

2007, para D. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Chad." See also U.S. Department of State, "Country Reports- 2007: Chad," section 6d.

⁷⁴¹ U.S. Embassy- N'djamena, reporting, November 21, 2007, para E. See also U.S. Department of State, "Country Reports- 2007: Chad," section 5.

⁷⁴² U.S. Embassy- N'djamena, reporting, January 30, 2007, para 9.

⁷⁴³ UNICEF, *UNICEF and Government of Chad Reach Accord Raising Hopes for Children in Armed Conflict*, Press

Release, May 11, 2007; available from http://www.unicef.org/infobycountry/chad_39619.html. See also UNICEF, *UNICEF and Chad Sign Agreement to Demobilize Child Soldiers*, Press Release, May 9, 2007; available from http://www.unicef.org/infobycountry/media_39603.html. See also Human Rights Watch, *Early to War*.

⁷⁴⁴ U.S. Department of State, "Country Reports- 2007: Chad," section 1g. See also United Nations Security Council, *Report of Secretary-General on Children and Armed Conflict*, section 107.

Chile

*Selected Statistics and Indicators on Child Labor*⁷⁴⁵

Working children, 5-14 years (%), 2003:	3.5
Working boys, 5-14 years (%), 2003:	4.4
Working girls, 5-14 years (%), 2003:	2.6
Working children by sector, 5-14 years (%), 2003:	
- Agriculture	24.7
- Manufacturing	6.6
- Services	66.6
- Other	2
Minimum age for work:	15
Compulsory education age:	17-18
Free public education:	Yes
Gross primary enrollment rate (%), 2005:	104
Net primary enrollment rate (%), 2005:	90
School attendance, children 5-14 years (%), 2003:	97.2
Survival rate to grade 5 (%), 2004:	100
ILO-IPEC participating country:	Yes

Incidence and Nature of Child Labor

In Chile, child labor is mainly a problem in the informal sector. Children in urban areas work as baggers in supermarkets and wait tables in restaurants. They also sell goods on the street, care for parked automobiles, and assist in construction activities. Children in rural areas are involved in

harvesting, collecting and selling crops, and caring for farm animals.⁷⁴⁶

Commercial sexual exploitation of children is a problem in Chile, especially in urban areas.⁷⁴⁷ Most victims of commercial sexual exploitation have been trafficked internally. Some children are also trafficked internationally for labor and sexual exploitation.⁷⁴⁸

Child Labor Laws and Enforcement

The law sets the minimum age for employment without restrictions at 18 years. Under legislation passed in 2007, children 15 to 18 years may only perform light work that will not affect their health or school attendance, and only with parental permission.⁷⁴⁹ Children between 15 and 18 years must also have documentation of enrollment or completion of secondary education to work. If the child has not completed secondary schooling, he or she may not work more than 30 hours per week during the school year, and the work day may not exceed 8 hours.⁷⁵⁰ Children under 18 years are also not permitted to work at night between the hours of 10 p.m. and 7 a.m., with the exception of work in a family business. Children under 15 years may only work in artistic events with the permission of parents and local authorities.⁷⁵¹ In September 2007, Chile established a list of 23 types of work that are dangerous due to their nature, and four types of work that are dangerous due to their conditions. Dangerous work includes work with explosives; work that involves repetitive movements; work

with dangerous substances or equipment; work at sea, underwater, or underground; work in establishments that sell alcohol, tobacco, or exhibit sexually explicit material; and work that requires crossing country borders or transporting valuable goods or money.⁷⁵²

Chilean laws prohibit slavery and forced labor.⁷⁵³ The trafficking of a minor across national boundaries for the purpose of sexual exploitation is punishable by 5 to 20 years in prison.⁷⁵⁴ The prostitution of children is punishable by 3 to 5 years in prison, with penalties of up to 20 years in the case of involvement of family members or authorities. The law establishes punishments for the production, sale, importation, exportation, distribution, and exhibition of pornography using minors.⁷⁵⁵ The minimum age for compulsory military service in Chile is 18 years. The voluntary recruitment age is 17 years with parental permission, and is 16 years in exceptional circumstances.⁷⁵⁶ The UNCRC urged Chile to increase the minimum age for military service to 18 years in all circumstances.⁷⁵⁷

The Ministry of Interior coordinates efforts to combat trafficking in persons with NGOs and other government agencies. The Public Ministry takes the lead on issues related to the investigation and prosecution of trafficking in persons.⁷⁵⁸ Not all forms of trafficking in persons are criminalized in Chile, such as internal trafficking and trafficking for labor exploitation.⁷⁵⁹

The Ministry of Labor enforces labor laws, and USDOS reports that Chile is allocating considerable resources and oversight to child labor policies. Between January and October 2007, there were 343 new cases of the worst forms of child labor registered.⁷⁶⁰

