

In 2015, Uruguay made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government published and distributed a resource guide for police and investigators on responding to cases of human trafficking and child commercial sexual exploitation. The Anti-Trafficking Interagency Committee drafted an action plan for Ministry of the Interior officers and the Government continued to fund existing social programs to address the worst forms of child labor. However, children in Uruguay continue to engage in the worst forms of child labor in garbage scavenging and commercial sexual exploitation. The Government does not collect or publish comprehensive labor and criminal law enforcement statistics or implement sufficient programs to prevent and eliminate the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uruguay are engaged in the worst forms of child labor, including in garbage scavenging and commercial sexual exploitation. (1-12) Table 1 provides key indicators on children's work and education in Uruguay.

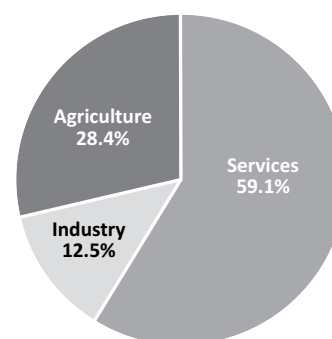
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	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 (%)		104.3

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2015.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Trabajo Infantil (MTI), 2009.(14)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Livestock raising,† activities unknown (1, 11, 15) Fishing,*† activities unknown (1, 15)
Industry	Construction work† in buildings and roads (1, 4, 5, 9, 11, 12, 15, 16) Manufacturing,*† activities unknown (1)
Services	Street work,† including begging† and street vending† (2-5, 9, 11, 12, 15, 17-19) Garbage scavenging† and recycling† (5, 9, 11, 12, 15-17, 20) Domestic work† (1-4, 7, 15)
Categorical Worst Forms of Child Labor‡	Forced domestic work* (2) Used in the production of child pornography* (9, 12) Commercial sexual exploitation sometimes as a result of human trafficking (6-10, 12, 18, 21)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

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The 2009 National Child Labor Survey found that 11.6 percent of children between ages 5 and 17 were engaged in some form of economic activity, and of these children, 8.5 percent were engaged in work considered to be hazardous. Children are more likely to work in rural areas, and children of Afro descent are more likely to be engaged in work, particularly hazardous work, than children of other ethnic groups in Uruguay.(1, 22, 23) Children from rural areas and Afro-descendant children are also subjected to discrimination in the education system and have high secondary school dropout rates.(15)




The Ministry of Social Development (MIDES) and the National Statistics Institute have estimated that approximately 20,000 children work with their parents in recycling activities derived from collecting and sorting garbage in the streets and at home.(17, 24) A March 2013 MIDES report revealed that children in 1,211 homes in Montevideo, where families sort garbage and recyclables, live in unsanitary and unhealthy conditions. More than 70 percent of these children live in chronic poverty.(5, 17)

Children are victims of commercial sexual exploitation, especially in tourist areas and near the borders of Uruguay with Argentina and Brazil. There are limited reports that minors engage in prostitution as a way to help provide income for their families.(2-4, 6) The Government identified the provinces of Canelones, Cerro Largo, Colonia, Lavalleja, Maldonado, Paysandú, Rio Negro, Rocha, San Jose, and Treinta y Tres, as well as the capital, Montevideo, as the primary areas of recruitment for trafficking in persons.(25)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Uruguay has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 162 of the Code for Children and Adolescents; Article 7 of the Youth Employment Law (26, 27)
Minimum Age for Hazardous Work	Yes	18	Article 163 of the Code for Children and Adolescents; Article 93 of Decree No. 321/009; Article 7 of the Youth Employment Law (26-28)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Section A, Articles 1–7 of Resolution 1012/006 (29)
Prohibition of Forced Labor	Yes		Article 15 of the Code for Children and Adolescents; Articles 7 and 53 of the Constitution; Articles 77–79 and 81 of the Migration Law; Article 6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law (26, 30-32)
Prohibition of Child Trafficking	Yes		Article 15 of the Code for Children and Adolescents; Article 81 of the Migration Law; Article 6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law (26, 31, 32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 15 of the Code for Children and Adolescents; Article 81 of the Migration Law; Articles 1–6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law; Articles 2, 26, and 30 of the Sex Work Law (26, 31-33)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 59 of the Narcotics Law (34, 35)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Article 4 of the Military Training Law (36)
Compulsory Education Age	Yes	17‡	Article 7 of the General Education Law (11, 37-39)
Free Public Education	Yes		Article 71 of the Constitution; Articles 15 and 16 of the General Education Law (30, 37)

* No conscription (40)

‡ Age calculated based on available information (11, 37-39)

