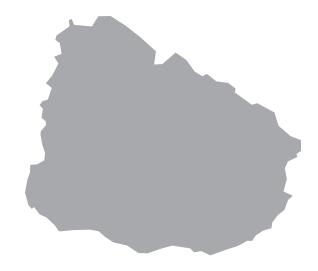
In 2016, Uruguay made a minimal advancement in efforts to eliminate the worst forms of child labor. The Committee to Prevent and Fight Trafficking in Persons presented a draft of a comprehensive anti-trafficking law to the Parliament and began updating the hazardous work list for children. However, children in Uruguay also engage in the worst forms of child labor, including in garbage scavenging and recycling, as well as commercial sexual exploitation, sometimes as a result of human trafficking. 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 engage in the worst forms of child labor, including in garbage scavenging and recycling, and commercial sexual exploitation, sometimes as a result of human trafficking.(1-14) Table 1 provides key indicators on children's work and education in Uruguay.

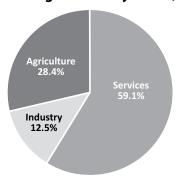
Table 1. Statistics on Children's Work and Education

| Children                      | Age     | Percent     |
|-------------------------------|---------|-------------|
| Working (% and population)    | 5 to 14 | 6.1(31,955) |
| Attending School (%)          | 5 to 14 | 97.8        |
| Combining Work and School (%) | 7 to 14 | 6.5         |
| Primary Completion Rate (%)   |         | 103.3       |

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(15)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Trabajo Infantil (MTI), 2009.(16)

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, 17)   |
|                            | Fishing,† activities unknown (1, 17)   |
| Industry                   | Construction work† in buildings and roads (1, 4, 5, 9, 11, 12, 17, 18)                       |
|                            | Manufacturing,† activities unknown (1)   |
| Services                   | Street work,† including begging† and street vending† (2-4, 11, 12, 17, 19-22)                |
|                            | Garbage scavenging† and recycling† (11, 12, 17, 19, 23)                                      |
|                            | Domestic work <sup>†</sup> (1-4, 7, 17)  |
| Categorical Worst Forms of | Forced domestic work (2)   |
| Child Labor <sup>‡</sup>   | Use in the production of pornography (9, 12)   |
|                            | Commercial sexual exploitation, sometimes as a result of human trafficking (6-8, 10, 12, 20) |

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

<sup>‡</sup> 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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In Uruguay, more than 60 percent of employed children ages 15–17 are engaged in hazardous work.(24) Children from rural areas and of Afro descent are more likely to be engaged in work, particularly hazardous work.(1, 25, 26) These children are also subjected to discrimination in the education system and have high secondary school dropout rates.(17, 26).

Child labor is also found in recycling and garbage sorting and scavenging. Approximately 20,000 children work with their parents in recycling activities derived from collecting and sorting garbage. (19, 27) Some of these children were found to be living in unsanitary and unhealthy conditions—with more than 70 percent of them living in chronic poverty. (5, 19)

Children in Uruguay are also victims of commercial sexual exploitation, especially in tourist areas and near the borders with Argentina and Brazil. (2-4, 6) In 2016, the National Committee for the Eradication of Sexual Exploitation of Children and Adolescents (CONAPEES) reported an average of almost 300 cases of commercial sexual exploitation per year. (13) Children in Uruguay are also used to transport drugs. (13, 28)

#### 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 |
|---------|--|--------------|
| ETTOEN. | ILO C. 138, Minimum Age  | ✓            |
|         | ILO C. 182, Worst Forms of Child Labor   | ✓            |
|         | UN CRC   | 1            |
|         | 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   | 1            |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Uruguay's legal framework to adequately protect children from child labor.

