

*In 2017, Costa Rica made a significant advancement in efforts to eliminate the worst forms of child labor. The government published analysis of child labor data from the 2016 National Household Survey, approved a national plan against the commercial sexual exploitation of children, and increased funding for the Labor Inspectorate. In addition, the Ministry of Labor and Social Security participated in an exchange with the Governments of Chile and El Salvador on efforts and experiences related to the prevention and eradication of child labor through monitoring systems, interagency coordination, and business partnership. However, children in Costa Rica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Existing social programs are insufficient to reach all child laborers, and resources for the government's child labor law enforcement agencies remain inadequate.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Costa Rica engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. (1; 2; 3; 4; 5; 6) During the reporting period, the government published an analysis of the 2016 child labor survey indicating that the number of working children below Costa Rica's minimum age for employment (age 15) fell nearly 43 percent between 2011 and 2016. The survey also noted that the highest percentages of working children in Costa Rica are concentrated in the following activities: cultivating vegetables, raising cattle for the production of milk, constructing buildings, repairing motor vehicles, selling fruits and vegetables, working in grocery stores, restaurants, and beauty salons, and performing domestic work. (7; 8) Table 1 provides key indicators on children's work and education in Costa Rica.

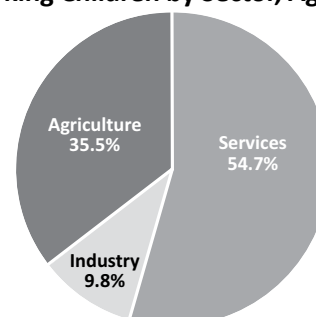
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	1.1 (8,071)
Attending School (%)	5 to 14	96.8
Combining Work and School (%)	7 to 14	1.1
Primary Completion Rate (%)		96.4

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Módulo de Trabajo Infantil (ENHAO-MTI), 2016. (10)

**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	Cultivating bananas, pineapple, vegetables, roots, and tubers (7; 11)
	Picking coffee (1; 2; 12; 11; 13; 14; 15; 16)
	Weeding, clearing land, and watering seeds (3; 17)
	Cattle raising, including for the production of milk (1; 12; 17; 7)
	Fishing,† including shellfish extraction (18; 12; 19; 20)

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

Sector/Industry	Activity
Industry	Construction, including of buildings (18; 1; 20; 17; 7)
	Mining† gold informally (17)
	Manufacturing, activities unknown (18; 1)
Services	Selling fruits and vegetables and working in grocery stores, restaurants, beauty salons, shops, and hotels (18; 1; 20; 21; 7)
	Street vending,† car washing, and repairing motor vehicles (1; 12; 19; 20; 22; 17; 7)
	Domestic work (18; 1; 19; 20; 17; 7; 23)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (12; 24; 4; 5; 6)
	Use in the production of pornography (25; 24; 26; 17)
	Forced labor in the agriculture, construction, fishing, street vending, and commercial sectors (24; 6)
	Domestic servitude (24; 6)
	Use in transporting or selling drugs (17; 6)

† 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.




Children in Costa Rica, including migrant children, are subjected to commercial sexual exploitation, sometimes as a result of human trafficking, particularly in tourist destinations and border areas. (4; 5; 6)

Children in rural areas, adolescent mothers, and children from indigenous and Afro-descendant communities face challenges accessing and completing their education. (27; 28; 4; 29) However, research indicates that *Ngäbe Buglé* indigenous children in Costa Rica who migrate with their families to work seasonally on coffee farms face additional challenges accessing social services due to long distances to service providers, language barriers, and complications in obtaining required documents from government institutions. (2; 13; 14; 15)

## II. LEGAL FRAMEWORK FOR 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 (Table 4). However, gaps exist in Costa Rica's legal framework to adequately protect children from the worst forms of child labor, including the prohibition of non-state military recruitment of children.

