

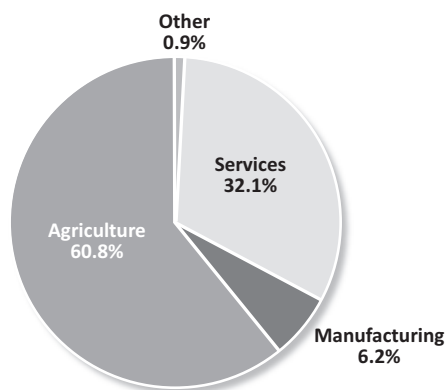
In 2012, Paraguay made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government expanded a nationwide program to combat the worst forms of child labor by more than doubling its geographical coverage from 10 to 23 municipal districts. The Government also created a comprehensive legal framework and outlawed internal trafficking, including forced labor and commercial sexual exploitation. In addition, the Paraguayan judiciary trained more than 400 judicial advisors and judges on child labor, forced labor, and child domestic labor issues. Despite these gains, Paraguay's child labor inspection system conducted significantly fewer inspections in 2012 than in 2011 and the inspection system remains underfunded relative to the scope of the problem. In addition, the Government did not make information available on whether businesses were fined for child labor infractions. Children continue to engage in the worst forms of child labor, including in hazardous activities in agriculture and in domestic service.



### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	15.3 (113,072)
Attending School	5-14 yrs.	90.3
Combining Work and School	10-14 yrs.	12.1
Primary Completion Rate		90.9

### Working Children by Sector, Ages 10-14



**Sources:**

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from HHS Survey, 2005.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children are engaged in the worst forms of child labor in Paraguay, particularly in hazardous activities in agriculture and in domestic service.(3-5) Children, primarily indigenous boys, work in hazardous activities in the production of cotton.(6, 7) Children are also involved in the worst forms of child labor in sugarcane production.(7-10) A 2011 quantitative study on child labor in Paraguay's sugarcane sector estimated that children comprise more than 25 percent of the sugarcane workforce, and about one out of four of those children suffered injuries, on average, twice a year while working.(8) The most common injuries entailed lacerations to the upper or lower extremities obtained while cutting down or peeling the sharp outer leaves of the sugarcane, and other risks included carrying heavy loads and prolonged exposure to extreme heat, snakes, and insects.(8) Although evidence is limited, children reportedly work in the worst forms of child labor in the production of soy, sesame, wheat, manioc, peanuts, beans, and stevia.(6, 11) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(6, 8, 12)

Children, primarily girls of indigenous descent, work as child domestic servants.(4, 10) They may be required to work long hours, performing strenuous tasks, without sufficient food or shelter. These children may be isolated in private homes and are susceptible to physical and sexual abuse.(5, 11, 13) Children also work as street vendors and street beggars, and are vulnerable to severe weather, traffic accidents, and crime.(4, 9, 10, 14-17)

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Children, primarily boys, also work in the production of limestone and bricks, which involves carrying heavy loads, the use of dangerous tools, and exposure to toxic dust.(6, 9, 10, 15, 18) Although the evidence is limited, there are reports that children work in the production of charcoal, which involves working long hours and carrying heavy loads.(12, 15)

Children in Paraguay are trafficked for commercial sexual exploitation and forced domestic service from rural to urban areas, including Asunción, Encarnación, and Ciudad del Este.(19-21) Paraguayan children are found in sex trafficking in Argentina.(20, 22) Children are also reportedly used to traffic drugs.(10, 11)

Limited evidence suggests that in the Chaco region, indigenous children work raising cattle and sometimes work under conditions of debt bondage.(4, 16, 23, 24) The production of child pornography is a problem in Paraguay.(25, 26)

## Laws and Regulations on the Worst Forms of Child Labor

The Child and Adolescent Code establishes the minimum age for work at 14, and light work is permitted for children between ages 12 and 14. However, the Government has not yet adopted regulations governing the nature and conditions of the light work permitted for children between ages 12 and 14.(27, 28) The List of Hazardous Work for Children (Decree 4951) prohibits children under age 18 from working in 26 broad classifications of work including work with dangerous tools, toxic substances, livestock, prolonged exposure to extreme climactic conditions, and work in public transport, public areas, mines, and domestic service.(17) The Labor Code establishes fines for employing children under age 18 in hazardous forms of work.(29) However, research has not identified the specific legal provisions that stipulate penalties for violations of the List of Work Endangering Children or which ministries enforce Decree 4951.(17, 28, 29)

