



NICARAGUA

MINIMAL ADVANCEMENT – Efforts Made but Continued Practice that Delayed Advancement

In 2023, Nicaragua made minimal advancement in efforts to eliminate the worst forms of child labor. The government provided training to high school students on their labor rights as adolescent workers and continued providing assistance to children and their families to address the root causes of child labor, including by providing school supplies and school meals. However, despite new initiatives to address child labor, Nicaragua is assessed as having made only minimal advancement because the government continues to impede the work of civil society organizations, including those that provide social services to address the root causes of child labor and aid child labor survivors, forcibly closing and expropriating the assets of thousands of organizations deemed in opposition to the government. In addition, the country's laws do not establish a clear compulsory education age, and the government lacks adequate services for human trafficking survivors, such as shelters. Labor and criminal law enforcement agencies also lack the financial and human resources necessary to fulfill their mandates. Furthermore, the government does not have a specific and consistent mechanism to coordinate efforts to address child labor.

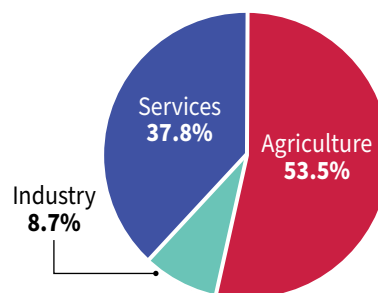


PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children's Work and Education

Children	Age	Percent of Population
Working	10 to 14	47.7% (342,076)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	10 to 14	88.3%
Combining Work and School	10 to 14	40.3%

Working Children by Sector, Ages 5-14



Children in Nicaragua are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture and mining.

Overview of Children's Work by Sector and Activity



Agriculture

Working in agriculture, including in harvesting coffee, bananas, and tobacco.† Raising livestock.† Fishing,† including collecting shellfish.†



Industry

Construction.† Quarrying† of pumice, and mining† of gold. Production of gravel (crushed stones).†



Services

Domestic work and street work. Work in transportation,† tourism, the hotel industry, and restaurants.



Categorical Worst Forms of Child Labor‡

Forced labor in domestic work, agriculture, construction, mining, and begging. Commercial sexual exploitation, sometimes as a result of human trafficking. Use in illicit activities, including in drug production and drug trafficking, 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.

Research indicates that the government continues to impede the work of civil society organizations by threatening them with fines or closure if deemed in opposition to the government. The Nicaraguan government has forced the closure of more than 3,600 national and international civil society organizations since 2018, seized their physical and financial assets, and threatened, arrested, and exiled their staff. The government closed more than 3,100 of these organizations in 2022 alone. Many of the organizations affected by the closures provide social services to prevent child labor and aid to child labor survivors, as well as other services to children survivors of violence. In particular, NGOs associated with the Nicaraguan Coordinating Federation of NGOs that Work on Children and Adolescent Issues have been threatened by the regime and risk closure themselves. As a result, numerous civil society organizations were forced to close or suspend their activities in the country in 2023, which may increase the vulnerability of children to exploitation.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

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

Legal Framework

Establish a compulsory education age of 14 years old to align with the minimum age for work.

Enforcement

Employ at least 213 labor inspectors to ensure adequate coverage of the labor force of approximately 3.2 million people, especially in rural areas and the informal sector.

Ensure that all criminal investigators receive training on child labor and its worst forms.

Collect and publish information on labor law enforcement efforts, including the number of labor inspectors and whether they received training, the number of labor inspections conducted at worksites, the number of child labor violations found for which penalties were imposed and collected, whether routine inspections were conducted and targeted, and if unannounced inspections were conducted.

Ensure that the Ministry of Labor has sufficient funding to enforce labor laws, including those related to child labor.

Ensure that criminal law enforcement efforts are sufficient to address the scope of the problem and that agencies have the funding and resources necessary to carry out their duties.

Establish an adequate mechanism for identifying human trafficking victims, particularly children, among high-risk populations.

Publish information about investigations into suspected cases of the worst forms of child labor, prosecutions initiated, and convictions on an annual basis.

Make publicly available information about the extent of use and effectiveness of the reciprocal referral mechanism between criminal authorities and social services in the country.

Coordination

Ensure that the National Social Welfare System effectively and consistently coordinates interagency efforts to address child labor, including with NGOs, and is fully funded, and publicly report on these efforts.

Ensure that the National Coalition Against Trafficking in Persons works with relevant local stakeholders to address human trafficking issues, and ensure that it establishes a person in the position of Executive Secretariat, as mandated by the Law Against Trafficking in Persons.

Government Policies

Ensure that activities are undertaken to implement the Good Government Plan and the National Strategic Plan for the Prevention, Care, Investigation, Persecution, and Sanction of Human Trafficking, and that data on these activities are published on an annual basis.

Social Programs

Collect and publish updated data on the prevalence of child labor in the country.

Expand birth registration programs to ensure that children have the necessary documentation required for access to basic services.

