



## Uruguay

### Country Reports on Human Rights Practices - [2002](#)

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The Oriental Republic of Uruguay is a constitutional republic with an elected president and a bicameral legislature. In 1999 in free and fair elections voters elected Senator Jorge Batlle of the Colorado party as President; he assumed office on March 1, 2000, for a 5-year term. In legislative elections in 1999 the left-of-center Broad Front coalition won approximately 40 percent of the vote in a four-party race, thus constituting the largest congressional bloc. The two traditional parties, the Colorados and the Blancos, which collaborate in a coalition-style arrangement, together control over half of the seats in the legislature. The judiciary is independent.

The Interior Ministry administers the country's police departments and the prison system and is responsible for domestic security and public safety. The military is responsible for external security within the prison system. Civilian authorities exercise effective control over the security forces. There were reports of police violence, including abuse of prisoners in the jails and in police stations, which were investigated by the Ministry of the Interior.

The economy is a mixture of private and state enterprises and is heavily dependent on agricultural exports and agroindustry. The leading exports are meat, leather, and rice. The country's population is estimated at 3.2 million. The unemployment rate was 20 percent at year's end. The economy contracted by 7.8 percent in the first half of the year, following a decline of 1.3 percent in 2001.

The Government generally respected the human rights of its citizens, and the law and judiciary generally provided effective means of dealing with individual instances of abuse; however, there were problems in some areas, principally poor prison conditions and delays in the judicial process. Court cases sometimes last for many years, resulting in lengthy pretrial detention. Violence against women and some discrimination against women and the black minority were problems. There were several reports of trafficking in persons. Uruguay was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including Freedom From:

###### a. Arbitrary and Other Unlawful Taking of Life

There were no reports of arbitrary or unlawful deprivation of life committed by the Government or its agents. At least 14 prisoners died at the hands of other prisoners or in suspicious circumstances (see Section 1.c.).

The 1986 Amnesty Law prohibits criminal prosecution of members of the security forces who perpetrated extrajudicial killings, torture, and other abuses during the 12 years of military rule from 1973-85. However, some victims and relatives of victims had success using the civilian courts to seek redress. Court actions that sought to work around the Amnesty Law included a lawsuit filed in August by Argentine poet Juan Gelman and the potential prosecution of officials in the Ministry of Foreign Affairs during the dictatorship.

In a new attempt to bring accountability for human rights violations committed by the military government, on October 18, a criminal court issued an indictment for deprivation of liberty against former Minister of Foreign Affairs, Juan Carlos Blanco in connection with the disappearance of Elena Quinteros, who was allegedly abducted from the Venezuelan Embassy in 1976. Documents reportedly implicated Blanco and two other former Foreign Ministry officials, who are not covered by the Amnesty Law, in the decision not to return Quinteros to the Venezuelans with whom she had sought asylum.

###### b. Disappearance

There were no reports of politically motivated disappearances.

The 1986 Amnesty Law required the Government to investigate the fate of those citizens who were detained and who then disappeared during the dictatorship; the first three administrations following the return to democracy consistently

refused to do so. In 2000 the Government for the first time undertook such an effort, and these efforts continued during the year.

In 2000 President Batlle created a National Peace Commission to clarify the fate of 179 Uruguayans believed to have disappeared for political reasons during the dictatorship (137 in Argentina, 30 in Uruguay, 7 in Chile, 3 in Paraguay, 1 in Bolivia, and 1 in Brazil). The Commission was charged with receiving and analyzing information relevant to the disappeared persons. It was to prepare individual summaries of its conclusions as to the fate of each person and to recommend legal measures that the Government should adopt to compensate the families of the victims and resolve the victims' legal status, such as by declaring them legally dead. By year's end, the Peace Commission had resolved or reported to families on 24 of 30 cases. The Commission's final report--published in November--concluded that the fates of 20 percent of the missing Uruguayans was probably cremation and burial at sea.

