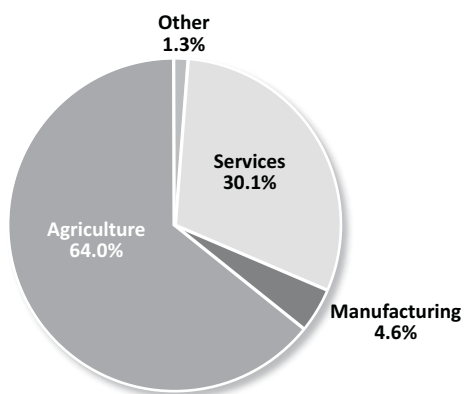


In 2011, Peru made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor established new guidelines requiring labor inspectors to address child labor during all routine inspections and increasing the maximum allowable penalty for employers engaging minors in the worst forms of child labor. In addition, joint government-civil society committees in regions with high levels of child labor began carrying out training, awareness raising and enforcement operations on child labor issues. Despite these efforts, existing programs to assist children working in the worst forms of child labor reach only a fraction of working children and are insufficient given the scope of the problem. Likewise, the Government's National Plan for the Prevention and Eradication of Child Labor expired in 2010, and has not been updated. The worst forms of child labor remain prevalent in many sectors, especially in hazardous activities in agriculture and urban informal work.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	38.5 (2,392,997)
Attending School	5-14 yrs.	97.0
Combining Work and School	6-14 yrs.	40.5
Primary Completion Rate		101.9

Working Children by Sector, ages 5-14



Sources:

Primary completion rate: Data from 2008, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Trabajo Infantil (ETI) (SIMPOC) Survey, 2007.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children are engaged in the worst forms of child labor in Peru, primarily in hazardous activities in agriculture and urban informal work.(3, 4) In agriculture, for example, children reportedly produce cotton, rice, coffee and sugarcane, which often exposes them to harmful pesticides and extreme weather.(5) Children also cultivate coca, often working long hours and facing exposure to dangerous chemicals.(6) Children work in gold mines where they carry heavy loads and work in poorly ventilated, unsafe conditions.(7-9) Children, principally boys, also work in fishing, during which they are susceptible to risks such as drowning.(10-12) In urban areas, children produce bricks and fireworks, which may cause them to be harmed by dangerous chemicals, extreme heat, and carrying heavy loads.(13-15) Children also work as street vendors, street performers, beggars, bus assistants, shoe shiners, car washers and scavengers in garbage dumps.(7, 16, 17) These types of urban informal activities can expose them to toxic substances, heavy traffic and high physical exertion.(17) Children, mainly girls, work in domestic service in both rural and urban areas, and are vulnerable to physical and sexual abuse.(7, 18)

Some children, especially girls from the poorest areas of Peru, are trafficked into commercial sexual exploitation and domestic

service through false offers of employment or promises of education. Child sex tourism is a problem in Cuzco, the Peruvian Amazon and Lima.(8, 19, 20)

Girls who work in the mining industry are often sexually exploited.(21) In addition, limited evidence suggests that forced child labor is a problem in informal gold mines.(8, 19) Drug traffickers and the narco-terrorist group Shining Path are reported to use children to grow food crops and coca, as well as to transport drugs and precursor chemicals.(19, 22) There are credible reports that Shining Path uses child soldiers in the Apurimac-Ene River Valley.(19, 22)

Laws and Regulations on the Worst Forms of Child Labor

The Child and Adolescent Code sets the general minimum age for employment at 14 and places some restrictions on the ability of children ages 14 and above to work legally. For employment in nonindustrial agricultural work, the minimum age is 15; for work in the industrial, commercial, and surface mining sectors, the age is 16; and for work in the industrial fishing sector, the age is 17.(23) The age until which education is compulsory in Peru is 17.(22)

	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	17
	Free Public Education	Yes

The Child and Adolescent Code prohibits night work for children under age 15 and requires children under age 18 to receive a permit from the Ministry of Labor or the municipality in order to work.(24) The Government of Peru has in place a List of Hazardous Occupations for Children under age 18, which prohibits minors from working in 29 types of dangerous

activities and allows for updates to the list as necessary. These dangerous activities include domestic work in third-party homes, work in fireworks production, public transportation, garbage dumps and manufacturing.(22, 24, 25) The list also prohibits minors from engaging in dangerous activities in fishing, mining and agriculture, such as carrying heavy loads, working underwater or underground, and handling pesticides or sharp tools.(25)