Ensure that children are able to access education, including children from indigenous groups and of African descent; remove barriers to education, such as transportation and the costs associated with school supplies for all children, particularly those from poor backgrounds and rural areas; and improve school infrastructure and access to learning materials.

Provide and improve government services and infrastructure in rural areas and indigenous communities.

Implement social programs that address the full scope of the worst forms of child labor in the country, including in commercial sexual exploitation.

Develop social services for human trafficking survivors, such as shelters and specialized services, and ensure that services are available throughout the country, especially in areas where children are most vulnerable.

Ensure that civil society organizations and NGOs working on child labor and children's issues are able to carry out their work freely and independently.



CHILDREN AT HIGHER RISK

Children in rural areas, particularly indigenous children from the Northern and Southern Caribbean Regions, are particularly vulnerable to child labor due to a lack of government oversight and services, poor infrastructure, sparsely populated areas, poverty, and cultural and language differences. In addition, children from the northwestern border of Nicaragua are increasingly vulnerable to child labor due to changes in weather patterns that have negatively affected agriculture and increased food insecurity in the region. Children from poor rural areas, those in the Caribbean Autonomous Regions, and migrants from Northern Central American countries are particularly vulnerable to commercial sexual exploitation, as well as children in Granada, Managua, and San Juan del Sur. In addition, children who lack identification documents, sometimes due to a lack of birth registration, may not have access to social services and are at an increased risk of human trafficking and commercial sexual exploitation.



BARRIERS TO EDUCATION ACCESS

Education is free and compulsory in Nicaragua; however, the costs associated with school supplies and transportation make it difficult for some children, particularly those from poor backgrounds and rural areas, to attend school. Another barrier facing children from rural areas is long distances and a lack of secure transportation. There are also reports of poor preschool education, particularly among disadvantaged rural households, insufficient learning materials, and a lack of teachers, as well as limited school infrastructure. Only 50 percent of schools in the country provide basic drinking water, and school infrastructure is very susceptible to damage or destruction during natural disasters. Children from indigenous groups and of African descent face significant discrimination in accessing education.



LEGAL FRAMEWORK FOR CHILD LABOR

Nicaragua has ratified all key international conventions concerning child labor. However, Nicaragua’s laws do not meet international standards on the compulsory education age as they are not clear regarding the age up to which education is compulsory.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 14 Years		Articles 130 and 131 of the Labor Code; Articles 2 and 73 of the Childhood and Adolescence Code; Article 84 of the Constitution
Minimum Age for Hazardous Work, 18 Years		Articles 130, 133, and 135 of the Labor Code; Article 1 of Ministerial Agreement No. JCHG-08-06-10; Articles 2 and 74 of the Childhood and Adolescence Code
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 1 and 6 of Ministerial Agreement No. JCHG-08-06-10; Articles 133 and 135 of the Labor Code
Prohibition of Slavery, Debt Bondage, and Forced Labor		Article 40 of the Constitution; Part III and Articles 2, 5, 6, and 61 of the Law Against Trafficking in Persons; Articles 16, 182, 182 bis, and 315 of the Penal Code
Prohibition of Child Trafficking		Part III and Articles 2, 3, 6, and 61 of the Law Against Trafficking in Persons; Articles 16, 182, and 182 bis of the Penal Code; Article 40 of the Constitution
Prohibition of Commercial Sexual Exploitation of Children		Part II and Articles 2, 6 and 61 of the Law Against Trafficking in Persons; Articles 175, 176, 178–180, 182, and 182 bis of the Penal Code; Articles 5 and 26 of the Childhood and Adolescence Code
Prohibition of Using Children in Illicit Activities		Articles 6 and 61 of the Law Against Trafficking in Persons; Articles 182, 182 bis, 349, 351, 352, 359, and 362 of the Penal Code

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Voluntary State Military Recruitment, 18 Years		Annex 1 of the Code on the Organization, Jurisdiction, and Social Welfare of the Military
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*	
Prohibition of Military Recruitment by Non-state Armed Groups		Article 509 of the Penal Code; Article 79 of the Childhood and Adolescence Code; Article 95 of the Constitution
Compulsory Education Age, 12 Years ‡		Article 121 of the Constitution; Articles 19 and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code
Free Public Education		Article 121 of the Constitution; Articles 8, 19, and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code

* Country has no conscription

‡ Age calculated based on available information

Nicaraguan law is not clear regarding the age up to which education is compulsory. Article 121 of the Constitution states that primary school education is compulsory; however, it does not specify an age. Under Articles 19 and 23 of the Education Law, education is compulsory only through the sixth grade, which the law specifies is up to age 12 and the end of primary school. The Education Law defines secondary education as between the ages of 12 and 17. Meanwhile, Article 43 of the Childhood and Adolescence Code states that both primary and secondary school education are compulsory. If the compulsory education age is 12, children ages 12 to 14 may be vulnerable to child labor and its worst forms because they are not permitted to work but are also not required to be in school. However, if the compulsory education age is 17, the lower minimum age for work may encourage children to leave school before the completion of compulsory education.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Nicaragua took actions to address child labor. However, insufficient human and financial resource allocation to the Ministry of Labor (MITRAB), along with deficient structures for investigation planning hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor (MITRAB): Enforces labor laws and sets child labor policy priorities. Conducts labor inspections through its General Labor Inspectorate and conducts child labor inspections through its Child Labor Inspections Unit. Maintains a mailbox in each of Nicaragua’s 17 departments to receive complaints of child labor violations. In 2023, MITRAB provided high school students trainings on their labor rights as adolescent workers. However, the labor inspectorate has insufficient funding and personnel to carry out their mandated duties, and some reports indicate that MITRAB does not adequately respond to labor complaints brought against employers.

