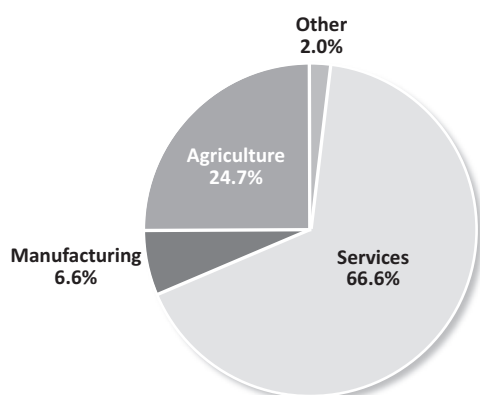


In 2012, Chile made a significant advancement in efforts to eliminate the worst forms of child labor. The Government passed legislation instituting new restrictions on sex offenders, including those involved in commercial sexual exploitation of children; adopted new legislation establishing an additional benefit program for low-income families conditioned upon their children attending school; and established a program to address exploitation of children for illegal activities and child delinquency. The Government also collaborated with the ILO to collect accurate data on child labor by completing a national survey on child labor. While Chile continued to implement a number of policies and programs targeting the worst forms of child labor, the impact these initiatives have had on reducing child labor remains unknown. Children continue to engage in the worst forms of child labor, particularly in commercial sexual exploitation and in urban informal work.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	3.5 (97,928)
Attending School	5-14 yrs.	97.2
Combining Work and School	7-14 yrs.	4.0
Primary Completion Rate		98.8

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from SIMPOC Survey, 2003.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

While rates of working children are relatively low in Chile, some children engage in the worst forms of child labor, primarily in commercial sexual exploitation and in hazardous activities in urban informal work.(3-5) The commercial sexual exploitation of children takes place in cities, including Santiago and Valparaiso, in open public areas, and in other venues, such as bars and dance clubs.(3, 6, 7)

In urban areas, children work in construction and domestic service.(4, 5) Children working in domestic service may be required to work long hours performing strenuous tasks without sufficient food or shelter. These children may be isolated in private homes and are susceptible to physical and sexual abuse.(8, 9)

There are documented cases of children in rural areas working in hazardous activities in agriculture, including exposure to toxic chemicals in fields being fumigated.(10, 11) Hazardous agricultural work may also include using dangerous tools and carrying heavy loads.(10-14)

Chile

Children are used to transport drugs in the border area with Peru and Bolivia.(15-17) Children are trafficked internally and, to a lesser extent, from Chile to other Latin American countries for the purpose of commercial sexual exploitation. Girls from other Latin American countries are trafficked to Chile for prostitution and domestic service.(18)

There are reports of children working in the streets, work but specific information on hazards is unknown.(4, 5)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for employment at 18, though children may engage in light work at age 15.(19) Chile has a list of 27 types of work that are dangerous and prohibited for children younger than age 18, including work with toxic chemicals, heavy machinery, and sharp tools, as well as other types of work that carry risks to the mental and physical health of the child.(20) The Labor Code also prohibits persons under the age of 18 from working at night in commercial and industrial establishments.(21)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	18
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	18
	Free Public Education	Yes

The Chilean Constitution and Labor Code prohibit slavery and forced labor.(19, 22)

The Penal Code prohibits domestic and international trafficking in persons for the purposes of labor and sexual exploitation.(23-25) The Penal Code also prohibits all activities related to the prostitution of children and child pornography, including its production, distribution, and possession.(26) Prohibitions against child pornography include digital pornography of minors; viewing such material, as well as producing and distributing it, is considered an offense.(27, 28) In June 2012, Chile adopted Law 20.594, which prohibits sex offenders, including those convicted of crimes involving commercial sexual exploitation of children, from holding positions in education or any other jobs in which they would have regular contact with minors.(5)

The minimum age for voluntary and compulsory military service in Chile is 18. Children may register at age 17 for voluntary service, and in some exceptional cases at age 16, but may only enter into service at age 18.(29, 30) According to the Armed Forces' Recruitment and Mobilization Law, during times of war the President may call upon persons of any age to be employed in "services that the nation requires." The UN Committee on the Rights of the Child has suggested that Chile clarify that this provision applies only to persons 18 years of age and older.(30, 31)

