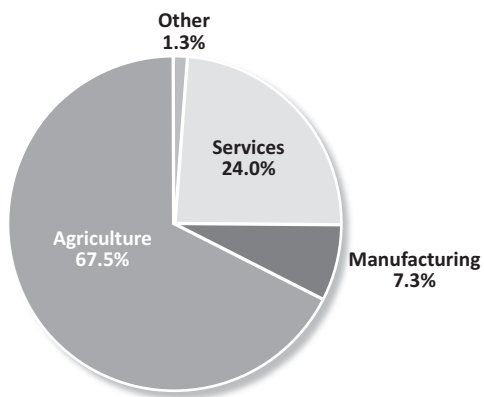


In 2012, Ecuador made a significant advancement in efforts to eliminate the worst forms of child labor. The Government launched the 2012-2013 Agenda for the Equality of Children and Adolescents in Ecuador, which sets out strategies to eradicate child labor and overcome poverty and increased the years of free and compulsory education through 10th grade. The Government continued efforts to combat child labor in priority sectors, which included immediate provision of remediation services when children were found working. This resulted in the elimination of child labor in municipal slaughterhouses during the reporting period. Additionally, the Ministry of Labor Relations created a public-private partnership initiative with 14 businesses to eliminate child labor in their supply chain. However, Ecuador still faces resource constraints to ensure that labor inspectors are able to conduct inspections and enforce child labor laws. Children in Ecuador, particularly indigenous children and Afro-descendants, continue to engage in the worst forms of child labor, including in dangerous forms of street work and hazardous agricultural work.

Statistics on Working Children and Education

| Children | Age | Percent |
|---------------------------|-----------|--------------|
| Working | 5-14 yrs. | 2.7 (75,689) |
| Attending School | 5-14 yrs. | 96.9 |
| Combining Work and School | 7-14 yrs. | 2.4 |
| Primary Completion Rate | | 104.6 |

Working Children by Sector, Ages 5-14



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 ENEMDU Survey, 2011.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Ecuador, particularly indigenous children and Afro-descendants, are engaged in the worst forms of child labor, including hazardous forms of agriculture and dangerous street work.(3-7) Children perform hazardous work in the production of bananas and flowers on informal, small-scale plantations and farms.(3, 7-13) Children who work in agriculture in Ecuador often use dangerous machinery, tools, and pesticides. They may also carry heavy loads and work long hours.(3, 7, 14, 15) Limited evidence suggests that children in Ecuador are also found working in hazardous activities in fishing and raising livestock.(3, 13, 16, 17) Children in fishing may work long hours, perform physically demanding tasks, and face dangers such as drowning.(18, 19) Children herding livestock may suffer injuries such as being bitten, butted, gored, or trampled by animals.(3, 20, 21)

Children in Ecuador also work as domestic servants.(3, 22, 23) They may often work long hours, are isolated, and are vulnerable to physical abuse, sexual harassment, and forced labor.(3, 7, 23-25)

Children also work in dangerous activities in the brick industry and informal small-scale mining, including in the production of gold. They are vulnerable to harsh temperatures and injuries, and they may work long hours.(7, 11, 16, 26) Indigenous children often start working outside their communities with parental consent at age 12 and are subjected to exploitative labor, including in construction.(3, 17, 27, 28)

There are reports of children working on the streets shining shoes, and selling newspapers and candy, often putting them within a few feet of vehicular traffic.(3, 7, 12, 16, 23, 29) Children in Ecuador are also subject to forced begging.(30-32)

Children are engaged in commercial sexual exploitation and are victims of trafficking.(23, 33-37) Some are trafficked from rural areas to urban centers for commercial sexual exploitation and forced labor in other sectors.(34, 37-39)

Ecuador

Children from Ecuador are trafficked to other countries in Latin America for exploitation in domestic service, street vending, and begging.(33, 37-40) Girls from Colombia and Peru are trafficked to Ecuador to engage in street vending and commercial sexual exploitation.(37, 38, 41, 42)

Although evidence is limited, Ecuadorian children reportedly are involved in coca cultivation along the border with Colombia, and they are being recruited by Colombian non-state armed groups.(37, 43-45) There are also limited reports of the worst forms of child labor in the production of pornography, palm oil, and timber in Ecuador.(3, 7, 12, 26, 37)

