

*In 2013, El Salvador made a significant advancement in efforts to eliminate the worst forms of child labor. The Government increased the budget allocation for labor inspections, employed additional labor inspectors, and increased the number of inspections targeting child labor, as compared to 2012. The Government also conducted more investigations of crimes related to the worst forms of child labor than in 2012, and the Attorney General's Office increased the number of convictions for crimes involving the commercial sexual exploitation of children. The Government's National Council for Children and Adolescents passed a new National Policy for the Protection of Children and Adolescents for 2013 to 2023, which includes the objective of protecting children from the worst forms of child labor. In addition, in collaboration with the ILO, the Government launched a Web platform to more rigorously monitor progress in executing its main policy framework on child labor, the Roadmap to Make El Salvador Free from Child Labor and its Worst Forms. However, children in El Salvador continue to engage in child labor, including in agriculture and domestic service. Penalties for violations of child labor and human trafficking laws are insufficient to act as a deterrent, and law enforcement agencies still lack sufficient resources to enforce child labor laws.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador are engaged in the worst forms of child labor, including in agriculture and domestic service. (1, 2) Table 1 provides key indicators on children's work and education in El Salvador.

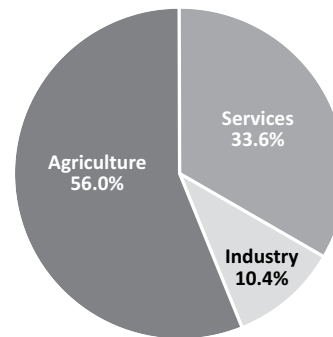
**Table 1. Statistics on Children's Work and Education**

| Children                      | Age       | Percent      |
|-------------------------------|-----------|--------------|
| Working (% and population)    | 5-14 yrs. | 6.3 (84,927) |
| Attending School (%)          | 5-14 yrs. | 92.2         |
| Combining Work and School (%) | 7-14 yrs. | 6.2          |
| Primary Completion Rate (%)   |           | 101.0        |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples, 2011.(4)

**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     | Harvesting sugarcane† and coffee† (1, 2, 5)             |
|                 | Fishing,*† including harvesting shellfish† (1, 2, 6, 7) |
| Industry        | Manufacturing fireworks† (1, 2)                         |
|                 | Construction, activities unknown† (1, 2, 8)             |
|                 | Garbage scavenging† (1, 2)                              |
| Services        | Vending on the streets† and in markets† (1, 2, 7, 9)    |
|                 | Street begging*† (1, 10)                                |
|                 | Domestic service† (1, 2)                                |
|                 | Repairing motor vehicles†* (8, 10)                      |

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

| Sector/Industry                         | Activity  |
|---|---|
| Categorical Worst Forms of Child Labor† | Commercial sexual exploitation sometimes as a result of human trafficking* (1, 2, 11, 12)                                     |
|   | Use of children by gangs to perform illicit activities, including committing homicides and trafficking drugs* (1, 11, 13, 14) |
|   | Forced begging and forced domestic service* (1, 2, 11)  |

\* 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.

A third party monitoring group has documented a decrease in the use of child labor in the sugarcane harvest every year since 2010.(5) In some cases, girls do not attend school because they have childcare responsibilities while their mothers go to work.(15) Child domestic servants working in third party homes are principally girls.(2) Victims of forced domestic service include migrant children, particularly from Nicaragua, Guatemala, and Honduras.(11) There are reports that children are recruited into gang activity while at school.(13, 14, 16) Though the Government regularly collects statistics on children’s work through its annual Multipurpose Household Survey, it has not conducted in-depth research on some hard-to-reach populations, such as children used in illicit activities.(17)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