Peru's Constitution and other legislation prohibit all forms of compulsory labor, including forced labor, debt bondage and servitude.(26, 27) Peru's Penal Code prohibits the prostitution of children, including selling, recruiting, using and benefiting economically from the crime. The Penal Code also prohibits child pornography, including its production, sale, use and possession.(28) The Law against Trafficking in Persons and Illegal Migrant Smuggling prohibits all forms of trafficking in persons; penalties increase significantly for child trafficking.(29) The Military Service Law sets the minimum age at 18 and prohibits forced recruitment into the armed services or any defense or armed groups.(30, 31) Peru's Decree No. 22095 prohibits the recruitment of children for the production, sale and trafficking of illicit drugs.(32)

Institutional Mechanisms for Coordination and Enforcement

The Government of Peru operates a National Commission for the Prevention and Eradication of Child Labor (CPETI), which is led by the Ministry of Labor (MOL) and meets once a month to coordinate government actions against child labor. Members of CPETI include the Ministry of Education, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of the Interior, and the Ministry of Health, among others.(22, 33)

The MOL and the National Police enforce laws regarding child labor and child exploitation. Nationally, the MOL employs 385 inspectors, of which 70 specialize in fundamental rights, which includes child labor.(34) Some regional governments employ additional labor inspectors.(35) During the reporting period, the MOL enacted General Directive 001-2011-MTPE/2/16, requiring inspectors to address possible child labor violations during routine inspections.(36) The MOL coordinated with municipal-level child protection offices, the Public Ministry, and the Ministry of Women and Vulnerable Populations to document complaints of violations of child labor laws during the year; it referred cases to relevant social protection and legal services.(34, 36) During the reporting period, inspectors were trained on fundamental labor rights, including child labor.(36) In general, inspectors in Peru lack sufficient resources, such as transportation and fuel, to effectively carry out inspections.(36)

During the reporting period, the MOL carried out 1,048 inspections involving child labor, resulting in 48 businesses being sanctioned for hiring a total of 64 minors illegally or without authorization.(36) Fines imposed on the businesses totaled approximately \$50,000, although information on whether the fines were collected was unavailable. Businesses sanctioned were mainly in the mining, agriculture, fishing and commerce sectors.(36)

During the reporting period, the national police's Family, Citizen Participation and Security Division conducted over 80 operations targeting child exploitation, during which they found at least 850 children subjected to forced labor. Thirty people were detained in the raids for forcing minors to work as street beggars, peddlers and thieves.(36, 37)

The Government of Peru also operates the National Commission Against Forced Labor, led by the MOL, and the Multi-Sectoral Committee Against Trafficking in Persons, led by the Ministry of Interior, which coordinate government efforts to combat forced labor and trafficking in persons, respectively. In practice, there has been a lack of coordination and information-sharing between the Commission and Committee.(22)

The Trafficking Investigation Unit of the Peruvian National Police investigates cases of trafficking in persons and the commercial sexual exploitation of children. During the reporting period, the police registered 199 cases of trafficking in persons in Peru; of these cases, 158 were reported in the regions of Lima, Cuzco, Madre de Dios and Loreto. The number of children involved in these investigations and the resulting convictions or penalties stemming from the investigations is unknown.(20, 36) During the reporting period, the MOL trained over 700 service providers and government authorities on preventing the sexual exploitation of children.(36) The Government of Peru maintains a hotline to receive reports of trafficking in persons.(19)

Government Policies on the Worst Forms of Child Labor

In 2005, the Government of Peru approved the 2006-2010 National Plan for the Prevention and Eradication of Child Labor, which was overseen by the CPETI.(38) The 2006-2010 National Plan identified the worst forms of child labor that occur in Peru and focused on three strategic goals: preventing and eradicating child labor among children under age 14, preventing and eradicating the worst forms of child labor among children under age 18, and protecting the well-being of adolescent workers between ages 14 and 18.(38) The CPETI is currently evaluating the progress made under the 2006-2010 National Plan and has begun drafting a new plan.(36)

