



# EL SALVADOR

## MODERATE ADVANCEMENT

In 2023, El Salvador made moderate advancement in efforts to eliminate the worst forms of child labor. The Government of El Salvador introduced the National Plan of Action against Trafficking in Persons, which included sections on detection, investigation, comprehensive care, and specialized training. The government also conducted several trainings covering topics related to investigating and prosecuting trafficking in persons cases, which emphasized the protection of childhood and adolescent rights and reached over 3,000 government officials, including employees of the Attorney General’s Office and the National Civilian Police. The National Council for Early Infancy, Childhood, and Adolescence also announced the organizations that will make up the Network of Child and Adolescent Care Entities. The objective of this network will be to align the various programs and projects of its members with national guidelines, with the intention of expanding the range of services available to vulnerable children and adolescents. However, despite these efforts, criminal and civil enforcement agencies continue to lack sufficient resources to enforce child labor laws. Gaps also remain related to the lack of publicly available, comprehensive information on the government’s criminal law enforcement efforts. Finally, social programs do not adequately address the full scope of the child labor problem in the country, particularly in the informal and service sectors.



## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

### Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	2.6% (26,962)
Boys		3.4%
Girls		1.8%
Urban		1.7%
Rural		3.8%
Hazardous Work by Children	15 to 17	19.3% (55,095)
Boys		28.8%
Girls		9.9%
Urban		14.0%
Rural		27.2%
Attending School	5 to 14	92.7%
Combining Work and School	7 to 14	2.7%

Children in El Salvador are subjected to the worst forms of child labor, including in commercial sexual exploitation and in illicit activities, sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee.

### Overview of Children’s Work by Sector and Activity



#### Agriculture

Harvesting sugarcane† and coffee,† and production of cereal grains. Working in cattle-raising† and fishing,† including harvesting shellfish.†



#### Industry

Working in construction,† manufacturing fireworks,† and production of baked goods.



#### Services

Domestic work and street work, including in street begging,† washing cars, and vending.† Garbage scavenging.†



#### Categorical Worst Forms of Child Labor‡

Forced begging, domestic work, agricultural labor, construction, and work in textiles. Commercial sexual exploitation, 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 El Salvador's implementation of its international commitments to eliminate the worst forms of child labor.

### **Legal Framework**

Ensure that the legal light work provisions specify the activities in which light work may be undertaken by those under age 16.

### **Enforcement**

Provide sufficient funding and resources to the Ministry of Labor and Social Welfare and criminal law enforcement agencies to fully enforce child labor laws and investigate cases involving the worst forms of child labor, including in the informal sector.

Increase the number of labor inspectors from 100 to 193 to ensure adequate coverage of the labor force of approximately 2.9 million workers.

Collect and publish information on labor law enforcement efforts, including whether law enforcement personnel received training on child labor.

Improve coordination between law enforcement agencies in the investigation and prosecution of criminal cases related to the worst forms of child labor, including by developing electronic information-sharing capabilities.

Ensure that there is a sufficient number of criminal law enforcement officials to carry out criminal investigations on the worst forms of child labor.

Screen for indicators of the worst forms of child labor among children apprehended for illicit activity in connection with organized criminal groups and ensure that they are provided with adequate social services.

### **Social Programs**

Ensure that social programs address adolescent girls' vulnerability to forced domestic work and human trafficking.

Remove barriers to education, such as birth registration, and ensure access for all children, including students of indigenous descent and LGBTQI+ youth.

Ensure that schools have proper infrastructure and sanitation systems to support students.

Ensure that adequate services are available for all human trafficking survivors, including boys and LGBTQI+ youth.

Implement programs that direct support to child laborers who may not be living with their parents, including child domestic workers.

Ensure that annual surveys providing data on child labor include information on specific child labor work sectors and the worst forms of child labor.

Report on specific activities taken to implement the Sustainable Families Program.



