

Uruguay

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

Uruguay is an associated country of ILO-IPEC.³⁷¹⁵ In December 2000, the Government of Uruguay created a National Committee for the Eradication of Child Labor.³⁷¹⁶ ILO-IPEC has worked with the government and the committee to harmonize the country's laws with ILO conventions on children, improve child labor statistics, develop child labor monitoring and inspection systems, and strengthen social policies and conduct awareness raising campaigns on the issue.³⁷¹⁷ The ILO's Inter-American Center for Research and Documentation on Professional Formation funds a number of projects to socially integrate youth into schools and the greater community.³⁷¹⁸ In November 2002, the IDB approved funding to the Government of Uruguay to improve the living conditions of at-risk children and adolescents, which will include measures to reduce the risk of school attrition, child labor and child abuse.³⁷¹⁹

As part of its national action plan for children, the government has undertaken various initiatives to encourage school attendance and improve the quality of basic education, such as the provision of lunches and medical attention in schools, introduction of a longer school day, more coordinated curricula, teacher training, and projects designed to encourage local involvement in school programs.³⁷²⁰ The National Child and Adolescent Institute (INAME) heads a collaborative effort to provide parents of working children with monthly payments in exchange for regular class attendance by their children.³⁷²¹ INAME also works with at-risk youth such as those living on the

³⁷¹⁵ ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited September 5, 2002]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm. See also ILO-IPEC, *Plan Subregional para la Erradicación del Trabajo Infantil en los países del Mercosur y Chile*, Regional Office for Latin America and the Caribbean, Lima, 13 [cited December 19, 2002]; available from <http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipecc/doc/documentos/folletomercosur.doc>.

³⁷¹⁶ ILO-IPEC, *Plan Subregional para la Erradicación del Trabajo Infantil*, 13. The committee is composed of representatives from government agencies and nongovernmental organizations such as the Ministry of Labor, the National Children's Institute, labor unions, the Chamber of Commerce, the National Association of Nongovernmental Organizations, and UNICEF. See Ricardo Nario, Embassy of Uruguay, facsimile communication to USDOL official, September 6, 2002.

³⁷¹⁷ ILO-IPEC official, electronic communication to USDOL official, October 1, 2002.

³⁷¹⁸ ILO-IPEC, *Observatorio de experiencias: Uruguay, programas y proyectos ejecutados por el Instituto de Educación Popular el Abrojo*, [online] [cited September 6, 2002]; available from <http://www.cinterfor.org.uy/public/spanish/region/ampro/cinterfor/temas/youth/exp/uru/abrojo/index.htm>.

³⁷¹⁹ Inter-American Development Bank, *IDB Approves \$40 Million for Comprehensive Program to Benefit At-Risk Children, Adolescents and Families in Uruguay*, [online] November 20, 2002 [cited November 26, 2002]; available from <http://www.iadb.org/exr/PRENSA/2002/cp26302e.htm>.

³⁷²⁰ ILO-IPEC Regional Office for Latin America and the Caribbean, *Informe Regional- Uruguay*, UNICEF, [online] 1999 [cited September 6, 2002]; available from http://www.unicef.org/lac/espanol/informe_regional/uruguay/acciones.htm.

³⁷²¹ The payments approximate the amount of money that a child would earn working on the street. U.S. Embassy-Montevideo, *unclassified telegram no. 1824*, September 2000.

street and provides adolescents with work training.³⁷²² The government collaborates with NGOs to fund the Child and Family Service Center Plan,³⁷²³ which provides after school recreational programs for children and special services for street children.³⁷²⁴ INAME heads the Interinstitutional Group for the Prevention and Protection of Children against Youth Sexual Exploitation, which conducts research on the phenomenon and operates a toll-free phone number to connect victims with support services.³⁷²⁵

The National Administration of Public Education (ANEP), an autonomous government agency,³⁷²⁶ has developed a project to train teachers and educate students on children's rights.³⁷²⁷ In August 2002, Uruguay received a USD 3.9 billion loan package from the World Bank, IMF, and the Inter-American Development Bank that, in addition to several other purposes, is intended to support research and school rehabilitation conducted by ANEP.³⁷²⁸ This loan is in addition to a USD 43.4 million loan from the World Bank in April 2002 for pre-school and primary education.³⁷²⁹