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

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Articles 78 and 92 of the Childhood and Adolescence Code (30)
Minimum Age for Hazardous Work	Yes	18	Articles 1 and 5 of Law 8922; Article 87 of the Labor Code (31; 32)

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

Standard	Meets International Standards: Yes/No	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 94 of the Childhood and Adolescence Code; Article 5 of Law 8922; Article 88 of the Labor Code; Articles 5–6 of Regulation No. 36640 (30; 31; 32; 33)
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, and 383–384 of the Penal Code; Article 84 of Regulation No. 36659 (31; 34; 35; 36; 37)
Prohibition of Child Trafficking	Yes		Articles 7, 170–172, 189, 192, 376, 381, and 383–384 of the Penal Code; Article 84 of Regulation No. 36659 (35; 36; 37)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 160, 168, and 170–174 of the Penal Code (35)
Prohibition of Using Children in Illicit Activities	Yes		Articles 7, 188, 381, and 390 of the Penal Code; Article 77 of the Narcotics Law (35; 38)
Prohibition of Military Recruitment			
State Compulsory	N/A†		
State Voluntary	N/A†		
Non-state	No		
Compulsory Education Age	Yes	17‡	Articles 57 and 59 of the Childhood and Adolescence Code; Article 78 of the Constitution (19; 30; 34)
Free Public Education	Yes		Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution (30; 34; 39)

† No standing military (34)

‡ Age calculated based on available information (19; 30; 34)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority and operations of the Ministry of Labor and Social Security (MTSS) that may hinder adequate enforcement of their child labor laws.

**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. (40; 20) Protect adolescent labor rights by conducting school and workplace visits, providing referrals to government services, and writing socio-labor studies and technical reports. (21; 30)
Attorney General's Office	Enforce criminal laws protecting children, including laws prohibiting forced child labor, human trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. Coordinate with the Judicial Investigative Police, the Immigration Police, the Uniformed Police, and municipal police forces. Administer 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; 41)
Judicial Investigative Police	Conduct investigations of child labor violations, including child trafficking, child commercial sexual exploitation, and the use of children in illicit activities. (40; 20)

#### *Labor Law Enforcement*

In 2017, labor law enforcement agencies in Costa Rica took actions to combat child labor (Table 6). However, gaps exist within the authority and operations of the MTSS that may hinder adequate labor law enforcement, including sufficient allocation of financial resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	\$11,500,000 (42)	\$14,284,000 (17)
Number of Labor Inspectors	93 (12)	81 (17)

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

Overview of Labor Law Enforcement	2016	2017
Inspectorate Authorized to Assess Penalties	No (12)	No (17)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (12)	Yes (17)
Training on New Laws Related to Child Labor	N/A	Yes (17)
Refresher Courses Provided	No (12)	No (17)
Number of Labor Inspections Conducted	19,480 (41)	17,472 (41)
Number Conducted at Worksites	19,480 (41)	17,472 (41)
Number of Child Labor Violations Found	42 (41)	51 (41)
Number of Child Labor Violations for which Penalties were Imposed	2 (12)	Unknown (17)
Number of Child Labor Penalties Imposed that were Collected	3 (43)	Unknown (17)
Routine Inspections Conducted	Yes (42)	Yes (17)
Routine Inspections Targeted	Yes (42)	Yes (17)
Unannounced Inspections Permitted	Yes (12)	Yes (17)
Unannounced Inspections Conducted	Yes (12)	Yes (17)
Complaint Mechanism Exists	Yes (12)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (17)

Although the government increased the Labor Inspection Office's 2017 budget, enforcement of child labor laws, particularly in rural areas, remained challenging due to insufficient funds for travel. (17) Government monitoring and enforcement of child labor laws was also limited in the informal sector, in which most child labor, especially hazardous adolescent work, occurs. (1; 12; 25; 44; 45) Informal work is more common in agriculture than in other sectors in Costa Rica. (1)

The number of labor inspectors is likely insufficient for the size of Costa Rica's workforce, which includes over 2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Costa Rica would employ roughly 149 inspectors. (46; 47; 48) While the Labor Inspection Office created and filled 29 new labor inspector positions in 2017, the total number of labor inspectors for 2017 was lower than for 2016 due to attrition. (17; 41)

Although the Labor Inspectorate conducted fewer labor inspections in 2017 than in 2016, they were able to cover more workers in 2017 due to their revised inspection protocol. (41) However, the total number of labor inspections conducted suggests that each labor inspector conducted roughly 215 labor inspections; this is a high inspection ratio for each inspector, and it is unknown whether this affects the quality of labor inspections. (17)

The Labor Inspection Office referred 51 children found in child labor to the Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA), which received 434 cases of working children from various government agencies. (17) During 2017, the government collected roughly \$2,000 in penalties for child labor violations found in previous years, and the labor courts received 7 child labor violation cases. By the end of the year, 4 of these cases remained pending but were likely to receive penalties. (41)

### *Criminal Law Enforcement*

In 2017, criminal law enforcement agencies in Costa Rica took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Yes (49)	N/A (17)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (17)
Refresher Courses Provided	Yes (12)	Yes (17)

