

In 2013, Chile made a significant advancement in efforts to eliminate the worst forms of child labor. The Government, in collaboration with the ILO, published a national survey on child labor. The Ministry of Labor and Social Prevision (MINTRAB) increased the number of labor inspections almost threefold, and the Inter-Agency Task Force on Trafficking in Persons adopted a National Plan against Trafficking in Persons. The Government passed a law that provides free education to children, from preschool to age 18. Chile also continued to implement a number of policies and programs targeting the worst forms of child labor. However, children continue to engage in child labor in urban informal work, and in the worst forms of child labor, particularly in commercial sexual exploitation and illicit activities, including drug trafficking. The Government has yet to adopt a new national plan against child labor.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children engage in child labor in urban informal work, and in the worst forms of child labor, particularly in commercial sexual exploitation.(1, 2) Table 1 provides key indicators on children's work and education in Chile. Data on some of these indicators are not available from the sources used in this report.

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

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		97.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(3) Understanding Children's Work Project's analysis of statistics, 2014.(4)

In 2013, the Government of Chile, in collaboration with the ILO, published the results of the 2012 National Survey on Activities of Children and Adolescents (*Encuesta de Actividades de Niños, Niñas y Adolescentes* (EANNA)).(5, 6) These data were not analyzed in time to be used in this report. According to the 2012 EANNA, more than 219 million children ages 5 to 17 work in Chile.(6) EANNA results also indicate that 70.6 percent of working children in the same age group are engaged in work classified as hazardous.(5, 6)

Region IX of Chile experiences the highest levels of poverty; it is also a region with a large indigenous population.(6) A 2005 ILO study indicated that Region IX had a child labor problem; however, no recent data were found on the percentage of indigenous children engaged in child labor in Chile.(50)

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	Forestry, activities unknown*† (2, 6, 7)
	Hunting, activities unknown* (2, 6, 7)
	Fishing,* activities unknown (2, 6, 7)
Industry	Construction in urban areas (1, 2, 5-7)
	Production of ceramics,* books,* and garments* (8)
	Urban informal work, activities unknown (1, 2)
Services	Domestic service (1, 5-7)
	Retail,* washing cars,* and repairing shoes (2, 5, 6, 8)
	Work in the commercial sector, activities unknown (2, 6, 8)



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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‡	Used in drug trafficking and other illicit activities (8-11)
	Forced labor in agriculture,* mining,* domestic service,* hotels and restaurants,* and in other hospitality sectors* (8, 11)
	Commercial sexual exploitation sometimes as a result of human trafficking* (1, 2, 8, 11, 12)
	Domestic service as a result of human trafficking* (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.

Limited evidence suggests that children from Bolivia, Colombia, Ecuador, Paraguay, and Peru are found in forced labor in the agriculture, mining, domestic service, and hospitality sectors.(11) Children are used to transport drugs in the border area with Peru and Bolivia.(9, 10, 13) In 2013, there was a reported increase in the number of children under 14 who were involved in illicit activities, including drug trafficking and robbery.(12)

The commercial sexual exploitation of children occurs in cities, in open public areas, and in other venues, such as bars and dance clubs.(14) Child trafficking occurs internally and, to a lesser extent, from Chile to other Latin American countries for commercial sexual exploitation. Girls from other Latin American countries are trafficked to Chile for commercial sexual exploitation and domestic service.(11)




Research indicates that many children work in the informal sector. However, specific activities related to children’s work in the informal sector are unknown.(1, 2, 6, 8)

Limited evidence suggests that access to education is a problem for indigenous children, who are vulnerable to the worst forms of child labor.(15)

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

Chile 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, including in its worst forms (Table 4).

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

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Labor Code (16, 17)
Minimum Age for Hazardous Work	Yes	18	Labor Code (16, 17)
List of Hazardous Occupations Prohibited for Children	Yes		Labor Code (16, 17)
Prohibition of Forced Labor	Yes		Chilean Constitution; Labor Code (18)

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

Standard	Yes/No	Age	Related Legislation
Prohibition of Child Trafficking	Yes		Penal Code; Law 20.507 (19, 20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Penal Code ; Law 20.594 (2, 20, 21)
Prohibition of Using Children in Illicit Activities	Yes		Law 20.084; Law 20.000 (22-25)
Minimum Age for Compulsory Military Recruitment	Yes	18	Armed Forces' Recruitment and Mobilization Law (26-28)
Minimum Age for Voluntary Military Service	Combat: Yes	16	Armed Forces' Recruitment and Mobilization Law (26-28)
	Non-Combat: Yes	17	
Compulsory Education Age	Yes	18	General Education Law (29)
Free Public Education	Yes		General Education Law (29)

