

# Uruguay

*The Government of Uruguay has a policy aimed at combating the worst forms of child labor in garbage scavenging. However, staffing levels at the labor inspectorate remain low, and there is little information on enforcement efforts. Children continue to work in the worst forms of child labor in agriculture and urban informal work.*

## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs	Unavailable



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Some children in Uruguay are engaged in the worst forms of child labor,<sup>6046</sup> particularly in agriculture and urban informal work. Children working in agriculture may be exposed to dangerous machinery and tools and harmful pesticides.<sup>6047</sup> In urban areas, children are engaged in street vending, car washing, garbage collecting and begging. Children working on the streets may be exposed to many dangers, including severe weather, vehicle accidents and criminal elements.<sup>6048</sup> Children also work in domestic service, which may leave them vulnerable to physical and sexual exploitation.<sup>6049</sup>






Uruguay is a source and transit country for trafficking in persons. There are isolated reports of minors being trafficked within Uruguay to border and tourist areas for the purpose of sexual exploitation.<sup>6050</sup>

## 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

is permitted for children between ages 13 and 15; however, legislation does not provide regulations for the conditions under which children may engage in light work.<sup>6051</sup> Government officials must authorize work by children younger than age 18.<sup>6052</sup> Education is compulsory through secondary school, which is approximately age 15.<sup>6053</sup>

In 2006, the Uruguayan Institute for Children and Adolescents (INAU) passed Resolution 1012/006, which establishes types of work considered hazardous for children younger than age 18, including work in agriculture, domestic service and garbage collection as well as in street vending and services. However, research did not identify penalties for violations of the statute.<sup>6054</sup> In addition, Decree 321 was passed in 2009 prohibiting activities within the agriculture sector that are considered hazardous for children and allowing for corresponding penalties for violations of the statute. These prohibited activities include work with machines, hot or toxic substances and handling animals or sharp tools.<sup>6055</sup> However, research did not identify penalties for violations of the statute.

	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

Uruguay's Penal Code prohibits forced or compulsory labor.<sup>6056</sup> The law also forbids child pornography and the commercial sexual exploitation of children.<sup>6057</sup> The Migration Act comprehensively prohibits the trafficking of persons in or out of the country for the purposes of forced labor or sexual exploitation.<sup>6058</sup> The law also lists trafficking of children as an aggravating circumstance. It is illegal to enlist anyone younger than age 18 into the armed forces, even in time of war.<sup>6059</sup>

### Institutional Mechanisms for Coordination and Enforcement

The Ministry of Labor and Social Security (MLSS) chairs the Committee for the Eradication of Child Labor (CETI), which addresses national child labor issues. The committee is composed of government agencies, industry and labor groups and NGOs.<sup>6060</sup> In coordination with MLSS, INAU monitors child labor conditions in the country.<sup>6061</sup> When MLSS receives complaints concerning children working in hazardous situations, it refers the child labor component of the cases to INAU. In addition to CETI, the Government also

operates a National Committee for the Eradication of Commercial Sexual Exploitation of Children.<sup>6062</sup>

In 2010, INAU had only seven inspectors.<sup>6063</sup> The number of inspectors appears to be insufficient, which has been noted by the ILO Committee of Experts.<sup>6064</sup> INAU operates a hotline to receive complaints about child labor; however, information was not available on the number of child labor complaints received.<sup>6065</sup> No information was available on the number of inspections conducted, violations found or sanctions imposed.