Some persons have sought justice in non-Uruguayan courts for human rights violations that occurred during military rule. During the year, Sara Mendez--who had filed papers in an Argentine court accusing five retired members of the Uruguayan military with the 1976 kidnaping of her infant from her Buenos Aires home--was reunited with her son in Buenos Aires, largely through the efforts of an Uruguayan senator.

An Italian prosecutor continued to investigate charges brought in an Italian court in 1999 against four present and former members of the military and one police officer accused of responsibility in the disappearance of eight Italian-Uruguayan dual nationals.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there were reports of abuse of prisoners, many of which have been investigated by the Government.

The judicial and parliamentary branches of government are responsible for investigating specific allegations of abuse. An internal police investigative unit receives complaints from any person concerning possible noncriminal police abuse of power, but it is understaffed and only can issue recommendations for disciplinary action. Ministry of Interior authorities act promptly if accusations of alleged police brutality are reported. Police officers charged with less serious crimes may continue on active duty; those charged with more serious crimes are separated from active service until a court resolves their cases. The 1995 Public Security Law requires a proportional use of force by the police and the use of weapons only as a last resort, and this law was respected in practice.

At least eight police officers were jailed for abusing detainees in Maldonado and Salto. Over 400 police officers reportedly have been indicted in the last 3 years for violations ranging from corruption to abuse. There were also numerous reports of abuse of prisoners inside the prison system. Human rights groups and an organization of the families of prisoners filed several complaints about abuse, including routine beatings in processing; routine hazing and beatings of prisoners during searches; poor quality and insufficient quantities of food, bedding, and clothing; and poor access to medical care.

Conditions in prisons were poor and deteriorated in the last year. Due to worsening budget problems and the destruction of Libertad prison during a riot in March, overcrowding increased. There were 5,400 prisoners in prison facilities designed to hold only 2,940 prisoners, causing sanitation, social, and health problems in the major facilities. In March a prison riot lasting several days in Libertad prison in San Jose Province left the prison mostly uninhabitable. Despite its current official capacity of zero, several hundred prisoners continued to be housed within the ruined prison. As a temporary solution, the Government resorted to lodging some of the overflow prisoners within modified shipping containers. To alleviate overcrowding, the Government purchased modular cells providing secure, sanitary holding facilities for up to 600 prisoners. A new director of prisons, reported to be "tough but fair," has undertaken to correct some of the causes of the riot problem by ending corruption and unfair practices. The director announced that in the event of another riot, the guards will be instructed to use arms as necessary to suppress the riot.

In addition to overcrowding, the penal system suffered from understaffing, instances of corruption, and physical violence. In April National Prison director Carlos de Avila and other officials were convicted of taking bribes in exchange for transferring prisoners to better facilities. Narcotics, weapons, and cell phones were smuggled into several facilities, allegedly with the collusion of an official. Family visitation, in which family members carry in food to supplement a prisoner's diet, was allowed but is made very difficult as the family members are strip-searched in unhygienic conditions and subjected to invasive searches.

Prison deaths rose sharply. In the first half of the year, 14 prisoners died in hangings, stabbings, or burnings either self-inflicted or perpetrated by other prisoners. In the 2 months following the riot in Libertad and the subsequent replacement of the prison's director, five inmates died, resulting in an official investigation urged by the nongovernmental organization (NGO) Servicio Paz y Justicia (SERPAJ) and the families of the victims. While there was no evidence of staff involvement in these deaths, prisoners and their families complained of institutionalized physical abuse in some facilities. Prisoners were not always separated according to the severity of their crimes. Human rights organizations were not given free access to the prisons; the Government cited safety concerns as the reason.

According to press reports and the regional AIDS rights organization ASEPO (Asociacion de Ser Positivo), the majority of prisoners infected with HIV and AIDS did not receive adequate treatment or medication. The extent of the infection and transmission rates of the disease within the inmate population was unknown.