El Salvador 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 relevant laws and regulations related to child labor (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

| Standard  | Yes/No | Age | Related Legislation   |
|---|--------|-----|---|
| Minimum Age for Work                                      | Yes    | 14  | Labor Code; Article 38 of the Constitution; Comprehensive Protection of Children and Adolescents Law (LEPINA) (18-20) |
| Minimum Age for Hazardous Work                            | Yes    | 18  | Labor Code; Article 38 of the Constitution (18, 19)   |
| List of Hazardous Occupations Prohibited for Children     | Yes    |     | Agreement 241 of 2011 (21)  |
| Prohibition of Forced Labor                               | Yes    |     | Penal Code (22)   |
| Prohibition of Child Trafficking                          | Yes    |     | Article 367B of the Penal Code (22, 23)   |
| Prohibition of Commercial Sexual Exploitation of Children | Yes    |     | Penal Code (22)   |
| Prohibition of Using Children in Illicit Activities       | Yes    |     | Penal Code (22)   |
| Minimum Age for Compulsory Military Recruitment           | Yes    | 18  | Article 215 of the Constitution (18)  |
| Minimum Age for Voluntary Military Service                | Yes    | 16  | Military Service Law (24)   |
| Compulsory Education Age                                  | Yes    | 16  | Article 56 of the Constitution (18, 25)   |
| Free Public Education                                     | Yes    |     | Article 56 of the Constitution (18)   |

Article 627 of the Labor Code specifies a default fine of no more than \$60 per violation of all labor laws, including child labor laws, a penalty the ILO deems insufficient to act as a deterrent.(19, 26) Article 367 of the Penal Code specifies that human trafficking and sex trafficking are punishable by 4 to 8 years in prison. However, the Government has acknowledged that penalties for trafficking in persons are insufficient.(10, 22)

### 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 Welfare (MTPS)                               | Enforce regulations on child labor, including hazardous child labor. Inspect registered businesses for all types of labor violations, including child labor.(1, 10) Maintain a special child labor unit that trains inspectors and businesses on child labor law.(26) Refer cases of possible crimes committed against children to the Attorney General's Office.(1) |
| Attorney General's Office (AGO)   | Enforce criminal law related to the worst forms of child labor. Maintain a special trafficking in persons unit consisting of 14 prosecutors and 10 support staff who investigate trafficking and related crimes.(1) Refer exploited children to ISNA for social services and shelter.(1)   |
| National Civilian Police (PNC)  | Enforce criminal law relating to the worst forms of child labor. Maintain a special unit of seven investigators who investigate cases of commercial sexual exploitation and human trafficking, including child trafficking.(10, 27) Maintain an emergency hotline that receives complaints about commercial sexual exploitation and human trafficking.(27)           |
| Salvadoran National Institute for the Full Development of Children (ISNA) | Receive referrals from law enforcement agencies of cases of the criminal exploitation of children, including forced labor, trafficking, and the commercial sexual exploitation of children. Provide child victims with services including shelter, medical attention, psychological help, and legal advice.(27)  |

Law enforcement agencies in El Salvador took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

In 2013, the Government employed 203 labor inspectors, an increase from 120 inspectors in 2012.(1) The Government also increased the budget allocation for labor inspections from \$1.6 million in 2012 to approximately \$1.8 million in 2013.(1, 10) However, the MTPS has acknowledged that it lacks sufficient resources, such as vehicles, fuel, and computers, to fully enforce labor laws.(1, 10) In addition, each inspection process can entail multiple visits per site, and MTPS inspectors do not have independent authority to issue fines. The Ministry of Economy and the AGO issue penalties in a process that can take up to 6 months.(26)

In 2013, the MTPS performed 1,127 inspections in the formal sector, of which 249 specifically targeted child labor, an increase from 20 inspections specifically targeting child labor in 2012.(1, 2) As a result of the inspections, the MTPS identified 20 children who were working in violation of child labor law; however, the data did not specify the type of work these children performed. One of the 20 children was removed from his or her workplace.(1) In 2013, the MTPS did not issue any citations for these or any other violations of child labor law, and did not receive any complaints related to child labor.(1)

#### *Criminal Law Enforcement*

In 2013, the AGO's trafficking in persons unit hired two new prosecutors, for a total of 14 prosecutors. It also provided training to its staff on human trafficking.(1)