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

As part of its National Policy on Childhood (2001-2010), the Government of Chile has adopted a national child labor action plan that focuses on raising awareness; collecting data; promoting legislative reform in compliance with ILO conventions; developing targeted intervention

programs; and conducting ongoing monitoring and evaluation.⁷⁶¹

The Government of Chile participated in an ILO-IPEC USDOL-funded USD 5.5 million regional project to eliminate exploitive child labor in the domestic service and in commercial sex sectors in four countries including Chile.⁷⁶² The project ended in 2007, withdrawing 2,036 children from exploitive work and preventing 3,582 children from entering such activities.⁷⁶³ The Government of Chile also participated in two regional projects, a Phase II USD 2.6 million and a Phase III USD 3 million project to eradicate child labor in Latin America, funded by the Government of Spain.⁷⁶⁴

Based on the list of hazardous types of work for children and adolescents, the Ministry of Justice's Service for Minors maintains a register of documented worst forms of child labor cases, with input from the Chilean police and the Ministry of Labor and Social Welfare.⁷⁶⁵ However, the UNCRC has recommended that Chile strengthen prevention measures and law enforcement to combat commercial sexual exploitation of children.⁷⁶⁶ The Service for Minors works with its 105 local offices, international organizations, local NGOs, and neighboring countries to ensure that children rescued from trafficking are not returned to high-risk and abusive situations.⁷⁶⁷ The Service for Minors also set up a toll-free helpline for children who are victims of commercial sexual exploitation.⁷⁶⁸ The Government also collaborated with neighboring countries to ensure safe repatriation of trafficking victims. The Government's Service for Minors oversees 15 projects to prevent commercial sexual exploitation of children.⁷⁶⁹

The Government of Chile and other associate and member governments of MERCOSUR conducted the *Niño Sur* (Southern Child) initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in adjusting domestic legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.⁷⁷⁰

⁷⁴⁵ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Chile, *Código del Trabajo de Chile*, (November 15, 2007), article 13; available from http://www.dt.gob.cl/legislacion/1611/article-59096.html#h2_1. See also Government of Chile, *Constitución Política de 1980 incluidas las Reformas hasta el 2005*, (2005), article 19 No. 10; available from <http://pdba.georgetown.edu/Constitutions/Chile/chile05.html>. See also Embassy of Chile official, E-mail communication to USDOL official, March 14, 2008.

⁷⁴⁶ ILO-IPEC and Ministry of Work and Social Provision, *Trabajo infantil y adolescente en cifras: Síntesis de la primera encuesta nacional y registro de sus peores formas*, ILO-IPEC, Santiago, 2004, 17; available from <http://www.oit.org.pe/ippec/documentos/chile.pdf>. See also U.S. Department of State, "Chile," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100632.htm>.

⁷⁴⁷ ILO-IPEC, *Estudio de la explotación sexual comercial infantil y adolescente en Chile*, Lima, 2004, 43; available from http://white.oit.org.pe/ippec/boletin/documentos/dt_191_esci_chile.pdf.

⁷⁴⁸ U.S. Department of State, "Country Reports- 2007: Chile," section 5.

⁷⁴⁹ Government of Chile, *Código del Trabajo*, article 13.

⁷⁵⁰ *Ibid.*

⁷⁵¹ *Ibid.*, articles 15 and 18.

⁷⁵² Government of Chile, *Aprueba Reglamento para la aplicación del artículo 13 del Código del Trabajo*, (September 11, 2007); available from <http://www.ilo.org/dyn/natlex/docs/SERIAL/77036/81487/F1662015800/Decreto%20Supremo%20N%2050%20de%202007%20Reglamento%20Menores.pdf>.

⁷⁵³ Government of Chile, *Constitución Política*, article 19, no. 2. See also Government of Chile, *Código del Trabajo*, article 2.

⁷⁵⁴ Government of Chile, *Código Penal de la República de Chile*, (March 1, 1875), article 367; available from http://www.cajpe.org.pe/rij/bases/legisla/chile/codp_enh.htm.

⁷⁵⁵ *Ibid.*, articles 30, 367. See also Government of Chile, *Modifica el Código Penal, El Código de Procedimiento Penal, y el Código Procesal Penal en Materia de Delitos de Pornografía Infantil*, 19,927, (January 5, 2004); available from http://www.anuariocdh.uchile.cl/anuario/documentos/10.Ley%2019927_DelitoPornografiaInfantil_CHILE.pdf. See also El Senado de la República de Chile, *Sesión 74a, Ordinaria, en martes 11 de diciembre de*

2007, [online] December 13, 2007 [cited March 14, 2008]; available from http://www.senado.cl/prontus_senado/site/artic/20071213/pags/20071213184108.html?0.45802423846622014.

⁷⁵⁶ Coalition to Stop the Use of Child Soldiers, "Chile," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=819.

⁷⁵⁷ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by State Parties under Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, February 1, 2008; available from <http://www2.ohchr.org/english/bodies/crc/docs/co/CRC-C-OPAC-CHL-CO-1.pdf>.

⁷⁵⁸ U.S. Department of State, "Country Reports- 2007: Chile," section 5.