**Table 4. Laws and Regulations on Child Labor** 

| Standard  | Meets International<br>Standards: Yes/No | Age | Legislation  |
|---|--|-----|--|
| Minimum Age for Work  | Yes                                      | 15  | Article 162 of the Code for Children and Adolescents; Article 7 of the Youth Employment Law (29, 30)   |
| Minimum Age for Hazardous<br>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 (29-31)  |
| Identification of Hazardous<br>Occupations or Activities<br>Prohibited for Children | Yes                                      |     | Section A, Articles 1–7 of Resolution 1012/006 (32)  |
| Prohibition of Forced Labor   | No                                       |     | Article 15 of the Code for Children and Adolescents; Articles 7 and 53 of the Constitution; Articles 78 and 81 of the Migration Law (29, 33)   |
| Prohibition of Child Trafficking  | Yes                                      |     | Articles 78–81 of the Migration Law; Article 6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law (33, 34)   |
| Prohibition of Commercial<br>Sexual Exploitation of Children                        | Yes                                      |     | Articles 78 and 81 of the Migration Law; Articles 1, 4–6 of the Commercial or Non-Commercial Sexual Violence Committed Against Children Law; Decree 398/013 on Commercial Sexual Exploitation of Children in Tourism (33-35) |
| Prohibition of Using Children in Illicit Activities                                 | Yes                                      |     | Article 59 of the Narcotics Law (36, 37)   |

Table 4. Laws and Regulations on Child Labor (cont)

| Standard   | Meets International<br>Standards: Yes/No | Age             | Legislation  |
|--|--|-----------------|--|
| Minimum Age for Compulsory<br>Military Recruitment |  |                 |  |
| State Compulsory                                   | N/A*                                     |                 |  |
| State Voluntary                                    | Yes                                      | 18              | Article 4 of the Military Training Law (38)  |
| Non-state Compulsory                               | No                                       |                 |  |
| Compulsory Education Age                           | Yes                                      | 17 <sup>‡</sup> | Article 7 of the General Education Law (11, 39-41)                                   |
| Free Public Education                              | Yes                                      |                 | Article 71 of the Constitution; Articles 15–16 of the General Education Law (39, 42) |

<sup>\*</sup> No conscription (43)

Education is compulsory in Uruguay from ages 4 to 17, if the student does not fall behind.(11, 39, 41) Although the Institute for Adolescents and Children (INAU) may grant permission to children ages 13 to 15 to engage in light work, neither the occupations that constitute light work, nor the hours and conditions in which this work can be undertaken, have been defined by Uruguayan law.(23, 29) Uruguayan law prohibits children under age 18 from engaging in hazardous work—including agricultural work—but only establishes penalties for employer violations related to underage hazardous work in the agricultural sector.(29, 31, 32)

## 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). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

**Table 5. Agencies Responsible for Child Labor Law Enforcement** 

| Organization/Agency                             | Role   |
|---|--|
| Ministry of Labor and Social<br>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, 19, 46-48). Refers child labor cases to the Institute for Adolescents and Children (INAU) for follow-up.(13)   |
| Institute for Adolescents and Children (INAU)   | Lead government efforts to assist children, including those employed in the informal sector. (2, 49) Enforce and implement policies to prevent child labor and provide training on child labor issues. (48) Evaluate permit requests and grant work permits. Support child welfare and protection, and coordinate services for children found in child labor. (5, 19, 48, 50) 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. (51) |
| 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, 51, 52)   |
| Specialized Court for Organized<br>Crime        | Mandate police investigations for cases related to organized crime. Operated by two judges in Montevideo and two public prosecutors.(3, 52-55)   |

## Labor Law Enforcement

In 2016, 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           | 2015     | 2016     |
|---|----------|----------|
| Labor Inspectorate Funding                  | Unknown  | Unknown  |
| Number of Labor Inspectors                  | 150 (11) | 120 (13) |
| Number of Child Labor Dedicated Inspectors  | 7 (11)   | 9 (13)   |
| Inspectorate Authorized to Assess Penalties | Yes (11) | Yes (13) |

<sup>‡</sup> Age calculated based on available information (11, 39-41)



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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

| Overview of Labor Law Enforcement  | 2015          | 2016          |
|--|---------------|---------------|
| Training for Labor Inspectors  |               |               |
| Initial Training for New Employees   | Unknown       | Unknown* (13) |
| Training on New Laws Related to Child Labor  | N/A           | N/A           |
| Refresher Courses Provided   | Unknown       | Unknown* (13) |
| Number of Labor Inspections  | 17,102 (56)   | 16,155 (57)   |
| Number Conducted at Worksite   | Unknown       | Unknown* (13) |
| Number Conducted by Desk Reviews   | Unknown       | Unknown* (13) |
| Number of Child Labor Violations Found   | Unknown* (11) | Unknown* (13) |
| Number of Child Labor Violations for Which Penalties Were Imposed                  | Unknown* (11) | Unknown* (13) |
| Number of Penalties Imposed that Were Collected                                    | Unknown* (11) | Unknown* (13) |
| Routine Inspections Conducted  | Yes (11)      | Yes (13)      |
| Routine Inspections Targeted   | Yes (11)      | Yes (13)      |
| Unannounced Inspections Permitted  | Yes (11)      | Yes (13)      |
| Unannounced Inspections Conducted  | Yes (11)      | Yes (13)      |
| Complaint Mechanism Exists   | Yes (11)      | Yes (13)      |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (11)      | Yes (13)      |

<sup>\*</sup> The Government does not publish this information.

