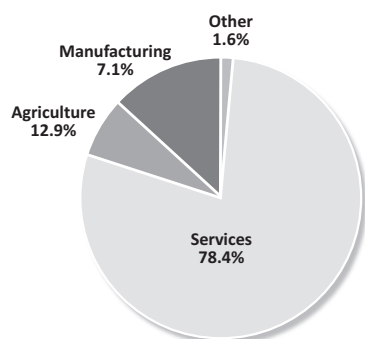


In 2012, Argentina made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government passed legislation that would penalize employers who use child labor and began to conduct a child labor survey. In addition, the Government continued to implement its National Plan to Combat Child Labor (2011-2015) and to administer social programs for vulnerable and unemployed populations, aimed at improving the employability of caregivers and expanding education opportunities for children. However, gaps in legislation and enforcement remain. Children continue to engage in the worst forms of child labor, particularly in dangerous activities in agriculture and in urban informal sectors.

### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	11.0 (366,235)
Attending School	5-14 yrs.	97.2
Combining Work and School	7-14 yrs.	12.3
Primary Completion Rate		106.0

### Working Children by Sector, Ages 5-14



**Sources:**

**Primary completion rate:** Data from 2009, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from EANNA Survey, 2004.(2)

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

Children in Argentina engage in the worst forms of child labor, including dangerous activities in the agriculture and in urban informal sectors. In rural areas, some children work on farms, harvesting blueberries, cotton, garlic, grapes, olives,



strawberries, tobacco, tomatoes, and yerba mate.(3) Children who work in agriculture may handle pesticides without proper protection.(4-10) Although evidence is limited, reports indicate that the worst forms of child labor involve the production of flowers, citrus fruits, onions, potatoes, raspberries, apples, carrots, and sugarcane.(6, 11, 12) Children who work in the production of sugarcane are exposed to pesticides, smoke inhalation, insect bites, and other dangers.(13, 14) In the agriculture sector, children may work long hours and perform arduous tasks.(13, 15, 16) They may also use dangerous tools, carry heavy loads, and apply harmful pesticides.(7) In urban areas, some children engage in domestic service. These children may be isolated in private homes and are susceptible to physical and sexual abuse.(6, 17, 18) They may be required to work long hours, performing strenuous tasks, without sufficient food or shelter.(19) Children are engaged in the worst forms of child labor in the production of bricks. These children are at risk of bricks falling on their hands and feet, and they may work with heavy machinery in some cases.(20) Children also work in the informal sector as street vendors, watching over cars parked in public areas, cleaning car windows, recycling

# Argentina

trash, and begging.(6, 11, 18, 21) This street work exposes children to severe weather, traffic accidents, situations of abuse, and crime.(15, 17) Bolivian children have reportedly been victims of forced labor in the production of garments in Argentina.(22, 23)

Children are also found in commercial sexual exploitation.(24) Paraguayan children have reportedly been trafficked to Argentina for the purpose of sexual exploitation.(25-27) The Government of Argentina and other sources have found that child pornography is a problem.(15)

During the reporting period, the Government of Argentina began incorporating a national child labor survey into the Permanent Survey of Households for 2013. Once completed, this survey will represent the first official measurement of the prevalence of child labor nationwide since 2004.(28) However, the survey does not encompass rural areas.(29) In February 2013, the Government released results from the survey of the last trimester of 2012, and it indicated a marked decline in labor among children and adolescents since 2004. However, the results were preliminary and did not match those of an independent study conducted over the same period that showed a more modest decline.(29) Research did not recover any publicly available information on the methodology of the Government survey.