The Penal Code prohibits commercial sexual exploitation of children and adolescents, including recruiting, facilitating, and benefitting economically from child prostitution.(30) It also prohibits child pornography, including its production, distribution, and possession.(30) Both the Constitution and the Penal Code prohibit slavery, forced labor, or analogous conditions. The Penal Code establishes penalties for forced labor.(30, 31)

In 2012, the Government significantly strengthened its legal framework on human trafficking by passing the Comprehensive

Law Against Human Trafficking.(32) The Law specifically prohibits all forms of human trafficking carried out both internally and on international borders, including trafficking for the purposes of forced labor and commercial sexual exploitation.(32) The Penal Code requires increased penalties for crimes involving the trafficking of a child.(30)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Paraguayan law establishes the minimum age for conscription into the military at 18.(10, 33) The Penal Code prohibits the use of children in illicit activities.(9) The law establishes free and compulsory education until the completion of ninth grade, approximately age 15.(34-36)

## Institutional Mechanisms for Coordination and Enforcement

The National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI) is responsible for coordinating efforts to prevent and eliminate child labor.(28, 32, 37) CONAETI is led by the Ministry of Justice and Labor (MJT) and includes representatives from the Ministry of Health and Social Welfare, the Ministry of Education and Culture, the National Secretariat for Children and Adolescents, the Social Action Secretariat, the Women’s Secretariat, as well as representatives of business groups, workers’ groups, and civil society.(37) In 2012, Paraguay’s main

business association of sugarcane producers, the Paraguayan Sugar and Alcohol Center, joined the CONAETI.(32) The National Council for Children and Adolescents (National Council) is the national coordinating body that establishes policies to protect children's rights and approves specific programs aimed at children and adolescents. During the reporting period, the National Council met regularly.(32)

The MJT is responsible for inspecting workplaces for child labor.(10) It can issue fines against businesses found employing children in work prohibited by the Labor Code.(10) Child laborers identified by inspections are referred to other agencies for educational and social services. In 2012, the MJT employed 43 labor inspectors in eight state-level branch offices, the same number of inspectors as in 2011.(10) These inspectors inspect for all types of labor violations, including child labor.(10) Government and civil society groups have noted that the number and capacity of inspectors to address child labor is inadequate given the scope of the problem.(10) Inspectors lack resources, such as vehicles, which are necessary to reach remote areas with a high incidence of child labor.(10) From January to December 2012, the MJT conducted 399 labor inspections, a significant decrease from the 1,544 inspections that occurred between August 2010 to July 2011.(9, 10) Three inspections specifically targeted child labor in brick factories in Tobatí, but these did not discover child labor infractions.(10) Information was not available on whether the MJT issued or collected fines for child labor infractions or whether working children were removed as a result of inspections during the reporting period.(10) In 2012, the MJT arbitrated dozens of settlements among victims or relatives of child labor victims who were injured in their workplaces and are seeking compensation from their employers.(10) Also in 2012, the MJT trained 43 inspectors and MJT directors on conducting child labor inspections; the CONAETI conducted six workshops on the implementation of a new internal government guide on how to detect child labor.(10, 32)

The Government's Inter-Institutional Working Group on Preventing and Combating Human Trafficking, located within the Ministry of Foreign Relations, coordinates the Government's efforts to combat child trafficking.(10, 32) The Public Ministry's Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children is responsible for enforcing criminal laws related to the worst forms of child labor.(37) In 2012, the unit employed three specialized prosecutors, an increase of one from the previous year, and 23 assistants.(10) These prosecutors regularly receive

high-quality training in human trafficking and the sexual exploitation of children.(10, 37) During the reporting period, the Human Rights Directorate of the Paraguayan judiciary trained more than 400 judicial advisors and judges on child labor, forced labor, and child domestic labor issues.(32)

