

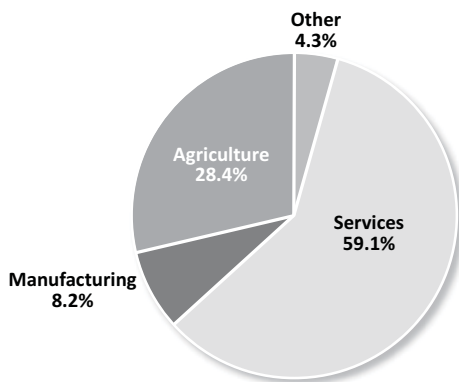
Uruguay

In 2011, Uruguay made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government released the results of its national child labor survey and finalized a plan to combat child labor in garbage dumps. The Government also organized trainings and workshops on child labor for inspectors and social workers. However, the country lacks a national child labor policy, and existing efforts to address the problem do not reach rural areas. Children in Uruguay continue to engage in the worst forms of child labor.

Statistics on Working Children and Education

Children	Age	Percent
Working	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		105.9

Working Children by Sector, Ages 5-14



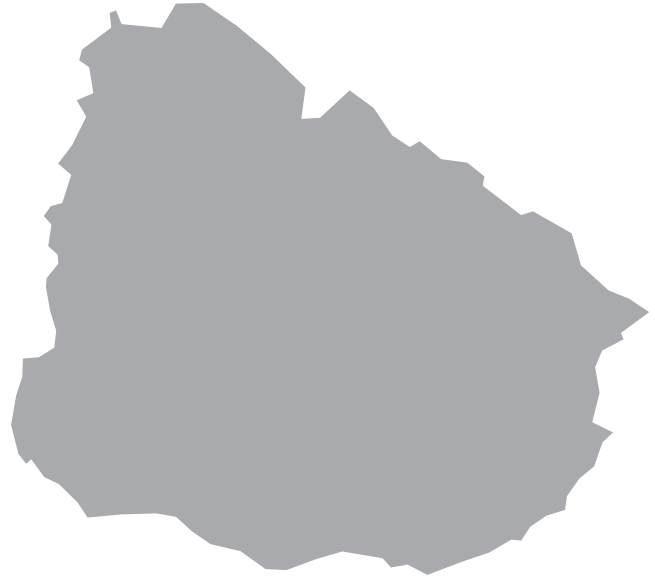
Sources:

Primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from SIMPOC Survey, 2009.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Uruguay are engaged in the worst forms of child labor. As noted in the data table above, the 2009 National Child Labor Survey conducted by the National Statistical Institute of Uruguay found that 6.1 percent of children ages 5 to 14 were working, with the highest rates of children working in the services sector.(2) This statistic covers children below the legal working age and includes both hazardous and non-



hazardous activities. Still, the National Child Labor Survey found that 8.5 percent of children ages 5 to 17 in Uruguay are engaged specifically in hazardous work.(3){ILO-IPEC and National Statistical Institute of Uruguay, 2011 #25} Although the survey does not report sector-specific hazards, the most common hazards reported by children were working with tools and machines and carrying heavy loads.(3)

The National Child Labor Survey revealed that hazardous work is more common in rural areas than urban areas. In rural areas, the most common hazardous occupational categories in which children engage are farming (including the raising of livestock), fishing and forestry (63.4 percent of all children working in hazardous occupations).(3) Children working in agriculture may use dangerous tools, carry heavy loads and apply harmful pesticides.(4)

The Survey also found that in urban areas, the most common hazardous occupational categories in which children work are construction and manufacturing (29.7 percent of all children in hazardous work) and in sales and services as unskilled workers (24.2 percent of all children in hazardous work).(3) In urban areas, children are engaged in street vending, car washing, garbage collecting and begging.(5) Children working on the streets are vulnerable to severe weather, traffic accidents and crime.(6)

Children also work in domestic service and in the mining sector.(3, 5) Children employed as domestics may work long hours and are isolated in private homes, where they are susceptible to physical and sexual abuse.(7)