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

Argentina’s Law 26.390 establishes the legal minimum age for employment as 16.(30) During the reporting period, a law to incorporate child labor into the Penal Code and impose prison sentences on violators was passed and promulgated.(31, 32) Argentine law specifically prohibits the employment of children under age 16 in domestic service, and prohibits children ages 16 to 18 from working between the hours of 8 p.m. and 6 a.m.(30) However, 16- to 18-year-olds who work in manufacturing are authorized to work until 10 p.m., which exposes them to risks related to night work.(30) Furthermore, Argentina has not adopted a comprehensive list of hazardous work prohibited for children.(25)

Argentine Law 26.364 prohibits forced or compulsory labor.(33) Argentine law sets the minimum age for volunteering for the Argentine Armed Forces at 18, and there is no compulsory recruitment.(34) Law 26.364 prohibits trafficking in persons, both domestically and internationally, for the purpose of forced labor or sexual exploitation.(33) During the reporting period, the law was amended to include stiffer penalties for trafficking.(35)

## 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	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	18
	Free Public Education	Yes

The Penal Code criminalizes facilitating, promoting, or benefitting economically from child prostitution.(36, 37) The Penal Code also prohibits the use of children in pornographic shows and in the production, publication, and distribution of child pornography. However, it does not criminalize the possession of child pornography for personal use.(25) Argentine Law 23.737 prohibits the use of children in illicit activities.(38) Education is compulsory and free until the end of secondary school, at approximately age 18.(39)

## Institutional Mechanisms for Coordination and Enforcement

Argentina has national and provincial mechanisms for monitoring child labor issues. The Ministry of Labor chairs the National Commission for the Eradication of Child Labor (CONAETI), which is responsible for national-level coordination of child labor monitoring. CONAETI comprises representatives from the Ministry of Foreign Affairs, the Ministry of Social Development, the Ministry of the Economy, and the Ministry of Education, among others.(40, 41) Provincial governments operate Provincial Commissions for the Prevention and Eradication of Child Labor (COPRETI) in 23 of Argentina’s 24 jurisdictions.(41-43) In addition, the Office for Rescue and Caring of Victims of Trafficking, within the Ministry of Justice and Human Rights, coordinates Government efforts to rescue and assist adult and child trafficking victims.(18, 44)

The Ministry of Labor and provincial labor ministries are responsible for enforcing child labor laws.(39, 41) Child labor complaints can be registered through the CONAETI Web site.(41) There are 500 labor inspectors in Argentina.(45) In 2011, according to the Ministry of Labor, more than 96,000 labor inspections were performed. As of this writing, no comprehensive count of 2012 inspections was publicly available, although limited information was available on specific inspections carried out in 2012.(27, 46, 47) No information was available on the sectors in which inspections were carried out or the sanctions imposed as a result of inspections.

The Specialized Office for Investigation of Kidnapping and Trafficking in Persons' cases (UFASE) coordinates trafficking investigations nationally.(26, 41) A hotline is available for reporting human trafficking, and the city of Buenos Aires operates a hotline for reporting cases of forced labor and labor exploitation.(24)

In 2012, 169 minors were rescued as a result of 653 trafficking raids.(48) The Office of Rescue, which jointly coordinates raids with the Security Ministry, provides shelter and medical, psychological, and legal services to victims until they testify.(48)

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

CONAETI is implementing Argentina's National Plan to Combat Child Labor, which calls for actions to address child labor, including awareness raising, inter-institutional collaboration, stronger inspection mechanisms, and a national program for the prevention and eradication of child labor in rural and urban settings.(49) To support the plan, the Ministry of Labor has established a Child Labor Monitoring Office, with offices in the provinces, to collect statistics on child labor.(50, 51)

Argentina continued its participation in the MERCOSUR Southern Child Initiative and the Regional Action Group for the Americas. The Southern Child Initiative aims to defend the rights of children and adolescents in the region by raising awareness about the commercial sexual exploitation of children, improving countries' legal frameworks, and exchanging best practices.(52, 53) During the reporting period, MERCOSUR member countries launched a coordinated communications campaign, MERCOSUR United Against Child Labor. The campaign focused on agriculture, domestic work, and sexual exploitation, specifically targeting communities along the border.(54) MERCOSUR member countries also met in 2012 to exchange good practices and developments in the region related to preventing commercial sexual exploitation and

trafficking.(55) Argentina is a member of the Joint Regional Group for the Americas, which conducts child labor prevention and awareness-raising campaigns in the tourism sector. Other members include Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Suriname, Uruguay, and Venezuela.(56)

