

In 2015, Costa Rica made a significant advancement in efforts to eliminate the worst forms of child labor. The Government updated the Roadmap Towards the Elimination of Child Labor, introduced the Bridge to Development policy to reduce poverty in the poorest districts of the country, and expanded services to indigenous children vulnerable to child labor in coffee growing areas. Criminal law enforcement agencies received training on the worst forms of child labor and the Prosecutorial Unit for Gender Issues made 17 convictions for cases involving child pornography and commercial sexual exploitation of children. However, children in Costa Rica are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. Existing social programs are insufficient to reach all child laborers and resources for the Government's child labor law enforcement agencies are inadequate.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Costa Rica are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(1-9) Table 1 provides key indicators on children's work and education in Costa Rica. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	4.4 (34,494)
Attending School (%)	5-14 yrs.	92.2
Combining Work and School (%)	7-14 yrs.	4.2
Primary Completion Rate (%)		98.7

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2015.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS 4, 2011.(11)

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	Harvesting bananas,* pineapple,* and oranges* (12, 13)
	Picking coffee (2, 12-16)
	Weeding,* clearing land,* and watering seeds* (7)
	Cattle raising (2)
	Fishing,*† activities unknown (1, 6, 17, 18)
Industry	Construction, activities unknown (1, 2, 17, 18)
	Manufacturing,* activities unknown (1, 2)
Services	Commerce, including in stores, hotels, restaurants, and supermarkets (1, 2, 17, 19)
	Street vending,† car washing, and repairing motor vehicles* (2, 6, 17, 18, 20)
	Domestic work (1, 2, 6, 17)
Categorical Worst Forms of Child Labor†	Commercial sexual exploitation, sometimes as a result of human trafficking (3-5, 8, 9, 17, 21-23)
	Use in the production of pornography* (4, 8, 24)

Costa Rica

SIGNIFICANT ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced labor in agriculture,* construction,* fishing,* and commerce* (5, 22, 23)
	Domestic servitude* (9, 22)
	Use in trafficking of drugs (3, 5, 23)

* 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.

Results from the Government of Costa Rica's 2011 National Household Survey indicate that almost 72 percent of child laborers ages 5 through 14, and 80 percent of working adolescents ages 15 through 17, are engaged in hazardous work, particularly in rural areas, where 9.1 percent of households are in situations of extreme poverty.(1) The 2011 National Household Survey also showed a decrease in children's school attendance beginning at age 13 and identified the expense or difficulty of accessing educational services as barriers to education for 21 percent of out of school children ages 5 through 17.(2) The Ministry of Labor and Social Security (MTSS) has noted the need for updated child labor statistics, citing the lack of funding as a key challenge toward this end.(7)




The International Organization for Migration estimates that 60 percent of coffee in Costa Rica is picked by members of the indigenous *Ngäbe Buglé* community who primarily migrate from Panama during the harvest season. *Ngäbe Buglé* children in Costa Rica travel with their families to coffee farms and are often unable to access education and nutrition services due to long distances, language barriers, and difficulties obtaining required documents from government institutions.(13-16) Families are paid by the number of baskets they fill, and children commonly participate in the coffee harvest by collecting beans from the ground and from shorter plants.(13, 14, 16)

Commercial sexual exploitation of children occurs in the provinces of Guanacaste, Limón, Puntarenas, and San José, as well as in border towns and port areas.(4, 25)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Costa Rica 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	Articles 78 and 92 of the Childhood and Adolescence Code (26)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 5 of Law 8922; Article 87 of the Labor Code (27, 28)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 94 of the Childhood and Adolescence Code; Article 5 of Law 8922; Article 88 of the Labor Code; Articles 5 and 6 of Regulation No. 36640 (26-29)

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

Standard	Yes/No	Age	Related Legislation
Prohibition of Forced Labor	Yes		Articles 20 and 56 of the Constitution; Article 8 of the Labor Code; Articles 7, 170–172, 189, 192, 376, 381, 383, and 384 of the Penal Code; Article 84 of Regulation No. 36659 (27, 30–33)
Prohibition of Child Trafficking	Yes		Articles 7, 170–172, 189, 192, 376, 381, 383, and 384 of the Penal Code; Article 84 of Regulation No. 36659 (31–33)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 160, 168, and 170–174 of the Penal Code (31)
Prohibition of Using Children in Illicit Activities	Yes		Articles 7, 188, 381, and 390 of the Penal Code; Article 77 of the Narcotics Law (31, 34)
Minimum Age for Compulsory Military Recruitment	N/A†		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	17‡	Articles 57 and 59 of the Childhood and Adolescence Code; Article 78 of the Constitution (6, 26, 30)
Free Public Education	Yes		Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution (26, 30, 35)