Law enforcement officials in El Salvador do not receive adequate training and resources to combat the commercial sexual exploitation of children, including child pornography, and lack of evidence is one of the major obstacles to investigating cases of child pornography in El Salvador.(28) Evidence that could be used by investigators is limited because Internet service providers, cell phone operators, and search engines are not required to keep information for a sufficient period of time to allow its use in investigations.(29)

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In 2013, ISNA reported assisting 28 child victims of commercial sexual exploitation, 21 victims of forced begging, and seven child victims of other types of labor exploitation.(1) The AGO investigated 143 cases of the worst forms of child labor in 2013, a marked increase from 61 investigations in 2012. The AGO pressed charges in 23 of the 143 cases, resulting in 16 convictions for crimes related to child trafficking and child commercial sexual exploitation, an increase from five such convictions in 2012.(1)

### 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 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

| Coordinating Body  | Role & Description  |
|--|---|
| National Council for Children and Adolescents (CONNA)          | Develop policies to protect the rights of children, including child labor policies, and implement the LEPINA and the National Policy for the Protection of Children and Adolescents (PNAIA).(20, 30, 31) Composed of Departmental Committees for Children's and Adolescents' Rights, the Salvadoran Institute for the Comprehensive Development of Children and Adolescents, the Ministry of Public Security and Justice, the Attorney General, the Human Rights Ombudsman, and others.(10) |
| Departmental Committees for Children's and Adolescents' Rights | Carry out CONNA's policies and the National Policy for the Protection of Children and Adolescents at the departmental level. Composed of local elected officials, departmental specialists in public health and education, and members of civil society.(20)  |
| National Committee for the Eradication of Child Labor (CNETI)  | Determine and implement government efforts to combat child labor, including the Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms.(32) Chaired by the MTPS, includes 12 government agencies, along with representatives from labor union organizations, business associations, and NGOs.(2, 10)   |
| The National Council against Trafficking in Persons            | Coordinate government efforts to combat trafficking in persons, including by implementing the National Policy against Trafficking in Persons.(33) Headed by the Ministry of Justice and Public Security and composed of five other government agencies.(34)   |

In 2013, the CNETI met periodically to review its members' progress in implementing the Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms.(35) The CNETI also approved a monitoring system developed by the Ministry of Finance that will allow government agencies to share and analyze information on their efforts to implement the Roadmap through a Web portal.(35, 36)

In 2013, CONNA took several actions to implement the LEPINA and the PNAIA. CONNA and the Organization of American States jointly hosted the IV Sub-Regional Conference to Prevent and Eradicate the Sexual Exploitation of Children and Adolescents in Travel and Tourism, which was attended by government and civil society representatives from all Central American countries and Mexico. The conference identified best practices and lessons learned in the region to reduce child sexual exploitation.(37) Also in 2013, in an effort to improve the coordination of services for children whose rights have been violated, CONNA launched a Public Registry for Entities that Provide Services to Children and Adolescents and trained over 100 public and civil society institutions on the requirements and procedures for providing such services to youth.(38) CONNA continued to support the creation and functioning of Local Committees for Children's and Adolescents' Rights, including by providing them with training and equipment.(38, 39)

Despite these efforts, challenges remain. CONNA does not have sufficient resources to implement all of its mandates established by the LEPINA. As a result, it cannot fully implement the interagency coordination mechanisms it has developed to combat child labor and protect children's rights.(10, 40)

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

The Government of El Salvador has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

