

Uruguay

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working:	Unavailable
Minimum age for admission to work:	15 ⁴³⁷⁷
Age to which education is compulsory:	14 ⁴³⁷⁸
Free public education:	Yes ⁴³⁷⁹
Gross primary enrollment rate in 2003:	109% ⁴³⁸⁰
Net primary enrollment rate in 2003:	Unavailable
Percent of children 5-14 attending school:	Unavailable
As of 2002, percent of primary school entrants likely to reach grade 5:	88% ⁴³⁸¹
Ratified Convention 138:	6/2/1977 ⁴³⁸²
Ratified Convention 182:	8/3/2001 ⁴³⁸³
ILO-IPEC participating country:	Yes ⁴³⁸⁴

Incidence and Nature of Child Labor

The majority of child labor in Uruguay occurs in the informal sector. Some children work in agriculture or as street vendors or jugglers.⁴³⁸⁵ They also work cleaning windshields, begging, and helping their parents as garbage sorters.⁴³⁸⁶ Commercial sexual exploitation of children occurs in Uruguay, mostly in the areas that border Brazil.⁴³⁸⁷ Children, including those who are very poor and homeless, are involved in prostitution around factories and in slums, and a specific market for virgin children exists.⁴³⁸⁸ There are also isolated reports of prostitution of boys.⁴³⁸⁹ There is a growing concern of possible child prostitution rings in Montevideo and Punta del Este, with the involvement of hotel staff and taxi drivers.⁴³⁹⁰ Reports from children's rights NGOs indicate that 90 percent of minors who resorted to prostitution did so to assist their families, who

⁴³⁷⁷ *Código de la niñez y la adolescencia en Uruguay*, (August 2, 2004), Article 162; available from <http://www.gurisesunidos.org.uy/codigo.htm>.

⁴³⁷⁸ Pan American Health Organization, *Uruguay*, [online] 2006 [cited December 20, 2006]; available from <http://www.paho.org/spanish/sha/prfluru.htm>. See also Government of Uruguay, *Constitución de la República*, Article 70; available from <http://www.parlamento.gub.uy/constituciones/const004.htm>.

⁴³⁷⁹ *Constitución de la República*, Article 71.

⁴³⁸⁰ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org>.

⁴³⁸¹ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

⁴³⁸² ILO, *Ratifications by Country*, accessed December 28; available from <http://www.ilo.org/ilolex/english/docs/declworld.htm>.

⁴³⁸³ *Ibid.*

⁴³⁸⁴ ILO, *Ficha País: Uruguay*, [online] [cited December 28, 2006]; available from <http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipe/doc/fichas/fichauruguay.doc>.

⁴³⁸⁵ U.S. Department of State, "Uruguay," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78908.htm>. Section 6d.

⁴³⁸⁶ U.S. Department of State, E-mail communication to USDOL official, July 27, 2007.

⁴³⁸⁷ ECPAT International CSEC Database, *Uruguay*, accessed August 28, 2006; available from <http://www.ecpat.net>. See also U.S. Department of State, "Country Reports-2006: Uruguay," Section 5.

⁴³⁸⁸ ECPAT International CSEC Database, *Uruguay*.

⁴³⁸⁹ U.S. Department of State, "Country Reports-2006: Uruguay." Section 5.

⁴³⁹⁰ *Ibid.*, Section 5.

allowed or actively promoted their involvement.⁴³⁹¹ Poor families reportedly have turned their children over to forced domestic service and agricultural labor.⁴³⁹²

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years.⁴³⁹³ Adolescents between 15 and 18 years require government permission to work and must undergo physical exams to identify possible exposure to job-related physical harm. These permits are not granted for hazardous, fatiguing, and night work.⁴³⁹⁴ The government only grants work permission to minors who either have finished 9 years of compulsory education or who are enrolled in school and are completing compulsory education.⁴³⁹⁵ Another exception that may be granted by the Adolescent Labor Division of the National Institute for Adolescents and Children (INAU) is for minors ages 13 through 15 to engage in mainly cultural or artistic activities.⁴³⁹⁶ Minors are not allowed to work for more than 6 hours per day within a 36-hour work week. Further, minors have to rest 1 day a week, preferably Sunday, and cannot work between the hours of 10 p.m. and 6 a.m.⁴³⁹⁷ Violations of child labor laws are punishable by fines.⁴³⁹⁸ Parents or adults responsible for working children may be subject to imprisonment of 3 months to 4 years.⁴³⁹⁹

Forced or compulsory labor, including by children, is prohibited by law.⁴⁴⁰⁰ The legal system addresses sexual exploitation, prostitution, and trafficking involving minors and provides prison terms of 2 to 12 years.⁴⁴⁰¹ The minimum age for voluntary or compulsory military conscription is 18 years.⁴⁴⁰²

The INAU bears primary responsibility for implementing policies to prevent and regulate child labor and to provide training on child labor issues.⁴⁴⁰³ INAU works with the Ministry of Labor

⁴³⁹¹ Ibid.

⁴³⁹² U.S. Department of State, "Uruguay (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65990.htm>. See also U.S. Department of State, E-mail communication to USDOL Official, September 20, 2006.

⁴³⁹³ *Código de la niñez y la adolescencia en Uruguay*, Article 162.

