



PERU

MODERATE ADVANCEMENT

In 2023, Peru made moderate advancement in efforts to eliminate the worst forms of child labor. The government increased its labor inspectorate budget from \$49 million to \$61 million and issued resolution No. 236-2023, which allows for the creation of child labor and forced labor inspection regulations. The government also committed to using a referral protocol at the national, regional, and local levels to help with the detection of child labor and referral of survivors to social services. Further, the Ministry of Labor publicly accredited a seal that companies can use to certify their agricultural products as child labor-free. Lastly, the government carried out a review of its Forced Labor Survey database in preparation of releasing the full survey report. Although the government made meaningful efforts in all relevant areas during the reporting period, it did not provide information on whether it imposed penalties for violations related to the worst forms of child labor. In addition, Peruvian law allows children ages 12 to 14 to do light work without specifying the activities in which children may work. Labor law enforcement agencies in Peru still lack a sufficient number of inspectors to adequately address child labor throughout the country, and existing social programs do not fully address the problem of child labor in Peru.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	18.7% (1,213,785)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	83.0%
Combining Work and School	7 to 14	18.0%

Children in Peru are subjected to the worst forms of child labor, including in mining, commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities, such as the production and trafficking of drugs. Children also preform dangerous tasks in agriculture, fishing, brick making, and logging.

Overview of Children’s Work by Sector and Activity



Agriculture

Fishing,† logging,† and clearing forestland for mining.



Industry

Mining† gold. Production of bricks† and fireworks,† construction, and metal manufacturing.



Services

Street work,† including vending, begging, shoe shining, carrying loads, selling goods in kiosks and markets, collecting fares on public buses,† and washing cars. Treating leather, repairing shoes, and tailoring. Repairing motor vehicles.† Garbage scavenging,† Working in restaurants, domestic work,† and cleaning offices and hotels.



Categorical Worst Forms of Child Labor‡

Forced labor in mining and logging, street vending, and begging. Forced domestic work. Commercial sexual exploitation, including in bars, nightclubs, brothels, and logging and mining camps, each sometimes as a result of human trafficking. Growing and processing coca (stimulant plant) and transporting drugs. Counterfeiting lightbulbs. Recruitment of children by non-state armed groups for use in armed conflict.

† 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 Peru’s implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

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

Ensure that light work provisions determine the activities in which light work may be permitted.

Enforcement

Publish information on child labor violations found for which penalties were imposed, whether they were collected, and the number of labor inspections conducted at worksite.

Increase funding and resources for labor and criminal law enforcement agencies.

Conduct inspections in the informal sector.

Increase training for enforcement personnel on child labor and forced labor issues and share information about the training program for labor inspectors and criminal investigators.

Increase the number of labor inspectors from 832 to about 1,235 to ensure adequate coverage of the labor force of approximately 18.5 million workers.

Review and streamline the process required for auxiliary/junior inspectors to attain full authority in order to increase efficiency in the labor inspection process and allow inspectors to conduct follow-up inspections at any time.

Ensure that criminal law enforcement officials conduct adequate investigations in mining areas and bars, and initiate prosecutions when violations are found to deter perpetrators of the worst forms of child labor.

Coordination

Ensure that Regional Commissions for the Prevention and Eradication of Child Labor develop action plans to address child labor and allocate sufficient funding to implement these plans.

Social Programs

Enhance efforts to make education accessible for all children, including migrant and refugee children, by addressing barriers such as limited class sizes, long distances to schools, and lack of necessary documentation.

Publish information on activities taken under all social programs that address child labor.

Expand social programs to reach a greater number of children who perform dangerous tasks in agriculture; and initiate social programs to address child commercial sexual exploitation, child labor in mining, child labor in logging, and child domestic work.

Ensure that there are sufficient shelters, including shelters for boys, and specialized services available for survivors of human trafficking.

Collect and publish data on the extent and nature of child labor to inform policies and programs.



CHILDREN AT HIGHER RISK

Indigenous and migrant children from Colombia, Ecuador, and Venezuela are especially vulnerable to commercial sexual exploitation, domestic work, organized begging, and forced labor, particularly in the mining regions of Peru. Reporting also identified undocumented migrants, asylum seekers, children in poverty, workers in the informal economy, and members of marginalized racial and ethnic communities as groups at increased risk of sex trafficking or forced labor. Additionally, children who work in illicit activities such as drug trafficking are at increased risk of forced labor and may be exposed to hazardous chemicals used to process coca leaf into coca paste or cocaine. Media and civil society reports also suggest that the Militarized Communist Party of Peru, led by remnants of the Shining Path, continued to use local children to engage in narco-terrorist activities in the Valley of the Rivers Apurimac, Ene, and Mantaro regions.