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 the service at age 18.(26, 27) According to the Armed Forces' Recruitment and Mobilization Law, during times of war the President of Chile may call upon persons of any age to be employed in "services that the nation requires." The UN CRC has suggested that Chile clarify that this provision applies only to persons age 18 and older.(27, 28)

In November 2013, the Government passed Law 20,710, which requires children to attend kindergarten and guarantees access to public education for children beginning at age 2 or 3 through age 18, thus reducing the children's vulnerability to the worst forms of child labor.(5)

### 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 Prevision (MINTRAB)	Enforce child labor laws.(5, 30)
National Child Service (Servicio Nacional de Menores) (SENAME)	Coordinate and provide services for children; coordinate provision of services with Rights Protection Offices in other cases.(31)
National Investigations Police	Oversee regional offices that specialize in the investigation of sex crimes and the commercial sexual exploitation of children. Refer children to SENAME.(32)
National Prosecutor's Office	Enforce laws against child trafficking and commercial sexual exploitation of children.(32)
Rights Protection Offices	Monitor cases of worst forms of child labor and raise awareness about them. Located in municipalities throughout the country.(2)

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

#### *Labor Law Enforcement*

In 2013, the budget for inspections was \$20,877, 306 million. MINTRAB employs approximately 1,229 labor inspectors; they inspect for all types of labor violations, including child labor.(5, 30) In 2013, MINTRAB had 160 vehicles and 84 permanent offices and carried out 3,350 inspection visits, an increase from 1,505 in 2012.(5) During 2013, 575 cases of worst forms of child labor were detected, and MINTRAB imposed sanctions for child labor violations in 1,175 cases.(5, 30, 31) Inspectors visit various locations in all the regions of Chile to inspect labor conditions, including child labor violations.(30)

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During the reporting period, the Superintendent of Social Security (SUSESO) reported on injuries that occurred to children in 2010, 2011, and 2012. As a result, SUSESO requested the Institute of Occupational Safety (ISL) to review the cases and report the data, especially pertaining to workplace accidents involving children under age 18.(5)

SENAME continued to incorporate information from other government agencies, particularly city-level offices, into the case registry system.(5) It also worked to merge the registry with its institutional database, SENAINFO, which will enable the agency to provide integrated data on victims of worst forms of child labor.(5) In 2013, SENAME assisted 1,095 child victims of commercial sexual exploitation, compared with 1,209 during 2012.(31) It continued to participate with the National Tourism Service (SERNATUR) in the certification of tourism organizations that adhere to the norms for the prevention of the commercial sexual exploitation of children (CSEC); it also developed certification norms for rental cabins, apartment hotels, tourism offices, and travel agencies.(31)

### *Criminal Law Enforcement*

In 2013, 175 cases of commercial sexual exploitation, including cases of child prostitution, pornography, and trafficking for sexual exploitation, were investigated in the Chilean judicial system. A total of 29 criminal convictions for the commercial sexual exploitation of minors also occurred during this same period.(31, 33) These cases resulted in three convictions for the prostitution of minors and three convictions for trafficking in persons violations involving minors.(12)

During the reporting period, 1,284 minors under age 18 were reported to have been involved in drug trafficking.(33)

## 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 Advisory Committee to Eradicate Child Labor	Implement national plan against child labor; operates in many of Chile's regions.(1, 2) Headed by MINTRAB and include among others, SENAME, the Ministry of Education, the Ministry of Justice, the Ministry of Agriculture, the National Statistics Institute and SERNATUR, as well as the National Investigations Police and the National Uniformed Police.(1)
National Action Plan Against Trafficking in Persons	Implement actions to prevent and combat trafficking in persons, with a focus on women and children.(12) Encompass four strategic areas: (1) prevention and awareness-raising, (2) control (prosecution), (3) victim's assistance and protection, and (4) interinstitutional cooperation and coordination.(12)
Worst Forms of Child Labor Task Force	Evaluate and promote programs that prevent and protect children from the worst forms of child labor. Headed by SENAME; participating members include the National Advisory Committee, which includes MINTRAB, the Ministry of Education, SERNATUR, National Investigations Police, and National Uniformed Police; receives financial and technical assistance from the ILO.(22, 31) Oversee the national case registry of the worst forms of child labor.(2, 10) Registry enables SENAME to track incidents of the worst forms of child labor and to enhance programs designed to assist child laborers.(14, 34) Includes implementing a multisector protocol for the identification, registration, and care of victims of the worst forms of child labor.(31)
Inter-Agency Task Force on Trafficking in Persons	Coordinate the Government's anti-trafficking efforts; headed by the Ministry of the Interior. Members include law enforcement agencies, the National Prosecutors' Office, the Ministry of Foreign Relations, the Ministry of Justice, and the National Service for Minors, among others.(35)
National Observatory of Commercial Sexual Exploitation	Produce information on CSEC in collaboration with government and civil society.(5) Created in 2010 and coordinated by SENAME.(5)