Female prisoners were held in separate facilities from male prisoners with the exception of the Artigas prison, in which women were housed in a separate facility within the prison. In general conditions for female prisoners were significantly better than for male prisoners due to their smaller population and the availability of training and education opportunities.

Minors were held in institutions operated by the National Institute for Minors (INAME). While it is legal to house juvenile prisoners convicted of violent crimes within the same prisons as adults, this was not done in practice. Juveniles who committed serious crimes were incarcerated in juvenile detention centers, which resemble traditional jails and have cells. However, conditions in some of these facilities were as bad as in the adult versions, with some youths permitted to leave their cells only 1 hour per day.

Juvenile offenders who were not considered to pose a threat to society were placed in halfway house facilities, oriented towards rehabilitation. These facilities provided educational, vocational, and other opportunities, and the juvenile offenders were able to enter and leave without restriction. Some human rights groups expressed concern with reports that the Ministry of the Interior was considering mixing youth and adult populations, such as at La Tablada, a facility run by the National Institute for Minors (INAME).

The Government--citing safety reasons--did not permit general prison visits by independent human rights observers during the year. However, inmate visitation continued and foreign diplomats could visit prisons.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution requires the police to have a written warrant issued by a judge before making an arrest, and the authorities generally respected this provision in practice. The only exception is when the police apprehend the accused during commission of a crime. The Constitution also provides the accused with the right to a judicial determination of the legality of detention and requires that the detaining authority explain the legal grounds for the detention. In 2000 the President signed a new law that obligates police officers to inform individuals of the reason for their arrest. Police may hold a detainee incommunicado for 24 hours before presenting the case to a judge, at which time the detainee has the right to counsel. It was during this period of time that police sometimes abused detainees.

The law stipulates that confessions obtained by the police before a detainee appears before a judge and attorney (without the police present) have no validity. Further, should a detainee claim that he has been mistreated, by law the judge must investigate the charge.

If the detainee cannot afford a lawyer, the courts appoint a public defender. If the crime carries a penalty of at least 2 years in prison, the accused person is confined during the judge's investigation of the charges unless the authorities agree to release the person on bail (which seldom happens). As a result, in 2000 approximately 73 percent of all persons incarcerated were awaiting a final decision in their case. However, these figures may be misleading because only those committing more serious crimes were actually jailed while waiting for the judge to investigate charges. The majority of people facing charges were not jailed. The length of time the accused spends in jail pending trial also varies depending on the complexity of the case and the size of the judge's docket. The uncertainty respecting length of imprisonment contributed to tension in the prisons.

The Government does not use forced exile. The Constitution provides that in extreme cases of national emergency an individual may be given the option to leave the country as an alternative to trial or imprisonment; however, this option has not been exercised for at least 2 decades.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

The Supreme Court heads the judiciary system and supervises the work of the lower courts. A parallel military court system operates under a Military Justice Code. Two military justices sit on the Supreme Court but participate only in cases involving the military. Military justice applies to civilians only during a state of war or insurrection.

Trial proceedings usually are based on written arguments to the judge, which are not made public routinely. Only the judge, prosecutor, and defense attorney have access to all documents that form part of the written record. Individual judges may hear oral arguments at their option. Most judges choose the written method, a major factor slowing the judicial process. There is no legal provision against self-incrimination, and judges may compel defendants to answer any question they pose. Either the defense attorney or the prosecutor may appeal convictions to a higher court, which may acquit the person of the crime, confirm the conviction, or reduce or increase the sentence.

A 1997 law to reform and modernize the Criminal Code provides for more oral argument by prosecution and defense

attorneys, less investigative responsibility for judges, and is expected to accelerate the pace of criminal trials. Budget constraints resulted in postponement of the law's implementation to 2004.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such practices, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the authorities sometimes limited freedom of the press and the authorities may abridge these rights if persons are deemed to be inciting violence or "insulting the nation." All elements of the political spectrum freely expressed their viewpoints in both print and broadcast media.