The Government does not report on number of inspectors receiving training.(13) In addition, 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 number of inspections conducted is high compared to the number of inspectors on staff, which may compromise the quality of inspections. In addition, INAU conducts the majority of its inspections in Montevideo, the capital, despite evidence indicating that most child labor occurs in rural areas. (3, 11, 19, 58)

# Criminal Law Enforcement

In 2016, 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  | 2015          | 2016          |
|---|---------------|---------------|
| Training for Investigators  |               |               |
| Initial Training for New Employees  | Unknown       | Unknown* (13) |
| Training on New Laws Related to the Worst Forms of Child Labor                        | N/A           | N/A           |
| Refresher Courses Provided  | Yes (59)      | Yes (13, 57)  |
| Number of Investigations  | Unknown* (11) | Unknown* (13) |
| Number of Violations Found  | Unknown* (11) | Unknown* (13) |
| Number of Prosecutions Initiated  | 16 (59)       | Unknown* (13) |
| Number of Convictions   | Unknown* (11) | Unknown* (13) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (11)      | Yes (13)      |

<sup>\*</sup> The Government does not publish this information.

The police force has 600 officers trained in human trafficking and sexual crimes, with 30 additional officers being hired to fight organized crime with Interpol.(60) In 2016, INAU assisted in 333 cases in commercial sexual exploitation of children and adolescents.(45) However, cases of commercial sexual exploitation of children are not investigated and prosecuted effectively in Uruguay.(17) The Government recognized its shortcomings in gathering data to understand the problem and its trends.(45)



#### 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. Key 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.(49) 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.(2, 19, 61, 62)  |
| National Committee for the<br>Eradication of Sexual Exploitation<br>of Children and Adolescents<br>(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. Led by INAU; composed of representatives from several government agencies, NGOs, and UNICEF.(61) In 2016, CONAPEES provided assistance in 285 cases of commercial exploitation of children.(22) |
| Interagency Committee to Prevent<br>and Fight Human Trafficking   | Coordinate Uruguay's anti-human trafficking efforts. Chaired by the Ministry of Social Development (MIDES).(2, 3, 59) In 2016, the Committee met at least monthly to develop and submit the anti-trafficking bill and continued work on creating a National Action Plan to be finalized in 2017.(45)  |
| Inter-institutional Commission to<br>Foster Adolescent Employment   | Support youth education, professional development, and insertion in the labor market; foster entrepreneurship in adolescents by providing training, access to capital, and technical assistance; and gather specific data on how the labor market affects youth.(63)  |

#### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 9. Key Policies Related to Child Labor\*

| Policy  | Description   |
|---|---|
| Integrated System of Protection of<br>Childhood and Adolescence Against<br>Violence (SIPIAV)  | Established in 2007; coordinated by INAU, MIDES, the Administration of Health Services of the State (ASSSE), the National Administration of Public Education (ANEP), and civil society; addresses violence directed to children and adolescents.(64) In 2016, SIPIAV produced an Action Plan (2016–2019) that aims to improve inter-institutional capacity and deepen SIPIAV's impact in protecting children and adolescents from violence.(64, 65) |
| National Action Plan to End Child<br>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, 19)  |
| CONAPEES National Plan for the<br>Eradication of Commercial and Non-<br>Commercial Child and Adolescent<br>Exploitation II (2016–2021)† | Works to eliminate the commercial sexual exploitation of children. Focuses on strengthening victims' rights, improving protection measures, keeping children in school, reintegrating children who had previously left school, and developing alternative income strategies for families.(2, 3) In 2016, CONAPEES registered 285 cases of sexual exploitation in children and adolescents.(66)  |
| Presidential Decree: Commercial<br>Sexual Exploitation of Children and<br>Adolescents   | 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.(35, 67)   |
| Integrated Work Plan for the Brazil-<br>Uruguay Border (2016)†  | Launched in 2016 to promote cooperation between Uruguay and Brazil; establish a bi-national commission for the prevention and eradication of child labor; organize joint intervention plans; and plan and implement a program to raise awareness, distribute information, and improve training on child labor.(68)  |

<sup>†</sup> Policy was approved during the reporting period.

