

In 2015, Chile made a significant advancement in efforts to eliminate the worst forms of child labor. The Government established the National Strategy to Eradicate Child Labor and Protection of Adolescent Workers (2015–2025). Two bills were drafted and submitted to Congress; the first requires adherence to the rights enumerated in the Convention of the Rights of the Child, while the second creates an Undersecretary for Children to evaluate policies relating to children and address gaps. Chile also continued to implement several programs targeting the worst forms of child labor. However, children in Chile are engaged in child labor, including in construction, and in the worst forms of child labor, including in the production and distribution of drugs sometimes as a result of human trafficking. Information regarding the number of potential criminal violations found and prosecutions initiated related to the worst forms of child labor is not publicly available.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chile are engaged in child labor, including in construction. Children are also engaged in the worst forms of child labor, including in the production and distribution of drugs sometimes as a result of human trafficking.(1-12) The results of the 2012 National Survey on Activities of Children and Adolescents (*Encuesta de Actividades de Niños, Niñas y Adolescentes*) indicate that 70.6 percent of working children ages 5 to 17 are engaged in work classified as hazardous.(9, 11) Table 1 provides key indicators on children’s work and education in Chile.

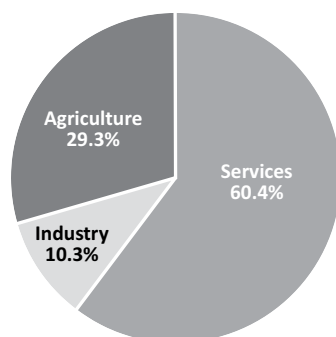
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.8 (94,025)
Attending School (%)	5-14 yrs.	99.5
Combining Work and School (%)	7-14 yrs.	4.5
Primary Completion Rate (%)		96.6

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2015.(13)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from *Encuesta de Actividades de Niños, Niñas y Adolescentes* Survey, 2012.(14)

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 and selling crops, including wheat,* raising animals,* and working on agricultural loading docks* (5, 11, 12)
	Livestock rearing* (10, 11)
	Forestry,*† activities unknown (10, 11)

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

Sector/Industry	Activity
Agriculture	Hunting,* activities unknown (10, 11)
	Fishing,*† activities unknown (10, 11)
Industry	Construction, activities unknown (5, 9-12)
	Production of ceramics* and books* (5, 12)
	Repairing shoes* and garments* (5, 12)
	Domestic work (1, 5, 9, 11)
	Working in retail, hospitality, and restaurants (5, 10, 12, 15)
	Street work, including street vending and washing cars* (5, 9, 10, 12, 16)
Categorical Worst Forms of Child Labor‡	Used in illicit activities, including in the production and distribution of drugs sometimes as a result of human trafficking (1-8)
	Forced labor in agriculture,* mining,* construction,* street vending,* domestic work,* and garment and hospitality sectors* (1, 4-6, 12)
	Commercial sexual exploitation sometimes as a result of human trafficking (4, 5, 7-9, 12)

* 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.

Chilean children and girls from other Latin American countries are subjected to human trafficking in Chile for commercial sexual exploitation and domestic work.(1, 4, 17) Children are used to produce, sell, and transport drugs in the border area with Peru and Bolivia.(5) Limited evidence suggests that children from Bolivia, Colombia, Ecuador, Paraguay, and Peru are found in forced labor in the agriculture, mining, domestic work, and hospitality sectors.(1, 4, 18) The Government of Chile has indicated that indigenous children and adolescents from Otavalo, Ecuador, are vulnerable to human trafficking for labor exploitation in Chile.(3) Data from the Government of Chile’s National Minors’ Service (SENAME) indicate that the highest incidence of children living and working on the streets occurs in the Santiago region of Chile.(19-21) However, no information is available on the types of activities children performed while working on the streets.

II. LEGAL FRAMEWORK FOR 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	✓

In 2015, Chile ratified ILO Convention 189 Concerning Decent Work for Domestic Workers.(22)