Montevideo has 5 daily newspapers and 10 widely read weeklies; there are also approximately 80 other weekly and a few daily newspapers throughout the country. Montevideo has one government-affiliated and three commercial television stations. There are about 150 radio stations, 34 television stations, and 200 cable television stations in the country.

The law stipulates that expression and communication of thoughts and opinions are free, within the limits contained in the Constitution, and it outlines methods of responding to "inexact or aggravating information." The law provides for between 3 months' and 2 years' imprisonment for "knowingly divulging false news that causes a grave disturbance to the public peace or a grave prejudice to economic interests of the State" or for "insulting the nation, the State, or their powers." The authorities rarely used this law and did not do so during the year.

Human rights activists and journalists alleged that state enterprises such as the telephone and electric companies on occasion withheld advertising from independent media that were critical of the Government and favored media friendly to the Government with extensive paid advertising. There were a few reports that stories critical of the Government were edited to be less critical or dropped altogether. There were reports of at least two journalists who were fired for criticizing the Government too harshly.

Access to the Internet was available and unrestricted.

The national university is autonomous, and the Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the Government generally respected these rights in practice.

In May, as in prior years, thousands of persons marched in memory of the persons who disappeared during the rule of the dictatorship (see Section 1.b.). Several demonstrations, including relatively large rallies and marches, protested the Government's decision to condemn Cuba for human rights violations. The demonstrators were allowed to march and express themselves freely. Protests and demonstrations about economic conditions, labor issues, bio-technical issues, and student issues took place without interference.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

There is a strict separation of church and state, and religious instruction in public schools is prohibited.

For a more detailed discussion see the [2002 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

The Government grants refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government grants asylum only for political crimes as set forth in the 1928 Treaty of Havana, the 1889 Treaty of Montevideo, and the 1954 Caracas Convention. The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government grants first asylum in cases in which a refugee's claims are verified by the UNHCR. The Government continued to cooperate with international organizations to provide temporary residence to human rights advocates who claim that they are subject to persecution in their home country; if still at risk after 1 year, the person may apply for refugee status.

There were no reports of the forced return of persons to a country where they feared persecution.

#### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The country is a multiparty democracy with mandatory voting for those 18 years of age or older. The Colorado party, the National (Blanco) party, and the Broad Front coalition are the major political groupings.

In November 1999, in free and fair elections, voters elected Senator Jorge Batlle of the Colorado party President, and he assumed office on March 1, 2000, for a 5-year term. In legislative elections in October 1999, the left-of-center Broad Front coalition won approximately 40 percent of the vote in a four-party race, thus constituting the largest congressional bloc. The two traditional parties, the Colorados and the Blancos, which collaborate in a coalition-style arrangement, together controlled over half of the seats in the legislature.

Women participated actively in the political process and Government. Three of 30 senators and 13 of 99 deputies were women. None of the 13 cabinet ministers were women. There were no female justices on the Supreme Court.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials are generally cooperative and responsive to their views.

#### Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution and the law prohibit discrimination based on race, sex, religion, or disability. Despite these provisions, societal discrimination against some groups existed.

##### Women

Violence against women continued to be a serious problem. A 1999 Ministry of Public Health study projected that within 5 years, domestic violence would constitute the second most prevalent threat to public health, after traffic accidents. The law provides for sentences of 6 months to 2 years in prison for a person found guilty of committing an act of violence or of making continuing threats to cause bodily injury to persons related emotionally or legally to the perpetrator. The state-owned telephone company provided a free nationwide hot line answered by trained NGO employees for victims of domestic violence. Between January and September, the service received 2,596 calls, a rate lower than in previous years. Persons calling the hot line were provided counseling, free legal advice, and may be referred to NGOs that can provide further social services. A 2000 law increased sentences for rape and certain other sexually related crimes. The Criminal Code covers spousal abuse and spousal rape, although criminal charges rarely were initiated for those crimes.