BARRIERS TO EDUCATION ACCESS

Estimates suggest that the number of school closures in Peru were the highest among Latin American countries. Additionally, over \$20.9 million dollars (\$80 million Peruvian soles) is needed to address infrastructure gaps in 30,000 schools, with over 1,000 schools at risk of collapsing and some schools lacking basic services such as electricity or water. Problems such as limited class sizes, long distances to schools, and lack of necessary documentation such as birth certificates or passports continue to hinder education access for many children. This includes refugee and migrant children, who have increased vulnerability to child labor and human trafficking. While education is free, school retention of Venezuelan migrant and refugee children was often impacted by their families' lack of economic resources, limited access to social protection, xenophobia, and displacement, among other factors.







LEGAL FRAMEWORK FOR CHILD LABOR

Peru has ratified all key international conventions concerning child labor. However, Peru lacks legislation to sufficiently prohibit the recruitment of children by non-state armed groups.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 17 Years		Articles 1, 51, 56, 69, 70, and 73 of the Child and Adolescent Code; Articles 4 and 5 of Law No. 29981 on SUNAFIL
Minimum Age for Hazardous Work, 18 Years		Articles 1, 56, 57, 58, 69, 70, and 73 of the Child and Adolescent Code; Articles 4 and 5 of Law No. 29981 on SUNAFIL
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 1 and 2 of the Supreme Decree No. 009-2022-MIMP and its Annex; Article 58 of the Child and Adolescent Code
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 2 and 23 of the Constitution; Article 4 of the Child and Adolescent Code; Article 129-O of the Penal Code
Prohibition of Child Trafficking		Article 4 of the Child and Adolescent Code; Articles 129-A and 129-B of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children		Article 4 of the Child and Adolescent Code; Articles 129-A, 129-B, 129-H-129-J, 129-L, 129-M, 179-181-B, and 183 of the Penal Code
Prohibition of Using Children in Illicit Activities		Articles 46-D, 128, 296, 296-A, and 297 of the Penal Code
Minimum Age for Voluntary State Military Recruitment, 18 Years		Articles 2 and 23 of Law No. 29248 Military Service

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military		Articles 2 and 6 of Law No. 29248 Military Service
Prohibition of Military Recruitment by Non-state Armed Groups		
Compulsory Education Age, 17 Years ‡		Article 17 of the Constitution; Articles 12 and 36 of the General Education Law; Article 61 of Supreme Decree No. 011-2012-ED
Free Public Education		Article 17 of the Constitution; Article 4 of the General Education Law

‡ Age calculated based on available information

In 2023, the government issued resolution No. 236-2023, which allows for the creation of child labor and forced labor inspection regulations. However, the Child and Adolescent Code includes a light work exception for children as young as age 12 without specifying the activities in which light work may be permitted. In addition, Peru also lacks legislation to prohibit the recruitment of children by non-state armed groups.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Peru took actions to address child labor. However, insufficient human and financial resources for the Ministry of Labor and Promotion of Employment (MTPE) and for criminal enforcement agencies hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

MTPE: Responsible for supporting the National Labor Inspection Superintendency (SUNAFIL), which enforces labor laws by inspecting workplaces with more than 10 registered workers and referring cases of child labor to the Ministry of Women and Vulnerable Populations (MIMP) and the Public Ministry (MPFN), as appropriate. SUNAFIL has a unit of 10 inspectors who target forced labor and child labor violations, and who train other inspectors on these topics. SUNAFIL also has regional offices in Apurímac, Ucayali, Huancavelica, and Tacna, covering all 26 subnational entities of Peru. MIMP has 1,890 offices that work collaboratively with MTPE and local officials, including police, to use a referral protocol to ensure that adolescents who are removed from hazardous work receive appropriate social services called the Municipal Model for the Detection and Eradication of Child Labor. In 2023, an agreement was reached among national entities, including MTPE, SUNAFIL, and others, to use this referral protocol at the national, regional, and local levels. MTPE also worked with officials from the regional governments of Ayacucho and Cajamarca to improve the quality and coverage of service provisions, promote decent and productive employment, and ensure compliance with labor and fundamental rights.

Ministry of the Interior (MININTER): Investigates child trafficking cases and maintains a hotline to receive reports of human trafficking. Provides survivors and the public with information on human trafficking, refers cases to relevant government offices, and coordinates services for survivors. Within MININTER, the Peruvian National Police (PNP) enforce criminal laws related to the worst forms of child labor and maintain the Office to Address Human Trafficking and Illicit Migrant Smuggling (DIRCTPIM), which investigates cases of child trafficking for labor and sexual exploitation. MININTER coordinates with MPFN and MIMP to place survivors with family members or state social services. DIRCTPIM has approximately 150 investigators. In 2023, in Miraflores, a joint operation by DIRCTPIM-PNP led to the arrest of 8 women for alleged human trafficking and the rescue of 15 minors from the streets, who were reportedly being exploited for begging on various avenues in the district. Additionally, PNP conducted a successful operation in the district of Río Tambo (Junín), rescuing three minors who were victims of child labor in clandestine bars and canteens. The operation shed light on the country's pervasive child labor issues, with the highest concentration found in mountainous areas (22.1 percent), followed by the jungle (17.3 percent) and the coastal region (4.3 percent).

