and by exchanging best practices.(42)

\* The impact of this policy on child labor does not appear to have been studied.

In November, the Government participated in the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. The joint declaration of the Conference promotes social dialogue to address child labor and reaffirms country participants' commitment to work with civil society organizations to advance efforts toward the eradication of child labor.(43)

Research found no evidence of the existence of a comprehensive policy aimed at combating the worst forms of child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Uruguay funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Pro-Child ( <i>Pro-Niño</i> )‡	Telefonica Foundation (Fundación Telefónica)-implemented program focused on prevention and eradication of child labor. Established in 2000; has more than 10,000 active youth participants nationwide.(2, 44)
National Plan of Equality*‡	Institute for Social Security-run program mandates that beneficiaries have their children attend school and receive medical services. Plan established the Family Allocations Program, a conditional cash transfer program to reduce national poverty levels and assist working families with their children, as well as families in need.(45-47)
Ministerio de Desarrollo Social (MIDES) Youth Affairs Bureau (INJU) Programs‡	MIDES Youth Affairs Bureau implements three programs intended to impact the worst forms of child labor: (1) Participation, Citizenship, and Culture; (2) Education and Educational Integration; and (3) Training and Work. (8)
Southern Child Initiative/ MERCOSUR ( <i>Niñ@ Sur</i> )	The MERCOSUR Southern Child initiative includes public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in raising domestic legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.(48 49)
Regional Action Group for the Americas ( <i>Grupo de Acción Regional para las Américas</i> )	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(48, 50)
Regional Project to End Child Labor in Latin America	\$4.5 million Government of Spain-funded, 3-year project implemented by ILO-IPEC to combat child labor.(51)

**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Education Program to End Child Labor	\$1.3 million Government of Spain-funded, 2-project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including Uruguay.(51)

\*The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Uruguay.

Plans to address child labor in garbage scavenging, as well as the commercial sexual exploitation of children, have been adopted, but programs to assist these children have not been established. CETI continued to compile information detailing the situation of children and adolescents engaged in garbage scavenging work in the cities, and the government plans to develop a national strategy and an inter-agency protocol of action based on this information.(8) Research found no evidence of any existing or planned programs to assist working children in other sectors. Although Uruguay has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. More programs are needed to reach those who are engaged in the worst forms of child labor, including in the agricultural sector and in commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uruguay (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Establish penalties for violations of Resolution 1012/006.	2010 – 2013
	Draft and adopt a list of light work occupations.	2012 – 2013
Enforcement	Institute systematic recordkeeping of child labor cases at the INAU.	2009 – 2013
	Provide more comprehensive guidelines for MLSS hotline operators to allow proper classification of calls regarding child labor.	2011 – 2013
	Increase the number of inspections in rural areas.	2011 – 2013
	Make information on the number of investigations, prosecutions, citations, and application of penalties for labor and criminal law violations publicly available.	2013
	Ensure that the proportion of inspectors to needed inspections is adequate and that the quality of inspections is not being compromised.	2013
	Collect and make publicly available information about the number of investigators responsible for enforcing criminal laws on the worst forms of child labor.	2013
	Government Policies	Conduct research to determine the nature of activities carried out by children working with livestock, in fishing, and in manufacturing to inform policies and programs.
Social Programs	Assess the impact that existing policies have had on reducing the worst forms of child labor.	2013
	Draft and adopt a comprehensive national plan of action to address the worst forms of child labor.	2010 – 2013
	Approve and enact the CONAPEES proposal to send expert teams into the field to assist with researching cases of commercial sexual exploitation of children.	2011 – 2013
	Assess the impact of the National Plan for Equality on child labor.	2011 – 2013
	Conduct research to determine specific activities related to children's work in the informal sector in order to inform policies and programs.	2013
	Institute programs to provide assistance to child laborers, including those engaged in agricultural work, garbage scavenging, and commercial sexual exploitation.	2010 – 2013

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