

# Paraguay

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*In 2013, Paraguay made a moderate advancement in efforts to eliminate the worst forms of child labor. In May 2013, the Government of Paraguay became the second Latin American country to ratify ILO Convention 189 Concerning Decent Work for Domestic Workers. The Government conducted human trafficking trainings for law enforcement professionals throughout the country; prosecuted and convicted criminals who violated laws regarding the worst forms of child labor; and expanded health and education services of the Government-funded Embrace Program (Programa Abrazo) in areas of the country with high prevalence of child labor and the worst forms of child labor. However, children in Paraguay continue to engage in child labor in agriculture and in the worst forms of child labor in domestic service. Paraguay's system of child labor eradication lacks a formal coordinating mechanism between agencies and 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.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Paraguay are engaged in child labor in agriculture and in the worst forms of child labor in domestic service.(1) A 2011 quantitative government survey found that 21 percent of all Paraguayan children are engaged in hazardous work, and that approximately 90 percent of all working children perform hazardous tasks, such as carrying heavy loads or using dangerous tools.(2) Table 1 provides key indicators on children's work and education in Paraguay.

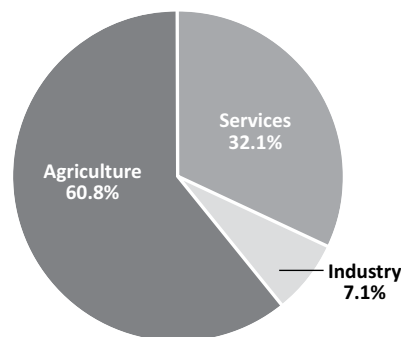
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	15.3 (113,072)
Attending School (%)	5-14 yrs.	90.3
Combining Work and School (%)	7-14 yrs.	12.1
Primary Completion Rate (%)		86.0

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Permanente de Hogares Survey, 2005.(4)

**Figure 1. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Production of cotton (5)
	Harvesting of sugarcane (1, 6)
	Production of soy,* sesame,* wheat,* manioc,* peanuts,* beans,* and stevia * (7)
	Cattle raising (1, 8, 9)
Industry	Production of charcoal (10, 11)
	Production of bricks (1, 11)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Industry	Gold mining*† (1)
	Limestone quarrying† (1, 12)
	Manufacturing soccer balls* (1)
	Construction, activities unknown† (1)
Services	Domestic service† (1, 8, 13)
	Transportation, activities unknown* (7)
	Street vending and street begging† (8, 11, 14, 15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (1, 16)
	Domestic service, sometimes as a result of human trafficking* (1)
	Drug trafficking *(17, 18)
	Debt bondage in cattle raising* (1, 9)
	Used in the production of child pornography (19, 20)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† 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.

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 twice a year, on average, while working.(6) Children work alongside their parents in debt bondage on cattle ranches in the remote region of the Chaco.(1, 8, 21) Children are engaged in gold mining in small family-run mining operations in Paso Yobái and Guairá.(1) The practice of *criadazgo*, a system whereby well-off families informally adopt young domestic workers from impoverished families, is pervasive in Paraguay.(1, 15) Child sex trafficking occurs in the border areas with Argentina and Brazil.(13, 16)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Paraguay has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In May 2013, Paraguay ratified the ILO Convention 189 Concerning Decent Work for Domestic Workers.(1) The Paraguayan Congress has not passed legislation to implement the convention.(1)

The Government has established relevant laws and regulations related to child labor (Table 4).

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**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Childhood and Adolescence Code (22)
Minimum Age for Hazardous Work	Yes	18	Decree 4951/2005 (23)
List of Hazardous Occupations Prohibited for Children	Yes		Childhood and Adolescence Code; Decree 4951/2005; Labor Code (22-24)
Prohibition of Forced Labor	Yes		Constitution; Penal Code (25, 26)
Prohibition of Child Trafficking	Yes		Comprehensive Law Against Human Trafficking; Penal Code; Constitution (25-27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Penal Code; Decree 4951/2005; Childhood and Adolescence Code (22, 23, 26)
Prohibition of Using Children in Illicit Activities	Yes		Penal Code; Childhood and Adolescence Code (22, 26, 28)
Minimum Age for Compulsory Military Recruitment	Yes	18	Law 3360 of November 2, 2007 (29)
Minimum Age for Voluntary Military Service	Yes	18	Law 3360 of November 2, 2007 (29)
Compulsory Education Age	Yes	15	Education Law 1264/98 (30)
Free Public Education	Yes		Education Law 1264/98 (30)

