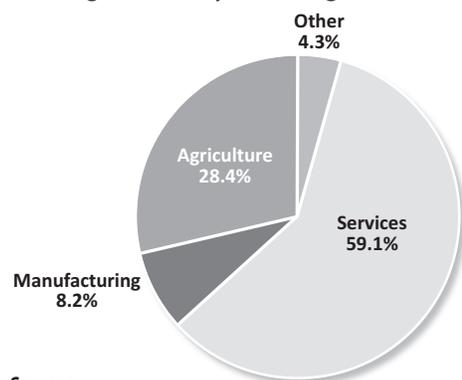


In 2012, Uruguay made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government continues to implement the national plan focused on addressing the commercial sexual exploitation of children, as well as the national plan to combat child labor in garbage dumps. Numerous advocacy campaigns against child labor were also implemented this reporting period to raise awareness. However, the country lacks a comprehensive national child labor policy, and programs to assist and prevent child labor are limited. Children in Uruguay are engaged in the worst forms of child labor, including in dangerous activities in agriculture and commercial sexual exploitation.

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		104.4

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2013.(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, including in dangerous activities in agriculture and commercial sexual exploitation.(3-6) The 2009 National Child Labor Survey found that 11.6 percent of children between the ages of 5 and 17 were involved in some form of economic



activity, of which 8.5 percent was considered hazardous work. Engagement in such work is more likely to occur in rural areas than in urban areas.(3) Approximately 22.2 percent of all working children can be found engaging in various activities within the agricultural sector, including raising livestock.(3) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(7, 8) Children herding livestock may suffer injuries such as being bitten, butted, gored, or trampled by animals.(9) Children are also found working in fishing.(3, 5) Children working in fishing may work long hours, perform physically demanding tasks, and face dangers such as drowning.(10)

Within urban areas, the most common occupation for child laborers were sales and services, with a 23 percent participation rate for children between the ages of 5 and 17, followed by construction and manufacturing, which had a 21.1 percent participation rate.(3, 6) There are reports of children working on the streets, but specific information on hazards is unknown.(4-6, 11, 12)

Children, primarily girls, are found employed as domestic laborers. There are limited reports that some families voluntarily offer their children to work in forced domestic service.(3-6) These children may be required to work long hours, performing strenuous tasks, without sufficient food or shelter. They may also be isolated in private homes and are susceptible to physical and sexual abuse.(13)

Children engage in commercial sexual exploitation, especially in tourist areas and near the borders of Argentina and Brazil. There are limited reports that minors engage in prostitution as a way to assist their families.(4-6) Children also are trafficked

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internally for sexual exploitation and there is some evidence that they are engaged in child pornography.(11, 14, 15)

Laws and Regulations on the Worst Forms of Child Labor

The Code for Children and Adolescents sets the minimum age for employment at 15. Minors between the ages of 15 and 18 are required to have work permits and must undergo yearly physical exams.(4, 11, 12, 16) Only those who have completed 9 years of compulsory schooling or who are currently enrolled in school are able to obtain work permits. Work permits are not granted for hazardous work, work identified as causing fatigue, or work performed during the night.(4, 11, 12) 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.(4, 16)

International Conventions and Selected Laws on Child Labor and Education

	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 was developed by INAU and defines hazardous activities, as well as hazardous occupations, as those that might put children under the age of 18 in imminent risk for sexual, emotional, or physical abuse.(17) Some occupations that have been identified as hazardous for children include agricultural work, domestic service, garbage collecting, and

street vending.(17) However, research did not identify any potential penalties for violations of the Resolution.

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) It is unknown, however, how effective the Government is in enforcing this order.

Uruguay's Constitution prohibits forced or compulsory labor, as well as debt bondage.(19) The law also forbids the commercial sexual exploitation of children, including pornography and prostitution.(12, 18) The Migration Act comprehensively prohibits the trafficking of persons into 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.(20, 21) However, it does not cover internal trafficking. The amended Drug Act prohibits the use, procurement, or solicitation of minors for illicit activities, including the sale and production of drugs.(22-24)

Education is free and compulsory through secondary school, which ends at approximately age 15.(5, 25) Service in the armed forces is voluntary and begins at age 18.(4, 26)

Institutional Mechanisms for Coordination and Enforcement

INAU has the primary responsibility of implementing policies to prevent and regulate child labor. It is the lead agency responsible for children's issues in Uruguay and assists all children, including those who are employed within the informal sector.(4, 27) The Committee for the Eradication of Child Labor (CETI) coordinates efforts between law enforcement bureaus and NGOs to develop a plan of action for child laborers and their families.(27) CETI is chaired by the National Inspector from the Ministry of Labor and Social Security (MLSS). The Committee is composed of government agencies, industry representatives, labor groups, and NGOs.(4, 28)

MLSS is also responsible for enforcing child labor laws and conducting all labor inspections. There are 140 MLSS inspectors who conduct all investigations and assess any penalties associated with labor violations, including child labor.(5, 27) 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.(5) 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.(5) During this reporting period, INAU employed 11 child labor inspectors and conducted approximately 3,200 labor inspections with the MLSS.(4) It is unknown how many children were assisted, as no information was available on the number of child labor violations uncovered or sanctions imposed as a result of MLSS inspections.

