



COSTA RICA

MODERATE ADVANCEMENT

In 2023, Costa Rica made moderate advancement in efforts to eliminate the worst forms of child labor. The government reactivated its National Committee for the Prevention and Eradication of Child Labor and Protection of Adolescent Work to coordinate government efforts to address child labor and signed two cooperation agreements with non-governmental organizations and labor unions to prevent child labor in the informal and agricultural sectors. The Office for the Eradication of Child Labor and Protection of the Adolescent Worker also provided cash transfers to 327 working minors and collaborated with the Ministry of Agriculture and Livestock to respond to cases of working minors in the agricultural sector. However, social programs did not reach all child laborers working in the provinces of Limon, Puntarena, and Guanacaste, which have the highest incidences of child labor in the country. In addition, 108 labor inspectors were inadequate to effectively monitor a labor force of 2,521,400 and monitor all sectors in which child labor was occurring.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	6.5% (46,509)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	98.4%
Combining Work and School	7 to 14	7.0%

Children in Costa Rica are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture.

Overview of Children’s Work by Sector and Activity



Agriculture

Picking coffee and cattle raising.



Industry

Construction and manufacturing.



Services

Working in restaurants and hotels. Street vending.† Domestic work.



Categorical Worst Forms of Child Labor‡

Commercial sexual exploitation, sometimes as a result of human trafficking. Forced labor in the agriculture, construction, and commercial sectors. Forced domestic work. Use in transporting or selling drugs, sometimes as a result of human trafficking.

† 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.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Costa Rica’s implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Criminally prohibit the recruitment of children under age 18 by non-state armed groups.

Raise the minimum age for work from age 15 to age 17 to align with the compulsory education age.

Suggested Government Actions to Eliminate Child Labor (Cont.)

Enforcement

Publish labor law enforcement information, including the number of child labor violations, whether penalties were imposed for child labor violations, and the number of child labor penalties imposed that were collected.

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Allocate sufficient funding and human resources to ensure that labor inspections occur in all workplaces, including in rural areas and the agriculture and informal sectors.

Increase the number of labor inspectors from 105 to 167 to ensure adequate coverage of the labor force of approximately 2.5 million workers.

Ensure that the judiciary, prosecutors, municipal authorities, and the police have sufficient staff, training, and resources to investigate, prosecute, and convict perpetrators of human trafficking and commercial sexual exploitation of children, and to identify victims of child trafficking and refer them to appropriate social services.

Enhance data collection and monitoring of human trafficking cases in order to improve enforcement and prevention efforts.

Address instances of disorder, abuse, and neglect in the National Child Welfare Agency shelter network, which provides services to victims of the worst forms of child labor, by addressing issues of management, staff training, facility conditions, and any other areas identified as problematic.

Coordination

Strengthen coordination and information sharing between institutions responsible for investigating child labor and providing social services to victims.

Increase transportation and human resources for the Office for the Eradication of Child Labor and Protection of the Adolescent Worker so that the office can improve program oversight.

Social Programs

Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural areas, girls, LGBTQI+ youth, children from indigenous and Afro-descendant communities, and migrant children, by increasing awareness of school enrollment requirements, improving school water and electrical infrastructure, and increasing access for students with disabilities.

Enhance social programs to address all forms of child labor, including in commercial sexual exploitation and illicit activities.

Ensure that the Let's Get Ahead Program is sufficiently funded to provide its intended benefits to all participants.

Update the 2019 Child Labor Risk Indicators Module that classified cantons according to levels of vulnerability to inform policies and programs.



CHILDREN AT HIGHER RISK

Children living in coastal regions have the highest risk for child labor in agriculture, including coffee production, with the highest incidences of child labor occurring in the provinces of Limon, Puntarenas, and Guanacaste. Afro-descendant, migrant, and indigenous children are particularly vulnerable to labor exploitation in Costa Rica. Children living in tourist destinations, border areas, and in the Northern and Pacific coastal zones are also subjected to commercial sexual exploitation. In addition, migrant girls from Nicaragua, the Dominican Republic, and other Latin American countries have been identified as victims of sex trafficking and domestic work, with children from Nicaragua subjected to forced labor in agriculture, domestic work, and commercial sexual exploitation.



BARRIERS TO EDUCATION ACCESS

While preschool and general basic education are free and compulsory, some children in rural areas, girls, LGBTQIA+ youth, children with disabilities, and children from indigenous and Afro-descendant communities face barriers to education access, including discrimination and gender stereotypes. Costa Rica has implemented innovative inclusion models for students and eliminated documentation requirements for enrollment, such as transcripts showing previous schooling or parent’s identity documents. However, parents often incorrectly believe that such documents are still necessary, and school officials reportedly sometimes request them, either due to a lack of awareness of current regulations or influenced by discrimination. In addition, as the 2023 education budget was the lowest in 9 years, it may have affected the government’s efforts to provide support to vulnerable populations. Moreover, in 2023, 19 percent of educational centers did not have access to water, and 10 percent lacked electricity.



