

In 2013, Nicaragua made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government expanded its Program Love to include children from birth to age 6 and, with support from the World Food Program, initiated a national school meal program that targeted 1 million children. The Government also closed La Chureca garbage dump in Managua and created jobs, housing, and a school for the more than 250 families that depended on it for their subsistence. With funding from UNICEF, immigration officials received training on how to identify victims of child trafficking, and social service officials received training on victim care. The Government also ratified the ILO Convention on Domestic Workers. Despite these efforts, children in Nicaragua continue to engage in child labor in agriculture and in the worst forms of child labor in commercial sexual exploitation. The Government's enforcement of labor laws is inadequate, and plans to combat child labor and protect children have not been fully implemented. In addition, Government programs are insufficient to reach the numbers of children engaged in the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nicaragua are engaged in child labor in agriculture and in the worst forms of child labor in commercial sexual exploitation.(1-4) Table 1 provides key indicators on children's work and education in Nicaragua.

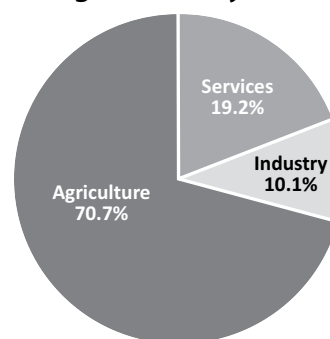
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	8.4 (109,380)
Attending School (%)	5-14 yrs.	84.9
Combining Work and School (%)	5-14 yrs.	7.0
Primary Completion Rate (%)		80.4

Source for primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2014.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Hogares sobre Medición de Nivel de Vida Survey, 2005.(6)

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	Harvesting coffee,† bananas,† tobacco,† African palm,*† and oranges*† (3, 7-12)
	Harvesting sugarcane*† (9, 13)
	Livestock breeding,† cattle raising*† (7, 9, 10)
	Production of beef products*† and dairy products*† (7, 10)
	Collecting shellfish† (9-11)

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

Sector/Industry	Activity
Industry	Construction, activities unknown (9)
	Quarrying of pumice,† gypsum,*† and limestone*† (9-11)
	Production of gravel† (14-16)
	Gold mining† (9-11)
Services	Domestic service (4, 7, 9, 11, 17)
	Work in transportation† (3, 9)
	Street vending,† street performing† (3, 4, 7, 11, 18-20)
	Garbage scavenging† (3, 4, 19, 21)
Categorical Worst Forms of Child Labor‡	Work as couriers (4, 7)
	Commercial sexual exploitation sometimes as a result of human trafficking (2, 4, 7, 11, 22)
	Domestic service as a result of human trafficking (2)
	Used in the production of pornography* (23)

* 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.

In Nicaragua, children are subjected to commercial sexual exploitation in Managua, Granada, the Atlantic Coast and San Juan del Sur.(2, 24) It has been reported that children in Nicaragua who lack identification documents, sometimes because of a lack of birth registration, are at an increased risk of trafficking and commercial sexual exploitation.(9) It is estimated that 20% of children born in Nicaragua lack birth certificates.(25)

Data on child labor were collected in 2010 for the National Survey on Child and Adolescent Labor to better understand the country’s current child labor situation.(26) However, research has not found this data published.(11) During the reporting period, the Government’s National Institute of Development Information reported that a new study found that approximately 320,000 children were engaged in child labor, with nearly 80 percent working without pay.(3) However, research could not determine whether this study has been made publicly available. Separately, the ILO completed a national survey that reported that 238,000 children between the ages of 5 and 17 were engaged in child labor, with approximately 80 percent of them engaged in hazardous activities and 36 percent below the age of 14.(3, 4)

While education is free and compulsory in Nicaragua, costs associated with school supplies and transportation make it difficult for some children, in particular those from poorer backgrounds and rural areas, to attend.(20, 27) Some sources indicate that secondary schools have not received adequate assistance and that secondary school attendance remains low, increasing the risk of older children’s engagement in exploitative work.(17, 24)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Nicaragua 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	✓

Table 3. Ratification of International Conventions on Child Labor (cont)

Convention	Ratification
 Palermo Protocol on Trafficking in Persons	✓

In 2013, Nicaragua ratified ILO C. 189 Concerning Decent Work for Domestic Workers.(28) The Government also ratified the ILO's Maritime Labor Convention, which is scheduled to enter into force in December 2014.(29) This Convention calls for a safe workplace and fair terms of employment for seafarers, and includes prohibitions on forced labor and child labor.(30)