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor (cont)**

Overview of Criminal Law Enforcement	2016	2017
Number of Investigations	128 (12)	342 (17)
Number of Violations Found	128 (12)	23 (17)
Number of Prosecutions Initiated	0 (49)	3 (41)
Number of Convictions	2 (12)	0 (41)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (17)

In 2017, prosecutors and investigators received training related to the worst forms of child labor from international organizations and foreign police. Topics included trafficking in persons, commercial sexual exploitation of children, cybercrimes, and criminal intelligence. (17; 41) The Judicial Investigative Police reported that 9 investigators received training during the year, but the training was not sufficient because they did not receive training on enforcing new legislation or on investigating cases of children used in illicit activities or cases of human trafficking for labor exploitation. (17; 41)

In 2017, the government hired an additional 1,500 police and allocated funding to strengthen human trafficking investigations and prosecutions in rural areas and cities outside the central valley. In addition, the national fund against trafficking in persons provided 4 vehicles to the human trafficking unit of the Judicial Investigative Police to facilitate investigations. (17; 6) However, reports indicate the judiciary, prosecutors, and the police require additional staff, training, and resources to identify victims of human trafficking and refer them to appropriate social services. They also need additional resources to investigate, prosecute, and convict perpetrators of human trafficking and commercial sexual exploitation. (4; 5)

During the year, the Attorney General's Office initiated prosecutions of 7 individuals for crimes involving the worst forms of child labor, including 2 cases of human trafficking for the commercial sexual exploitation of children and 1 case of human trafficking of a child for labor exploitation. The 7 individuals were convicted in 2018. (41)

#### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including among agencies.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role and Description
MTSS Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA)	Coordinate government policies and programs to combat child labor. (1; 3; 19) 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. (50) Oversee the Inter-Institutional Coordinating Protocol for the Protection of Working Minors. (19; 51) In March 2017, OATIA participated in an exchange between the Governments of Costa Rica, Chile, and El Salvador on efforts and experiences related to the prevention and eradication of child labor through monitoring systems, interagency coordination, and business partnerships. (52)
National Committee for the Elimination of Child Labor and the Protection of Adolescent Work	Develop and promote policy and program initiatives focused on eliminating child labor and regulating adolescent work. Overseen by OATIA and includes a technical secretariat that comprises representatives from various sectors. (3; 19)
National Child Welfare Agency (PANI)	Ensure child labor victims receive interagency social services, including temporary shelter, legal advice, and victim counseling. Responsible for reintegrating child labor victims into the educational system. (40; 30)
National Coalition against Migrant Smuggling and Trafficking in Persons (CONATT)	Lead government efforts to combat human trafficking. Coordinate with OATIA and CONACOES to address the worst forms of child labor. (17; 5)
National Commission to Combat the Commercial Sexual Exploitation of Children and Adolescents (CONACOES)	Prevent the commercial sexual exploitation of children and provide assistance and protection to victims. (17) Report to the National Council of Childhood and Adolescence with legal standing under PANI, the body's lead agency. (20; 42) Coordinate with OATIA and CONATT to address the worst forms of child labor. (17)

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Reports indicate coordination is lacking between institutions responsible for investigating the worst forms of child labor and providing social services to victims. Challenges include high staff turnover and a need for additional training on the implementation of relevant manuals and protocols. (3; 5)

### V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Roadmap against Child Labor and the Worst Forms of Child Labor (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 by raising awareness on child labor. (53; 54; 55) At the IV Global Conference on the Sustained Eradication of Child Labor, held in Buenos Aires, Argentina in November 2017, the Government of Costa Rica pledged to update the Roadmap, incorporate child labor questions into the national census, implement a child labor risk identification strategy, and focus efforts in high-risk areas. (56)
Inter-Institutional Coordinating Protocol for the Protection of Working Minors	Outlines service provision for child laborers through collaboration between the MTSS, PANI, Ministry of Education, and Joint Institute of Social Assistance (IMAS), as well as their regional and local agencies and the private sector. (1; 3; 57)
National Plan against the Sexual Commercial Exploitation of Minors (2017–2018)†	Designates responsible agencies and establishes actions and timelines to address commercial sexual exploitation of children. (17; 58)
National Plan for Development (2015–2018)	Incorporates efforts to decrease child labor into national education and poverty reduction strategies. (22; 59)
Bridge to Development (2015–2018)	Aims to reduce poverty and eliminate vulnerability, including child labor, by providing social services to families in poor communities. (3; 25; 55; 60)

† Policy was approved during the reporting period.