Uruguay is also participating in regional efforts to combat child labor. In 1997, Uruguay was a party to the Declaration of Buenos Aires, in which it agreed, along with the MERCOSUR partners (Argentina, Brazil, and Paraguay) and Chile, to promote the harmonization of regional laws and carry out awareness raising activities related to child labor.³⁷³⁰ Uruguay has also committed to exchange best practices in regard to child labor inspections and statistics with its MERCOSUR partners.³⁷³¹ In addition to providing support for these efforts, ILO-IPEC is also promoting regional projects to strengthen civil society partners, incorporate child labor themes into national and regional policies, remove children from child labor through direct action programs, and establish observer committees responsible for evaluating progress.³⁷³²

³⁷²² National Institute for Minors, *Centro de Formación y Estudios*, INAME, [online] [cited September 6, 2002], 12; available from <http://www.iname.gub.uy/TAREA.htm>.

³⁷²³ Carmen Midaglia, *Alternativas de protección a la infancia carenciada: La peculiar convivencia de lo público y privado en el Uruguay*, Colección Becas de Investigación CLACSO-ASDI, Buenos Aires, December 2000, 12 [cited December 19, 2002]; available from <http://www.clacso.edu.ar/~libros/midaglia/introduccion.pdf>.

³⁷²⁴ ILO-IPEC Regional Office for Latin America and the Caribbean, *Informe Regional- Uruguay*.

³⁷²⁵ Other governmental agencies and UNICEF are also members of the commission. Martín Marzano Luissi, *La Experiencia Uruguaya en Explotación Sexual de Niños, Niñas y Adolescentes*, Instituto Nacional del Menor.

³⁷²⁶ Inter-American Development Bank, *Uruguay: Social Protection and Sustainability Program (UR-0151)*, IDB, Washington, D.C., August 7, 2002, 7 [cited December 19, 2002]; available from <http://www.iadb.org>.

³⁷²⁷ National Administration of Public Education (ANEP), *Derechos del niño: Derechos deberes y garantías, una propuesta pedagógica hacia un indicador de logro actitudinal, segunda parte del proyecto*, [online] [cited September 6, 2002]; available from <http://www.anep.edu.uy/primaria/InformacionInstitucional/ProyectosCEP/Derechos1.htm>.

³⁷²⁸ World Bank, *World Bank Approves \$300 Million to help Uruguay Cope with External Shocks, Strengthen Economic Reforms*, (News Release No. 2002/056/LCR), [online] August 8, 2002 [cited September 6, 2002]; available from <http://www.worldbank.org>. See also Inter-American Development Bank, *Uruguay: Social Protection and Sustainability Program*, 16, 19.

³⁷²⁹ World Bank, *Uruguay: World Bank Approves \$43.4 Million for Pre-school and Primary Education*, (2002/294/LAC), [online] April 25, 2002 [cited September 6, 2002]; available from <http://worldbank.org>.

³⁷³⁰ ILO-IPEC, *Plan Subregional para la Erradicación del Trabajo Infantil*, 5.

³⁷³¹ *Ibid.*

³⁷³² *Ibid.*, 18-19.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 1 percent of children ages 10 to 14 years were working in Uruguay.³⁷³³ The incidence of working boys is greater than that of working girls, and this ratio increases in rural areas.³⁷³⁴ Children work in services, stores, agriculture, ranching, industry, and as artisans and domestic servants.³⁷³⁵ More children work in the interior of the country than in Montevideo, the capital city.³⁷³⁶ Children as young as age 11 or 12 reportedly engage in prostitution;³⁷³⁷ these children work in entertainment establishments and in regions that cater to tourists, such as the resort of Punta del Este.³⁷³⁸ A trafficking ring that brought a small number of Ecuadorian youths to the country and forced them to work in unhealthy conditions was discovered in May 2001.³⁷³⁹

Education is compulsory for a total of nine years, beginning at the primary level, and is free from the pre-primary through the university level.³⁷⁴⁰ In 1998, the gross primary enrollment rate was 112.8 percent, and the net primary enrollment rate was 92.3 percent.³⁷⁴¹ Primary school attendance rates are unavailable for Uruguay. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.³⁷⁴²

Child Labor Laws and Enforcement

The Children and Adolescents' Code sets the minimum age for employment at 14 years.³⁷⁴³ Under rare circumstances, adolescents between the ages of 14 and 15 may be granted special permission

³⁷³³ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002.