⁴³⁹⁴ U.S. Department of State, "Country Reports-2006: Uruguay," Section 6d.

⁴³⁹⁵ U.S. Department of State, "Uruguay," in *Country Reports on Human Rights Practices- 2005*, Washington, DC, March 8, 2006; available from <http://www.state.gov/g/drl/rls/hrrpt/2005/61744.htm>.

⁴³⁹⁶ State, E-mail communication, July 27, 2007.

⁴³⁹⁷ ILO, *NATLEX National Labour Law Database*, [online] [cited September 8, 2006]; available from <http://www.mtss.gub.uy/indice.htm>.

⁴³⁹⁸ *Código de la niñez y la adolescencia en Uruguay*, Article 173.

⁴³⁹⁹ Ibid., Article 176. See also *Criminal Code of Uruguay*, (1986), Article 279B; available from http://www.unifr.ch/derechopenal/legislacion/uy/cp_uruguay.htm.

⁴⁴⁰⁰ U.S. Department of State, "Country Reports-2006: Uruguay," Section 6d.

⁴⁴⁰¹ *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), Articles 5 and 6; available from <http://www.parlamento.gub.uy/Leyes/Ley17815.htm>.

⁴⁴⁰² U.S. Central Intelligence Agency, *The World Factbook- Uruguay*, [online] September 19, 2006 [cited September 25 2006]; available from <https://www.cia.gov/cia/publications/factbook/geos/uy.html>.

⁴⁴⁰³ The National Institute for Adolescents and Children (INAU) was formerly known as the National Institute for Minors (INAME). See also *Código de la niñez y la adolescencia en Uruguay*, Articles 68 and 223. See also Ministerio de Trabajo y Seguridad Social, *Comite nacional para la Erradicacion del Trabajo Infantil*, [online] [cited September 25 2006]; available from <http://www.mtss.gub.uy/marnews.htm>.

to investigate complaints of child labor and with the Ministry of the Interior to prosecute cases.⁴⁴⁰⁴ INAU has hired 109 inspectors to conduct approximately 2,000 inspections per year, imposing sanctions in 5 percent of the cases.⁴⁴⁰⁵ However, the U.S. Department of State reports that a lack of resources and the concentration of child work in the informal sector, which accounts for 40 percent of total employment in Uruguay, make enforcement difficult.⁴⁴⁰⁶ Authorities recently investigated the case of a child prostitution ring operating at the border with Argentina.⁴⁴⁰⁷ The Crime Prevention Office within the Ministry of the Interior addresses child trafficking and implements a database on cases related to trafficking.⁴⁴⁰⁸

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Interdepartmental Commission for the Prevention and Protection of Children Against Sexual Exploitation, along with INAU, has a national plan of action against commercial sexual exploitation of children that includes protection measures for victims and witnesses. However, the organizations reported a lack of resources to pursue their objective.⁴⁴⁰⁹ The Ministry of Education has produced anti-trafficking public service announcements on national television.⁴⁴¹⁰

The Government of Uruguay funds various NGOs that assist homeless children and victims of trafficking. Programs for trafficking victims include legal, medical and psychological care, as well as shelter, food, and education.⁴⁴¹¹ However, according to the U.S. Department of State, care for victims was not available in all parts of the country; shelters could not meet the demand and did not keep records that identified whether they were in fact serving trafficking victims.⁴⁴¹²

The government is also participating in an IDB-financed program that includes initiatives to address child labor, reduce school attrition, and improve children's performance in school.⁴⁴¹³ UNICEF is implementing a project to raise awareness of children's and adolescents' rights that includes a component on child labor.⁴⁴¹⁴

⁴⁴⁰⁴ See U.S. Embassy- Montevideo, *reporting*, September 2004, para 4.

⁴⁴⁰⁵ U.S. Department of State, "Country Reports-2006: Uruguay," Section 6d.

⁴⁴⁰⁶ Ibid.

⁴⁴⁰⁷ U.S. Department of State, "Trafficking in Persons Report- 2006: Uruguay."

⁴⁴⁰⁸ U.S. Department of State, "Uruguay (Tier 2)," in *Trafficking in Persons Report- 2005*, Washington, DC, June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46616.htm>.

⁴⁴⁰⁹ U.S. Department of State, "Country Reports-2006: Uruguay," Section 5.

⁴⁴¹⁰ U.S. Department of State, "Trafficking in Persons Report- 2006: Uruguay."

⁴⁴¹¹ U.S. Department of State, "Country Reports-2006: Uruguay." See also U.S. Department of State, "Trafficking in Persons Report- 2006: Uruguay."

⁴⁴¹² U.S. Department of State, "Trafficking in Persons Report- 2006: Uruguay."

⁴⁴¹³ The 5-year program was funded in November 2002. See IDB, *Uruguay: Comprehensive Program for At-risk Children, Adolescents and Families*, UR-134, 2002, 2; available from <http://www.iadb.org/exr/doc98/apr/ur1434e.pdf>. See also IDB, *Approved Projects- Uruguay*, [online] [cited September 15, 2006]; available from <http://www.iadb.org/exr/doc98/apr/lcuru.htm>.

⁴⁴¹⁴ UNICEF, *At a Glance: Uruguay*, [online] [cited September 25, 2006]; available from <http://www.unicef.org/infobycountry/uruguay.html>.