

³⁸⁶¹ Ibid., 30-31, 46-48.

³⁸⁶² ILO-IPEC, *Combating and Preventing HIV/AIDS-induced Child Labour in Sub-Saharan Africa: Pilot Action in Uganda and Zambia*, Project Document, Geneva, July, 2004, i, 14. See also ILO-IPEC, *Combating and Preventing HIV/AIDS-induced Child Labour in Sub-Saharan Africa: Pilot Action in Uganda and Zambia*, Final Report, December 10, 2008, 1.

³⁸⁶³ ILO-IPEC, *Combating HIV/AIDS-induced Child Labour, Final Report-2008*, 33.

³⁸⁶⁴ U.S. Embassy- Kampala, *reporting, January 23, 2009*, para 4.

³⁸⁶⁵ International Rescue Committee, *Livelihoods, Education, & Protection to End Child labor in Uganda (LEAP)*, Technical Progress Report, New York, September 2008, 5.

³⁸⁶⁶ International Rescue Committee, *Livelihoods, Education, & Protection to End Child labor in Uganda (LEAP)*, Project Document, New York, January 7, 2009, 1.

³⁸⁶⁷ Ibid., 3, 37-41.

³⁸⁶⁸ International Rescue Committee, *LEAP, Technical Progress Report-September 2008*, 9.

³⁸⁶⁹ World Vision, *Kenya, Uganda, Rwanda, and Ethiopia Together (KURET)*, Project Document, Washington, DC, July 18, 2005, i, 2, 9. See also World Vision, *Kenya, Uganda, Rwanda, and Ethiopia Together (KURET)*, Technical Progress Report, Washington, DC, September 29, 2008, cover, 44. See also World Vision official, E-mail communication to USDOL official, October 6, 2008, Revised TPR, 44.

³⁸⁷⁰ U.S. Embassy- Kampala, *reporting, June 10, 2008*, para 6.

Ukraine

Incidence and Nature of Child Labor

Children in Ukraine are found working in agriculture, trade in open air markets, and surface coal mining.³⁸⁷¹

Ukraine is a source country for Internet child pornography.³⁸⁷² Ukrainian children are trafficked internationally and internally for the purposes of sexual exploitation, forced begging, and forced labor in agriculture.³⁸⁷³ Most trafficked girls are subject to commercial sexual exploitation, while boys are trafficked for labor or to sell drugs. Debt bondage, forcing the child to pay off debt incurred as a result of the trafficking, is a common occurrence in trafficking situations.³⁸⁷⁴

Street children, victims of domestic violence, orphans, residents of children's homes, and children who migrate in search of work are among those most at-risk of becoming engaged in the worst forms of child labor, including commercial sexual exploitation and trafficking.³⁸⁷⁵

Child Labor Laws and Enforcement

The minimum age for employment is 16 years. With the consent of a parent, children at 15 years may work in certain non-hazardous industries

and children at 14 years may work in agriculture and the social sector (orphanages, hospitals, elder care, etc.) on a short-term basis if it does not interfere with their education.³⁸⁷⁶ The employment of an underage child is punishable by up to 6 months of imprisonment or judicial restraint for up to 3 years. The sentence is increased to 2 to 5 years of imprisonment if multiple children are involved, if considerable damage is done to the health of the child, or if the child was involved in hazardous work.³⁸⁷⁷

Forced labor of children is forbidden by law.³⁸⁷⁸ The minimum age for military conscription and participation in combat is 18 years.³⁸⁷⁹ Orphans and children of military personnel can begin military training at 15 years. Individuals can enroll in a military education institution at 17 years.³⁸⁸⁰

Pimping or managing a brothel that employs minors is punishable by 2 to 7 years of imprisonment.³⁸⁸¹ Involvement of a child in prostitution for profit or through violence or threats is prohibited, and offenders can be punished by 3 to 5 years of imprisonment.³⁸⁸² The importation, sale, distribution, or manufacturing of pornography is punishable by 6 months to 3 years of imprisonment.³⁸⁸³ The sentence is

increased to 5 years if the material is on film or video media. If there are repeat violations or if the act was committed by a group of persons and involved compelling the minor to participate, the sentence is increased to 3 to 7 years of imprisonment.³⁸⁸⁴