| Policy   | Description   |
|--|---|
| Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms  | Serves as the Government's main policy framework to eliminate the worst forms of child labor. Aims to eliminate the worst forms of child labor by 2015 and all child labor by 2020 by reducing poverty, improving education and health, protecting children's rights, raising awareness and mobilizing the public, and generating knowledge.(32)  |
| National Policy for the Protection of Children and Adolescents for 2013-2023 (PNAIA)†  | Sets government policies and action plans aimed at guaranteeing children's rights and protecting them from violence and harm, including the worst forms of child labor. Objectives include improving health services for children, improving access to quality education, improving services for children with disabilities, reducing poverty among children, and others.(31) In 2013, was drafted and launched by CONNA after it consulted thousands of children and adults throughout El Salvador, as mandated by the LEPINA.(38) |
| National Youth Policy for 2010-2024*   | Outlines the government's strategy to provide integrated services to socially excluded youth. Includes the goal of providing vocational training and creating 50,000 temporary jobs for youth.(41)  |
| Inclusive Education Policy   | Defines actions that the Ministry of Education should implement to improve education for marginalized and excluded groups, including child laborers.(42)  |
| National Policy against Trafficking in Persons   | Defines a comprehensive plan to combat human trafficking, including commercial sexual exploitation, labor exploitation, begging, pornography, and sex tourism. Aims to improve prevention efforts, victim assistance, prosecution, interagency coordination, training, and anti-corruption efforts.(34, 43)   |
| Memorandum of Understanding between El Salvador and Colombia on Preventing and Investigating Trafficking in Persons and Assisting Victims† | Establishes joint actions between Salvadoran and Colombian government agencies to improve their coordination in preventing and investigating trafficking cases, and protecting victims. Signed in September 2013.(44)   |
| Memorandum of Understanding between El Salvador and Guatemala on Protecting Trafficking Victims and the Illicit Trafficking of Migrants    | Establishes actions for the governments of Guatemala and El Salvador to take to improve the protection of trafficking victims and reduce the trafficking of migrants along the Guatemala-El Salvador border. Includes a focus on improving services for children.(45, 46)   |

\* The impact of this policy on child labor does not appear to have been studied.

† Policy was launched during the reporting period.

In November, the Government participated in the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. The joint declaration of the Conference promotes social dialogue to address child labor and reaffirms country participants' commitment to work with civil society organizations to advance efforts toward the eradication of child labor.(47)

Also during the reporting period, the Governments of El Salvador and the United States continued to implement their Partnership for Growth Agreement to promote broad-based economic growth in El Salvador, with a focus on human capital development and crime prevention, including assisting at-risk youth.(48, 49)

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of El Salvador funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

| Program   | Description   |
|---|---|
| Project to Combat Child Labor in El Salvador          | \$14 million USDOL-funded, 4-year project implemented by ILO-IPEC to combat child labor, including by strengthening national and municipal government capacity to address child labor.(15, 50) As of October 2013, has provided education services to 3,623 children who work or are at risk of working, and livelihood services to 1,528 households with working children.(15, 36, 50) In 2013, collaborated with the Government to produce studies on the prevalence of child labor in 15 municipalities.(36) |
| Child Labor Measurement and Policy Development (MAP)† | USDOL-funded research project implemented by the ILO in 10 countries, including El Salvador, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity to conduct research in this area.(51)   |