In July 2015, the Ministry of Foreign Affairs signed a cooperative memorandum with the IOM to draft a comprehensive anti-human trafficking law.(41)

Uruguay's General Education Law establishes compulsory education for children from age 4 through secondary school. The Government of Uruguay has indicated that education is compulsory up to age 17, if the student does not fall behind.(11, 37, 39) Article 165 of the Code for Children and Adolescents allows the Institute for Adolescents and Children (INAU) to grant permission to children ages 13 to 15 to engage in light work. However, the Government of Uruguay has not specified what occupations constitute light work, or the hours and conditions in which this work can be undertaken.(20, 26) The Code for Children and Adolescents establishes a general prohibition against hazardous work for children under age 18, and Decree No. 321 identifies the agricultural sector as hazardous, prohibiting children under age 18 from working in this sector. Although Decree No. 321 establishes penalties for violations related to underage work in agriculture, research did not find information on penalties related to underage hazardous work outside the agricultural sector.(28, 29)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Security (MTSS)	Monitor the overall enforcement of labor laws and compliance with labor regulations, and issue penalties for violations. Responsible for the legal protection of workers, including identifying locations and conditions in which child labor may occur.(5, 17, 42-44) Inspectors refer child labor cases to the Institute for Adolescents and Children (INAU).(11)
INAU	Lead government efforts to assist children in Uruguay, including those employed within the informal sector.(2, 45) Enforce and implement policies to prevent child labor and provide training on child labor issues.(44) Evaluate permit requests and grant work permits, ensuring that children under age 18 are not employed in hazardous work. Support child welfare and protection, and coordinate services for children found in child labor.(5, 17, 44, 46) Work with the MTSS and the National Insurance Bank to investigate child labor complaints, and with the Ministry of the Interior (MOI) to prosecute cases when legal violations are found.(47) The responsibilities of INAU's Department of Child Labor include (1) preventing and monitoring the participation of minors in work activities that might adversely affect welfare and development; (2) monitoring work conditions and environment, as well as legislation on minors; (3) investigating all accidents and complaints of irregularities at the national level; and (4) proposing amendments and regulations of current legislation regarding child labor.(48)
MOI	Investigate all organized crimes, including child trafficking, commercial sexual exploitation of children, and the use of children in narcotics operations. Gather evidence for a judge to make a ruling.(3, 21, 47) Children identified as victims of the worst forms of child labor through MOI investigations can be placed under the protection or custody of INAU.(3)
Specialized Court for Organized Crime	Mandate police investigations for cases related to organized crime. Operated by two judges in Montevideo and two public prosecutors.(3, 21, 49-51)

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Labor Law Enforcement

In 2015, labor law enforcement agencies in Uruguay took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	\$358,000,000 (11)	Unknown (11)
Number of Labor Inspectors	160 (20)	150 (11)
Number of Child Labor Dedicated Inspectors	10 (20)	7 (11)
Inspectorate Authorized to Assess Penalties	Yes (20)	Yes (11)
Training for Labor Inspectors		
■ Initial Training for New Employees	No (11)	Unknown
■ Training on New Laws Related to Child Labor	N/A	N/A
■ Refresher Courses Provided	No (11)	Unknown
Number of Labor Inspections	20,063 (52)	17,102 (52)
■ Number Conducted at Worksite	Unknown	Unknown
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown* (11)	Unknown* (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (11)	Unknown* (11)
■ Number of Penalties Imposed That Were Collected	Unknown* (11)	Unknown* (11)
Routine Inspections Conducted	Yes (53)	Yes (11)
■ Routine Inspections Targeted	Yes (53)	Yes (11)
Unannounced Inspections Permitted	Yes (20)	Yes (11)
Unannounced Inspections Conducted	Yes (11)	Yes (11)
Complaint Mechanism Exists	Yes (11)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (11)

*The Government does not make this information publicly available.

Information regarding 2015 funding levels and training for the labor inspectorate will be released in 2016. The Government does not collect annual statistics related to the number of child labor violations, penalties, investigations, prosecutions, or convictions due to their low incidence.(11) The Ministry of Labor and Social Security classifies hotline complaints under child labor only if the phrase “child labor” is specifically mentioned, which may result in underreporting of child labor cases.(3)

The high number of inspections that each inspector conducts may compromise the effectiveness of the inspections. In addition, INAU conducts the majority of its inspections in Montevideo, the capital, despite evidence from the National Child Labor Survey indicating that most child labor occurs in rural areas.(3, 11, 17, 53)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Uruguay took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	No (11)	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
■ Refresher Courses Provided	No (11)	Yes (41)
Number of Investigations	Unknown* (20)	Unknown* (11)
Number of Violations Found	Unknown* (20)	Unknown* (11)
Number of Prosecutions Initiated	5 (41)	16 (41)
Number of Convictions	Unknown* (20)	Unknown* (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (11)

*The Government does not make this information publicly available.