⁷⁵⁹ U.S. Department of State, "Chile (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

⁷⁶⁰ U.S. Department of State, "Country Reports- 2007: Chile," section 6d.

⁷⁶¹ Comisión Nacional para la Erradicación del Trabajo Infantil and ILO-IPEC, *Plan de Prevención y Erradicación Progresiva del Trabajo Infantil y Adolescente en Chile*, Lima, 2001; available from http://www.ministeriodeltrabajo.cl/descargar/trabajo_inf/PlanNacionaldePrevencion.pdf. See also Ministry of Labor and Social Welfare, *Contexto en Chile y el mundo*, [online] 2007 [cited December 11, 2007]; available from http://www.trabajoinfantil.cl/en_chile.html.

⁷⁶² ILO-IPEC, *Prevention and elimination of child domestic labour (CDL) and of commercial sexual exploitation of children (CSEC) in Chile, Colombia, Paraguay and Peru*, Project Document, Geneva, 2004.

⁷⁶³ ILO-IPEC, *Prevention and elimination of child domestic labour (CDL) and of commercial sexual exploitation of children (CSEC) in Chile, Colombia, Paraguay and Peru*, Technical Progress Report, Geneva, September 12, 2007, 54.

⁷⁶⁴ ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

⁷⁶⁵ Ministry of Labor and Social Welfare, *Sistema de registro*, [online] [cited December 12, 2007]; available from http://www.trabajoinfantil.cl/peores_definiciones.html.

⁷⁶⁶ UN Committee on the Rights of the Child, *Consideration of Reports of States Parties: Chile*, para 69.

⁷⁶⁷ U.S. Department of State, "Country Reports- 2007: Chile," section 6d. See also IOM, *Estudio exploratorio sobre Trata de personas con fines de explotación sexual en Argentina, Chile y Uruguay*, December 2006; available from <http://www.oimuruguay.org/Documentos/>

OIM%20Estudio%20Exploratorio%20sobre%20Trata%20de%20Personas%202006.pdf.

⁷⁶⁸ UN Committee on the Rights of the Child, *Consideration of Reports of States Parties: Chile*, para. 36.

⁷⁶⁹ U.S. Embassy- Santiago, *reporting*, November 30, 2007.

⁷⁷⁰ Ministry of Justice and Human Rights of Argentina,

Iniciativa Niñ@ Sur, [online] [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>. See also Child Rights Information Network, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>.

Colombia

<i>Selected Statistics and Indicators on Child Labor⁷⁷¹</i>	
Working children, 5-14 years (%), 2001:	10.4
Working boys, 5-14 years (%), 2001:	14.1
Working girls, 5-14 years (%), 2001:	6.6
Working children by sector, 5-14 years (%), 2001:	
- Agriculture	35.6
- Manufacturing	12.6
- Services	49.9
- Other	1.9
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2006:	116
Net primary enrollment rate (%), 2006:	88
School attendance, children 5-14 years (%), 2001:	90.4
Survival rate to grade 5 (%), 2005:	82
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses.	

Incidence and Nature of Child Labor

In Colombia, children in urban areas work primarily in commerce and service industries. Specific urban sectors include work in domestic service in third party homes, bakeries, automobile repair, and food preparation.⁷⁷² In rural areas, children work in the production of coffee, sugar cane, fruits, and vegetables. Many children work as domestic servants or in family businesses, often without pay.⁷⁷³ The Colombian Family Welfare Institute (ICBF) estimates that about 80 percent of

working children work in the informal sector.⁷⁷⁴ Children mine emeralds, gold, clay, and coal under dangerous conditions.⁷⁷⁵ According to the Colombia Department of National Statistics and the Colombian National Mining Company, estimates of children working in illegal mines range from 10,000 to 200,000.⁷⁷⁶ Children are also used in the cultivation of coca for illegal purposes and in the processing and transportation of illicit drugs.⁷⁷⁷

Many children are victims of commercial sexual exploitation, including pornography, prostitution, and sexual tourism. According to reports by the IOM and the Ministry of Social Protection (MSP), an estimated 25,000 minors work in the commercial sex trade in Colombia.⁷⁷⁸ Colombia is a major source of girls trafficked for the purpose of commercial sexual exploitation. Children are trafficked internally from rural to urban areas.⁷⁷⁹ According to the IOM report, Colombian children are trafficked for purposes of commercial sexual exploitation, forced labor in domestic service, agriculture, mines and factories, forced recruitment as child soldiers, begging, and servile matrimony.⁷⁸⁰

Children in Colombia are recruited, sometimes forcibly, by insurgent and paramilitary groups to serve as combatants and perform forced labor in the country's ongoing conflict. An estimated 6,000 to 16,000 children are child combatants.⁷⁸¹ Many are forced to participate in and are victims of human rights violations such as torture and murder. Girl combatants are subject to sexual exploitation by other group members.⁷⁸² Children demobilized from the United Self-Defense Forces of Colombia (AUC) were not officially delivered to the Colombian Institute for Family Welfare (ICBF) as required by the demobilization process.⁷⁸³