The CPETI is in the process of decentralizing; it has established regional-level commissions in 23 of the 25 regions in Peru. However, not all of the regional commissions have plans of action against child labor in place and they are often not funded.(22, 36) During the reporting period, regional commissions in Cusco, La Libertad, Puno, Amazonas, and Cajamarca conducted training, awareness raising, and enforcement operations on child labor issues.(36)

During the reporting period, Supreme Decree 004-2011-TR was enacted, modifying the General Law of Labor Inspection to increase the maximum allowed fine applied to businesses that employ children in the worst forms of child labor. The fine was increased to approximately \$54,000.(39, 40) In October 2011, the Congress enacted the law that created the Ministry for Development and Social Inclusion (MIDIS).(20) Beginning in 2012, MIDIS will oversee Peru's child welfare, social development, and cash transfer programs that will likely impact efforts to combat child labor.(36, 41, 42) In 2008, the Ministry of Education adopted Policy Directive 0086-2008-ED, which sets standards for tutoring activities in public schools. This directive includes a goal of combating child labor, especially the worst forms.(43)

Peru is a member of the Joint Regional Group for the Americas, which conducts child labor prevention and awareness-raising campaigns in tourism and whose members include Bolivia, Brazil, Chile, Colombia, Ecuador, Suriname, Uruguay, and Venezuela.(44)

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

The MOL operates the Peru Works Program, formerly the Building Peru Program, which offers temporary work and technical training to low-income households and requires beneficiaries to commit to withdrawing their children from child labor.(45) During 2011, the Program's budget totaled \$43 million.(46)

The Government of Peru implemented national anti-poverty and employment training programs. The Government's Together Program provides cash transfers to the poorest and most vulnerable households in 14 of the country's 25 departments, and in 2011 had an annual budget of \$193 million.(47-49) The Together Program reaches a total of more than 470,000 households and over 1 million children in rural areas of Peru, and it conditions transfers on beneficiaries' participation in health and education services.(47, 49) The Go Peru Program, formerly the Revalue Peru Program, addressed unemployment resulting from the economic crisis by providing job training to young persons during the

reporting period.(50-52) In addition, the MOL runs the Youth to Work Program, formerly the Pro-Youth Program, that provides vocational instruction and on-the-job training to children and youth between ages 15 and 29 from low-income households.(53, 54) Whether these programs have an impact on child labor does not appear to have been evaluated.

The Government of Peru also participates in donor-funded efforts to combat child labor. At the end of 2011, USDOL funded a 4-year project to combat child labor in rural areas, especially among children working in agriculture, in the regions of Pasco, Junín and Huancavelica. The project uses education programs and livelihood support to assist working children and their families.(16) The Government also participates in a 4-year regional project to eradicate child labor in Latin America, funded by the Government of Spain.(55)

Furthermore, the Government of Peru implements the Street Educators Program to assist children engaged in begging and street work, and children who have been sexually exploited. The Program connects working children and their families to educational and social services with the goal of withdrawing them from exploitative work and improving family welfare.(36, 56)

Although some programs target the worst forms of child labor in urban areas, they reach only a fraction of these children. Existing initiatives to combat child labor in agriculture are insufficient, given the scope of the problem. Research has found no evidence of specific programs to assist children working in mining and domestic work.

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

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Allocate sufficient resources to the Ministry of Labor and regional governments to carry out child labor inspections.	2009, 2010, 2011
	Make publicly available the number of investigations involving child trafficking and commercial sexual exploitation of children, as well as the resulting penalties imposed.	2010, 2011
Policies	Enact a new National Plan for the Prevention and Eradication of Child Labor.	2011
	Install regional commissions for the prevention and eradication of child labor in all regions, mandate regional plans of action against child labor, and allocate sufficient funding to implement them.	2010, 2011
Social Programs	Initiate social programs to address child labor in mining and domestic service.	2009, 2010, 2011
	Expand social programs that reach children working in hazardous occupations in agriculture, the urban informal sector, and commercial sexual exploitation.	2009, 2010, 2011
	Assess the impact of the cash transfer program and the employment training programs on children's school attendance and participation in child labor.	2009, 2010, 2011

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