³⁷³⁴ ILO-IPEC, "Uruguay" in *Trabajo infantil en los países del MERCOSUR: Argentina, Brasil, Chile, Paraguay, Uruguay*, Regional Office for Latin America and the Caribbean, Lima, 1998, 99.

³⁷³⁵ Ibid.

³⁷³⁶ Ibid.

³⁷³⁷ ECPAT International, *Uruguay*, in ECPAT International, [database online] 2002 [cited September 6, 2002], "CSEC Overview"; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

³⁷³⁸ Ibid. See also Swedish International Development Agency, *Looking Back, Thinking Forward: The Fourth Report on the Implementation of the Agenda for Action adopted at the First World Congress against Commercial Sexual Exploitation of Children*, Stockholm, 1999-2000.

³⁷³⁹ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Uruguay*, Washington, D.C., March 4, 2002, 3064-65, Section 6f [cited December 19, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/wha/8231pf.htm>.

³⁷⁴⁰ U.S. Embassy- Montevideo, *unclassified telegram no. 1824*. See also UNESCO, *Uruguay- Education System*, [online] 2002 [cited September 6, 2002]; available from <http://www.unesco.org>.

³⁷⁴¹ World Bank, *World Development Indicators 2002*.

³⁷⁴² For a more detailed description on the relationship between education statistics and work, see the preface to this report.

³⁷⁴³ Government of Uruguay, *Ley núm. 9342, por la que se dicta el Código del niño*, [cited September 6, 2002]; available from <http://natlex.ilo.org/scripts/natlexcgi.exe?lang=E>.

to work by the Ministry of Labor and Social Security.³⁷⁴⁴ Minors between the ages of 15 and 18 also require government permission to work, and are prohibited from engaging in dangerous, fatiguing or night work.³⁷⁴⁵ All working children under the age of 18 must obtain a work card issued by the National Child and Adolescent Institute and must provide it to their employers.³⁷⁴⁶ Article 294 of the Uruguayan Penal Code prohibits procuring a person for prostitution.³⁷⁴⁷ The trafficking of children and child pornography are criminal offenses in Uruguay.³⁷⁴⁸

The Ministry of Labor and Social Security is responsible for enforcing labor laws.³⁷⁴⁹ The Adolescent Labor Division of INAME bears primary responsibility for implementing policies to prevent and regulate child labor and to provide training on child labor issues.³⁷⁵⁰ Minimum age laws and laws prohibiting forced or bonded labor by children are generally enforced in practice.³⁷⁵¹

Uruguay ratified ILO Convention 138 on June 2, 1977, and ILO Convention 182 on August 3, 2001.³⁷⁵²

³⁷⁴⁴ U.S. Department of State, *Country Reports- 2001: Uruguay*, 3064-65, Section 6d.

³⁷⁴⁵ *Ibid.*

³⁷⁴⁶ Work cards must contain a medical certificate reflecting the child's good health and parental authorization. During the first 9 months of 2000, National Institute for Children (INAME) issued approximately 1,445 work cards to children between the ages of 14 and 18, with three-fourths of these going to boys. U.S. Embassy- Montevideo, *unclassified telegram no. 1824*.

³⁷⁴⁷ If the victim is younger than 14 years, the punishment is 4 years of imprisonment. See United Nations Development Programme, *Uruguay: Legislación sobre violencia*, [online] 2002 [cited September 6, 2002]; available from <http://www.undp.org/rblac/gender/campaign-spanish/uruguay.htm>.

³⁷⁴⁸ U.S. Embassy- Montevideo, *unclassified telegram no. 1824*.

³⁷⁴⁹ ILO-IPEC, *Trabajo Infantil en los países del MERCOSUR*, 101.

³⁷⁵⁰ ILO-IPEC Regional Office for Latin America and the Caribbean, *Informe Regional- Uruguay*.

³⁷⁵¹ U.S. Department of State, *Country Reports- 2001: Uruguay*, 3064-65, Section 6d.

³⁷⁵² ILO, *Ratifications by Country*, ILOLEX, [database online] [cited September 6, 2002]; available from <http://iloex.ilo.ch:1567/english/newratframeE.htm>.