Commercial sexual exploitation of children occurs in Uruguay, including child prostitution and pornography.(5, 8) Uruguay is a source and transit country for trafficking in persons, including children. Most trafficking of minors is internal, with minors being trafficked within Uruguay to border and tourist areas for the purpose of sexual exploitation.(9)

Laws and Regulations on the Worst Forms of Child Labor

The Code for Children and Adolescents sets the minimum age for employment at 15. Light work that does not prejudice a child's school attendance is permitted for children between ages 13 and 15.(10) Government officials must authorize work by children under age 18.(10) Education is compulsory and free through secondary school, which is approximately age 15.(5, 11)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Resolution 1012/006 establishes numerous activities and sectors considered hazardous for children under age 18. Activities identified as hazardous include work that could negatively affect children's musculo-skeletal and neurological development, cause accidents or lead to cancer.(12) Sectors named hazardous include agriculture, domestic service, garbage collection and street vending.(12) However, research did not identify penalties for violations of the resolution. Decree 321 describes hazards in the agricultural sector, lays out the steps to be taken to mitigate risks and specifically prohibits children under age 18 from engaging in hazardous activities in agriculture. The Decree also calls for the application of penalties in cases of infractions.(13)

The Institute for Adolescents and Children (INAU) is the lead agency on children's issues in Uruguay and has primary responsibility regarding child labor issues. INAU is responsible for assisting children who are found engaging in illegal work in the informal sector. The Committee for the Eradication of Child Labor (CETI) then coordinates efforts between law enforcement bureaus and NGOs to develop a plan of action with the affected children and their families.(14)

Uruguay's Constitution prohibits forced labor and debt bondage.(11) The law also forbids the commercial sexual exploitation of children, including pornography and prostitution.(15) The Migration Act comprehensively prohibits the trafficking of persons in or out of the country for the purposes of forced labor or sexual exploitation. The law also lists trafficking of children as an aggravating circumstance.(16) It is illegal to enlist anyone under age 18 into the armed forces.(17)

Institutional Mechanisms for Coordination and Enforcement

The Ministry of Labor and Social Security (MLSS) chairs CETI, which coordinates responses to child labor issues. The Committee is composed of government agencies, industry and labor groups and NGOs.(18) During the reporting period, CETI provided training regarding the issue of commercial sexual exploitation of children to border agents, police, Ministry of Labor officials and NGO representatives.(19) In addition to CETI, the Government also operates a National Committee for the Eradication of Commercial and Non-Commercial Sexual Exploitation of Children.(5) This Committee did not hold any trainings during the year, and it is not clear whether it engaged in other activities.(19)

INAU operates a hotline to receive complaints about child labor, which reportedly receives very few complaints on the subject. However, INAU does not keep up-to-date statistics on child labor cases, which complicates data collection and follow-up.(5)

In 2011, INAU had 10 inspectors, an increase of three inspectors from 2010. Inspectors receive training on child labor issues.(5) INAU inspectors conducted 1,570 inspections during 2011 and found 89 instances of child labor. The children involved were assisted by INAU social workers.(5) It is unclear whether MLSS applied penalties in these particular cases. INAU inspections are also largely confined to Montevideo, although the new National Child Labor Survey indicates that most child labor occurs in rural areas.(3, 5)

MLSS, as the agency responsible for labor inspections, also has responsibilities related to the enforcement of child labor laws. When MLSS receives a complaint regarding child labor, via its hotline or through any other means, it shares this information with INAU which then may investigate and assist the children that might be affected.(5) Still, MLSS is responsible for assessing any penalties associated with labor violations including child labor.(14) Accordingly, INAU also coordinates the results of its investigations with MLSS.(14) However, MLSS classifies calls under child labor only if the phrase is specifically mentioned, which may result in misclassification of child labor cases.(5)

There are 140 MLSS inspectors. MLSS officials indicate that they have sufficient funding for completion of their duties. MLSS inspectors conducted a total of 42,000 inspections during 2011.(5). Although INAU reported finding cases of child labor, no information was available on the number of child labor violations found or sanctions imposed as a result of MLSS inspections.