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	14	Labor Code; Childhood and Adolescence Code (31, 32)
Minimum Age for Hazardous Work	Yes	18	Labor Code; Childhood and Adolescence Code; Ministry of Labor Accord No. JCHG-08-06-10 (31-33)
List of Hazardous Occupations Prohibited for Children	Yes		Ministry of Labor Accord No. JCHG-08-06-10 (33)
Prohibition of Forced Labor	Yes		Constitution (34)
Prohibition of Child Trafficking	Yes		Penal Code; Childhood and Adolescence Code (32, 35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Penal Code; Childhood and Adolescence Code (32, 35)
Prohibition of Using Children in Illicit Activities	Yes		Penal Code; Childhood and Adolescence Code (32, 35)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	
Compulsory Education Age	Yes	15	Constitution; Childhood and Adolescence Code (32, 34)
Free Public Education	Yes		Constitution; Childhood and Adolescence Code (32, 34)

* No conscription or no standing military.

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 its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRAB)	Enforce labor laws that include provisions on child and hazardous labor. Set child labor policy priorities.(4, 36, 37)
MITRAB General Labor Inspectorate	Conduct labor inspections, including those on child labor through its Child Labor Inspections Unit. Conduct training on child labor issues and inspections, and coordinate with other agencies, both public and private.(7, 11, 36, 38, 39)
National Coalition against Trafficking in Persons (NCATIP)	Combat trafficking in persons, including children, and build capacities, prosecute violations, and protect and rehabilitate victims. Overseen by Ministry of Governance and consists of government ministries and agencies, civil society organizations, and international NGOs.(4, 25, 40) Coordinate Nicaragua's participation in the Central American Regional Coalition against Trafficking in Persons.(25)

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

Organization/Agency	Role
Nicaraguan National Police (NNP)	Investigate cases of child labor and human trafficking through the following agencies: the Police Intelligence Unit, which detects crimes; the Special Crimes Unit, which investigates crimes; and 54 Women's Commissions, which work in prevention and protection.(4, 11, 36) Maintain a hotline for receiving reports on the welfare of children, including those in danger of exploitation.(4, 11, 36)
Prosecutor General's Office	Prosecute cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities. Contains two national-level and 35 department-level prosecutors that prosecute these and other crimes.(4, 11, 36)
Human Rights Attorney for Children	Assist in the enforcement of laws relating to child labor and hazardous child labor.(4, 11)
National Social Welfare System	Ensure that government institutions protect the rights of children and adolescents.(37)
Ministry of the Family, Adolescence, and Childhood (MIFAN)	Maintain a hotline that receives reports on human trafficking and commercial sexual exploitation.(4, 7) Assist in providing officials with training on child labor violations.(25)

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

Labor Law Enforcement

In 2013, The Ministry of Labor (MITRAB) employed 90 labor inspectors whose responsibilities included investigating child labor violations.(4) From January to October 2013, MITRAB reported conducting a total of 2,496 labor inspections in workplaces considered hazardous. Through these inspections, MITRAB reported that 1,854 children were working in violation of the law.(4) Information on how many of these children were removed from work, or on the level of governmental assistance received thereafter, is not publicly available. In addition, no information on fines associated with these violations was publicly available.(4) Due to the scope and severity of child labor in the country, the number of inspections conducted is not considered sufficient. Government officials and child labor experts have reported that child labor inspections throughout the country, and those in agricultural areas in particular, are limited due to resource and personnel constraints.(4, 11) Moreover, although labor inspectors have the authority to enter private homes to monitor the working conditions of child domestic workers, research found no information on this type of inspection.(41)

Criminal Law Enforcement

In 2013, the Government reported that the Prosecutor General's Office investigated 29 suspected cases of trafficking in persons, and prosecuted 26 of them. Of these, there were 12 convictions that involved 30 victims, 18 of which were under the age of 18.(25) Nine of these convictions included children who were trafficked for commercial sexual exploitation. A separate conviction involved a child victim of trafficking for labor exploitation.(25) With funding from UNICEF, the Ministry of the Family, Adolescence, and Childhood (MIFAN) trained 25 border officials on how to identify victims of trafficking, and another 340 officials from a range of other agencies on victim care. In addition, 855 officials from the Nicaraguan National Police (NNP) received training on how to identify victims of commercial sexual exploitation from the Nicaraguan Tourism Institute.(25) However, it has been reported that the NNP has insufficient resources, including a lack of personnel, equipment, vehicles, and funding, to carry out trafficking investigations.(25)

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 its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Progressive Eradication of Child Labor and the Protection of the Adolescent Worker (CNEPTI)	Set priorities on child labor policy within the Ministry of Labor.(42) Consists of government agencies and NGOs that address child labor issues through awareness-raising strategies and direct action programs.(39, 42) Receives revenues from fines issued for child labor violations for raising awareness and protecting minors.(43)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
National Commission Against Commercial Sexual Exploitation of Children and Adolescents	Coordinate efforts to address the commercial sexual exploitation of children and adolescents. Part of CNEPTI.(44)
Ministry of the Family, Childhood and Adolescence (MIFAN)	Maintain a guide to attend to victims of commercial sexual exploitation and trafficking, and help coordinate between agencies responsible for their care.(24, 45)