Cases of commercial sexual exploitation of children are not investigated and prosecuted effectively in Uruguay.(15) In 2015, the Ministry of the Interior updated operational plans and drafted protocols for specialized police units to address human trafficking and commercial sexual exploitation of children. During the reporting period, the Government also published and distributed a resource guide for police and investigators on responding to cases of human trafficking and commercial sexual exploitation of children.(41)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Committee for the Eradication of Child Labor (CETI)	Coordinate efforts between law enforcement bureaus and NGOs to develop a plan of action for child laborers and their families.(45) Led by the MTSS and INAU, chaired by the Inspector General, and coordinated by the Sub-Inspector General of the MTSS. Composed of government agencies, industry representatives, labor groups, and NGOs; meets every 2 weeks.(2, 17, 54, 55)
National Committee for the Eradication of Sexual Exploitation of Children and Adolescents (CONAPEES)	Implement actions to combat the sexual exploitation of children and adolescents.(2, 3) Develop public policies and a national plan of action on the commercial sexual exploitation of children and adolescents, taking into account Uruguay's existing norms and international commitments. Led by INAU and composed of representatives from several government agencies, NGOs, and UNICEF.(54)
Interagency Committee to Prevent and Fight Human Trafficking	Coordinate Uruguay's anti-human trafficking efforts. Chaired by the Ministry of Social Development (MIDES).(2, 3, 41) In May 2015, the Ministry of Foreign Affairs and MOI sponsored a conference for 60 officials from both agencies to exchange experiences and discuss how to integrate their response to human trafficking and the commercial sexual exploitation of children. In August 2015, began working with a consultant to draft the new anti-human trafficking law.(41)

In 2015, increased coordination between the Ministry of Labor and Social Security and INAU resulted in systematic information sharing, including interconnected databases.(11)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Uruguay has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
Plan to Combat Child Labor (2010–2015)	Includes a range of programs intended to affect child labor. Major focus areas include social and labor inclusion, citizen participation, social and educational inclusion, awareness raising, and programs giving special benefits to youth and populations at risk.(11, 20) Implemented by MIDES.(11)
MERCOSUR Social Labor Declaration of 2015†	Aims to promote decent work and sustainable development in the five member states of MERCOSUR, in part through commitments to uphold core labor standards, including the elimination of forced labor, the prevention and elimination of child labor, and the protection of adolescent work. Signed in Brasilia, Brazil in July 2015.(56, 57)
MERCOSUR United Against Child Labor Campaign	Develops public awareness about the need to combat child labor in MERCOSUR. Addresses child labor in agriculture, domestic work, and sexual exploitation, with particular emphasis on communities along country borders.(58)
MERCOSUR Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding child labor, including child trafficking and the commercial sexual exploitation of children, and migrant labor by harmonizing country legal frameworks with international conventions affecting children and by exchanging best practices.(59)
Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR	Promotes greater articulation among governmental agencies, levels of government, and civil society for MERCOSUR members.(60)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Uruguay at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(61, 62)

Table 9. Policies Related to Child Labor (cont)

Policy	Description
Declaration of Cancún and Plan of Action (2015)†	In 2015, the Government of Uruguay participated in the XIX Inter-American Conference of Ministers of Labor to promote decent work with social inclusion throughout the Americas, held in Cancún, Mexico. Participating countries adopted the declaration, which aims in part to foster policies to eliminate labor exploitation, including child labor, and to promote education and vocational training for youth.(63, 64) Participating countries also adopted the Plan of Action, which prioritizes the elimination of child labor, including through data collection, enforcement of labor laws, and the development of social protection policies for children and families.(63, 65)
National Action Plan to End Child Labor in Garbage Scavenging	Seeks to combat child labor in garbage dumps through specific projects that involve education, health care, housing, and law enforcement agencies. Launched by CETI and implemented by government agencies, including the MTSS and MIDES.(5, 17) CETI members are finalizing a draft protocol of action for the detection and assistance of child laborers in garbage collection. In 2014, the plan was expanded to study child labor in rural areas to eliminate the worst forms of child labor in agriculture.(20)
CONAPEES National Plan for the Eradication of Commercial and Non-Commercial Child and Adolescent Exploitation	Works to eliminate the commercial sexual exploitation of children. Focuses on goals that include strengthening victims' rights, improving protection measures for victims and witnesses, keeping children in school, reintegrating children who had previously left school, and developing alternative income strategies for families.(2, 3)
Presidential Decree: Commercial Sexual Exploitation of Children and Adolescents: Obligations of Tourism Operators	Requires tourism operators to raise awareness, take preventive actions, and report incidents of commercial sexual exploitation of children to the Ministry of Tourism and CONAPEES.(25, 66)
National Strategy for Childhood and Adolescence (2010–2030)*	Identifies goals to be achieved by 2030. Developed by government agencies, political parties, civil society, and private-sector organizations; recognized as a roadmap for policies on children.(2, 67)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