† No standing military.(30, 36)

‡ Age calculated based on available information. (6, 26, 30)

The Constitution and the Childhood and Adolescent Code make education compulsory through secondary school but do not specify a start or end age.(26, 30) The Government of Costa Rica has indicated that education is compulsory until age 17.(6)

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)	Investigate reports of child labor, including hazardous and forced child labor, and enforce child labor laws.(3, 17) Protect adolescent labor rights by conducting school and workplace visits, providing referrals to government services, and writing socio-labor studies and technical reports for the National Scholarship Fund (FONABE).(19, 26)
Prosecutor's Office	Enforce criminal laws protecting children, including laws prohibiting forced child labor, human trafficking, commercial sexual exploitation, and the use of children in illicit activities. Employ the following investigative and prosecutorial units: the Specialized Prosecutorial Unit against Trafficking in Persons, the Organized Crime Unit, the Specialized Prosecutorial Unit for Gender Issues, and the Juvenile Justice Unit.(17)
Judicial Investigative Police (OIJ)	Conduct investigations of child labor violations, including child trafficking, child commercial sexual exploitation, and the use of children in illicit activities.(3, 17)

Labor Law Enforcement

In 2015, labor law enforcement agencies in Costa Rica 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	\$12,000,000 (20)	\$11,000,000 (37)
Number of Labor Inspectors	100 (19)	89 (8)
Inspectorate Authorized to Assess Penalties	No (20)	No (20)

Costa Rica

SIGNIFICANT ADVANCEMENT

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

Overview of Labor Law Enforcement	2014	2015
Training for Labor Inspectors		
■ Initial Training for New Employees	No (20)	No (8)
■ Training on New Laws Related to Child Labor	N/A	N/A
■ Refresher Courses Provided	No (20)	No (8)
Number of Labor Inspections	13,435 (38)	13,152 (38)
■ Number Conducted at Worksites	Unknown	Unknown
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	85 (20)	207 (39)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	1 (8)
■ Number of Penalties Imposed That Were Collected	Unknown	0 (8)
Routine Inspections Conducted	Yes (20)	Yes (8)
■ Routine Inspections Targeted	Yes (20)	Yes (8)
Unannounced Inspections Permitted	Yes (20)	Yes (20)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (20)	Yes (20)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (20)	Yes (8)

In 2015, the Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA) identified 138 children between the ages of 7 and 14 engaged in child labor and 69 adolescents engaged in hazardous work. OATIA used the Inter-Institutional Coordinating Protocol for the Protection of Working Minors to remove and assist these children and adolescents through home visits and referrals to social programs.(39)

According to the ILO's recommendation of one inspector for every 15,000 workers in developing economies, Costa Rica should employ roughly 151 inspectors in order to adequately enforce labor laws throughout the country.(40-42) In 2015, the MTSS reported that it had insufficient personnel and transportation resources to enforce labor laws. Government capacity to monitor labor violations is particularly limited in the informal sector, where much of child labor, especially hazardous adolescent work, occurs.(2, 8, 39)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Costa Rica 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	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
■ Refresher Courses Provided	Yes (20)	Yes (8)
Number of Investigations	71 (20)	50 (43)
Number of Violations Found	74 (20)	Unknown
Number of Prosecutions Initiated	6 (20)	10 (43)
Number of Convictions	Unknown	17 (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (8)

The Trafficking in Persons Prosecutor's office reported 50 criminal investigations and 10 prosecutions of commercial sexual exploitation of children during 2015.(43) The Specialized Prosecutorial Unit for Gender Issues reported eight convictions involving the production, possession, reproduction, or dissemination of child pornography and nine convictions involving the commercial sexual exploitation of children.(8)