**Table 8. Social Programs to Address Child Labor (cont)**

| Program   | Description   |
|---|---|
| Temporary Income Support Program ( <i>Programa de Apoyo Temporal al Ingreso</i> )*‡ | Government program that provides temporary income support to beneficiaries age 16 and over who are in extreme poverty. In 2013, reached an estimated 12,300 families.(1)  |
| Solidarity Communities ( <i>Comunidades Solidarias</i> )*‡                          | Government programs implemented in the poorest municipalities to reduce social exclusion and boost household income. Provides more than 100,000 families with a cash transfer conditioned on children's school attendance, and provides female-headed households with vocational training.(52-54)   |
| Ministry of Education Child Labor Data Collection‡                                  | Ministry of Education program to collect data on child labor through children's school enrollment forms. In 2013, identified 35,531 school children working in agriculture; 9,034 in domestic service; and 1,450 working in other commercial and service activities.(1)   |
| School Feeding and School Supply Programs*‡   | Government programs that provide low-income children with school lunches and school supplies, including uniforms. In 2013, aimed to provide approximately 149,000 students with lunches and 1.3 million students with school supplies.(55)  |
| Health and Education Bonus Program*‡  | Ministry of Education program to provide financial assistance to families in extreme poverty so their children can attend school. Has provided \$48.8 million in financial assistance to approximately 90,000 families.(1)  |
| Inclusive Full-Time School Program ( <i>Escuela Inclusiva de Tiempo Pleno</i> )*‡   | Government program that provides extracurricular programs in schools, such as art and entrepreneurship classes, to extend the school day and prevent children from becoming involved in harmful activities. Funded by the World Bank, USAID, the Millennium Challenge Corporation, UNICEF, and the Italian Development Agency.(56) In 2013, 900 schools participated, benefitting 913,000 students.(56) |
| School Prevention and Security Plan*‡   | Programs implemented by the Ministry of Education, the Ministry of Justice and Public Security, and the National Police in schools with high levels of violence. Includes activities such as providing psychological help, skills workshops for youth, crisis intervention, and increased police patrols.(57)   |
| Public Awareness Campaigns on Child Labor   | Government public awareness campaigns implemented by the Ministry of Education, Ministry of Health, CONNA, and others in 2013 to inform children about the dangers of manufacturing and handling fireworks.(39)   |
| Research on Trafficking in Persons and Victims' Assistance‡                         | Government programs to provide shelter to female child victims of trafficking where victims reside and receive medical and psychological services. In 2013, shelter had the capacity to house approximately 11 girls, though total number of girls housed was unavailable.(23) In 2013, Government also continued to conduct a study of trafficking routes in El Salvador.(23)                          |
| Education and Monitoring Program for the Eradication of Child Labor                 | \$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC to strengthen public policies and government capacity to combat child labor in 19 countries in the Americas, including El Salvador. A main objective of the project is to develop information systems on the worst forms of child labor.(58)   |
| Committed Youth Project ( <i>Jóvenes Comprometidos</i> )*                           | USAID-funded project that collaborates with the Government to provide job training and job placement services to youth. More than 4,400 youth have benefited from the initiative.(59)   |

\* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of El Salvador.

Although the Government implements several programs to reduce the worst forms of child labor through assistance to poor families and schoolchildren, research found no evidence of government programs to assist child laborers who may not live with their families or attend school, such as children engaged in domestic service or street work. In addition, although government programs have expanded basic education coverage, gang violence has hindered efforts to increase school enrollment and decrease dropout rates.(60, 61)

## 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 El Salvador (Table 9).



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

| Area                | Suggested Action  | Year(s) Suggested |
|---------------------|---|-------------------|
| Laws                | Increase fines for violations of labor laws, including child labor.   | 2009 – 2013       |
|                     | Strengthen penalties to combat human trafficking, including child trafficking.  | 2012 – 2013       |
| Enforcement         | Provide sufficient funding to the MTPS to fully enforce child labor laws.   | 2010 – 2013       |
|                     | Strengthen enforcement of child labor and other laws by: <ul style="list-style-type: none"> <li>Streamlining the labor inspection process and the issuance of fines.</li> <li>Providing training and sufficient resources to law enforcement officers to combat child labor, including child commercial sexual exploitation.</li> </ul> | 2009 – 2013       |
|                     | Establish a code of conduct for Internet service providers, cell phone operators, and search engines to combat child pornography by reporting cases, blocking sites, and retaining information for investigations.  | 2009 – 2013       |
| Coordination        | Provide sufficient funding to CONNA to fully implement the LEPINA.  | 2012 – 2013       |
|                     | Continue to strengthen interagency mechanisms to protect the rights of children, including those directed at child labor.   | 2012 – 2013       |
| Government Policies | Assess the impact that the National Youth Policy for 2010 – 2024 may have on addressing child labor.  | 2013              |
| Social Programs     | Assess the impact that existing social programs, such as the Temporary Income Support Program, have on addressing child labor.  | 2013              |
|                     | Conduct a study on the use of children in illicit activities.   | 2009 – 2013       |
|                     | Implement programs to address child labor in domestic service and street work.  | 2013              |
|                     | Continue improving children's access to education by: <ul style="list-style-type: none"> <li>Expanding childcare options for working mothers to allow girls to go to school.</li> <li>Ensuring that schoolchildren are safe in schools.</li> </ul>  | 2011 – 2013       |
|                     |   |                   |

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