The National Committee for the Eradication of Sexual Exploitation of Children and Adolescents (CONAPEES) is led by INAU and composed of representatives from several government agencies, NGOs, and UNICEF.(4, 5) The Ministry of Social Development (MIDES) chaired the interagency committee that coordinates Uruguay's anti-trafficking efforts. MIDES worked closely with the IOM to train labor inspectors, raise awareness, and increase intergovernmental capacity to combat trafficking.(4, 5)

The Ministry of the Interior (MOI) investigates all organized crimes, including child trafficking, the commercial sexual exploitation of children, and the use of children in narcotic operations. The Government has two judges and two public prosecutors who operate a Specialized Court for Organized Crime.(5, 15, 29) These individuals have the ability to mandate police investigations.(5, 29) However, this court only reviews criminal cases involving three or more individuals, which excludes many human trafficking and child labor cases.(30) Children identified as victims of the worst forms of child labor through MOI investigations can be placed under the protection or custody of INAU.(5, 29) 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 in practice.(5, 29)

Government Policies on the Worst Forms of Child Labor

Research found no evidence of the existence of a comprehensive policy aimed at combating the worst forms of child labor. There are, however, strategic plans in place to address child labor in certain occupational sectors.

CONAPEES has a national plan of action against the commercial sexual exploitation of children. 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.(4, 5) This year, CONAPEES and the Government of Uruguay have renewed their commitment to combat the commercial sexual exploitation of children and adolescents. They intend to develop and carry out an extensive public awareness campaign before the end of 2013.(4) In an effort to deter potential offenders, the campaign will focus on the legal ramifications of undertaking such illicit activities and on changing public perceptions related to the child being an active participant in the exploitation, instead of a victim.(4) In 2010, CONAPEES proposed the creation of three teams of service experts that could be sent to various regions of the country to assist child victims of commercial sexual exploitation.(5) It is unknown, however, whether this plan received approval during the reporting period.

In 2011, MLSS and MIDES implemented 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 intends to collaborate with other countries in the region in order to exchange best practices to address this worst form of child labor.(5) CETI aims to develop a formal structure within the garbage sorting and collection industry. The timeline for this initiative is unknown.(4)

The Government of Uruguay and other MERCOSUR countries continue to carry 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.(31-33) During the reporting period, MERCOSUR member countries, including Uruguay, conducted a joint awareness campaign called "A United MERCOSUR against Child Labor." The campaign advocated for the eradication of dangerous activities in domestic work and the commercial sexual exploitation of children and adolescents.(4) It also promoted the protection of adolescents who are employed.(4) Approximately 3,000 informational pamphlets were produced; radio ads were also purchased to implement the campaign.(4)

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, and Venezuela, conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America.(34, 35)

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

Pro-Child (*Pro-Niño*) is a program run by *Fundación Telefonica* and focused on the prevention and eradication of child labor. Established in 2000, the program has more than 10,000 active youth participants nationwide.(4, 36) This reporting period, they ran several advocacy campaigns against child labor, conducted a survey to assess the prevalence of child labor among Afro-Uruguayan children, and created a manual calling for the end of child labor that was presented to the President.(4, 36)

In an effort to improve current working conditions for child adolescent workers and raise public awareness, CETI has created a manual to inform employers, child laborers, and social organizations about the occupations in which children between the ages of 15 and 17 can be engaged in. They also provide information on how children can coordinate with INAU to receive legal work permits.(36) CETI intends to distribute the manual to educational institutions, employment centers, and various labor organizations. The manual is set to be published and distributed in late 2013.(36)

Previously, the Government of Uruguay had implemented an emergency social assistance program, PANES, which ended in 2007. The program was assessed and its impact on school attendance and child labor was documented.(37) Results indicate that the PANES program did not have an effect on either school attendance or child labor. It is believed that the

size of the cash transfer was not generous enough to prevent school attrition.(37) PANES was immediately replaced with a comprehensive National Plan of Equality, which established the Family Allocations Program.(37, 38) Similar to PANES, Family Allocations is a conditional cash transfer program implemented to reduce national poverty levels and to assist working families with children, as well as families in need. Run by the Institute for Social Security, the program is still operational and mandates that beneficiaries have their children attend school and receive medical services.(39) The impact this program is having on child labor has not yet been assessed.

The Government of Uruguay participated in an initiative, completed this reporting period and funded by the Inter-American Development Bank, to address child labor, reduce school attrition rates, and comprehensively improve children's ability to perform in school. Of the 1,400 initiative beneficiaries, 40 percent of the children enrolled in school and were no longer engaged in child labor.(4)

Plans to address child labor in garbage dumps, as well as the commercial sexual exploitation of children, have been adopted but programs to assist these children have not been established. Research also found no evidence of any existing or planned programs to assist working children in other sectors. More programs are needed to reach those who are engaged in the worst forms of child labor, including those who work in the agricultural sector and in commercial sexual exploitation.

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, 2012
	Draft and adopt a list of light work occupations.	2012
	Draft and adopt legislation that addresses the trafficking of persons and that provides protections for victims trafficked internally.	2012
Coordination and Enforcement	Institute systematic recordkeeping of child labor cases at the INAU.	2009, 2010, 2011, 2012
	Provide more comprehensive guidelines for MLSS hotline operators to allow for the proper classification of calls regarding child labor.	2011, 2012
	Increase the number of inspections in rural areas.	2011, 2012
Policies	Draft and adopt a comprehensive national plan of action to address the worst forms of child labor.	2010, 2011, 2012
	Approve and enact the CONAPEES proposal to send expert teams in the field to assist with researching cases of commercial sexual exploitation of children.	2011, 2012

Area	Suggested Actions	Year(s) Action Recommended
Social Programs	Assess the impact of the Institute for Social Security's Family Allocations conditional cash transfer program on child labor.	2011, 2012
	Institute programs to provide assistance to child laborers, including children working in agricultural and commercial sexual exploitation.	2010, 2011, 2012
	Assess the impact that existing social programs may have on addressing child labor.	2011, 2012

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