The Government has established laws and regulations related to child labor, including 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	Article 13 of the Labor Code (23)
Minimum Age for Hazardous Work	Yes	18	Articles 13, 14, and 18 of the Labor Code (23, 24)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 18 of the Labor Code; Articles 1–11 of Law No. 50; Article 1 of Law No. 20.539 (23-25)
Prohibition of Forced Labor	Yes		Article 19 of the Constitution; Article 411 of the Penal Code (26-28)
Prohibition of Child Trafficking	Yes		Article 411 of the Penal Code (27, 28)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 367 and 411 of the Penal Code; Law No. 20.594; Law No. 20.526 (27-30)
Prohibition of Using Children in Illicit Activities	Yes		Paragraph 1, Article 5 and Paragraph 2, Article 19 of Law No. 20.000; Law No. 20.084 (31, 32)
Minimum Age for Compulsory Military Recruitment	Yes	18	Chapter 1, Article 13 of the Armed Forces' Recruitment and Mobilization Law No. 2.306 (33)
Minimum Age for Voluntary Military Service	Yes*	17	Chapter 1, Article 13 of the Armed Forces' Recruitment and Mobilization Law No. 2.306 (33)
Compulsory Education Age	Yes	18‡	Articles 4, 25, and 27 of the General Education Law No. 20.370 (34)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (34)

* No conscription (33)

‡ Age calculated based on available information (34)

Education is compulsory in Chile through secondary school, with a projected progression of 6 years of study in primary school, beginning at age 6, and 6 years of study in secondary school.(34)

In 2015, Chile submitted two bills for congressional approval. The first establishes the rights enumerated in the Convention on the Rights of the Child, which Chile ratified in 1990.(15, 35) The second bill creates an undersecretary for children to evaluate current policies regarding the child and address gaps.(15)

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 and generate public awareness of child labor and commercial sexual exploitation.(9, 36)
National Minors' Service (SENAME)	Coordinate the provision of services to vulnerable children in collaboration with Rights Protection Offices.(37, 38)
National Investigations Police (PDI)	Prevent the worst forms of child labor by conducting community outreach activities, including trainings and informational talks, through the PDI Department of Community Action and Support.(39)
National Prosecutor's Office	Investigate and prosecute crimes, including those involving commercial sexual exploitation and trafficking of children. Train and coordinate with interagency partners, including the PDI, and regional and local prosecutor's offices.(40, 41)
Rights Protection Offices	Refer cases of children whose rights have been violated to appropriate social services, and monitor and raise awareness of the worst forms of child labor. Located in municipalities throughout the country and part of a social protection network overseen by SENAME.(10)

Chile

SIGNIFICANT ADVANCEMENT

Labor Law Enforcement

In 2015, labor law enforcement agencies in Chile took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown	\$30,464,007 (15)
Number of Labor Inspectors	503 (2)	550 (15)
Inspectorate Authorized to Assess Penalties	Unknown	Yes (15)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to Child Labor	Unknown	N/A
■ Refresher Courses Provided	Unknown	Yes (17)
Number of Labor Inspections	115,272 (2)	124,565 (15)
■ Number Conducted at Worksite	Unknown	Unknown
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	105 (2)	526 (15)
Number of Child Labor Violations for Which Penalties Were Imposed	604 (2)	Unknown
■ Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Yes (15)
■ Routine Inspections Targeted	Unknown	No (15)
Unannounced Inspections Permitted	Unknown	Yes (15)
Unannounced Inspections Conducted	Unknown	Yes (15)
Complaint Mechanism Exists	Yes (2)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (15)

According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Chile should employ roughly 579 inspectors to adequately enforce labor laws throughout the country.(42-44) During the reporting period, 285 children were removed from worksites as a result of labor inspections, including for failure to register an employment contract, failure to comply with education requirements, and failure to obtain a parent's or guardian's authorization.(15) SENAME updated its Worst Forms Registry in 2015 to be compatible with their existing case management system, SENAINFO. Due to this update, 2014 and 2015 statistics are not comparable.(17) Labor inspectors did not receive child labor-specific training during the reporting period; however, 150 labor inspectors received training on best practices for labor inspections involving foreign workers and human trafficking.(15, 17)

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Chile took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
■ Refresher Courses Provided	Yes	Yes (15)
Number of Investigations	192 (2)	91 (15)
Number of Violations Found	291 (2)	Unknown
Number of Prosecutions Initiated	115 (4)	Unknown
Number of Convictions	25 (2)	30 (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (15)

In 2015, the Inter-Agency Task Force on Trafficking in Persons implemented continuous training on trafficking in persons for investigators. The training occurred throughout the country, often in coordination with regional task forces on trafficking in persons, as well as online and at international locations.(17) During the reporting period, SENAME identified 447 cases

of commercial sexual exploitation of children and 260 cases of children used in illicit activities, including the production and trafficking of narcotics.(15, 17)

Juvenile Justice, the Ministry of Education, and the Ministry of the Interior.(4)