A government office of assistance for victims of domestic violence trains police how to resolve complaints of violence against women. A directorate within the Ministry of Interior continued a public awareness campaign about domestic violence and operated community assistance centers where abuse victims receive information and referrals to government and private organizations in their area that aid abused women. Both the Ministry of Interior and NGOs operated shelters in which abused women and their families could seek temporary refuge. However, the country's economic crisis threatened assistance to an increasing number of victims of domestic violence, as lack of funding led to closure of a number of centers.

The law prohibits sexual harassment in the workplace; however, few such complaints were filed, leading some to conclude that it was not a problem.

Women enjoyed equality under the law in the workplace but faced discrimination stemming from traditional attitudes and practices. However, there never have been any cases brought under the law. The work force exhibited segregation by gender. Women, who made up almost one-half the work force, tended to be concentrated in lower paying jobs. Women's salaries averaged two-thirds those of men, continuing a gradual improvement with respect to pay equity. Approximately 60 percent of the students at the public university were women. Women often pursued professional careers but were underrepresented in traditionally male-dominated professions.

In 2000 the first four female military officers were commissioned by the air force, and in 2001 the first four female cadets graduated from the army's military academy.

A small institute in the Ministry of Education coordinates government programs for women. There are a number of active women's rights groups, and many of their activities remained centered on followup to the platform of action of the 1995 U.N. Conference on Women.

## Children

The Government generally is committed to protecting children's rights and welfare, and it regarded the education and health of children as a top priority. The National Institute for Minors (INAME) oversees implementation of the Government's programs for children but receives only limited funding for programs. The Government provided free compulsory kindergarten, primary, and secondary education, and 95 percent of children completed their primary education. Girls and boys were treated similarly. Free education was available through the undergraduate level at the national university.

There is no societal pattern of abuse of children. Minors under the age of 18 are not subject to criminal trial but receive special treatment with special judges and, when sentenced, stay in institutions run by INAME for the period determined by the judge; these institutions emphasize the rehabilitation of minors. INAME maintained an extensive network of programs, including shelters for at-risk children. INAME also operated a confidential hot line for children who were victims of domestic abuse.

UNICEF estimated that 40 percent of children under the age of 5 live in the poorest 20 percent of homes. While health care is free to all citizens, the Government with the help of UNICEF has undertaken a program to educate parents regarding the need for regular checkups and immunization.

Although there were few substantiating statistics, polls and arrests of children participating in sexual work indicated that child prostitution existed. INAME has never conducted research on the subject of child prostitution, and no NGO specifically addressed the problem (see Section 6.f.)

The State of Maldonado announced that child prostitution and sexual tourism had increased and identified 70 locations where this had occurred. For the first time, there were isolated reports of male prostitution. The economic crisis impacted child prostitution. Anecdotal evidence indicated that in recent years child prostitution has increased, especially in the interior of the country. Children's rights NGOs and the media received reports that minors resorted to prostitution as a means of survival in rural areas where unemployment was more than 20 percent.

In Montevideo police discovered a child prostitution ring involving 40 minors with children as young as the age of 13. Additionally, according to NGO experts, 30 of 83 of the "massage spas" in Montevideo worked with children and adolescents, many of whom were contracted out to clients as prostitutes. The minimum working age in these "spas" is 16, but children as young as 13 were found.

Prostitution is legal in Uruguay, and there is no law specifically prohibiting participation by minors. The Government created the Interdepartmental Commission for the Prevention and Protection of Children Against Sexual Exploitation, which--with INAME--is responsible for creating the national plan of action. In March the commission announced the plan, which includes education programs.

## Persons with Disabilities

There was no discrimination against persons with disabilities in employment, education, or in the provision of other state services.

A national disabilities commission oversees implementation of a law on the rights of persons with disabilities. Although the law mandates accessibility for persons with disabilities only to new buildings or public services, the Government provided access to a number of existing buildings. The law reserves 4 percent of public sector jobs for persons with disabilities. The country has a generally excellent mental health system and an interest in the rights of persons with mental disabilities.