<i>Selected Statistics and Indicators on Child Labor</i> ³⁸⁸⁵	
Population, children, 5-14 years (%), 1999:	6,993,779
Working children, 5-14 years (%), 1999:	2.4
Working boys, 5-14 years (%), 1999:	3.0
Working girls, 5-14 years (%), 1999:	1.8
Working children by sector, 5-14 years (%), 1999:	
- Agriculture	49.5
- Manufacturing	3.3
- Services	44.7
- Other	2.6
Minimum age for work:	16
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2007:	99.8
Net primary enrollment rate (%), 2007:	89.4
School attendance, children 5-14 years (%), 1999:	91.5
Survival rate to grade 5 (%):	-
ILO Convention 138:	5/3/1979
ILO Convention 182:	12/14/2000
CRC:	8/28/1991
CRCOPAC:	7/11/2005
CRCOPSC:	7/3/2003
Palermo:	5/21/2004
ILO-IPEC participating country:	Yes

Trafficking of minors for the purpose of exploitation is punishable by 5 to 12 years of imprisonment. The sentence is increased to a prison term of 8 to 15 years if a minor is trafficked internationally or the crime is committed by an organized group.³⁸⁸⁶ Children are forbidden from leaving the country or changing residence without the consent of the minor's legal representatives.³⁸⁸⁷

The State Labor Inspectorate, under the Ministry of Labor and Social Policy, implements and enforces child labor laws in the formal sector.³⁸⁸⁸ There were 708 labor inspectors in Ukraine in

2006, the most recent year for which data was available.³⁸⁸⁹ In addition to the Labor Inspectorate, the Ministry of Emergencies and the Ministry of Health also conduct inspections.³⁸⁹⁰ The State Department of Surveillance over Labor Legislation Observance reported that during 2008, there were 660 labor inspections which uncovered 2,237 cases of adolescents under 18 years working, of which 66 involved children less than 14 years and 104 of these cases were referred for prosecution.³⁸⁹¹ The Labor Inspectorate does not have the authority to inspect informal workplaces.³⁸⁹² The Department of Juvenile Affairs under the Ministry of Family, Youth, and Sport (MOFYS) and the Criminal Police on Juvenile Affairs under the Ministry of Internal Affairs are responsible for finding children engaged in the worst forms of child labor in the informal sector.³⁸⁹³

The Ministry of Interior's Anti-Trafficking Department oversees the enforcement of child anti-trafficking laws.³⁸⁹⁴ The Ministry of Internal Affairs has bilateral and multilateral agreements with regional and international law enforcement agencies to address transnational trafficking.³⁸⁹⁵ The Ministry of Health is responsible for providing physical and psychological rehabilitation to child victims of prostitution and trafficking.³⁸⁹⁶ In 2008, IOM reported 37 cases of child trafficking for sexual exploitation.³⁸⁹⁷ USDOS reported that victims were reluctant to testify against their traffickers due to a lack of trust in the law enforcement system, weak witness protection efforts, and a negative public perception of trafficking victims.³⁸⁹⁸ USDOS also reported that corruption among the police and in the courts hampered the enforcement of anti-trafficking laws.³⁸⁹⁹

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

The Government's State Program to Combat Child Homelessness and Neglect (2006-2010) identifies child homelessness as a factor related to child labor and aims to identify and support at-risk families.³⁹⁰⁰ The Government of Ukraine has a National Action Plan (2006-2016) on the implementation of the UN Convention on the Rights of the Child, with separate chapters on the

worst forms of child labor, child trafficking, and sexual exploitation.³⁹⁰¹ The Donetsk Regional Action Plan to Eliminate the Worst Forms of Child Labor calls for regular workplace monitoring, support for local action committees working with ILO-IPEC, awareness-raising activities, the provision of services to formerly working children, and the regular supervision of at-risk families to prevent child labor.³⁹⁰²