The Ministry of the Interior (MOI) investigates both child trafficking and the commercial sexual exploitation of children.<sup>6066</sup> In 2009, a Specialized Court for Organized Crime was created. The two judges and two public prosecutors who operate this court have the responsibility of carrying 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.<sup>6067</sup> 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. Generally, it takes one to two years to resolve a case involving the commercial or sexual exploitation of children.<sup>6068</sup>

### 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.<sup>6069</sup> 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.<sup>6070</sup> During 2010, the

government approved the creation of three teams of experts within the National Committee to provide assistance in cases where children are found in commercial sexual exploitation.<sup>6071</sup>

In 2011, a national plan of action to combat child labor in garbage dumps will go into effect. 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.<sup>6072</sup>

The Government of Uruguay and other member governments of MERCOSUR are carrying out the *Niño Sur* (Southern Child) initiative to protect the rights of children and adolescents in the region.<sup>6073</sup> During the reporting period, MERCOSUR member countries met to exchange good practices of systems to protect children and adolescents from commercial sexual exploitation as part of the *Niño Sur* initiative.<sup>6074</sup> The Government of Uruguay is part of the Joint Group for the Elimination of Commercial Sexual Exploitation of Children in Tourism, which conducts prevention and awareness-raising campaigns to combat the

commercial exploitation of children in Latin America.<sup>6075</sup>

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

In 2010, the Government operated a publicly funded campaign to distribute flyers and stickers in tourist destinations around the country. The goal was to raise awareness of the presence of exploitative child labor and to discourage children's participation in illegal activities.<sup>6076</sup> CETI organized workshops and awareness-raising campaigns in schools to educate students and teachers about the issue of child labor and importance of education. A particular focus of the campaigns was child labor in garbage collection.<sup>6077</sup>

Research found no evidence of any programs to provide direct assistance to child laborers, including those who are engaged in work in agriculture and urban informal work.

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

##### **IN THE AREA OF LAWS AND REGULATIONS:**

- Establish regulations for the conditions under which children may engage in light work.
- Establish penalties for violations of Resolution 1012/006 and Decree 321.

##### **IN THE AREA OF COORDINATION AND ENFORCEMENT:**

- Increase the number of INAU inspectors.
- Increase the capacity of the Special Courts of Organized Crime to resolve cases of commercial sexual exploitation of children more quickly.
- Collect, analyze and make publicly available statistics on inspections and child labor violations to better target and assess enforcement and other efforts.

##### **IN THE AREA OF POLICIES:**

- Adopt a national plan of action to address the worst forms of child labor.

##### **IN THE AREA OF SOCIAL PROGRAMS:**

- Institute programs to provide direct assistance to child laborers, including those working in agriculture and urban informal work.

<sup>6046</sup> Data provided in the chart at the beginning of this country report are not available from the data sources that are used in this report. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

<sup>6047</sup> ILO-IPEC, Comité Nacional para la Erradicación del Trabajo Infantil, Centro de Informaciones y Estudios del Uruguay, and Adolescencia y Familia Programa Infancia, Estudio sobre las Características de los Niños, Niñas y Adolescentes Trabajadores y sus Familias: Modalidades de Trabajo Infantil y sus Peores Formas, Perfil Socioeconómico y Cultural de las Familias, 2005, 55; available from [http://white.oit.org.pe/ippec/documentos/ti\\_uruguay\\_ciesu.pdf](http://white.oit.org.pe/ippec/documentos/ti_uruguay_ciesu.pdf).

<sup>6048</sup> Ibid., 55, 56.

<sup>6049</sup> Ibid.

<sup>6050</sup> U.S. Department of State, “Uruguay (Tier 2),” in Trafficking in Persons Report- 2010, Washington, DC, June 14, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/>. See also U.S. Embassy- Montevideo, reporting, February 17, 2011.

<sup>6051</sup> Government of Uruguay, Código de la niñez y la adolescencia, (August 2, 2004), articles 162, 165; available from [www.parlamento.gub.uy/leyes/ AccesoTextoLey.asp?Ley=17823&Anchor=](http://www.parlamento.gub.uy/leyes/ AccesoTextoLey.asp?Ley=17823&Anchor=).

<sup>6052</sup> Ibid., articles 162, 167, 168.

<sup>6053</sup> UNESCO, EFA Monitoring Report: Education for All by 2015: Will We Make It?, 2007; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>. See also Government of Uruguay, Constitución de la República, (2004); available from <http://www.parlamento.gub.uy/constituciones/const004.htm>.