## National/Racial/Ethnic Minorities

The country's Afro-Uruguayan minority, estimated at 5.9 percent of the population, continued to face societal discrimination. A 1999 study by the NGO Mundo Afro found that the illiteracy rate among black women was twice the national average, that the percentage of black women who had pursued higher education was one-third that of the general population, and that one-half of Afro-Uruguayan women worked as household domestics. With the exception of an alternate deputy, there were no Afro-Uruguayans in Congress, and blacks were practically unrepresented in the bureaucratic and academic sectors.

## Section 6 Worker Rights

### a. The Right of Association

The Constitution states that laws should promote the organization of trade unions and the creation of arbitration bodies; however, there is almost no legislation specifically entitling workers to form and join unions of their choice. Unions traditionally organize and operate free of government regulation. Civil servants, employees of state-run enterprises, and private enterprise workers may join unions. Unionization was high in the public sector (over 80 percent) and low in the

private sector (under 5 percent). Labor unions were independent of political party control but traditionally associated more closely with the left-of-center Broad Front political coalition.

A Ministry of Labor commission investigates antiunion discrimination claims filed by union members. There have been no such claims since 2000. Labor unions have complained that some businesses have encouraged formation of worker cooperatives, which served to reduce their labor costs. Although such cooperatives did not necessarily affect workers' social insurance and other public benefits, this outsourcing could reduce workers' job security, result in a loss of seniority, and weaken the power of trade unions and of collective bargaining.

There are mechanisms for resolving workers' complaints against employers, but unions complained that these mechanisms sometimes were applied arbitrarily. The law generally prohibits discriminatory acts by employers, including arbitrary dismissals for union activity. Unions maintained that organizers were dismissed for fabricated reasons, thus allowing employers to avoid penalties under the law.

At the International Labor Organization's (ILO) Governing Body meeting in March, the Association of Workers and Employees brought allegations against the Government concerning antiunion measures, involving collective bargaining and disciplinary measures against trade union officials and workers. At the ILO's governing meeting in June, the Association of Bank Employees of Uruguay brought allegations against the government concerning antiunion dismissals, threats of dismissal, and irregular denouncement of a collective agreement. Both complaints remained pending at year's end.

There are no restrictions on the right of unions to form confederations or to affiliate with international trade union groups; however, the one national confederation has chosen not to affiliate officially with any of the world federations. Some individual unions are affiliated with international trade secretariats.

#### b. The Right to Organize and Bargain Collectively

Collective bargaining between companies and their unions determines a number of private sector salaries. The executive branch, acting independently, determines public sector salaries. There are no laws prohibiting antiunion discrimination, but a 1993 executive decree established fines for employers engaging in antiunion activities. The law does not require employers to reinstate workers fired for union activities and does not require employers to pay an indemnity to such workers. In cases of legal challenges by union members for unlawful firings, courts tend to impose indemnization levels that are higher than those normally paid to dismissed workers. The ILO's Committee of Experts found that imposition of a fine "provided for by law in all cases of unjustified dismissal when the real motive is trade union membership or activity" is an inadequate protection against anti-union discrimination.

The Constitution provides workers with the right to strike. The Government may legally compel workers to work during a strike if they perform an essential service which, if interrupted, "could cause a grave prejudice or risk, provoking suffering to part or all of the society." A few strikes took place in the transportation and education sectors. The University of the Republic was shut down by a student union strike lasting more than a month.

All labor legislation fully covers workers employed in the eight special export zones. There are no unions in these zones because the few workers employed there were not in traditionally organizable occupations, that is, one in which a number of workers are employed in a non-professional capacity.

#### c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced or bonded labor, including by children, and the Government generally enforced this prohibition effectively; however, there was one report that one child was trafficked into forced labor (see Section 6.f.).