In 2013, it was reported that the Government did not have formal procedures for identifying trafficking victims among high-risk populations, including children in commercial sexual exploitation. Of those identified, all were transferred to NGO shelters in Managua, since the government did not have adequate facilities.(2) International organizations and NGOs provide most of the assistance to trafficking victims.(11, 36, 46) MIFAN appears to be responsible only for the care of child trafficking victims under the age of 13, and the extent of its coordinating role is unclear.(24)

The National Commission for the Progressive Eradication of Child Labor and the Protection of the Adolescent Worker (CNEPTI) has been charged with implementing a ten-year plan on child labor (2007-2016).(4, 7) However, it has been reported that CNEPTI's leadership has convened only once, in conjunction with the 2010 launch of the Roadmap for the Elimination of the Worst Forms of Child Labor.(47) It is unclear whether CNEPTI remains the primary entity responsible for coordinating overall efforts to address child labor. NGOs and child labor experts have questioned CNEPTI's efficacy, since it lacks sufficient resources to enforce its mandate.(4, 11, 48-51)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 7. Policies Related to Child Labor

Policy	Description
Roadmap for the Elimination of the Worst Forms of Child Labor	Sets the goal of eliminating the worst forms of child labor by 2015. CNEPTI is charged with implementing a 10-year action plan toward this end.(11, 36, 49, 52, 53)
Strategic Plan for the Prevention and Elimination of Child Labor and the Protection of Young Workers (PEPETI) (2007-16)	Seeks to reintegrate child laborers and young workers into the school system and increase school enrollment.(24)
National Human Development Plan (2012-2016)	Incorporates policies to eradicate child labor into poverty reduction, social care, education, and livelihood strategies.(4, 11, 36, 54, 55)
Panama Declaration (2012)	Establishes commitments among Central American countries, Belize, and the Dominican Republic to country-based actions to eradicate the worst forms of child labor. MITRAB highlighted good practices and lessons learned from its child labor programs in coffee plantations and stone quarries.(56-61)
National Plan of Youth Employment (2012-2016)	Seeks to eliminate child labor and protect the rights of working adolescents. Established by the National Commission of Youth Employment.(62, 63)
Coffee Harvest Plan	Aims to develop a comprehensive approach to assist children whose parents work in the coffee harvest and to improve educational opportunities for children on coffee plantations; focuses on eliminating hazardous child labor in the coffee sector in the Department of Jinotega. Developed by the Government in collaboration with the private sector and civil society.(4, 11, 17, 63-66)
Plan of Integrated Attention	Prioritizes assistance for children and adolescents who work in stone quarries, mines, and in African palm cultivation. Involves coordination among several national ministries and local municipalities in order to: determine the extent of child labor; create an action plan to uphold the rights of working children and adolescents to education, recreation, and healthcare; and promote better livelihoods for their families.(37, 62, 63)
Policy on Special Protection for Children and Adolescents	Provides special protections for victims of commercial sexual exploitation and trafficking in persons.(45)

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Table 7. Policies Related to Child Labor (cont)

Policy	Description
Plan to Support the Prevention and Elimination of Human Trafficking and Commercial Sexual Exploitation of Children and Adolescents	Addresses human trafficking and the commercial sexual exploitation of children and adolescents as a member of the Central American Parliament Commission on Women, Children, Youth, and Family.(45)
National Coalition against Trafficking in Persons (NCATIP) Strategic Plan	Addresses human trafficking through directives shared by public and private actors, both national and international for 2012-2014. Led by the Ministry of Governance.(55, 67)

While the Government's Roadmap for the Elimination of the Worst Forms of Child Labor sets the goal of eliminating the worst forms of child labor by 2015, research has not found a comprehensive action plan for its full implementation.(50, 52, 55)

In June 2013, a National Forum was held to prioritize the eradication of child labor and the right to education. The forum, called "The Right to Education: the Route toward the Eradication of Child Labor", was organized jointly by the Government and civil society organizations.(4, 68) In October 2013, the Government reiterated its commitment to eradicate the worst forms of child labor. Under the banner "Toward Sustainable Human Development in the Fight to Eradicate Child Labor," the Government convened MIFAN, MITRAB, the Ministry of Education, the Council of Private Enterprise, and the labor sector to discuss actions to reduce child labor.(4, 69) 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.(70)