The Coordination Agreement on Labor Migration between the Ministries of Labor of Costa Rica and Panama aims to strengthen dialogue on labor migration between the two countries, with an emphasis on indigenous Panamanian migrant workers and their families; however, child labor elimination and prevention strategies do not appear to have been fully integrated into this policy. (61)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including adequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
2016 National Household Survey†	National Institute of Statistics and Census survey, with child labor module, conducted in July 2016. (2; 12; 62) The government published analysis of the data in 2017. (7; 8)
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. (50)
Face of Justice Shelter†	NGO-run shelter for child victims of human trafficking that provides PANI-funded monthly subsidies to victims and care from full-time staff, including a trauma psychologist and health practitioner. (24)
Houses of Joy ( <i>Casas de la Alegría</i> )†	Public-private alliance that provides culturally sensitive daycare and meals to <i>Ngäbe Buglé</i> indigenous children whose parents work on coffee farms in Coto Brus. Aims to promote social inclusion and developmental opportunities for indigenous children and provide an alternative to child labor in the coffee harvest. (2; 25; 13; 63; 64; 65; 17; 66) IMAS funds meals, caregiver salaries, and training; farm owners provide the land and classrooms, with financial contributions from UNICEF for building and teaching materials. Began as a pilot in 2014 with 6 centers serving 175 children; in 2017, served 600 children in 17 centers. (25; 13; 42; 49; 63; 64; 65; 17) The program requires approval from the Ministry of Health to expand to other coffee growing regions in the country. (66)
Let's Get Ahead Program ( <i>Avancemos</i> )†	IMAS program that provides monthly conditional cash transfers to low-income families to keep children in school and out of exploitative work. (1; 40; 20; 67; 68; 29) In 2017, OATIA helped 313 children obtain scholarships from the MTSS and IMAS program under <i>Avancemos</i> that provides monthly education subsidies to families with children engaged in child labor. (69; 70; 17)



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

Program	Description
I Sign Up for Education ( <i>Yo Me Apunto con la Educación</i> )	Ministry of Education program to help at-risk high school students from vulnerable areas remain in school or to return to school. (17; 29)
Age Classroom ( <i>Aula Edad</i> )†	Ministry of Education program that targets children and adolescents who have never been to school or who dropped out, adolescent mothers and workers, and foreign migrant adolescents to help them complete primary school. (25; 71)
USDOL-funded Projects to Support Youth Apprenticeship	USDOL-funded, \$3 million <i>Youth Pathways to Leadership, Learning, and Livelihoods in Costa Rica</i> (2016-2020) and \$2.9 million <i>Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeship Network (GAN) National Networks</i> (2016-2019). For additional information, please see our website.

† Program is funded by the Government of Costa Rica.

OATIA reported that their office needs additional staff to better assist children engaged in child labor and their families. In addition, OATIA noted that their office shares one vehicle with two other MTSS units and that this limits their ability to provide oversight of their child labor programs. (41)

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Costa Rica (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2017
Enforcement	Authorize the Labor Inspectorate to assess penalties.	2014 – 2017
	Ensure that labor inspectors receive yearly refresher training related to child labor.	2017
	Publish information on the number of child labor violations for which penalties were imposed and collected.	2017
	Allocate sufficient travel funds to allow labor inspectors to increase child labor inspections in rural areas and the informal sector, particularly in agriculture.	2015 – 2017
	Increase the number of labor inspectors to meet international standards and determine whether the inspection ratio for each labor inspector is appropriate to ensure the quality and scope of inspections.	2015 – 2017
	Ensure that the judiciary, prosecutors, and the police have sufficient staff, training, and resources to investigate, prosecute, and convict perpetrators of human trafficking and commercial sexual exploitation of children as well as identify victims of child trafficking and refer them to appropriate social services.	2017
Coordination	Strengthen coordination and information sharing between institutions responsible for investigating child labor and providing social services to victims, including by providing additional training on relevant manuals and protocols.	2015 – 2017
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 – 2017
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children from rural, indigenous, and Afro-descendant communities, and adolescent mothers, by expanding existing social programs to strengthen school retention and completion for children and adolescents, particularly at the secondary level.	2015 – 2017
	Increase access to education and other services for indigenous children in coffee growing areas to ensure they have alternatives to participating in the coffee harvest, including by building additional Houses of Joy centers and authorizing the program to expand beyond Coto Brus.	2015 – 2017
	Increase transportation and human resources for OATIA so the office can improve program oversight.	2017

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