Prosecutor’s Office: Prosecutes cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities. Contains 2 national-level and 35 department-level prosecutors who prosecute these cases and other crimes. However, there are very few, if any, investigations that result in prosecutions. Moreover, there are very few victims identified by the state.

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	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, an **unknown** number of labor inspectors conducted routine labor inspections, however the total number of worksite inspections or whether child labor violations were found is **unknown**. It is also **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

Key Mechanism to Coordinate Government Efforts on Child Labor

Nicaragua established a mechanism to coordinate its efforts to address child labor. However, it does not consistently coordinate efforts to address child labor and lacks adequate funding to carry out its mandate.

National Social Welfare System (SNBS): Coordinates child labor efforts and ensures that government institutions provide social services to children. Comprises various government ministries, including MITRAB; the Ministry of the Family, Adolescence, and Childhood (MIFAN); the Ministry of Education (MINED); the Ministry of Health (MINSAs); and the Ministry of Governance. There is limited coordination among constituent ministries and a lack of financial resources dedicated to addressing child labor. Although research indicates that this coordinating system was active during the reporting period, the government did not report specific activities carried out related to its efforts to address child labor.

Key Policies Related to Child Labor

Nicaragua established policies related to child labor. However, these policies do not cover all worst forms of child labor in the country.

National Strategic Plan for the Prevention, Care, Investigation, Persecution, and Sanction of Human Trafficking (2023–2027): Seeks to implement actions to prevent, investigate, prosecute, and sanction human trafficking, as well as to provide assistance and protection to survivors in a comprehensive manner. As part of these efforts, it carries out awareness raising campaigns, trainings, and capacity-building activities. It also seeks to generate and improve coordination mechanisms between agencies to efficiently respond to complaints. Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

The National Plan for the Fight Against Poverty and for Human Development (2022–2026): Sets development goals for government ministries, including MITRAB, MINED, and MINSAs. Prioritizes reducing poverty and inequality in the country by taking comprehensive steps such as increasing access to education, improving school infrastructure, and providing assistance to individuals and families of limited economic resources. Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.

Coordination, Policies, and Programs (Cont.)

<p>Key Social Programs to Address Child Labor</p> <p>Nicaragua funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs do not cover all worst forms of child labor in the country, including the use of children in commercial sexual exploitation.</p> <p><i>† Program is funded by the Government of Nicaragua.</i> <i>‡ The government had other social programs that may have included the goal of eliminating or preventing child labor.</i></p>	<p>Love Program (Programa Amor):[†] MIFAN program which supports vulnerable or impoverished children, including children involved in child labor such as street work. Provides support through various means, including educational assistance and vocational training for parents. It also promotes school attendance, extra-curricular activities, and carries out house-to-house and school visits. Its Love Program for the Smallest Ones includes children from birth to age 6. Reports indicate that this program was active in 2023 and continued to provide services to children.</p> <p>Educational Bridges (Puentes Educativos):[†] MITRAB and MINED public-private partnership, implemented by World Vision, which provides education to children of coffee workers to prevent child labor during coffee harvests. In 2023, it continued to provide services by providing day care and schooling to children of coffee workers while their parents worked in the fields.</p> <p>School Supply and Meal Programs:[†] Aim to assist children in the country in an attempt to improve school attendance and completion rates. The Integral School Meal Program (<i>Merienda Escolar</i>) is a MIFAN and World Food Programme initiative that provides children and adolescents with meals at school to address poverty and improve attendance. Reports indicate that the government continued to provide school meals through this program in 2023 by providing thousands of quintals of rice, beans, cereals, corn, and other foodstuff products that benefit over 1 million children to schools throughout the country. The National School Supply Program (<i>Paquetes Escolares Solidarios</i>) is a MINED program that distributes packages of school supplies to preschool, primary, and secondary school children in the poorest districts to increase attendance and completion rates. In 2023, the government once again provided over 1 million school supply packages to students, as well as briefcases to teachers.</p>
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For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects

 **WORKER RIGHTS SPOTLIGHT**

The government did not adequately enforce laws protecting freedom of association and the right to collective bargaining, resulting in impunity for some violators. The government also interfered in union activities and arrested union leaders. These actions may create a climate of fear that hinders workers’ ability to organize, advocate for their rights, and report labor abuses, including child labor.

For references, please visit dol.gov/ChildLaborReports