The Ministry of the Interior (MOI) investigates both child trafficking and the commercial sexual exploitation of children. The Government also has two judges and two public prosecutors who operate a Specialized Court for Organized Crime.(5, 20) These individuals have the responsibility to carry out investigations regarding all manner of organized crime, including the use of children in narcotics operations, the trafficking of children and the use of children for commercial or sexual exploitation, and they can mandate police investigations of such crimes.(5, 20) Law enforcement agencies meet on a bimonthly basis to strategize on responses to trafficking in persons cases.(5)

Children identified as victims of the worst forms of child labor as part of an MOI investigation can be placed under the protection or custody of INAU.(5, 20) Generally, it takes 1 to 2 years to resolve a case involving the commercial or sexual exploitation of children and before penalties called for in the law are applied in practice. During 2011, the Government investigated 40 cases of child prostitution and secured 1 conviction.(5, 14)

Government Policies on the Worst Forms of Child Labor

Research found no evidence of a comprehensive policy to combat the worst forms of child labor. The interdepartmental National Committee for the Eradication of Commercial Sexual Exploitation of Children, led by INAU, has a national plan of action against the commercial sexual exploitation

of children.(5) The goals of this plan include strengthening victims' rights, improving protection measures for victims and witnesses, keeping children in school, reintegrating those children who had previously left school, and developing alternative income strategies for families. The Committee's 2010 proposal to send three teams of victim services experts to various regions of the country to provide assistance in cases of commercial sexual exploitation had not received final approval as of the end of 2011.(5)

In 2011, MLSS and the Ministry of Social Development finalized a national plan of action to combat child labor in garbage dumps. The plan includes specific projects that involve education, health, housing and law enforcement agencies.(5) As part of the plan, CETI will collaborate with other countries in the region to exchange good practices to address this worst form of child labor.(5)

The Government of Uruguay and other MERCOSUR countries are carrying out the Southern Child (*Niña Sur*) Initiative to defend the rights of children and adolescents in the region. The 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.(21-23) During the reporting period, MERCOSUR member countries met to discuss violence against children, child trafficking and commercial sexual exploitation of children.(24) The countries also collaborated on an awareness-raising campaign on combating exploitative child labor during the year.(5)

Uruguay is a member of the Joint Regional Group for the Americas. The Joint Group, whose members also include Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Suriname, Uruguay and Venezuela, conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America.(25, 26) The Joint Group met in April 2011 in Quito to discuss efforts and advances in combating child sex tourism.(27)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

As noted above, during the reporting period the National Statistical Institute of Uruguay, in collaboration with ILO-IPEC, publicly released results of their 2009-2010 National Child Labor Survey.(3)

During 2011, CETI organized workshops and training for inspectors and social workers on the steps to take when encountering children who are involved in exploitative work.(5) Uruguay also participated in a Spanish-funded regional project to combat child labor in Latin America.(28)

Uruguay's Institute for Social Security operates a conditional cash transfer program, known as Family Allocations, for working families with children and families in need. The program provides cash benefits to families, who are then expected to ensure that their children attend school and receive

medical services.(29) There are currently no studies on the impact of this program on child labor.

Although the Government is planning efforts to assist children working in garbage collection, which occurs mainly in urban areas, research found no evidence of any existing or planned programs to assist working children in any other sectors. Considering that the recent child labor survey showed that most hazardous labor by children occurs in rural areas, existing programs are insufficient.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Uruguay:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Establish penalties for violations of Resolution 1012/006.	2010, 2011
Coordination and Enforcement	Institute systematic recordkeeping of child labor cases at the INAU.	2009, 2010, 2011
	Provide more comprehensive guidelines for MLSS hotline operators to allow for the proper classification of calls regarding child labor.	2011
	Increase the number of inspections in rural areas.	2011
Policies	Adopt a national plan of action to address the worst forms of child labor.	2010, 2011
	Approve and enact the National Committee on Child Sexual Exploitation's proposal to send expert teams to the field to assist with cases of child sexual exploitation.	2011
Social Programs	Assess the impact of the Social Security Bank's Family Allocations conditional cash transfer program on child labor.	2011
	Institute programs to provide assistance to child laborers, including children in hazardous agricultural work.	2010, 2011
	Assess the impact that existing programs may have on addressing child labor.	2011

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