<sup>6054</sup> Government of Uruguay, Resolución del Directorio de INAU, 1012/006, (2006); available from <http://cetiuruguay.org/normativa/resoluciones/40-resolucion-1012006-del-directorio-de-inau.html>.

<sup>6055</sup> Government of Uruguay, Decreto 321, (July 9, 2009); available from [http://www.presidencia.gub.uy/\\_web/decretos/2009/07/t1405%20.pdf](http://www.presidencia.gub.uy/_web/decretos/2009/07/t1405%20.pdf).

<sup>6056</sup> Government of Uruguay, Poder Legislativo, República Oriental del Uruguay: Violencia Sexual Comercial o No Comercial Cometida Contra Niños, Adolescentes o Incapaces, Ley No. 17.815, (August 18, 2004); available from <http://www.parlamento.gub.uy/Leyes/Ley17815.htm>.

<sup>6057</sup> Ibid.

<sup>6058</sup> Government of Uruguay, Se establecen normas en materia de migración, Ley 18.250, (2008), articles 77, 78, 81; available from [http://www.presidencia.gub.uy/\\_web/](http://www.presidencia.gub.uy/_web/)

[leyes/2008/01/T791\\_19%2010%202007\\_00001.PDF](http://leyes/2008/01/T791_19%2010%202007_00001.PDF).

<sup>6059</sup> Coalition to Stop the Use of Child Soldiers, “Uruguay,” in Child Soldiers Global Report 2008, London, 2008; available from [http://www.childsoldiersglobalreport.org/files/country\\_pdfs/FINAL\\_2008\\_Global\\_Report.pdf](http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf).

<sup>6060</sup> CETI, CETI, Sobre Nosotros, [online] February 2, 2011 [cited March 25, 2011]; available from <http://cetiuruguay.org/sobre-nosotros.html>. See also U.S. Embassy- Montevideo, reporting, December 2, 2010.

<sup>6061</sup> U.S. Embassy- Montevideo, reporting, December 2, 2010.

<sup>6062</sup> Ibid.

<sup>6063</sup> Ibid.

<sup>6064</sup> ILO Committee of Experts, Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Uruguay (ratification: 2001) Submitted: 2010, March 25, 2011; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=25351&chapter=9&query=%28C182%29+%40ref+%2B+%28Uruguay%29+%40ref&highlight=&querytype=bool&context=0>.

<sup>6065</sup> U.S. Embassy- Montevideo, reporting, December 2, 2010.

<sup>6066</sup> Ibid.

<sup>6067</sup> Ibid.

<sup>6068</sup> Ibid.

<sup>6069</sup> Ibid.

<sup>6070</sup> Ibid.

<sup>6071</sup> Ibid.

<sup>6072</sup> Ministerio de Desarrollo Social, Preparan un plan para eliminar trabajo infantil [online] December 9, 2010 [cited March 25, 2011]; available from <http://www.mides.gub.uy/mides/text.jsp?contentid=10834&site=1&channel=blog>.

<sup>6073</sup> Niño Sur, Explotación sexual Infantil. Trata, Tráfico y Venta, [online] [cited March 24, 2011]; available from <http://www.niniosur.com/index2.asp?id=126>. See also Niño Sur, Quienes Participan, Niño Sur, [online] [cited March 24, 2011]; available from <http://www.niniosur.com/index2.asp?id=124>.

<sup>6074</sup> Niño Sur, Actividades, Niño Sur, [online] [cited March 24, 2011]; available from <http://www.niniosur.com/index3.asp?id=123>.

<sup>6075</sup> Grupo de Acción Regional de las Américas, Quienes Somos, [online] 2010 [cited March 28, 2011]; available from [http://www.grupodeaccionregional.org/index.php?option=com\\_content&view=article&id=52%3Aquienes-somos&catid=38&Itemid=73&lang=es](http://www.grupodeaccionregional.org/index.php?option=com_content&view=article&id=52%3Aquienes-somos&catid=38&Itemid=73&lang=es).

<sup>6076</sup> U.S. Embassy- Montevideo, reporting, December 2, 2010.

<sup>6077</sup> Ibid.