In 2015, members of the Anti-Trafficking Interagency Committee drafted an action plan for Ministry of the Interior officers. The plan is currently under ministerial level review.(41, 68)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Uruguay funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Pro-Child (<i>Pro-Niño</i>)†	Program implemented by Telefónica Foundation focused on prevention and eradication of child labor. Established in 2000; has more than 10,000 active youth participants nationwide.(2, 69)
MIDES Youth Affairs Bureau Programs†	MIDES Youth Affairs Bureau implements three programs intended to help eliminate the worst forms of child labor: (1) Participation, Citizenship, and Culture; (2) Education and Educational Integration; and (3) Training and Work.(20)
Regional Project to End Child Labor in Latin America (2011–2015)	\$4.5 million Government of Spain-funded, 3-year project implemented by ILO-IPEC to combat child labor.(70)
Uruguay, a country of good treatment (2014–2015)	Ministry of Tourism and NGO Claves joint awareness-raising campaign to eliminate commercial sexual exploitation of children and educate on the rights of children and adolescents, while promoting their protection in tourist areas.(71)
Southern Child Initiative/ MERCOSUR (<i>Niñ@ Sur</i>)	MERCOSUR initiative that includes public campaigns against child labor, including child trafficking and the commercial sexual exploitation of children; 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.(72, 73)
Regional Action Group for the Americas (<i>Grupo de Acción Regional para las Américas</i>)	Regional program that conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(72, 74)
National Plan of Equality†	Institute for Social Security program that mandates that beneficiaries have their children attend school and receive medical services. Established the Family Allocations Program, a conditional cash transfer program to reduce national poverty levels and assist working families with their children, as well as families in need.(75-77)

† Program is funded by the Government of Uruguay.

Although the Government of Uruguay has adopted plans to address child labor in garbage scavenging, agriculture, and commercial sexual exploitation, research did not find evidence of any existing or planned social programs to assist working children in these or other sectors.(17, 20) In particular, there are insufficient programs and services available to assist child victims of commercial sexual exploitation.(10) In 2015, the Government continued to fund social programs to eliminate poverty and increase social inclusion to eliminate child labor, however, the scope of these programs is insufficient to fully address the extent of the problem.(20)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Uruguay (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws governing light work identify the activities that children between ages 13 and 15 can undertake, and regulate the hours and conditions permissible for light work to ensure that children are not exposed to hazardous labor.	2012 – 2015
	Ensure there are legal penalties for violations related to all hazardous occupations prohibited for children.	2010 – 2015
Enforcement	Make publicly available information on the labor inspectorate’s funding, the training system for labor inspectors, the number of labor inspections conducted at worksites and by desk review, and the number of child labor violations found and for which penalties were imposed and collected.	2015
	Institute systematic recordkeeping of child labor cases.	2009 – 2015
	Provide MTSS hotline operators with more comprehensive guidelines to allow proper classification of calls regarding child labor.	2011 – 2015
	Employ sufficient labor inspectors who are responsible for enforcing laws related to child labor to provide adequate coverage of the workforce without compromising the quality of inspections.	2013 – 2015
	Increase the number of inspections in rural areas where child labor violations are likely to occur.	2011 – 2015
	Make publicly available information on the training system for criminal investigators as well as the number of investigations, violations, prosecutions, and convictions related to the worst forms of child labor.	2013 – 2015
	Strengthen government capacity to identify, investigate, and prosecute cases of commercial sexual exploitation of children.	2015
Government Policies	Integrate child labor prevention and elimination strategies into the National Strategy for Childhood and Adolescence.	2014 – 2015
Social Programs	Conduct research to determine the nature of activities carried out by children working with livestock, in fishing, and in manufacturing to inform policies and programs.	2013 – 2015
	Implement programs to eliminate discrimination in the education system and promote secondary school completion for children from rural areas and Afro-descendant children.	2015
	Implement programs to provide assistance to child laborers, including those engaged in agricultural work, garbage scavenging, and commercial sexual exploitation.	2010 – 2015

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