## **CHILDREN AT HIGHER RISK**













Children living in rural and economically disadvantaged areas are particularly vulnerable to child labor. According to the results of the 2022 Annual Multipurpose Household Survey, 60.9 percent of children engaged in child labor live in rural communities. Children living in families that lack economic stability and educational opportunities are vulnerable to the worst forms of child labor, including commercial sexual exploitation. According to El Salvador's Trafficking in Person's Special Prosecutor and local NGOs, adolescent girls with limited education are among the most at risk of being trafficked. The National Council for Early Infancy, Childhood, and Adolescence (CONAPINA) reported that trafficking crimes perpetuated by gangs occur on a much smaller scale than in previous years due to the government's crackdown on gangs via a state of exception, which remained active throughout the reporting period.

## BARRIERS TO EDUCATION ACCESS

Children in El Salvador face numerous barriers to education including precarious school infrastructure, leaving many schools in the country unprepared to face natural disasters and epidemics. Furthermore, schools around the country do not have adequate sanitation systems, and many do not have access to drinking water. Communities in which indigenous populations are concentrated disproportionately lack educational infrastructure. The NGO COMCAVIS TRANS reported that 33.4 percent of LGBTQI+ youth discontinued their education before high school, compared with 21.2 percent of children nationwide. According to the *Crecer Juntos* law, which came into effect in 2023, a lack of identity documents should not prevent school enrollment. However, research indicates that children are, in practice, being required to have birth certificates to enroll in schools.

## LEGAL FRAMEWORK FOR CHILD LABOR

El Salvador has ratified all key international conventions concerning child labor. However, gaps exist in El Salvador’s legal framework to adequately protect children from the worst forms of child labor, including a light work framework that is inconsistent with international standards.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, <b>16 Years</b>		Articles 114, 116, and 627 of the Labor Code; Article 38.10 of the Constitution
Minimum Age for Hazardous Work, <b>18 Years</b>		Articles 105 and 627 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011
Identification of Hazardous Occupations or Activities Prohibited for Children		Article 1 of Agreement 241 of 2011
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Article 13 of the Labor Code; Articles 4 and 9 of the Constitution
Prohibition of Child Trafficking		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons
Prohibition of Commercial Sexual Exploitation of Children		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code
Prohibition of Using Children in Illicit Activities		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code
Minimum Age for Voluntary State Military Recruitment, <b>16 Years</b>		Articles 2 and 6 of the Military Service Law
Prohibition of Compulsory Recruitment of Children by (State) Military	 *	Article 215 of the Constitution; Articles 2 and 11 of the Decree No. 298
Prohibition of Military Recruitment by Non-state Armed Groups		Article 345 of the Penal Code; Article 1 of the Law Prohibiting Gangs and Criminal Organizations; Article 7 of the Constitution
Compulsory Education Age, <b>16 Years</b> ‡		Articles 5, 18, 20, and 22 of the General Education Law
Free Public Education		Articles 5, 18, 20, and 22 of the General Education Law; Article 56 of the Constitution

\* Country has no conscription

‡ Age calculated based on available information

The light work framework for work of children under age 16 is inconsistent with international standards because it does not specify the activities permitted.



## ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in El Salvador took actions to address child labor. However, insufficient financial resource allocation hindered enforcement efforts.

### Agencies Responsible for Child Labor Law Enforcement

**Ministry of Labor and Social Welfare:** Inspects worksites for labor violations, including child labor, and monitors working conditions for adolescents who are granted work authorization. Maintains a child labor unit dedicated to child labor law enforcement issues and refers cases of the worst forms of child labor to the Attorney General’s Office. During the reporting period, the government provided additional informational regarding the number of inspectors and the number of inspections conducted in the sugarcane and coffee sectors.

**Ministry of Justice and Public Security:** Together with the Attorney General’s Office, enforces criminal laws related to the worst forms of child labor through the National Civilian Police. The National Civilian Police maintains a special trafficking in persons unit to investigate and prosecute human trafficking, including child trafficking.

### 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	Unknown
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	No

In 2023, **100** labor inspectors conducted an **unknown** number of worksite inspections. However, labor inspectors conducted **506** inspections focused child labor violations, finding **1** child labor violation. In addition, there were also **10** investigations into suspected worst forms of child labor crimes, with **20** prosecutions initiated.



## COORDINATION, POLICIES, AND PROGRAMS

### Key Mechanism to Coordinate Government Efforts on Child Labor

El Salvador established a mechanism to coordinate its efforts to address child labor.