The Government has not included child labor elimination and prevention strategies in the National Strategy for Childhood and Adolescence. Research was unable to determine whether activities were undertaken by the Government in 2016 to implement the Integrated System of Protection of Childhood and Adolescence Against Violence, the CONAPEES National Plan for the Eradication of Commercial and Non-Commercial Child and Adolescent Exploitation II, and the Presidential Decree: Commercial Sexual Exploitation of Children and Adolescents.

<sup>‡</sup> The Government had other policies that may have addressed child labor issues or had an impact on child labor.(69)



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## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor<sup>‡</sup>

| Program   | Description  |
|---|--|
| Pro-Child ( <i>Pro-Niño</i> )†  | Program implemented by the Telefónica Foundation focused on prevention and eradication of child labor. Established in 2000; has more than 10,000 active youth participants nationwide.(2, 70)  |
| MIDES Youth Affairs Bureau<br>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.(23)   |
| National Plan of Equality†  | Institute for Social Security program that mandates that project participants ensure that 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 and families in need.(71-73)      |
| I Study and Work (Yo Estudio y Trabajo)*†   | Government program that offers students between ages 16 and 20 their first formal work experience. (74) In the ages 15 to 18 range, the program serves 600 children. (75)  |
| Uruguay, a Country of Good<br>Treatment Campaign ( <i>Uruguay,</i><br><i>País de Buentrato</i> )† | Led by the NGO Claves and the Ministry of Tourism and Recreation, and involves CONAPEES, INAU, the Canada Fund for Local Initiatives, and the Department of Maldonado, this campaign seeks to raise public awareness of child sexual exploitation by creating a "network of protection" for children and adolescents in Uruguay.(76) |

<sup>\*</sup> Program was launched during the reporting period.

The Government is currently developing a project that will update the hazardous work list by 2017.(57) The Government has also continued to fund social programs to eliminate poverty and increase social inclusion to eliminate child labor, but the scope of these programs is insufficient to fully address the extent of the problem.(23) Although the Government has adopted plans to address child labor in garbage scavenging, agriculture, and commercial sexual exploitation, there is no evidence of existing or planned social programs to assist working children in these or other sectors, including programs and services to assist child victims of commercial sexual exploitation.(10, 19, 23) Research was unable to determine whether activities were undertaken by the Government in 2016 to implement Pro-Child, MIDES Youth Affairs Bureau Programs; National Plan of Equity; I Study and Work; and Uruguay, a Country of Good Treatment.

## 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 – 2016       |
|                 | Ensure that there are legal penalties in all sectors for employers who hire children to perform underage hazardous work.   | 2010 – 2016       |
|                 | Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.   | 2016              |
| Enforcement     | Publish 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 – 2016       |
|                 | Institute systematic recordkeeping of child labor cases.   | 2009 – 2016       |
|                 | Provide MTSS hotline operators with more comprehensive guidelines to allow proper classification of calls regarding child labor.   | 2011 – 2016       |
|                 |  |                   |

<sup>†</sup> Program is funded by the Government of Uruguay.

<sup>‡</sup> The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(77)

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

| Area                | Suggested Action   | Year(s) Suggested |
|---------------------|--|-------------------|
| Enforcement         | Increase the number of inspections in rural areas where child labor violations are likely to occur.  | 2011 – 2016       |
|                     | Publish 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 – 2016       |
|                     | Strengthen government capacity to identify, investigate, and prosecute cases of commercial sexual exploitation of children, including developing and operationalizing a data collection system to maintain official nationwide statistics. | 2015 – 2016       |
| Government Policies | Integrate child labor prevention and elimination strategies in the National Strategy for Childhood and Adolescence.  | 2014 – 2016       |
| Social Programs     | Conduct research on children working with livestock, in fishing, and in manufacturing to determine the nature of activities and to inform policies and programs.   | 2013 – 2016       |
|                     | Implement programs to eliminate discrimination in the education system and promote secondary school completion for children from rural areas and children of Afro descent.   | 2015 – 2016       |
|                     | Implement programs to assist child laborers, including those engaged in agricultural work, garbage scavenging, and commercial sexual exploitation.   | 2010 – 2016       |
|                     |  |                   |

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