In 2013, the National Advisory Committee to Eradicate Child Labor met twice, and the Worst Forms of Child Labor Task Force met seven times.(31) The "Worst Forms of Child Labor" registry received reports of 575 cases of children and adolescents, a decrease from 870 in 2012. The majority of the cases involved the use of children in illicit activities, such as drug trafficking, followed by children's involvement in work under hazardous conditions and commercial

sexual exploitation.(36) The Committee imposed sanctions for child labor violations in 1,175 cases, among which 575 were for child labor, an increase from 193 child labor sanctions in 2012.(5)

In 2013, the Inter-Agency Task Force on Trafficking in Persons adopted a National Plan Against Trafficking in Persons.(5, 31)

During the reporting period, the National Observatory of Commercial Sexual Exploitation held monthly meetings on the “Role of Media in the Dissemination, Awareness, Prevention and Reporting of Child and Adolescent Victims of CSEC,” “Analysis of Theoretical and Practical Scenarios of Commercial Sexual Exploitation in Tourism,” and “Progress of the Second National Framework against CSEC.”(31)

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

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

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

Policy	Description
Second Framework for Action Against the Commercial Sexual Exploitation of Children	Aims to prevent such crimes against children and coordination among government agencies and NGO service providers. Adopted by the Ministry of Justice, SENAME, and with other government agencies and NGO partners in 2012.(2, 10, 37)
Cooperative Agreement for the prevention and eradication of child labor and protection of adolescent workers in Chile between the Ministry of Labor and Social Prevision and the Ministry of Education (Convenio de cooperación para la prevención y erradicación del trabajo infantil y protección del adolescente trabajador en Chile entre Ministerio del Trabajo y Previsión Social y Ministerio de Educación)	Creates mechanisms to detect child labor within the school system in the capital region. The MOE and the MINTRAB are signatories to the agreement.(38)
National Plan against Trafficking in Personst	Sets goals for providing services to child victims, including assigning them to a case manager.(5)

† Policy was launched during the reporting period.

The National Advisory Committee is working on designing its second National Action Plan and aims to announce the plan during the first half of 2014.(31)

MINTRAB, 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.(13, 39). In 2012, the study’s results were reported to the participating government agencies for consideration and follow-up.(13, 39) In 2013 MINTRAB began coordination efforts to implement the model.(31)

In November 2013, 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 the efforts toward the eradication of child labor.(40)