The Government of Argentina, along with the General Workers' Confederation and the Argentine Industry Association, has an MOU with the ILO to implement its Decent Work Initiative, which includes efforts to prevent and eradicate child labor.(57) As part of an ongoing awareness-raising project called Building a Future with Decent Work, in 2012 the Ministries of Labor and Education organized an all-day workshop during which 600 students in 15 secondary schools in the suburbs of Buenos Aires prepared and delivered presentations for government officials on the link between education and decent work.(58)

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

During the reporting period, the Government of Argentina undertook a variety of efforts to combat child labor, such as continuing to integrate the issue into social programs and collaborating with private industry to create corporate social responsibility initiatives. The Ministry of Labor administered the Heads of Household Program and the Ministry of Social Development continued to implement the Family for Social Inclusion Plan. These programs target vulnerable and unemployed populations in which the family or household has at least three children under the age of 18.(59, 60) Through cash transfers and employment training, the programs seek to improve the employability of the family or household caregiver.(59-61) Another social program, the Universal Child Allowance Program, provides a monthly cash transfer to unemployed parents and workers in the informal economy, contingent upon parents fulfillment of health and education requirements for their children. The Government of Argentina continued to administer the program in 2012.(62, 63) More than 3.3 million children benefit from the Universal Child Allowance Program.(63) However, the impact of this program and other government programs on child labor is unknown.

In 2012, CONAETI continued an awareness-raising campaign on the prevention and eradication of child labor, targeting the 93 companies that form part of the Network of Businesses against Child Labor. This awareness campaign aimed to highlight the topic of child labor in business practices especially in regards to sourcing and their supply chains.(64) During the reporting period, CONAETI and the Network coordinated

# Argentina

and participated in a workshop to exchange best practices with counterpart networks in Chile and Ecuador.(65) Businesses that were represented include agricultural and agrochemical companies, service industry companies, supermarket chains, pharmaceutical companies, and soft drink companies.(64, 66) During the reporting period, the Network of Businesses against Child Labor's Future Program continued to operate Harvest Gardens, which provided 10 centers for nearly 2,000 children and adolescents in tobacco-producing zones of Salta and Jujuy.(9, 67, 68) The Future Program has offered educational and recreational activities to 10,000 children since 2002.(69)

The Ministries of Health and Labor have an agreement that addresses the issue of child labor in the health sector by training health care professionals to detect cases of child labor and

creating a database to monitor health care services provided to children and adolescents at risk.(70)

The Government also participated in projects funded by international donors. The Inter-American Development Bank is funding a \$1.15 million regional project to combat the trafficking and sexual exploitation of children and adolescents in Argentina, Brazil, Paraguay, and Uruguay. The project aims to strengthen local organizations that work in prevention, detection, and victim assistance.(71) In addition, the Government continued to participate in a 4-year, \$3 million regional project to eradicate child labor in Latin America that was funded by the Government of Spain.(72, 73)

However, the Government of Argentina lacks social programs sufficient to address issues related to children working in the agriculture and in urban informal sectors.

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

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Create a list of hazardous occupations prohibited to children.	2009, 2010, 2011, 2012
	Prohibit the possession of child pornography.	2009, 2010, 2011, 2012
	Expand the prohibition on night work to children ages 16 to 18 who work in manufacturing.	2011, 2012
Coordination and Enforcement	Make information publicly available on the sectors in which inspections are carried out and the sanctions imposed as a result.	2009, 2010, 2011, 2012
Social Programs	Assess the impact that social programs, especially the cash transfer programs, may have on reducing the worst forms of child labor.	2010, 2011, 2012
	Develop programs that target child labor in the urban informal sector.	2009, 2010, 2011, 2012
	Expand programs that target child labor in dangerous agricultural activities.	2012

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