The Kherson Regional Program on the Prevention of Trafficking in Human Beings (2007-2010) provides services for trafficking victims, including child victims. It also supports information and awareness-raising activities targeting children and youth, regular monitoring of labor migration, and the implementation of programs for the psychosocial rehabilitation of child victims.³⁹⁰³ Ukraine's State Program on Counteracting Trafficking of People (2007-2010) aims to eliminate child prostitution, child pornography, and trafficking in children by serving as a guideline on strategies against child trafficking and enforcing mechanisms to eliminate child labor. Program activities include training courses, rehabilitation centers, and improvement of identification systems.³⁹⁰⁴ It also requires MOFYS and other agencies to allocate funding to help child victims of trafficking.³⁹⁰⁵ As of January 2009, the Government has appropriated USD 7,000 to the program.³⁹⁰⁶ In 2008, the Decree on Activities on Protection of Children's Rights and Interests was issued. The decree includes measures to be taken by the Ministry of Internal Affairs to protect children from exploitation.³⁹⁰⁷

The Government participates in a USD 3.5 million USDOL-funded ILO-IPEC regional project (2006-2009) to combat child trafficking and other worst forms of child labor, which operates in Albania, Bulgaria, Kosovo, Moldova, Romania, and Ukraine. The project aims to withdraw 1,350 children and prevent 3,150 children from exploitive labor throughout all of the participating countries.³⁹⁰⁸ With the support of the Government of Germany, the Government of Ukraine is participating in a USD 250,000 ILO-IPEC regional project (Albania, Moldova, Romania, Ukraine) to combat child trafficking for labor and sexual exploitation from December 2003 to December 2009.³⁹⁰⁹ The Government is

participating in a USD 250,000 USDOS-funded, NGO-implemented, anti-trafficking project. The project aims to improve victim identification efforts, public awareness, and provide training to local government representatives.³⁹¹⁰ The Government of Ukraine also participated in a USD 843,000 German-funded ILO-IPEC regional project (Albania, Moldova, Romania, Ukraine) to combat child trafficking from February 2003 to March 2008.³⁹¹¹

The Government continued to work with NGOs on anti-trafficking awareness-raising campaigns and funded the production and distribution of anti-trafficking awareness material.³⁹¹² In 2008, ILO-IPEC trained State Labor Inspectorate representatives on the child labor monitoring system.³⁹¹³

³⁸⁷¹ U.S. Embassy- Kyiv, *reporting*, January 16, 2009, para 6. See also U.S. Department of State, "Country Reports- 2008: Ukraine," section 6d.

³⁸⁷² Ryan Jason and Cook Theresa, *Global Child Porn Ring Taken Down*, [online] 2008 [cited January 15, 2009]; available from <http://abcnews.go.com/print?id=6452112>. See also Reuters, *Police Shut Ukraine Model Agency in Porn Crackdown*, [online] 2004 [cited January 16, 2009]; available from <http://web.archive.org/web/20040810103032/http://www.reuters.com/newsArticle.jhtml?type=internetNews&storyID=5801731>.

³⁸⁷³ U.S. Department of State, "Ukraine," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008, 252; available from <http://www.state.gov/documents/organization/105501.pdf>. See also U.S. Department of State, "Country Reports- 2008: Ukraine," section 6d.

³⁸⁷⁴ ILO-IPEC, *Rapid Assessment of Trafficking in Children for Labour and Sexual Exploitation in Ukraine*, 2003, Geneva, 2004, 1-2; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=764>.

³⁸⁷⁵ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Initial Reports: Ukraine*, June 9, 2006, 6-7; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/4/25/67/PDF/G0642567.pdf?OpenElement>.

³⁸⁷⁶ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Project Document, Geneva, September 19, 2006, 34. See also U.S. Department of State, "Country Reports- 2008:

Ukraine," section 6d. See also U.S. Embassy- Kyiv, *reporting, January 16, 2009*.

³⁸⁷⁷ Government of Ukraine, *Criminal Code*, (September 1, 2001), article 150; available from <http://www.legislationline.org/download/action/download/id/1710/file/e7cc32551f671cc10183dac480fe.htm/preview>.