In November 2013, the Government adopted Law 5115/2013, which created a new Ministry of Labor, Work, and Social Security (MLWS).(1) The law establishes a cabinet-level agency directly responsible for all labor, work, and social security matters; instructs the new agency to create policies and programs that address forced labor, debt bondage, and child labor; and mandates the formation of a General Directorate for the Protection of Children and Adolescents to directly address child labor issues.(1)

The law permits children between ages 12 and 14 to engage in light work. However, the Government has not yet adopted regulations governing the nature and conditions of light work that is permitted for children.(31) Moreover, the ILO Committee of Experts has recommended that Paraguay strengthen its laws regarding light work for children.(31) Research has not identified the specific legal provisions that stipulate penalties for violations of the List of Work Endangering Children (Decree 4951) or which ministries enforce the law.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including in its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Work and Social Security (MLWS)	Enforce laws related to child labor and hazardous child labor, inspect workplaces for child labor, and fine companies found in violation of labor laws.(1) Refer cases involving criminal violation of child labor to the Public Ministry or the National Secretariat for Children and Adolescents (SNNA).(1)
National Police	Maintain a special unit of 33 police officers that handle complaints regarding trafficking in persons, including children, with offices in five cities.(1)
The Public Ministry (Prosecutor's Office)	Enforce criminal laws, including those related to the worst forms of child labor. Investigate and prosecute violators based on complaints, its own information or referrals from the MLWS and other agencies, such as the SNNA and the Public Defender's Office.(1) Maintain a Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children that works with local prosecutors nationwide to prosecute trafficking and commercial sexual exploitation crimes.(1)
The National Secretariat for Children and Adolescents (SNNA)	Maintain a unit dedicated to fighting child trafficking.(1) Sponsor hotline to report cases of trafficking and the commercial sexual exploitation of children; provide social services to trafficking victims upon receiving referrals from law enforcement agencies.(17) In reporting period, responded to 4 cases of child labor which included 3 cases of forced labor and 1 case of worst forms of child labor.
The Public Defender's Office	Protect the due process of law. Endowed with legal, administrative and budgetary autonomy within the judicial system. Established a permanent Observatory Unit on Torture and an Observatory Unit on Penal Conditions and employs 200 attorneys.(18)

**Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)**

Organization/Agency	Role
Ministry of Women's Affairs (MWA)	Handle female victims of trafficking, half of whom are estimated to be children. Houses office dedicated to combating trafficking of children. Handles most social services for trafficking victims. Five dedicated personnel.(1, 17)

Law enforcement agencies in Paraguay took actions to combat child labor, including in its worst forms.

### *Labor Law Enforcement*

On January 1, 2014 the Ministry of Justice and Labor (MJT) split into two ministries: the Ministry of Justice and Human Rights (MJH) and the Ministry of Labor, Work, and Social Security (MLWS).(1) This separation allows the MLWS to have an independent budget and fulfills an ILO recommendation.(1) In 2013, the former MJT employed 24 inspectors nationwide in eight state-level branch offices, a decrease from 43 inspectors in 2012.(1, 17) From January 2013 to December 2013, the MJT undertook three wide-ranging sector-specific inspections in the construction, transportation, and commerce sectors that did not uncover child labor infractions.(1) Although the total number of labor inspections that took place in 2013 is unavailable, the MJT reported conducting 361 inspections between August 2012 and June 2013.(1)

Given the extent of child labor in Paraguay, the number of labor inspectors is inadequate.(1) No information is available on the number of citations or penalties issued for child labor law violations. Some labor inspectors received training regarding child labor in previous years, but labor inspectors have not conducted specific inspections focusing on child labor.

### *Criminal Law Enforcement*

In 2013, the Public Ministry began prosecuting domestic labor trafficking cases involving children, a new mandate for the Ministry that was established by the 2012 Comprehensive Law Against Human Trafficking. In 2013, the Public Ministry employed three specialized prosecutors in its Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children, the same number of prosecutors as in 2012.(1) These prosecutors had a staff of 35 assistants, an increase from 23 assistants in 2012.(1, 17) The prosecutors in this unit carried out 12 training sessions across the country, training at least 400 prosecutors, police officers, and judges on the obligations and responsibilities of implementing the 2012 human trafficking law.(1) In addition, in 2013, the National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI) conducted two training workshops for Public Ministry inspectors on the implementation of the 2012 human trafficking law.(1)