Laws and Regulations on the Worst Forms of Child Labor

The Childhood and Adolescence Code sets the minimum age for work at 15.(12, 46, 47) It also sets the minimum age for hazardous work at 18.(12, 47-49) Resolution No. 016 of 2008 prohibits children under age 18 from work in 93 economic activities, including livestock raising, fishing, extraction of salt, work in the textile industry, logging, quarrying, domestic service, and various agricultural activities such as applying fertilizer or clearing land.(48) The Childhood and Adolescence Code establishes sanctions for violations of child labor laws, including monetary fines and the closing of establishments.(47) The Labor Code authorizes labor inspectors to conduct inspections at workplaces including factories, workshops, workers’ homes and any other establishments when they consider it appropriate, or when employers or workers request an inspection.(49) In addition, under an agreement between the Ministry of Labor Relations (MRL) and the Ministry of Mines and Energy, labor inspectors can enforce child labor laws in mining activities and impose sanctions for violations.(26) During the reporting period, the Decentralized Autonomous Government of Canton Santa Ana de Cotacachi passed a municipal ordinance on child labor.(50)

The Constitution prohibits forced labor, human trafficking, and all forms of exploitation, including the use of children for illicit activities.(12, 46) Provincial and municipal governments have established anti-trafficking ordinances and action plans.(51, 52) The Penal Code punishes commercial sexual exploitation of children, pornography, and trafficking. It prescribes increased penalties if the victim is a minor.(53)

The Childhood and Adolescence Code prohibits the recruitment and direct participation of children and adolescents in armed conflict, and the Criminal Code establishes penalties of 9 to12 years’ imprisonment for crimes that include the recruitment of minors for armed conflict.(47)

There is no compulsory military service in Ecuador, and the age for voluntary military service is 18.(12, 26, 46)

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 | No |
|  | Minimum Age for Work | 15 |
| | Minimum Age for Hazardous Work | 18 |
|  | Compulsory Education Age | 15 |
| | Free Public Education | Yes |

During the reporting period, the Government of Ecuador increased the years of free and compulsory education through tenth grade, which includes children ages 15 and 16.(12, 26, 46) The Organic Intercultural Education Law requires children to spend more time in class, which is likely to correlate with less time spent working.(54)

Institutional Mechanisms for Coordination and Enforcement

The Interagency Committee for the Elimination and Prevention of Child Labor coordinates efforts to combat child labor in Ecuador under the Program to Eradicate Child Labor (PETI).(8, 26) It is led by the MRL and includes the Ministry of Social Development (MCDS), the Ministry of Economic and Social Inclusion’s National Institute of Children and Families (MIES-INFA), the National Council for Children and Adolescents (CNNA), the Ministry of Education (MoE), the National Police’s Specialized Department for Children and Adolescents (DINAPEN), and by provincial and municipal governments.(8, 12, 26, 55, 56) Each institution has specific roles and responsibilities in the Committee. The MRL is responsible for setting policies on child labor, conducting inspections and administering sanctions against companies found using child labor. The CNNA is responsible for

monitoring of child labor policy at the national and local levels. The MoE's role is to immediately provide educational services for victims of child labor.(56) The MIES-INFA provides additional remediation services to child laborers and their families. The MCDS coordinates the actions of all the institutions involved.(56) Local autonomous governments also take part in the coordinating mechanism. Mayors are accountable for ensuring that children are not found working, or they face a fine.(56, 57)

As of 2011, the Government of Ecuador eliminated child labor in landfills and in 2012 repeated its success in municipal slaughterhouses. Any cases of children found working in either sector were immediately remediated, which included removing children from work and providing them with social services.(5, 12, 57, 58) During the reporting period, 171 municipal slaughterhouses were inspected and underwent continuous monitoring for child labor. Fifty-seven children were rescued and provided with access to education, recreation and health services.(16, 57, 58) As a result, the Government pledged to continue working toward eliminating child labor throughout the country.(12, 23, 54, 55, 59-63) The Government identified four priority areas from which to eliminate child labor in the coming years: flower farms, construction, bus terminals, and markets.(9, 12, 16, 64) Furthermore, the Interagency Committee on Child Labor systematically documented the elimination of child labor in priority sectors and developed guidelines so that the strategy could be replicated in other activities in which children work.(9, 54, 57, 59, 62)