Chilean Law provides for specific penalties for adults who involve children under the age of 14 in the production or trafficking of illicit drugs.(27, 32-34) Education is compulsory through the completion of secondary school, generally at age 18.(35)

Institutional Mechanisms for Coordination and Enforcement

The Government of Chile operates a National Advisory Committee to Eradicate Child Labor as well as a Technical Workgroup on the Worst Forms of Child Labor. The National Advisory Committee is headed by the Ministry of Labor and is charged with implementing a national plan against child labor.(4) Participating ministries include the National Children's Service (SENAME), the Ministry of Education, the Ministry of Justice, the Ministry of Agriculture, the National Statistics Institute and the National Tourism Service (SERNATUR), the National Investigations Police, and the National Uniformed Police, among others.(4) During the reporting period, members of the Advisory Committee met regularly and worked on developing a new plan of action against child labor.(5) Committees against child labor operate in many of Chile's regions as well.(5)

The Technical Workgroup is headed by SENAME, and participating members include a subset of the ministries on the National Advisory Committee, including the Ministry of Labor, the Ministry of Education, SERNATUR, National Investigations Police, and the National Uniformed Police. The aim of the Workgroup is to evaluate and promote programs that prevent and protect children from the worst forms of child labor.(27) It met seven times during 2012.(5)

The Technical Workgroup oversees the national case registry of the worst forms of child labor.(5, 16) The Ministry of Labor, the National Investigations Police, the National Uniformed Police, and SENAME input information on cases of the worst forms of child labor into the registry.(7, 36, 37) The registry enables SENAME to track incidents of the worst forms of child labor and to enhance programs designed to assist child laborers.(7, 36, 37) In 2012, the registry received reports of 870 cases of children and adolescents involved in the worst forms of child labor, an increase from 444 in 2011.(17, 27) According to SENAME, the increase is due to a substantial improvement in data collection rather than an increase in the incidence of the worst forms of child labor. The majority of cases involved the use of children in illicit activities, including drug trafficking, followed by children's involvement in work under hazardous conditions and commercial sexual exploitation.(16, 17) During the reporting period, SENAME continued to incorporate information from other Government agencies, particularly city-level offices, into the case registry system.(16) It also worked to merge the registry and its institutional database, SENAINFO, which will enable the agency to provide integrated data on worst forms of child labor victims.(16)

Additionally, the Government operates an Interagency Working Group on Trafficking in Persons, which has the responsibility of coordinating the Government's anti-trafficking efforts and is headed by the Ministry of the Interior. Members include law enforcement agencies, the Public Ministry, the Ministry of Foreign Relations, the Ministry of Justice, and the National Service for Minors, among others.(38)

The Ministry of Labor is charged with enforcing child labor laws and employs approximately 521 labor inspectors (an increase from 452 in 2011) who inspect for all types of labor violations, including child labor.(5) Guidance on addressing child labor is included in the Ministry's inspections guidelines.(5) In 2012, the Ministry of Labor carried out 1,505 inspection visits and imposed sanctions for child labor violations in 193 cases, an increase from 155 child labor sanctions in 2011.(5, 39) The highest percentage of inspections was carried out in the commercial and agricultural sectors,

while the majority of child labor violations cited were in the agriculture sector and the hotel and restaurant sector.(5) The majority of the cases were for violations of work contract requirements for the employment of children ages 15 to 18, although about 10 percent of cases involved employing children under 15 in prohibited work, and approximately 7 percent of cases involved employing children 15 to 18 in hazardous work. These percentages are based on all child labor infractions and are not broken down by sector.(5) When children are found in the worst forms of child labor they are removed and provided services based on their situation. SENAME coordinates the provision of services for all children; SENAME actually provides services to some children and coordinates provision of services with Rights Protection Offices in other cases.(5) These Rights Protection Offices are located in municipalities throughout the country, and also monitor for cases of worst forms of child labor and raise awareness about them.(5)