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 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Advisory Committee to Eradicate Child Labor	Direct the Social Observatory to Eradicate Child Labor, which formulated the National Action Plan to Combat Child Labor.(10, 45) Led by MINTRAB and includes the following members: the Ministry of Agriculture, the Ministry of Education, the Ministry of Justice, the National Statistics Institute, the National Tourism Service, SENAME, as well as the PDI and the National Uniformed Police.(45)
Worst Forms of Child Labor Task Force	Evaluate and promote programs that prevent and protect children from the worst forms of child labor.(37, 46) Oversee the Worst Forms of Child Labor Registry, which tracks incidents of the worst forms of child labor and provides information on programs designed to assist child workers.(18, 47) Includes implementing a multisectoral protocol for the identification, registration, and care of victims of the worst forms of child labor.(31) Evaluate and promote programs that protect children from and prevent the worst forms of child labor. Receives financial and technical assistance from the ILO.(37, 46)
National Council for Children	Integrate efforts across government agencies to uphold the rights of the child through the implementation of policies; strategic plans; and programs at national, regional, and local levels.(15) Managed by the Ministry General Secretariat of the Presidency.(15)
Interagency Task Force on Trafficking in Persons	Coordinate the Government's anti-human trafficking efforts. Led by the Ministry of the Interior, members include law enforcement agencies, the Ministry of Foreign Relations, the Ministry of Justice, the National Prosecutor's Office, and SENAME, among others.(48) In 2015, established the National Action Plan, which outlines a strategy for the Government's anti-human trafficking interventions through 2018.(17)
National Observatory of Commercial Sexual Exploitation	Conduct and publish research on the commercial sexual exploitation of children, in collaboration with the Government and civil society; led by SENAME.(9) In 2015, the Observatory met eight times.(15)
Social Observatory to Eradicate Child Labor*	Established by Decree No. 131 to coordinate the study of child and adolescent labor issues among working groups, foundations, educational study centers, and institutions. Conduct technical studies on child and adolescent labor issues and evaluate current child labor elimination policies.(2, 49) Disaggregate child labor survey data from the 2012 National Survey on Activities of Children and Adolescents.(49)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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 9).

Table 9. Policies Related to Child Labor

Policy	Description
National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025)†	Establishes a strategy to eradicate child labor by (1) combining efforts across national and regional agencies, as well as private and public entities, and (2) requiring regions to establish a strategy adapted to issues particular to the area to effectively eradicate child labor.(50) The National Observatory of Commercial Sexual Exploitation monitors the implementation and effectiveness of the plan by evaluating regional activities on an annual basis and the impact of the operating plan biannually. An assessment of the National Strategy's progression toward its goal to eradicate child labor will be conducted every 4 years.(50)
Anti-Trafficking National Action Plan (2015–2018)†	Implements actions to prevent and combat trafficking in persons, with a focus on women and children. Encompasses four strategic areas: (1) prevention and awareness raising, (2) control (prosecution), (3) victims' assistance and protection, and (4) interinstitutional cooperation and coordination.(51)
Cooperative Agreement for the Prevention and Eradication of Child Labor and Protection of Adolescent Workers in Chile	Creates mechanisms to detect child labor within the school system in the capital region. The Ministry of Education and MINTRAB are signatories to the agreement.(52)

Table 9. Policies Related to Child Labor (cont)