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
National Committee for the Elimination of Child Labor and the Protection of Adolescent Work	Develop and promote policy initiatives focused on eliminating child labor and regulating adolescent work. Overseen by Office for the Eradication of Child Labor and Protection of the Adolescent Worker; includes a technical secretariat that comprises representatives from various sectors.(6, 7) In 2015, the Government updated the Roadmap Towards the Elimination of Child Labor to define interagency coordination and strategies for 2015 through 2020.(44)
Office for the Eradication of Child Labor and Protection of the Adolescent Worker	Coordinate Government policies and programs to combat child labor from within the MTSS.(2, 6, 7, 45) Monitor implementation of the Roadmap Towards the Elimination of Child Labor in Costa Rica. Provide technical assistance to government ministries and design social programs to combat child labor. (45, 46) Oversee the Inter-Institutional Coordinating Protocol for the Protection of Working Minors to ensure that children's and adolescents' rights and welfare are protected.(6, 47) Provided child labor training and consultation services to 1,992 individuals in 2015.(39)
National Child Welfare Agency (PANI)	Protect child and adolescent rights and receive reports of child labor.(26) Activate interagency social services to provide child labor victims with protection and welfare assistance, including temporary shelter, legal advice, and victim counseling. Responsible for reintegrating child labor victims into the educational system.(3, 26)
National Commission to Combat the Commercial Sexual Exploitation of Children and Adolescents	Address child trafficking and the commercial sexual exploitation of minors.(3, 17) Report to the National Council of Childhood and Adolescence with legal standing under the PANI.(17)
National Coalition against the Smuggling of Migrants and Trafficking in Persons	Promote the formulation, implementation, and assessment of national policies that address human trafficking, including labor trafficking.(32) Review the country's adherence to international standards and evaluate and award funds for programming through the National Trafficking in Persons and Smuggling of Migrants Trust Fund. Help coordinate prosecutions of human trafficking and assistance to trafficking victims.(32)

The Government had limited capacity to coordinate its efforts on child labor due to staff turnover and insufficient training on the implementation of protocols. According to OATIA, a national database is needed to allow Costa Rican institutions to monitor and evaluate child labor cases and measure Government actions.(7)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 9. Policies Related to Child Labor

Policy	Description
Roadmap Towards the Elimination of Child Labor in Costa Rica (2010–2020)	Aims to eradicate all forms of child labor in Costa Rica by 2020 by strengthening anti-poverty, health, and educational programs and policies and conducting campaigns to raise awareness on the issue of child labor. Developed by OATIA, in coordination with ILO-IPEC.(44, 48, 49)
National Plan for Development (2015–2018)†	Incorporates child labor issues into national education and poverty reduction strategies.(50) The 2015–2018 plan aims to decrease child labor and the worst forms of child labor.(20)
Inter-Institutional Coordinating Protocol for the Protection of Working Minors	Provides services to child laborers and at-risk children through collaboration between the MTSS, PANI, the Ministry of Education, and the Social Welfare Institute, as well as their regional and local agencies and the private sector. As part of this partnership, civil society organizations collaborate with the tourist industry to train companies on how to identify and report the commercial sexual exploitation of children.(2, 7, 51)
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 Costa Rica at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(52, 53)

Costa Rica

SIGNIFICANT ADVANCEMENT

Table 9. Policies Related to Child Labor (cont)

Policy	Description
Declaration of Cancún and Plan of Action (2015)†	In 2015, the Government of Costa Rica 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.(54, 55) 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.(54, 56)
National Coalition against the Smuggling of Migrants and Trafficking in Persons Strategic Plan (2012–2015)	Seeks to combat human trafficking, including for commercial sexual exploitation and labor exploitation.(17, 32)
Bridge to Development (2015–2018)†	Aims to reduce poverty and eliminate situations of vulnerability, including child labor, by providing social services to 54,600 families in the 75 poorest districts of Costa Rica.(7, 8, 44, 57)
Declaration of the Vice-Ministers of the XX Regional Conference on Migration†	Aims to strengthen regional cooperation in order to protect the human rights of migrants, especially youth and children, in countries of origin, transit, and destination, including by increasing opportunities for education and employment. Adopted by Costa Rica at the XX Regional Conference on Migration in Mexico City (November 2015).(58, 59) In 2015, Costa Rica participated in two meetings with the Ad Hoc Group on Migrant Children and Adolescents of the Regional Conference on Migration to identify ways for member states to increase protections for underage migrants and refugees. These meetings promoted the exchange of information on migrant children's rights and experiences, guiding principles relating to migration, and the holistic protection of children and adolescents.(60)
Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama*† (2015–2020)	Aims to strengthen dialogue between the Governments of Costa Rica and Panama on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers, in order to ensure social protection of migrant workers and their families. Establishes a bilateral technical committee to promote joint action to combat human trafficking, exchange information, and develop cooperative strategies and projects.(61)