The Ministry of Labor worked with the Ministry of Justice to carry out a special program of inspections in bars, clubs, and cafés during 2012. This effort, carried out in collaboration with the Civil and Uniformed Police, resulted in 753 inspection visits.(5)

SENAME, the Ministry of Health, and the police also play roles in enforcing laws related to the worst forms of child labor, and in identifying exploited children.(4) For example, Chile's National Uniformed Police has a Department of Minors' Police with approximately 100 officers dedicated to minors' issues; they identify children in the worst forms of child labor and refer them to SENAME.(4)

A number of Government agencies are likewise charged with enforcing laws against child trafficking and commercial sexual exploitation of children. They include the National Investigations Police, the Attorney General, and the National Uniformed Police.(40) The National Investigations Police, for example, oversees regional offices which specialize in the investigation of sex crimes and the commercial sexual exploitation of children.(4) SENAME and the National Uniformed Police operate free hotlines to receive reports of commercial sexual exploitation of children.(6)

From January through September 2012, 186 cases of commercial sexual exploitation, including child prostitution, pornography, and trafficking for sexual exploitation, were prosecuted in the Chilean judicial system.(5) There were 50 criminal convictions for the commercial sexual exploitation of minors during this same period.(5)

Chile

In one case that began in 2011, 3 individuals were indicted for, among other violations, trafficking 2 minors from Paraguay for work in conditions of forced labor.(5)

Government Policies on the Worst Forms of Child Labor

The National Advisory Committee worked on preparing a new National Plan during the period as the last National Plan expired at the end of 2010.(4, 5) A unit within the Ministry of Labor leads this effort.(5) The Government has indicated it intends to finalize the plan after processing the results of its 2012 national child labor survey.(5, 41, 42)

During 2012, the Ministry of Justice, SENAME, and other Government agencies and NGO partners adopted the Second Framework for Action Against the Commercial Sexual Exploitation of Children.(5, 16) The Framework calls for the prevention of such crimes against children and coordination among Government agencies and NGO service providers.(5, 43)

The Ministry of Education and the Ministry of Labor signed an agreement to implement joint actions against child labor in the metropolitan region of Santiago, including through the creation of mechanisms to detect child labor within the school system.(23)

The Ministry of Labor, SENAME, and the Ministry of Social Development are working with the ILO to integrate the issue of child labor into Chile's social protection system. A study on the pilot model for the program, "Local Care for Child Workers and Their Families," was developed and tested as part of this initiative. In 2012, the results reported to the participating Government agencies for consideration and followup.(17, 44)

The Ministry of Labor has an agreement with the Confederation of Production and Commerce (CPC), one of the country's largest business associations, and the Chilean Safety Association (ACHS) to collaborate in the fight against child labor. The CPC distributes guides to employers on eliminating child labor through public-private partnerships, and the ACHS has developed a manual to promote safety for adolescent workers and has distributed this information widely.(17, 40) While the impact of these policies on reducing the worst forms of child labor remains unknown, the 2012 national child labor survey could provide useful information about changes in child labor since the previous survey, which was conducted in 2003.(41)

Chile has agreements with other governments in the region to address issues of commercial sexual exploitation of children and child trafficking. Chile and other Southern Common Market (MERCOSUR) countries are carrying out the "Southern Child Initiative" to defend the rights of children and adolescents in the region.(45, 46) The Southern Child Initiative includes public campaigns against commercial sexual exploitation, trafficking, and child labor as well as mutual technical assistance in raising domestic legal frameworks to international standards on those issues; it also includes the exchange of best practices related to victim protection and assistance.(47) During the reporting period, MERCOSUR member countries launched a coordinated communications campaign, MERCOSUR United Against Child Labor. The campaign focused on agriculture, domestic work, and sexual exploitation, specifically targeting communities along the border.(48) MERCOSUR member countries also met in 2012 to exchange good practices and developments in the region related to preventing commercial sexual exploitation and trafficking.(49)

SERNATUR is part of the Joint Regional Group for the Americas, which conducts child labor prevention and awareness raising campaigns in tourism and whose members include Bolivia, Brazil, Chile, Colombia, Ecuador, Suriname, Uruguay, and Venezuela.(50) In December 2012, SERNATUR and other partners began a new tourism certification program, which is intended to combat commercial sexual exploitation of children.(16)

Social Programs to Prevent or Eliminate the Worst Forms of Child Labor

The Government of Chile operates a number of programs to prevent and remove children from the worst forms of child labor.