#### d. Status of Child Labor Practices and Minimum Age for Employment

The Child Labor Code protects children; the Ministry of Labor and Social Security is responsible for enforcing the law. Some children worked as street vendors in the expanding informal sector (which accounts for 48 percent of total employment in the country) or in the agrarian sector, which generally were regulated less strictly and where pay was lower. The law does not permit minors under the age of 14 to work, and this was generally enforced in practice. Minors between the ages of 14 and 15 were granted permission to work only in extremely rare circumstances and even then usually only to work with other members of their families. Minors between the ages of 15 and 18 require government permission to work, and such permission is not granted for dangerous, fatiguing, or night work.

Permission to work is only granted to minors who have completed 9 years of compulsory education or who remain enrolled in school and are working toward completing the period of compulsory education. Controls over salaries and hours for children are more strict than those for adults. Children over the age of 16 may sue in court for payment of wages, and children have the legal right to dispose of their own income. A program by INAME and an NGO to pay \$83 (1,000 pesos) per month to parents who take their children off the streets and send them to school continued during the year. This amount approximated what a child might earn working on the street. In 1999 the Government created a National Committee for the Eradication of Child Labor, which continued to work on creating a national action plan to combat child labor.

#### e. Acceptable Conditions of Work

The Ministry of Labor effectively enforces a legislated minimum monthly wage which is in effect in both the public and private sectors. The Ministry adjusts the minimum wage whenever it adjusts public sector wages. The minimum wage, set in 2001 at approximately \$80 (1,092 pesos) per month, functions more as an index for calculating wage rates than as a true measure of minimum subsistence levels, and it would not provide a decent standard of living for a worker and family. The vast majority of workers earn more than the minimum wage.

The standard workweek is 48 hours in industry and 44 hours in commerce, with a 36-hour break each week. The law stipulates that industrial workers receive overtime compensation for work in excess of 48 hours and that workers are entitled to 20 days of paid vacation after a year of employment.

The law protects foreign workers and does not discriminate against them. However, in order to receive official protection, the companies that employ foreign workers must report them as employees. Many workers--both native and foreign--worked off the books and thus forfeited certain legal protections.

The Ministry of Labor and Social Security enforces legislation regulating health and safety conditions in a generally effective manner. However, some of the regulations cover urban industrial workers more adequately than rural and agricultural workers. Workers have the right to remove themselves from what they consider hazardous or dangerous conditions.

#### f. Trafficking in Persons

There are no laws specifically addressing trafficking in persons; and there were some infrequent cases involving trafficking of women and, particularly, child prostitution (see Section 5).

Trafficking workers from other South American countries continued. Police arrested persons involved with the trafficking and false documentation of Peruvian women in Uruguay. Some women were employed as domestics, fulfilling a demand for cheap, full-time household labor. The women were recruited in Peru, provided transportation and documentation, obliged to repay the traffickers over time, often exceeding 5 years. Others, destined for the United States, were provided with falsified birth certificates to obtain national identification cards and Uruguayan passports. While 6 women in the ring were arrested, authorities estimated that more than 20 Peruvians might have been trafficked through the country in this manner. One Peruvian minor captured during the arrest was repatriated.

More than eight Cuban nationals were detained for using false documents provided by traffickers, allegedly in the United States.

Isolated cases of trafficking in persons for labor were reported. Five Indonesian workers from a South Korean fishing vessel alleged that their employers beat them, subjected them to 94-hour work weeks, and set them ashore when in port to avoid feeding and caring for them. Foreign consular officials confirmed that these allegations were not uncommon in the region but stated that lack of involvement by the host countries made such practices difficult to detect and prevent.

There were no reliable estimates on the number of Uruguayan women who worked as prostitutes abroad--generally in Europe and Australia--or on the proportion who were induced into such work by fraud or were subjected to conditions approaching servitude. Families of three women who disappeared from Maldonado in the last decade (the last in 2000) renewed demands for an investigation of the disappearances. Recent reports of disappearances among young females in Maldonado gave rise to speculation that the three women may have been trafficked to Europe.

The Ministry of the Interior has primary responsibility for investigating trafficking cases.