LEGAL FRAMEWORK FOR CHILD LABOR

Costa Rica has ratified all key international conventions concerning child labor. However, as Costa Rica’s minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 15 Years	✓	Articles 3, 78, 92, and 101 of the Childhood and Adolescence Code
Minimum Age for Hazardous Work, 18 Years	✓	Articles 1 and 5 of Law 8922; Article 87 of the Labor Code
Identification of Hazardous Occupations or Activities Prohibited for Children	✓	Article 94 of the Childhood and Adolescence Code; Article 5 of Law 8922; Article 88 of the Labor Code; Articles 5 and 6 of Regulation No. 36640
Prohibition of Slavery, Debt Bondage, and Forced Labor	✓	Articles 1 and 2 of Law No. 9545; Articles 20 and 56 of the Constitution; Article 8 of the Labor Code; Articles 7, 172, 189 bis, 192, 376, 381, 383, and 384 of the Penal Code; Article 7 of the Trafficking in Persons Law
Prohibition of Child Trafficking	✓	Law No. 9545; Articles 7, 172, 189 bis, 192, 381, and 383 of the Penal Code; Articles 5, 7, and 74 of the Trafficking in Persons Law
Prohibition of Commercial Sexual Exploitation of Children	✓	Articles 160, 167, 168, and 170–174 of the Penal Code
Prohibition of Using Children in Illicit Activities	✓	Articles 7, 188, 381, and 390 of the Penal Code; Article 77 of the Narcotics Law
Minimum Age for Voluntary State Military Recruitment	N/A†	
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A†	
Prohibition of Military Recruitment by Non-state Armed Groups	✗	
Compulsory Education Age, 17 Years‡	✓	Articles 57 and 59 of the Childhood and Adolescence Code; Article 78 of the Constitution
Free Public Education	✓	Article 59 of the Childhood and Adolescence Code; Article 8 of the Education Law; Article 78 of the Constitution

† Country has no standing military

‡ Age calculated based on available information

On August 23, 2023, Costa Rica enacted Directive MAG-N°003-2023, mandating that all institutions in the agricultural sector adhere to the Protocol for Interinstitutional Coordination for the Care of Underage Workers, preventing child labor and ensuring compliance with regulations concerning adolescent workers. The Directive also instructs Ministry of Agriculture and Livestock officials to refer cases of working minors in the agricultural sector to the Ministry of Labor and Social Security’s Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA). Despite this effort, as Costa Rica’s minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Costa Rica took actions to address child labor. However, gaps exist within the operations of the Ministry of Labor and Social Security (MTSS) and criminal enforcement agencies, including insufficient resource allocation and training for criminal investigators, that hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

MTSS: Monitors and enforces provisions in the Labor Code related to child labor, including conducting school visits and worksite inspections. Through OATIA, responds to and attempts to prevent child labor through policy development and public awareness campaigns. Also provides referrals for those found to be in exploitative labor to government social services. On October 19, 2023, MTSS signed two cooperation agreements to combat child labor and protect adolescent workers nationwide. The first agreement, with the Association for the Defense of the Rights of Persons Under 18 years of age (DNI Costa Rica), focuses on preventing child labor in the informal and agricultural sectors through training for labor inspectors. The second agreement, which involves MTSS, the Confederation of Workers Rerum Novarum, and the Trade Union of Women Workers and Costa Rican Education Workers, aims to prevent child labor and protect adolescent workers through coordinated efforts. MTSS also launched the SOMOS+ Socio-Labor Recognition System to support its annual initiative to recognize companies’ best practices in four categories: prevention of child labor and protection of adolescent workers, inclusion of workers with disabilities, inclusion of older workers, and promotion of gender equality, with collaboration from various public institutions assisting vulnerable populations. In addition, OATIA provided direct assistance to 412 working minors in 2023 through the Working Minors Conditional Cash Transfer program, investing approximately \$517,387 in this initiative. OATIA also worked with the Ministry of Agriculture and Livestock to respond to cases of working minors detected during site visits in the agricultural sector.

Attorney General’s Office: Enforces criminal laws protecting children, including laws prohibiting the worst forms of child labor. Coordinates efforts with the Judicial Investigative Police, which investigate violations related to the worst forms of child labor; the Immigration Police; the National Police; and municipal police forces. Also coordinates with the National Child Welfare Agency, the Social Security System, the Ministries of Education and Health, and the Civil Registry, as well as with NGOs, international organizations, diplomatic missions, and foreign law enforcement.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Yes
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Yes