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	Unknown

In 2023, **832** labor inspectors conducted **70,776** worksite inspections, finding **118** violations related to child labor. At least **2** investigations into suspected cases of the worst forms of child labor were conducted, but it is **unknown** if prosecutions were initiated or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

Key Mechanism to Coordinate Government Efforts on Child Labor

Peru established a mechanism to coordinate its efforts to address child labor. However, it is unknown whether all regional commissions created child labor action plans as required.

Multisectoral Permanent Commission for the Follow-up to the Implementation of the Multisectoral Policy for Children Towards 2030: Led by MIMP through its Vice Ministry for Vulnerable Populations (Chair) and Directorate-General for Children (Secretariat), and comprises 22 government officials from 16 different agencies. Its three main duties include a) monitoring the Multisectoral National Policy for Children towards 2030 (PNMNNA), b) publishing reports on urgent measures to be adopted by service providers, and c) issuing an annual technical report. Throughout 2023, the Commission held seven working sessions to coordinate actions and monitor the implementation of PNMNNA, prioritizing issues related to violence against children and adolescents, particularly sexual violence, adolescent pregnancy, and anemia prevalence, and issues concerning migrant children and adolescents. Although some regional commissions under the National Steering Committees for the Prevention and Eradication of Child Labor created action plans to address child labor as required by their operating rules, research could not confirm whether all had done so during the reporting period. Additionally, most regional commissions lacked the funding to carry out these action plans.

Key Policies Related to Child Labor

Peru established policies related to child labor. However, these policies do not cover all worst forms of child labor, including child trafficking, the use of children in commercial sexual exploitation, and the use of children in illicit activities.

PNMNNA: Aims to eliminate the worst forms of child labor by improving the livelihoods of low-income families, providing better working conditions for adolescents, raising awareness of child labor, increasing law enforcement efforts, and collecting child labor data. In 2023, the Ministry of Transportation and Communication, the Ministry of Housing, Construction and Sanitation, the Ministry of Health, and the Ministry of Women and Vulnerable Populations committed to implement PNMNNA, and training was provided at the regional and national levels.

Coordination, Policies, and Programs (Cont.)

<p>Key Policies Related to Child Labor</p>	<p>National Policy Against Trafficking in Persons and its Forms of Exploitation (2022–2030): Led by MININTER and serves as the roadmap to prevent, control, reduce, and prosecute human trafficking crimes at all levels. Under this policy, the government operates 7 specialized shelters exclusively for girls exploited in sex trafficking in the regions of Cusco, Lima, Loreto, Madre de Dios, and Puno, with a capacity for approximately 130 survivors. In a December 2023 meeting in Madre Dios, supported by the American Bar Association’s Rule of Law Initiative, MININTER engaged key representatives from regional governments, law enforcement, and the media to assess the progress and challenges in tackling human trafficking. The General Directorate of Democratic Security highlighted significant achievements, including the handling of over 40 percent of trafficking cases by specialized provincial prosecutors, successful rescue operations, and the reintegration of 59 percent of affected children and adolescents. MININTER also established the Regional Network and Multisectoral Committee to Combat Trafficking in Persons and Smuggling of Migrants in order to combat human trafficking in the Amazonas region, and disseminated information about human trafficking in Chachapoyas and Condorcanqui. Furthermore, MININTER provided training sessions to law enforcement personnel to enhance their capacity in investigating and prosecuting trafficking-related crimes, which are crucial in areas vulnerable to illegal economies.</p>
<p>Key Social Programs to Address Child Labor</p> <p>Peru funded and participated in programs that include the goal of eliminating or preventing child labor. However, there is a lack of programs to address the problem in all sectors and in all states where child labor has been identified, including in commercial sexual exploitation and in illicit activities.</p> <p><i>† Program is funded by the Government of Peru.</i></p>	<p>Secondary Tutorial Program:† Rural basic education program supported by the Ministry of Education that includes school meal plans (<i>Qali Warma</i>) for rural students throughout the country, including hard-to-reach indigenous communities. Research was unable to determine whether activities were undertaken to implement this program during the reporting period.</p> <p>Learn Program (Yachay):† MIMP program to increase access to social services for children subjected to street work, begging, and commercial sexual exploitation. The Street Educators (<i>Educadores de Calle</i>)† program is part of the broader <i>Yachay</i> program and provides counseling and training to children engaged in child labor, begging, and street work. In 2023, the Street Educators program assisted 7,154 children, providing them with education, healthcare, and other protective services to get children off the streets and resorting their rights. The broader <i>Yachay</i> Program operates 68 centers at the national level for educational activities, parent training, and workshops. The program also connects working children and their families to educational and social services to withdraw them from exploitative work and improve family welfare. Research was unable to determine whether activities were undertaken to implement this program during the reporting period.</p> <p>Together Program (Juntos):† Ministry of Development and Social Inclusion program that provides cash transfers to low-income households in 15 of the country's 25 regions. In 2023, <i>Juntos</i> provided approximately \$6.3 million dollars (\$24 million Peruvian soles) to 40,000 households with children under 5 to help address food insecurity.</p>

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