In 2013, the Public Ministry coordinated with The National Secretariat for Children and Adolescents (SNNA) and the National Police to assist and, in some cases, remove from the street 16 indigenous children who were working as street beggars. There were 21 prosecutions regarding the worst forms of child labor during the reporting period, all of which were child pornography cases. Most of these prosecutions were led by the Prosecutor's Office Anti-Trafficking Unit.(1) In 2013, the Prosecutor's Office Unit to Combat Cyber Crimes cooperated with the U.S. Federal Bureau of Investigation, INTERPOL, and the National Center for Missing and Exploited Children to also investigate and prosecute four child pornography cases.(1) Three convictions were obtained during the reporting period for distribution of child pornography. The maximum sentence administered was three years in prison.(1)

Paraguay's law enforcement agencies have inadequate resources, including staff, to sufficiently investigate and prosecute cases of the worst forms of child labor. As a result, the number of convictions of crimes related to the worst forms of child labor is inadequate.(1) There is also a lack of formal referral mechanisms between prosecutors in the Public Ministry and other agencies that receive complaints related to the worst forms of child labor, such as the SNNA.(1)

An additional constraint to labor law enforcement is the legal requirement that the Public Ministry and MLWS secure a search warrant from a judge if an employer does not permit them to enter a workplace, including the workplace of

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domestic servants, to inspect it. There is a lack of efficient and timely cooperation by judicial authorities in granting search warrants for workplace inspections.(1)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including in its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
The National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI)	Lead government efforts against child labor and include representatives from the MLWS, the Ministry of Justice and Human Rights (MJH), the MWA, the SNNA, and other government agencies as well as labor union representatives, industry associations and NGOs.(1, 32)
National Council for Children and Adolescents (National Council)	Establish policies to protect children's rights and approve specific programs aimed at children and adolescents.(1, 32)
Inter-Institutional Working Group on Preventing and Combating Human Trafficking	Coordinate inter-agency efforts to combat child trafficking. Headed by the Ministry of Foreign Relations.(1, 13, 32)
Defense Councils for the Rights of Children and Adolescents (CODENI)	Coordinate government efforts to protect children's rights at the municipal level.(1)

The National Commission to Prevent and Eradicate the Exploitation of Children (CONAETI) was active during the reporting period, holding eight regular meetings. In 2013, the Anti-Trafficking in Persons Unit of the Prosecutor's Office joined CONAETI for the first time.(1) CONAETI continued to work closely with the Sugarcane Growers Association to implement several ILO/DOL-funded programs aimed at eradicating child labor in sugar plantations.(1) Government coordination, including between CONAETI, MLWS, and other agencies, such as the Prosecutor's Office, Public Defender's Office, and the Judicial branch, is done on an informal basis and remains inadequate.(1)

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Paraguay has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2010-2015)	Serves as the Government's main policy framework to address child labor. CONAETI-approved plan. Aims to combat the worst forms of child labor. Provides access to free and quality education to child laborers and livelihood alternatives for their families. Raises public awareness of child labor and improves enforcement of child labor laws.(1, 32) In 2013, Government support for the National Strategy, National Plan for Development, and National Plan for Human Rights continued.(1)
National Plan for Development (2010-2020)	Includes goals for reducing child labor as part of broader efforts to reduce social exclusion and poverty. Includes the "Program for the Protection and Social Promotion of Children and their Families," which specifically aims to reduce the worst forms of child labor.(33)
National Plan on Human Rights	Established in 2012, it includes components on Child Labor, Forced Labor and Indigenous Child Labor. The plan has no expiration date.(1)
Inter-institutional Agreement on Government Procurement	National Secretariat for Children and Adolescents 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.(34)
MERCOSUR United Against Child Labor Campaign	Develops public awareness about the need to combat child labor in MERCOSUR. Addresses child labor in agriculture, domestic work, and sexual exploitation, with particular emphasis on communities along country borders.(35)
Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR (2012)	Promotes greater articulation between governmental agencies, levels of government, and with civil society among MERCOSUR members.(36)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
MERCOSUR Southern Child Initiative	Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor; by improving country legal frameworks to harmonize them with international conventions affecting children, and by exchanging best practices.(37)

In November, the Government participated in the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. The joint declaration of the Conference promotes social dialogue to address child labor and reaffirms country participants' commitment to work with civil society organizations to advance efforts toward the eradication of child labor.(38)