Policy	Description
Chilean Ministry of the Interior and Public Security and U.S. Department of Homeland Security Joint Statement on Trafficking in Persons	Seeks to enhance collaboration and information exchanges between enforcement agencies on combating human trafficking and protecting vulnerable populations. Signed by Chile and the United States in Washington, DC (June 2015).(53)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014–2020)	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013) and was signed by Chile at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(54-56)
Declaration of Cancún and Plan of Action (2015)†	In 2015, the Government of Chile participated in the XIX Inter-American Conference of Ministers of Labor to promote decent work with social inclusion throughout the Americas, held in Cancún, Mexico. Participating countries adopted the declaration, which aims in part to foster policies to eliminate labor exploitation, including child labor, and to promote education and vocational training for youth.(57, 58) Participating countries also adopted the Plan of Action, which prioritizes the elimination of child labor, including through data collection, enforcement of labor laws, and the development of social protection policies for children and families.(59)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2015, the Government of Chile funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Guides on Eliminating Child Labor and Safe Work for Adolescent Workers	MINTRAB collaboration with the Confederation of Production and Commerce, one of the country's largest business associations, and the Chilean Safety Association to fight against child labor. The Confederation of Production and Commerce distributes guides to employers on eliminating child labor through public-private partnerships, and the Chilean Safety Association has developed a manual promoting safety for adolescent workers and has distributed this information widely.(60, 61)
Eradication of Child Labor in Latin America (Phase 4) (2011–2015)	A \$4.5-million, Government of Spain-funded, 4-year project implemented by the ILO-IPEC to combat child labor in 19 countries, including Chile.(62)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labor (2012–2015)	A \$760,000, Government of Ireland-funded, 3-year project implemented by the ILO-IPEC that focuses on strengthening social dialogue on the worst forms of child labor in different regions of the world, including Benin, Chile, Fiji, Ghana, and Zambia.(62)
Regional Action Group for the Americas	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.(63, 64) Administered in Chile by the National Tourism Service. Conducts child labor prevention and awareness-raising campaigns in the tourism sector.(9)
MERCOSUR Southern Child Initiative	Initiative to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states on the worst forms of child labor and migrant labor, improving countries' legal frameworks by harmonizing them with international conventions affecting children, and exchanging best practices.(65)
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.(10, 46) In 2015, SENAME continued funding 17 projects to provide protective services to victims of commercial sexual exploitation in 10 regions, as well as the Regional Initiatives Against Commercial Sexual Exploitation of Children.(50) Projects are implemented in collaboration with municipal governments and involve 126 local branches of the Office for the Protection of Children's Rights.(2, 37) In 2015, SENAME provided \$3.4 million to fund the 17 existing programs that assist victims of CSEC and disbursed an additional \$14.6 million to fund programs that assist children at risk of becoming victims of the worst forms of child labor throughout 15 regions.(15) SENAME also added 85 new Office for the Protection of Children's Rights centers, which are strategically located in vulnerable communities to provide assistance to victims of child labor and other rights violations, in addition to raising awareness of child rights issues in the community.(50)

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

Program	Description
Child Labor Survey on Commercial Sexual Exploitation	Collaboration of the Government with the ILO to collect data from police and other governmental agencies for a preparatory study on commercial sexual exploitation.(8, 9)
24 Hours Program (<i>Programa 24 Horas</i>), formerly called the New Life Program (<i>Vida Nueva</i>)‡	Program of the Ministries of Education and Health, Department of Juvenile Justice, and Service for Clinical Intervention that aims to address delinquency among children ages 14 and younger in eight cities.(66) Targets children who have been used by adults to carry out illegal activities.(10, 67) 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.(66) In 2015, \$15.3 million was dispersed to fund 95 projects and provide assistance to 5,860 children.(50)
Government Projects for At-Risk Youth in the Dominican Republic (<i>Proyecto de Emprendimiento Juvenil</i>)‡	Project supported by the Government of Chile that improves the employability of disadvantaged, at-risk youth through training and internship opportunities to promote entrepreneurial and job-related skills.(16, 68, 69)
Ethical Family Income Program‡	Ministry of Social Development income assistance and conditional cash transfer program to assist 170,000 families living in extreme poverty.(10, 70) Other programs provide scholarships and social services to children from low-income families and to adolescent parents and children of incarcerated parents who are at high risk of leaving school to enter work.(10)
Extended School Day Program (<i>Programa 4 a 7</i>)‡	National Women's Service extended school day program that aims to keep children off the streets, among other goals, while their parents are at work.(71)
Indigenous Language Sector Program (<i>Sector de la Lengua Indígena</i>)‡	Ministry of Education program that aims to increase the quality of education available to indigenous children.(72)
Caring Chile Programs (<i>Chile Solidario</i>)‡	Ministry of Social Development programs implemented by Chilean NGOs to combat poverty. Includes several social welfare programs, including the Bridge Program (<i>Programa Puente</i>), which helps families in extreme poverty, and the Opening Paths (<i>Abriendo Caminos</i>) program for children who are separated from their families.(73)

‡ Program is funded by the Government of Chile.

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Make publicly available information on the training system for new labor inspectors, the number of labor inspections conducted at worksites and by desk review, and the number of child labor violations for which penalties were imposed and collected.	2015
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2015
	Hire a sufficient number of labor inspectors to effectively enforce laws related to child labor.	2015
	Make publicly available information on the training system for new investigators, the number of criminal violations found, and the number of prosecutions initiated related to the worst forms of child labor.	2015
Social Programs	Conduct research to determine the activities carried out by children working on the street to inform policies and programs.	2013 – 2015

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42. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp-current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies; "economies in transition" to "transition economies," "developing countries" to "industrializing economies, and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.

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