³⁸⁷⁸ Government of Ukraine, *Constitution of Ukraine*, article 43.

³⁸⁷⁹ Coalition to Stop the Use of Child Soldiers, "Ukraine," in *Child Soldiers Global Report 2008*, London, 2008, 351; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

³⁸⁸⁰ *Ibid.*, 352.

³⁸⁸¹ Government of Ukraine, *Criminal Code*, article 302.

³⁸⁸² *Ibid.*, article 303.

³⁸⁸³ *Ibid.*, article 301(1).

³⁸⁸⁴ *Ibid.*, articles 301(2) and 301(3).

³⁸⁸⁵ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see U.S. Department of State, "Ukraine," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119110.htm>. For age to which education is compulsory, see U.S. Department of State, "Country Reports- 2008: Ukraine," section 5. For free public education, see Government of Ukraine, *Constitution of Ukraine*, Fifth Session of the Verkhovna Rada of Ukraine, (June 28, 1996), article 53; available from <http://www.rada.kiev.ua/const/conengl.htm>.

³⁸⁸⁶ *Ibid.*, article 149.

³⁸⁸⁷ Vittoria Luda di Cortemiglia, *Trafficking in Minors for Commercial Sexual Exploitation: Ukraine*, Turin, 12; available from http://www.unicri.it/wwd/trafficking/minors/docs/dr_ukraine.pdf.

³⁸⁸⁸ U.S. Embassy- Kyiv, *reporting, January 16, 2009*, para 5. See also U.S. Department of State, "Country Reports- 2008: Ukraine," section 6d.

³⁸⁸⁹ Ministry of Labor and Social Policy- Ukraine official, Interview with USDOL official, March 30, 2006.

³⁸⁹⁰ *Ibid.*

³⁸⁹¹ U.S. Embassy- Kyiv, *reporting, January 16, 2009*, para 10.

³⁸⁹² Ministry of Labor and Social Policy- Ukraine official, Interview, March 30, 2006. See also State Labor Inspectorate- Ukraine official, Interview with USDOL official, March 30, 2006.

³⁸⁹³ U.S. Department of State, "Country Reports- 2008: Ukraine," section 6d. See also U.S. Embassy- Kyiv, *reporting, January 16, 2009*, para 5.

³⁸⁹⁴ U.S. Department of State, "Country Reports- 2008: Ukraine," section 6d.

³⁸⁹⁵ UN Committee on the Rights of the Child, *Written Replies by the Government of Ukraine to the List of Issues (CRC/C/OPSC/UKR/Q/1)*, April 19, 2007, 7; available from

[http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/14e16b2090aac6bbc12572f1005287c2/\\$FILE/G0741224.pdf](http://www.unhchr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/14e16b2090aac6bbc12572f1005287c2/$FILE/G0741224.pdf). See also ILO Committee of Experts, *Individual Observation, Worst Forms of Child Labour Convention, 1999 (No.182) Ukraine (ratification: 2000)*, [online] 2008 [cited January 16, 2009], 5; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloilc&document=1518&chapter=3&query=Ukraine%40ref%2B%20Observation%40ref%2B%23YEAR%3D2008&highlight=&querytype=bool&context=0>.

³⁸⁹⁶ UN Committee on the Rights of the Child, *Written Replies by the Government of Ukraine*, 19.

³⁸⁹⁷ U.S. Embassy- Kyiv, *reporting, January 16, 2009*, para 21.

³⁸⁹⁸ U.S. Department of State, "Country Reports- 2008: Ukraine," section 5.

³⁸⁹⁹ *Ibid.* See also U.S. Department of State, "Trafficking in Persons Report- 2008: Ukraine," 252.

³⁹⁰⁰ ILO IPEC, *Combating trafficking in Children for Labour and Sexual Exploitation in the Balkans and Ukraine*, Technical Progress Report, Geneva, September 9, 2006, 24.

³⁹⁰¹ Ministry of Family Youth and Sport- Ukraine official, Interview with USDOL official, March 29, 2006. See also ILO-IPEC, *Trafficking and other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, September 2007, 7.