In 2023, **108** labor inspectors conducted **14,031** worksite inspections, finding **1** child labor violation. There were also **53** investigations into suspected worst forms of child labor crimes, with **24** prosecutions initiated and **2** perpetrators convicted.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Costa Rica established a mechanism to coordinate its efforts to address child labor. However, there is a lack of sufficient human resources to ensure coordination among relevant agencies.</p>	<p>National Committee for the Prevention and Eradication of Child Labor and Protection of Adolescent Workers: On April 24, 2023, the government reactivated this committee with the participation of 11 public institutions, as well as representatives from the business sector, labor unions, and civil society. The committee is responsible for implementing the Roadmap to Make Costa Rica a Country Free of Child Labor and Its Worst Forms.</p>
<p>Key Policies Related to Child Labor</p> <p>Costa Rica established policies that are consistent with relevant international standards on child labor.</p>	<p>Roadmap to Make Costa Rica a Country Free of Child Labor and Its Worst Forms (2021–2025): Aims to eradicate all forms of child labor in Costa Rica by 2025 by strengthening efforts to identify and track hazardous child labor, and by increasing social awareness and collaborative efforts to address child labor. In 2023, the National Child Welfare Agency worked with MTSS to monitor implementation of the roadmap and provided training to officials on how to identify and refer children in need to social services. The National Coalition against Trafficking in Person and Smuggling (CONATT) also continued to implement the Comprehensive Care Strategy for survivors of human trafficking and their dependents, providing legal, psychosocial, educational, employment, housing, and reintegration, repatriation, and resettlement support. On October 6, 2023, CONATT, with technical support from the UN, launched a joint program against human trafficking and smuggling, funded by the Migration Multi-Partner Trust Fund. The program’s objective is to bolster authorities’ capabilities in identifying, investigating, and prosecuting instances of human trafficking and smuggling. Additionally, throughout 2023, CONATT’s Prevention Commission, in close collaboration with the state institutions, carried out activities such as 180 training processes focused on issues related to human trafficking and migrant smuggling. Through these programs, a total of 8,626 people were trained, including 1,656 public officials and 6,970 people from the general population, increasing awareness of trafficking in persons issues and how to refer suspected trafficking in persons cases.</p> <p>National Policy Against Trafficking in Persons (2020–2030): Outlines goals and actions to prevent and combat human trafficking and smuggling of migrants, as well as strengthen human trafficking investigations and sanctioning criminals. Research was unable to determine activities undertaken by this policy during the reporting period. In 2023, CONATT, in collaboration with state institutions and the International Bureau for Children’s Rights (IBCR), developed a Work Plan for the prevention of human trafficking and migrant smuggling for the coming years. This plan, aligned with the National Policy and the Strategic Plan, was developed through working groups facilitated by IBCR and had the active participation of all the actors involved.</p> <p>Interinstitutional Coordinating Protocol for the Protection of Working Minors: Outlines provision of services for child laborers through collaboration between MTSS, the National Child Welfare Agency, the Ministry of Public Education, and the Joint Social Welfare Institute (IMAS), as well as their regional and local agencies and the private sector. In 2023, 153 cases were referred through the mechanism. Additionally, MTSS, through the Special Worker Protection Department, trained 2,543 people on child labor, adolescent labor, and dangerous adolescent labor through the coordination protocol during 2023.</p>

Coordination, Policies, and Programs (Cont.)

Key Social Programs to Address Child Labor

Costa Rica funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the problem in all sectors where child labor has been identified, including in commercial sexual exploitation and illicit activities.

*† Program is funded by the Government of Costa Rica.
‡ The government had other social programs that may have included the goal of eliminating or preventing child labor.*

Houses of Joy (Casas de la Alegría):[†] Public-private initiative that seeks to support the social inclusion of children, particularly migrant and indigenous children, while their parents and relatives are working in the coffee harvest. The program provides centers that offer free childcare, healthcare, meals, and social protection services and mitigate the risk of child labor on coffee plantations. IMAS funds meals, caregiver salaries, and training while farm owners provide the land and classrooms, with financial contributions from UNICEF for buildings and teaching materials. The program continued in 2023 and operates in 41 centers nationwide. Notably, *Cafetalera de Tierras Ticas SA*, a coffee farm in Los Santos and Coto Brus, has been praised for its social, environmental, and economic responsibility, operating 6 Houses of Joy that benefit over 300 children and 205 collaborators and their families, while also championing sustainable production and community education.

Let's Get Ahead Program (Avancemos):[†] IMAS program that provides monthly conditional cash transfers to low-income families to keep children in school and out of exploitative work. As of September 2023, the program provided \$165,659,855 (85,303,736,000 *colones*) to 289,974 participants. In 2023, the Brunca Region was one of the largest beneficiaries of *Avancemos* subsidies, with approximately \$25.6 million (12,767,101,000 *colones*) awarded to 42,485 students across 25,330 households. However, reports indicate that the program has experienced a reduction in its budget since 2021, leading to insufficient resources to fulfill the annual demand from the population.

Working Minor (Persona Trabajadora Menor de Edad):[†] The Working Minor Conditional Cash Transfer program was established through collaboration between the Ministry of Labor and IMAS to mitigate child labor by bolstering the formal education of economically disadvantaged adolescents, thus preventing school dropout. IMAS supplements family incomes based on continued school attendance. The program targets vulnerable communities, with joint efforts held in indigenous regions for training on child labor issues. OATIA provided direct assistance to 412 working minors in 2023 through the Working Minor Conditional Cash Transfer program, with the government investing approximately \$520,296 into this initiative.

For information about USDOL's projects to address child labor around the world, visit dol.gov/ILABprojects
For references, please visit dol.gov/ChildLaborReports