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

In 2013, the Government of Nicaragua 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
Program Love‡ (<i>Programa Amor</i>)	MIFAN program that targets 25,000 street children, primarily in Managua, who are involved in street vending and garbage scavenging, among other forms of child labor. Aims to provide education for children and vocational training for parents.(4, 11, 37, 71-75) Overseen by Nicaragua's First Lady in coordination with the Ministries of Government, Family, Health, Education, and Labor. In April 2013, program was extended to include "Program Love for the Smallest Ones," an initiative reported to receive an \$850,000 grant from the Taiwanese Embassy in Nicaragua to build Centers for Child Development.(4, 76) In October 2013, reports indicated that booklets listing best practices on preventing child labor were distributed in one Managua neighborhood.(4)
First, I Learn (<i>Primero, Aprendo</i>)	Promotes the eradication of child labor through access to quality education, in support of Nicaragua's Roadmap to Eliminate Child Labor. Regional project originally funded by USDOL and subsequently supported by the European Union.(77, 78)
Educational Bridges (<i>Puentes Educativos</i>)‡	MITRAB and Ministry of Education public-private partnership that provides education to children of coffee workers to prevent child labor during coffee harvests. Expanded during 2011-2012 harvest to include additional 60 facilitators and improvements at 40 coffee farms.(50) In 2013, program has continued to expand to secure commitments from additional coffee farms to eliminate child labor in coffee production.(79, 80)
La Chureca Project	\$50 million, Government of Spain-funded project to close the Chureca garbage dump in Managua and open a recycling plant in its place. Accomplishments included the creation of a school, houses, and employment for 258 families who had found their subsistence scavenging in the garbage dump.(81-83)
MIFAN School Meal Program*	MIFAN and World Food Program initiative to provide 1 million children and adolescents with meals at school to help bolster attendance.(84, 85)
MITRAB Entrepreneurial Development Program	MITRAB and ILO program to provide tools and technical equipment to young entrepreneurs of working age to help them develop skills and create their own professional enterprises. In 2013, partnership assisted 72 young entrepreneurs from the Jinotega and Masaya Departments.(86, 87)
Birth Registration Campaign*	Government initiative, in coordination with Save the Children and UNICEF, to promote birth registration campaigns.(25)

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

Program	Description
Elimination of Child Labor in Latin America (Phase 4)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Nicaragua.(55)
Education and Monitoring Program for the Eradication of Child Labor	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Nicaragua. Includes the objective of developing information systems on the worst forms of child labor.(55)

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

‡ Program is funded by the Government of Nicaragua.

During the reporting period, the Government did not initiate any new poverty reduction programs, and the scope of current social programs does not appear to be sufficient to assist children that are trafficked or engaged in the worst forms of child labor, including commercial sexual exploitation.(4) The Government's birth registration campaigns are not performed nation-wide, and many children lack the documentation needed to access basic services.(47, 88) There have also been reports that Program Love lacks overall effectiveness and requires greater transparency.(4, 7, 11)

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 Nicaragua (Table 9).

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Conduct inspections of private homes to monitor the working conditions of children and young persons employed as domestic workers, and publicly report on violations.	2011 – 2013
	Dedicate more human and financial resources, such as hiring and retaining more labor inspectors, to the enforcement of child labor laws, in particular in agriculture.	2009 – 2013
	Report fines imposed for child labor violations.	2012 – 2013
Coordination	Convene CNEPTI more frequently and clarify its role in coordinating government efforts to reduce child labor, ensuring that progress toward this goal, including through its action plan, is monitored on a regular basis.	2009 – 2013
	Enhance coordination and information sharing among actors involved in child labor issues and in efforts to identify and refer victims of child trafficking.	2009 – 2013
Government Policies	Finalize and begin implementation of a concrete action plan to reach the objective of eliminating the worst forms of child labor by 2015.	2009 – 2013
Social Programs	Make publicly available the results of the latest national child labor survey.	2013
	Develop strategies and devote resources to improve attendance in secondary education.	2009 – 2013
	Dedicate greater resources to expand services that assist child trafficking victims.	2010 – 2013
	Assess the effectiveness of Program Love in reducing the worst forms of child labor and publicize its results in order to inform future efforts.	2010 – 2013
	Assess the impact of the MIFAN School Meal program on reducing child labor.	2013
	Expand birth registration programs nationwide to ensure that children have access to basic services.	2009 – 2013
Social Programs	Apply good practices and strategies used to eliminate child labor in the coffee sector to other sectors, including awareness-raising efforts and partnerships with business owners to eliminate child labor in their production processes.	2009 – 2013
	Expand programs to address the worst forms of child labor to more sectors in which exploitative child labor exists, such as commercial sexual exploitation.	2009 – 2013

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