The National Police operates a unit that investigates cases of trafficking and the commercial sexual exploitation of children. In 2012, the unit employed 33 staff members and operated in five cities, the same as in 2011.(10, 37) The National Police has established mandatory training on human trafficking.(38) Along with local prosecutors, the anti-trafficking unit at the Attorney General's Office investigates and prosecutes human trafficking cases.(38) The National Secretariat for Children and Adolescents maintains a unit dedicated to fighting child trafficking.(22) In addition, the Ministry of Women's Affairs (MWA) has five dedicated personnel to the handling of female victims of trafficking; half of female trafficking victims are estimated to be children.(10)

The MWA and the National Secretariat for Children and Adolescents have offices dedicated to combating trafficking of children. The National Secretariat for Children and Adolescents and the Public Ministry maintain hotlines to report cases of trafficking and the commercial sexual exploitation of children; these agencies provide social services to trafficking victims upon receiving referrals from law enforcement agencies.(37, 39) During the reporting period, the MWA provided assistance to 18 child victims of trafficking through its shelters and drop-in centers throughout the country.(21)

Although the Public Ministry sometimes acts on referrals from the MJT and the National Secretariat for Children and Adolescents, in dangerous cases of child labor and criminal law violations, there is no established mechanism for exchanging information between prosecutors at the Public Ministry and other agencies that receive complaints.(10) There was one conviction by the Public Ministry regarding the worst forms of child labor during the reporting period.(10)

### **Government Policies on the Worst Forms of Child Labor**

The Government of Paraguay's policy framework to address child labor is the National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2010-2015).(10) The objectives of the Strategy are to coordinate policies to combat the worst forms of child labor, provide access to free and quality education to child

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laborers and livelihood alternatives for their families, raise public awareness of child labor, and improve enforcement of child labor laws.(32, 40) During the reporting period, the Government worked with the ILO to create a monitoring tool to measure Paraguay's progress in implementing the Strategy.(32) The Government also has a National Plan for Development (2010-2020), which includes goals for reducing child labor as part of broader efforts to reduce social exclusion and poverty.(41)

In 2012, the Government's National Statistics Office worked with the ILO to analyze and prepare publications on the results of Paraguay's first national survey on child labor, conducted in 2011.(9, 32, 42-44) The study was released in April 2013.(22) In 2012, the National Statistics Office also conducted a national census that included questions on child labor.(10) The Ministry of Education and Culture also captures statistics on the working status of children through its student enrollment forms.(45)

The Government of Paraguay and other MERCOSUR countries are carrying out the Southern Child Initiative to defend the rights of children and adolescents in the region.(10) The Initiative includes public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in raising domestic legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.(46-48) During the reporting period, the Government of Paraguay implemented a public campaign to raise awareness about commercial sexual exploitation and child labor in agriculture and domestic service as part of the Regional Plan to Eradicate Child Labor implemented in MERCOSUR member countries.(32, 49)

Paraguay's National Tourism Office is a member of the Joint Regional Group for the Americas. The Joint Regional Group, whose members also include Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Suriname, Uruguay, and Venezuela, conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America.(50, 51)

The National Secretariat for Children and Adolescents has an inter-institutional agreement with the National Bureau for Public Contracts to ensure that any goods or services procured by the government are not produced through child labor.(52)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of Paraguay operated several programs to combat poverty, and to prevent or remove children engaged in or at risk of the worst forms of child labor. The Embrace Program assists children engaged in exploitative work by providing children and their families with health and education services, and by providing cash transfers conditioned on children's school attendance and withdrawal from work.(10, 32) Originally targeted at children working in urban areas, this program was expanded in 2011 and 2012 to target all children working in the worst forms of child labor, especially work involving garbage dumps, limestone quarries, and the production of sugarcane and bricks.(32) During the reporting period, the Embrace Program significantly increased its coverage, from 13 program centers in 10 districts in 2011, to 43 centers in 23 districts in 2012.(10, 32, 53) The Program has a budget of approximately \$7 million, operates in 9 of Paraguay's 17 departments and, as of May 2012, has helped more than 5,331 children and 2,843 families.(32)

The Government also operates the Tekoporá Program, which provides conditional cash transfers to families in moderate to extreme poverty in the Concepción, San Pedro, Canindeyu, Caaguazu, and Caazapa departments.(10) The cash transfer is provided in exchange for the family's commitment to send children to school, be vaccinated, and attend regular medical checkups.(9, 10, 37) As of January 2013, the Tekoporá Program assists 88,320 families and operates with a yearly budget of approximately \$40 million.(10)