³⁹⁰² ILO-IPEC, *Trafficking and other Worst Forms of Child Labour*, Technical Progress Report, September 2007, 7.

³⁹⁰³ *Ibid.*

³⁹⁰⁴ Government of Ukraine, *Ukraine's Efforts in Eliminating the Worst Forms of Child Labor*, February 9, 2009.

³⁹⁰⁵ U.S. Embassy- Kyiv, *reporting, January 16, 2009*, para 13.

³⁹⁰⁶ *Ibid.* See also XE.com, *Universal Currency Converter*, [online] [cited February 3, 2009]; available from <http://www.xe.com/ucc/convert.cgi>.

³⁹⁰⁷ ILO-IPEC, *Trafficking and Other Worst Forms of Child Labour in Central and Eastern Europe (Phase II)*, Technical Progress Report, Geneva, September, 2008, 7-8.

³⁹⁰⁸ ILO-IPEC, *Trafficking and other Worst Forms of Child Labour, Project Document, September 2006*, cover page, 70.

³⁹⁰⁹ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 18, 2008.

³⁹¹⁰ U.S. Department of State, *Fiscal Year 2008 Anti-Trafficking Programs*, 2008, 5; available from

http://www.state.gov/g/tip/rls/rpt/111540.htm
#eap.

³⁹¹¹ ILO-IPEC Geneva official, E-mail communication, December 18, 2008.

³⁹¹² U.S. Department of State, "Country Reports- 2008: Ukraine," section 5. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Ukraine," 253.

³⁹¹³ U.S. Embassy- Kyiv, *reporting, January 16, 2009*, section 11.

Uruguay

*Selected Statistics and Indicators on Child Labor*³⁹¹⁴

Population children, 5-14 years:	-
Working children, 5-14 years (%):	-
Working boys, 5-14 years (%):	-
Working girls, 5-14 years (%):	-
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	115.0
Net primary enrollment rate (%), 2006:	99.7
School attendance, children 5-14 years (%):	-
Survival rate to grade 5 (%), 2005:	93.1
ILO Convention 138:	6/2/1977
ILO Convention 182:	8/3/2001
CRC:	11/20/1990
CRCOPAC:	9/9/2003
CRCOPSC:	7/3/2003
Palermo:	3/4/2005
ILO-IPEC participating country:	Yes

*In practice, must pay for various school expenses

Incidence and Nature of Child Labor

Children in Uruguay work in domestic service, as street vendors, and in construction. They also work cleaning cars, begging, minding parked cars, running errands, preparing foods for sale, and sorting garbage.³⁹¹⁵ In rural areas, children are found working in agriculture, forestry, beekeeping and fishing activities.³⁹¹⁶

The Government found that many minors who resorted to prostitution did so to assist their families.³⁹¹⁷ Children are trafficked internally to border areas and tourist locations for the purpose of commercial sexual exploitation. Prostitution rings are reported to exploit children in border areas near Argentina and Brazil, as well as within the capital of Montevideo.³⁹¹⁸

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. The Adolescent Labor Division of the Institute for Children and Adolescents (INAU) may grant permission to minors 13 to 15 years to engage in light work. However, Uruguay has not yet legally defined "light labor."³⁹¹⁹ Adolescents between 15 and 18 years require Government permission to work.³⁹²⁰ Adolescents must undergo physical exams prior to beginning work and must renew these exams yearly. The Government only grants work permission to minors who either have finished 9 years of compulsory education or who are enrolled in school and are completing compulsory education.³⁹²¹ Work permits are not granted for hazardous, fatiguing, or night work.³⁹²²

The Government of Uruguay's National Committee for the Eradication of Child Labor compiled and maintains a list of the 50 hazardous jobs prohibited for children.³⁹²³ The types of hazardous jobs by their condition include work with machines, at heights, with hot or toxic substances, handling animals, or with sharp tools. Jobs that are hazardous by their nature include work involving long workdays, isolation, mistreatment or abuse, or exposure to immoral, illegal, or socially unacceptable situations.³⁹²⁴ Minors are not allowed to work for more than 6