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

In 2013, the Government 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
SENAME programs for children at risk of or engaged in the worst forms of child labor‡	More than 90 SENAME programs for disadvantaged youth and children at risk of or engaged in the worst forms of child labor.(2, 22) In 2013, SENAME continued funding 16 projects to treat CSEC victims in 10 regions, and 93 comprehensive interventions programs. Programs provide specialized care for children and adolescents found in vulnerable situations, including victims of the worst forms of child labor.(5) Projects in collaboration with municipal governments, involved 121 local branches of the Office for the Protection of Children's Rights. Programs also include continued support and sponsorship of a program called "Regional Initiatives Against CSEC," run by the NGO "Raices," the European Union, and Chile's Agency for International Cooperation.(31)
Child labor survey on commercial sexual exploitation	Government in collaboration with the ILO, collected data from police and other governmental agencies for a preparatory study on commercial sexual exploitation. Results expected to be released within the first half of 2014.(5, 36)
Education and Monitoring Program for the Eradication of Child Labor	Government of Spain-funded child labor prevention and eradication program that aims to strengthen capacity and decision-making to meet the goals for the Hemispheric Agenda for Decent Work for 2015 and 2020.(41)
Eradication of child labor in Latin America (Phase 4) (Erradicación del trabajo infantil en América Latina)	ILO-sponsored program to contribute to the Prevention and Elimination of Child Labor and Protection of Permitted Adolescent Work in Latin America. Program funded Chile's second National Survey on Activities of Children and Adolescents (EANNA), conducted in 2012 by MINTRAB, the Ministry of Social Development, and the ILO. Results published in 2013.(41) Survey provides detailed information on the magnitude and characteristics of child labor in Chile.(31, 41) In 2013, the Government initiated significant outreach efforts to raise awareness of the results of the 2012 EANNA. Approximately 2,500 copies of the survey summary report were distributed, along with other promotional materials.(5)
New Life Program*‡	Program by Ministries of Education and Health, along with the Department of Juvenile Justice and the Service for Clinical Intervention New Life program in eight cities, aiming to address delinquency among children age 14 and younger.(42) Targets children who have been used by adults to carry out illegal activities.(2, 10) Program aims to provide integrated intervention for children who have been detained by the police for such activities, but are not subject to the juvenile justice channels because of their age. Since the inception of the program in 2010, a total of 5,629 children have benefitted from its services.(42) In 2013, "New Life," along with the Ministry of Education's reinsertion programs for vulnerable children, provided two training courses to teachers. In October 2013, SENAME published its third book; the book was written by the caregivers of these vulnerable children.(31, 42)
Regional Action Group for the Americas (Grupo de Acción Regional para las Americas)	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(43, 44)
Bilingual education programs*‡	Ministry of Education bilingual education program to increase the quality of education available to indigenous children and improve community involvement in the educational process.(45)
Extended School Day Program*‡	National Women's Service extended school day program aiming to keep children off the streets while their parents are at work, among other goals.(2)
MERCOSUR Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor; by improving country legal frameworks to harmonize them with international conventions affecting children; and by exchanging best practices.(46)
Ethical Family Income program*‡	Government program to provide cash transfers to families in extreme poverty. Transfers conditioned upon certain factors, including school attendance.(2) Other programs provide scholarships and social services to children from low-income families and to 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.(2, 22)
Regional child labor projects	Chile participates in two separate Government of Spain-funded regional projects to eradicate child labor in Latin America, one with a specific focus on promoting education and monitoring child labor.(47)
Strengthening social dialogue as an effective tool to address the worst forms of child labor	Government of Ireland collaboration with the Government of Chile; program that works toward the elimination of the worst forms of child labor. Aims to achieve its objectives through social dialogue and by building capacity of social partners to improve their role in the implementation of national policies or programs on child labor, with special focus on its worst forms.(41) Program has supported Global Pact Chile, which has developed a survey to analyze attitudes and actions of Chilean companies on child labor.(38)
Child labor prevention and awareness-raising campaigns in tourism	Joint Regional Group for the Americas program, administered in Chile by SERNATUR, which conducts child labor prevention and awareness-raising campaigns in tourism. Members of the group include Bolivia, Brazil, Chile, Colombia, Ecuador, Suriname, Uruguay, and Venezuela. In 2013, SERNATUR developed new certification norms on preventing CSEC for apartment hotels, lodges, and campgrounds.(5)

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

Program	Description
MINTRAB collaboration with Confederation of Production and Chilean Safety Association	MINTRAB collaboration with the Confederation of Production and Commerce (CPC), one of the country's largest business associations, and the Chilean Safety Association (ACHS), to 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 promoting safety for adolescent workers and has distributed this information widely. (13, 32)
Government projects for at-risk youth in the Dominican Republic*‡	Government and World Bank program to support programs that aid the employability of disadvantaged, at-risk youth through training and internship opportunities in order to promote entrepreneurial and job-related skills. Offers training courses in 10 provinces throughout the Dominican Republic.(48, 49)

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

‡ Program is funded by the Government of Chile.

During the reporting period, SENAME carried out many awareness-raising activities, including designing a Web site about child labor and the worst forms of child labor.(5)

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

## 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 Chile (Table 9).

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Ensure a new national plan against child labor is drafted and enacted.	2011 – 2013
Social Programs	Assess the impact that various social protection programs may have on the worst forms of child labor.	2010 – 2013
	Conduct research to determine specific activities related to children's work in the informal sector and analyze data on the activities children carry out in agriculture in order to inform policies and programs.	2013
	Conduct research on the prevalence of child labor in Region IX and on vulnerable populations' access to education in the region.	2013

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