SENAME assists disadvantaged youth and children at risk of or engaged in the worst forms of child labor through over 90 programs. Some programs include residential centers for children and families while others consist of services for children.(5, 27) In 2011, these programs helped a total of 7,730 children.(27) SENAME allocated \$15.3 million in 2012 for these child labor interventions.(17) In addition, in 2012 SENAME budgeted more than \$2.8 million for programs providing psychosocial and education services to child victims of commercial sexual exploitation.(16, 17) SENAME assisted 1,209 child victims of commercial sexual exploitation in 2012, an increase from 1,168 assisted children in 2011.(5, 16, 27, 38)

In 2012, SENAME worked with the Ministry of Interior to begin piloting the New Life program in eight cities with the aim of addressing delinquency among children 14 and younger. Such children include those who have been used by adults to carry out illegal activities.(5, 16) SENAME and a number of regional child labor committees worked with partners throughout the year to carry out various awareness raising and training activities against the worst forms of child labor.(5)

In 13 regions, the Ministry of Education operates educational reinsertion programs for vulnerable children, including child laborers.(46) During the reporting period, the Ministry and the Technical Workgroup began implementing a special process to place child victims of the worst forms of child labor in school.(16) The National Women's Service runs an extended school day program that, among other goals, aims to keep children off the streets while their parents are at work.(5) In addition, the Ministry of Education oversees a bilingual education program to increase the quality of education available to indigenous children and improve community involvement in the educational process.(51) The question of whether the extended school day and bilingual education programs have an impact on the worst forms of child labor does not appear to have been assessed. The Government has indicated, however, that it will consider carrying out assessments on some of these programs.(5)

As part of Chile's social protection system, the Ministry of Social Development runs the Bridge Program, a \$7.3 million initiative which in 2011 assisted over 90,000 families living in extreme poverty by facilitating families' access to Government social services, including health, education, and

cash transfers.(27, 52) One of the objectives of the program is to combat child labor.(4) To benefit from the Bridge Program, families with children between ages 6 and 18 must demonstrate their children are enrolled in school and have an attendance rate of at least 85 percent.(27)

In May 2012, Law No. 20.595 established a new component of Chile's social protection system, the Ethical Family Income program. The program will provide cash transfers to families in extreme poverty.(5) The transfers are conditioned upon certain factors, including school attendance.(5) Other programs provide scholarships and social services to children from low income families and families who qualify for benefits under the social protection system or who are otherwise at high risk of leaving school to enter work, such as adolescent parents and children of incarcerated parents.(5, 27)

In addition, the Government participated in two regional projects to eradicate child labor in Latin America, funded by the Government of Spain, which ended in 2012. It continues to participate in another 3-year regional Spanish-funded project to eradicate child labor in Latin America.(53) The Government also participates in a separate regional project funded by Spain that aims to promote education and monitoring on child labor, and a global project funded by Ireland that aims to promote social dialogue on child labor.(53)

The Government of Chile has a range of services and programs to assist the most vulnerable children. The programs have nationwide coverage and the capacity to reach children engaged in many of the worst forms of child labor.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Chile:

Area	Suggested Actions	Year(s) Action Recommended
Policies	Conduct research on whether children are engaged in dangerous work on the street in order to inform policy and program design.	2012
	Ensure a new national plan against child labor is drafted and enacted.	2011, 2012
Social Programs	Assess the impact that the National Women's Service extended school day program and the Ministry of Education's reinsertion and bilingual education programs may have on child labor.	2010, 2011, 2012

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