The Ñopytyvô Program is another conditional cash transfer initiative funded by the Government. The Ñopytyvô Program serves impoverished indigenous families in the Chaco region.(54) The cash transfer is conditioned on families withdrawing children from child labor and meeting education and health requirements.(54) The Program assists approximately 700 families, including 1,320 children younger than age 14.(54)

The Ministry of Education and Culture works with the ILO to carry out child labor awareness-raising activities among students and teachers, to help school administrators identify child laborers, and to prevent children from engaging in the worst forms of child labor.(32) During the reporting period, these awareness-raising activities were initiated for the first time in schools in the Chaco region.(32)



The Comprehensive Attention Program for Street Children and Adolescents is managed by the National Secretariat for Children and Adolescents; it provides assistance and services to children living on the streets.(32) The program's goal is to assist approximately 200 children.(32) The National Secretariat for Children and Adolescents also carries out actions to improve the livelihoods of indigenous communities through its Directorate of Indigenous Communities and Welfare.(32)

During the reporting period, the Government participated in a 4-year, USDOL-funded \$6.75 million regional project to promote collaboration across four countries (Bolivia, Brazil, Ecuador, and Paraguay) to combat the worst forms of child labor among the most socially excluded populations, including indigenous children and children of Afro descent.(23) The project, which began in 2009, aims to rescue 6,600 children from the worst forms of child labor through education interventions in the four countries. The project also conducts capacity building of government and civil society organizations, raising awareness and conducting research.(23) The project supports programs to reduce child labor in garbage dumps in Encarnación and brick factories in Tobatí through the provision of educational opportunities for child laborers and children at risk of entering child labor.(55) In 2012, the Municipality of Encarnación's garbage dump was declared "free of child labor" after the Municipality worked with the Embrace Program to withdraw child workers from working in the dump.(10)

In 2012, Paraguay participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project, which is

active in approximately 40 countries. In Paraguay, the Project aims to build the capacity of the Government of Paraguay and develop strategic policies to address the elimination of child labor and forced labor.(56)

The Government also participated in donor-funded initiatives and collaborated with local NGOs to combat child trafficking.(9) The Government worked with the IDB on a \$1.2 million regional project to combat the trafficking and sexual exploitation of children in municipalities of Argentina, Brazil, Paraguay, and Uruguay. The regional project aims to strengthen local organizations and governments that work in prevention, detection and victim assistance.(57) The Government also provided funding to NGOs to assist trafficking victims in Asunción and Ciudad del Este by providing victims with short-term legal, medical, and psychological services.(9)

During the reporting period, the MJT and the National Secretariat for Children and Adolescents worked with the Paraguayan Industrial Union and other NGOs on a pilot initiative to reduce child labor in sugarcane production by distributing information on child labor in sugarcane-producing communities in the interior of the country.(32)

Although the Government implements and participates in a range of programs to combat child labor, no known studies have been undertaken to assess the impact of these programs in reducing child labor.(10) Additional programs are needed to reach the magnitude of working children, especially in agriculture and domestic service.(10)

### Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Paraguay:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Adopt regulations governing the nature and conditions of the light work permitted for children between ages 12 and 14.	2009, 2011, 2012
	Create and publicize the legislation that establishes sanctions for violations of Decree 4951, the List of Work Endangering Children.	2010, 2011, 2012
Coordination and Enforcement	Increase personnel and resources available to the Ministry of Justice and Labor.	2009, 2010, 2011, 2012
	Increase the number of child labor inspections, including those with a focus on occupational safety and health to reduce the occurrence of injury or permanent disability among children as a result of dangerous child labor.	2012
	Make information publicly available on penalties issued to employers for child labor infractions.	2012

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Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Increase efforts to prosecute crimes related to employing children in the worst forms of child labor, including by developing a coordination mechanism for government agencies to refer relevant complaints to the Public Ministry.	2012
Social Programs	Further expand Government programs to assist more families and children affected by the worst forms of child labor, especially in agriculture and domestic service.	2010, 2011, 2012
	Assess the impact existing programs have had on reducing the worst forms of child labor.	2012

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