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Paraguay funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Embrace Program (Programa Abrazo)‡	SNNA program that assists children engaged in exploitative work by providing them and their families with health and education services and cash transfers conditioned on children's school attendance and withdrawal from work.(32) In 2013, expanded into areas where labor and sexual trafficking of children are most prevalent. Opened a service center in the sugarcane growing region of Villeta, Central. NGO Fortalecer works closely with program in the implementation of ILO-IPEC programs. Program has also worked closely with the Sugarcane Growers' Association, MEC, and CONAETI to set up programs tailored to at-risk children who work during the sugarcane harvesting season.(1)
Well-Being (Tekoporã) Conditional Cash Transfer Program ‡	Government-administered program through the Secretariat for Social Action (SAS).(1) Provides conditional cash transfers to families in moderate to extreme poverty in the Concepción, San Pedro, Canindeyú, Caaguazú, and Caazapá departments. Since August 2013, the Tekoporã and Abrazo programs have begun working together more closely, exchanging information about beneficiaries, eliminating beneficiaries listed in multiple programs, and exchanging best practices and methodologies.(1) Tekoporã incorporates aspects of the Abrazo Program to ensure beneficiary families do not allow their children to engage in child labor. Tekoporã Program also includes the family monitoring methodology implemented by the Abrazo Program.(1)
Mutual Aid (Ñopytyvô) Conditional Cash Transfer Program ‡	Government program provides conditional cash transfers to impoverished indigenous families in the Chaco region.(39) Cash transfer is conditioned on families withdrawing children from child labor and meeting education and health requirements. Program assists approximately 700 families, including 1,320 children younger than age 14.(39)
Ministry of Education and Culture (MEC)/ILO Program	Ministry of Education program that carries out child labor awareness-raising activities among students and teachers to help school administrators identify child laborers and prevent children from engaging in the worst forms of child labor.(32)
Comprehensive Attention Program for Street Children and Adolescents*‡	National Secretariat for Children and Adolescents (SNNA) program that provides assistance and services to children living in the streets. Program's goal is to assist approximately 200 children.(32)
Combating the Worst Forms of Child Labor through Horizontal Cooperation in South America	\$6.75 million USDOL-funded, 4-year, project implemented by ILO-IPEC to combat the worst forms of child labor through horizontal cooperation in South America that ended in September 2013. Promoted collaboration across 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.(9) Withdrew 3,047 children and prevented 5,478 from engaging in the worst forms of child labor.(9, 40)
Country Level Engagement and Assistance to reduce (CLEAR) project	USDOL-funded capacity building project implemented by the ILO in at least 10 countries, to build local and national capacity of the Government to address child labor. In Paraguay, the project aims to build local and national capacity of the Government to address child labor by improving legislation related to child labor issues, including by bringing local or national laws into compliance with international standards; improving monitoring and enforcement of laws and policies related to child labor; and enhancing the implementation of national and local policies and programs aimed at the reduction and prevention of child labor.(41)



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**Table 8. Social Programs to Address Child Labor (cont)**

Program	Description
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries, to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. In Paraguay, the project aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and forced labor.(42)
Regional Action Group for the Americas (Grupo de Acción Regional para las Américas)	Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(43, 44)
Southern Child Initiative (Niñ@sur)	Carries out public campaigns against commercial sexual exploitation, trafficking, and child labor; facilitates technical assistance to improve domestic legal frameworks to comply with international standards on those issues; and supports the exchange of best practices related to victim protection and assistance.(45, 46)
Global Program on the Eradication of Child Labor	\$4.5 million Government of Spain-funded, 3-year project implemented by ILO-IPEC to combat child labor.(47)
Partnership Program to Eliminate Child Labor	\$2.3 million Government of Brazil-funded, 4-year project implemented by ILO-IPEC to combat child labor.(47)

\* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Paraguay.

Although Paraguay has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. Additional programs are needed to reach the great numbers of working children, especially in agriculture and domestic service.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Paraguay (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Adopt regulations governing the nature and conditions of the light work permitted to children between ages 12 and 14.	2009 – 2013
	Adopt and publicize the legislation that establishes sanctions for violations of Decree 4951, the List of Work Endangering Children.	2010 – 2013
Enforcement	Increase personnel and resources available to the Ministry of Labor, Work, and Social Security.	2009 – 2013
	Make information regarding the total annual number of labor inspections publically available.	2013
	Improve cooperation mechanism between judicial authorities and labor enforcement officials in order to grant search warrants for workplace inspections in a more efficient and timely manner.	2013
	Make information publicly available on citations and penalties issued to employers for child labor infractions.	2012 – 2013
	Increase efforts to prosecute crimes related to employing children in the worst forms of child labor, including by developing coordination and referral mechanisms for government agencies likely to receive child labor complaints to refer relevant complaints to the Public Ministry.	2012 – 2013
Coordination	Establish coordinating mechanisms between CONAETI, MLWS, and other agencies to combat child labor, including its worst forms.	2013
Policies	Conduct research to determine the activities carried out by children working in construction and transportation to inform policies and programs.	2013
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 – 2013
	Assess the impact that the Comprehensive Attention Program for Street Children and Adolescents has had on reducing the worst forms of child labor.	2012 – 2013

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