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

**CONAPINA:**\* Collaborates with law enforcement agencies taking action on child labor cases, coordinates the work of institutions working on children’s issues, and provides services to children rescued during law enforcement operations. CONAPINA is responsible for formulating, evaluating, and updating national policy; accrediting and supervising programs for children and adolescents; issuing guidelines for the implementation of public programs in line with national policy; and providing technical assistance for Early Childhood Care Centers. In 2023, CONAPINA coordinated with the Office of Human Rights Ombudsperson, the National Civilian Police, the Attorney General’s Office, and local governments to conduct inspections at nightclubs, bars, and brothels to verify that no minors were employed.

**Coordination, Policies, and Programs (Cont.)**

<p><b>Key Policies Related to Child Labor</b></p> <p>El Salvador established policies related to child labor. However, it is unclear whether certain policies were implemented during the reporting period.</p> <p><i>† Policy was approved during the reporting period.</i>  <i>‡ The government had other policies that may have addressed child labor issues or had an impact on child labor.</i></p>	<p><b>National Policy to Support Early Childhood Development 2020–2030 (Crecer Juntos):</b> Seeks to ensure that children reach their maximum potential during early childhood by guaranteeing the necessary conditions to provide them with education, health, nutrition, and environments that protect their rights. Also aims to eradicate child labor for children between the ages of 5 and 7 by 2030. During the reporting period, the government introduced the Early Childhood Care Centers, which will be responsible for promoting comprehensive care for girls and boys. These centers provide personal care services, education, and monitoring of growth and development.</p> <p><b>National Policy for Early Infancy, Childhood, and Adolescence:</b>† Establishes and guides the framework for state and private action to guarantee the full enjoyment of the rights of girls, boys, and adolescents. Introduced during the reporting period with the enactment of the <i>Crecer Juntos</i> law.</p> <p><b>National Plan of Action Against Trafficking in Persons:</b>† Aims to prevent and detect crimes related to human trafficking in El Salvador. Consists of four strategic pillars: promote a comprehensive legal framework, implement awareness campaigns to facilitate identification of human trafficking cases, improve the state’s ability to investigate and prosecute crimes, and provide care and services with the aim of long-term reintegration and well-being.</p>
<p><b>Key Social Programs to Address Child Labor</b></p> <p>El Salvador funded and participated in programs that include the goal of eliminating child labor. However, these social programs are inadequate to address the problem of all worst forms of child labor, including forced domestic labor and human trafficking.</p> <p><i>† Program is funded by the Government of El Salvador.</i>  <i>‡ The government had other social programs that may have included the goal of eliminating or preventing child labor.</i></p>	<p><b>Public Awareness Campaigns for At-Risk Populations:</b>† Government public awareness campaigns implemented by CONAPINA and the Ministry of Foreign Affairs to raise awareness about the dangers of human trafficking. These include the “Protection Starts at Home” awareness program and the “Call 1 2 3” hotline, both of which promote respect toward the physical, psychological, and sexual integrity of children and adolescents. The hotline offers children and adults the ability to consult specialists in emergency situations. During the reporting period, the Migration Directorate provided 47 awareness-raising sessions to different sectors of the population on topics pertaining to human trafficking and forms of human exploitation.</p> <p><b>Sustainable Families Program:</b>† Focused on improving health, education, productivity, and security, and eliminating poverty through inclusive and sustainable economic growth and access to public services. Includes Health and Education Bonus Programs that assist families with cash transfers conditioned on children’s school attendance and health checkups. Although research indicates that this program was active during the reporting period, the government did not report specific activities conducted to implement the program.</p> <p><b>School Prevention and Security Plan:</b>† Programs implemented by the Ministry of Education and Public Security and the National Civil Police in schools with high levels of violence. Includes activities such as provision of psychological help, online classes, skills workshops for youth, and increased police patrols. During the reporting period, the National Civilian Police increased and maintained constant patrols in schools around the country as preventative measures against violence.</p>

For information about USDOL’s projects to address child labor around the world, visit [dol.gov/ILABprojects](https://dol.gov/ILABprojects)  
 For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)