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

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Costa Rica 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
Elimination of Child Labor in Latin America (Phase 4) (2011–2015)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Costa Rica.(62)
Child Labor Awareness Campaign	MTSS and Ministry of Education public-private partnership supported by <i>Fundación Telefónica</i> to raise awareness of child labor through social media.(46)
Houses of Joy (<i>Casas de la Alegria</i>)	Public-private alliance that provides culturally sensitive daycare and meals to indigenous children whose parents work on coffee farms in Coto Brus and Los Santos. Aims to promote social inclusion and developmental opportunities for indigenous children and provide an alternative to child labor in the coffee harvest.(8, 14, 63–65) The Government of Costa Rica's Joint Institute for Social Aid provides funds for meals, caregiver salaries, and training; farm owners provide the land and classroom, with financial contributions from UNICEF for building and didactic materials. Began as a pilot in 2014 with 6 centers serving 175 children, and in 2015 was expanded to 16 centers serving 687 children ages up to 10 years.(8, 14, 63–65)
FONABE†	OATIA and Ministry of Education national scholarship program created to encourage adolescents to complete their schooling. Includes targeted scholarships for child and adolescent workers identified by OATIA to promote their reintegration and retention in the educational system.(2, 3, 7, 66–68)
Let's Get Ahead Program (<i>Avancemos</i>)†	Social Welfare Institute program that provides monthly conditional cash transfers to low-income families to keep children in school and out of exploitative work.(2, 3, 17, 68, 69)
Age Classroom (<i>Aula Edad</i>)†	Ministry of Education program that replaced the Open Classroom (<i>Aula Abierta</i>) program and helps at-risk children and adolescents complete their primary education by providing flexible school hours and curricula appropriate for their needs. Targets those who have never been to school, those who have left school, adolescent mothers and workers, and foreign migrant youth.(8, 70, 71)

Table 10. Social Programs to Address Child Labor (cont)

Program	Description
Marco-Tulio Salazar Virtual High School†	Ministry of Education program for adolescents between the ages of 15 and 18 who did not complete, or begin, their secondary education. Offers classroom and homeschool lessons.(8, 72)
Employ Yourself (<i>Empleate</i>)†	MTSS public-private initiative that promotes access to employment for young people between the ages of 17 and 24 who are at risk or living in conditions of poverty.(73, 74)

* Program was launched during the reporting period.

† Program is funded by the Government of Costa Rica.

While the Government continues to support initiatives to eradicate child labor, current programming does not reach all children who are engaged in the worst forms of child labor in agriculture and in commercial sexual exploitation. According to OATIA, existing social programs were insufficient to fully address the problem of child labor, including its worst forms, and additional staff and funding are required to assist children engaged in child labor and their families.(7, 8)

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 Costa Rica (Table 11).

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Hire a sufficient number of labor inspectors to effectively enforce laws related to child labor.	2015
	Build enforcement capacity to address child labor protections for children and adolescents who work in the informal sector.	2015
	Strengthen the labor inspectorate by permitting inspectors to determine and assess penalties for child labor violations.	2014 – 2015
	Ensure adequate funding for human resources, transportation, and training for law enforcement agencies.	2013 – 2015
	Make publicly available information on the number of labor inspections conducted at worksites and by desk review and whether unannounced inspections are conducted.	2015
Coordination	Strengthen coordination mechanisms by providing additional training on protocols.	2015
	Increase coordination and information sharing between government agencies responsible for monitoring and evaluating child labor cases.	2015
Government Policies	Integrate child labor elimination and prevention strategies into the Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama.	2015
Social Programs	Expand existing social programs to strengthen school retention for children and adolescents, particularly at the secondary level.	2015
	Conduct additional research on child labor, including its worst forms, in order to inform policies and programs.	2015
	Increase access to education and nutrition services for indigenous children in coffee growing areas to ensure they have alternatives to participating in the coffee harvest.	2015
	Expand programs to reach more children working in agriculture and subjected to commercial sexual exploitation.	2009 – 2015
	Increase the number of personnel in governmental agencies dedicated to implementing programs that address the worst forms of child labor.	2009 – 2015

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