The MRL monitors child labor, conducts labor inspections at work sites, and enforces child labor laws. In 2012, the MRL employed 280 people in the inspection unit nationwide, an increase from 250 in 2011, and had a total budget of \$500,000 for labor inspections.(12) During the reporting period, labor inspectors conducted approximately 23,773 inspections for all types of labor violations and found 73 cases of child labor.(12) As a result, the MRL removed 223 children and issued 24 fines.(12) The MRL also has a system to collect fines.(9) Of the 24 fines issued in 2012, 3 had been collected as of January 2013.(12) The MRL trained all labor inspectors on inspection topics, including child labor.(9, 12) Additionally, an online training module on child labor is available to inspectors.(12) Nonetheless, the ILO Committee of Experts has stated that the labor inspectorate needs more material resources to adequately enforce labor laws.(12, 65)

The Attorney General's Office (AGO), the Ministry of Justice (MoJ), and DINAPEN enforce criminal laws against child labor, commercial sexual exploitation,

and trafficking.(8, 12, 26) DINAPEN has 600 police officers who carry out operations to combat child sexual exploitation, sex tourism, trafficking and other crimes against children.(9, 12, 13) In 2012, DINAPEN investigated 86 cases involving the worse forms of child labor. During the reporting period, 16 people were arrested for child sexual exploitation; additionally there were 3 child pornography cases.(12) DINAPEN and the MRL removed 300 children from labor exploitation, child pornography, sexual exploitation, child trafficking, begging, and organ trafficking.(9, 12) The Office of the Public Prosecutor reported eight convictions for child sex trafficking, two for child forced labor, and four for sexual exploitation and child pornography during the reporting period.(12, 29) The Government of Ecuador has a protocol to provide immediate access to social protection programs to working children and adolescents found during inspections.(61)

The Anti Trafficking Unit of the National Police had 27 agents based in Quito and another 24 agents pending placement in a new office in Guayaquil, an increase from 14 in 2011.(29) These agents are responsible for investigating trafficking cases, rescuing victims, and arresting traffickers.(9, 12) During the reporting period, 19 children were rescued from forced labor.(23)

Government Policies on the Worst Forms of Child Labor

The 2005-2013 National Plan for the Progressive Elimination of Child Labor is the main policy instrument to combat child labor. It seeks to mainstream child labor into social programs and to coordinate efforts among government, private sector, and civil society actors.(66) The National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and other Forms of Exploitation guides efforts to prevent, investigate, protect, sanction, and restore the rights of victims of human trafficking, commercial sexual exploitation, and other forms of abuse.(67)

During the reporting period, the MIES developed the 2012-2013 Agenda for the Equality of Children and Adolescents in Ecuador, which outlines strategies to assist children and help their families overcome poverty, remove children from work, and prevent children from entering the workforce.(12, 68) This Agenda also outlines specific goals for the Government of Ecuador to eradicate the worst forms of child labor, such as having a dedicated child labor inspector in each province.(68)

The Government of Ecuador has addressed child labor in several of its broader national policies. For example, it has incorporated child labor into its 2009-2013

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National Plan for Good Living and the 10-year National Plan for the Comprehensive Protection of Children and Adolescents.(12, 69, 70) The National Plan for Good Living seeks to improve living conditions and to promote social inclusion and decent work.(69) The 10-year National Plan of Action for the Comprehensive Protection of Children and Adolescents seeks to protect the rights of children and adolescents in 29 focus areas, including child labor.(70) The Social Agenda for Children and Adolescents ensures that the rights of children are protected and that they do not perform hazardous labor.(71)

The Government of Ecuador and other MERCOSUR countries continue to carry out the Southern Child Initiative to defend the rights of children and adolescents in the region. The initiative includes public campaigns against commercial sexual exploitation, trafficking and child labor; 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.(72-74) During the reporting period the presidents of MERCOSUR participated in the First Regional Conference on the Prevention and Elimination of Child Labor in Argentina. During that meeting they adopted the Second Declaration of the Prevention and Elimination of Child Labor.(75) The Second Declaration describes strategies such as the need to enhance dialogue between government actors and the creation of public-private partnerships.(75, 76)

The Government of Ecuador leads the Joint Regional Group for the Americas.(77, 78) The Joint Regional Group, whose other members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela, conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America.(77)

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

During the reporting period, the Government of Ecuador launched a public-private partnership initiative called Business Network for a Child Labor Free Ecuador.(58, 79) The goal of the initiative is to gain commitment from the participating industries to promote the prevention and elimination of child labor in their supply chains. By December 2012, 14 businesses had joined the initiative.(58, 79)

The Government's program Ecuador Without Child Labor seeks to increase efforts to eradicate child labor by improving data collection, strengthening labor inspections, and carrying out awareness-raising activities.(80, 81) The MRL has an agreement with 150 municipalities to combat child labor.

It also supports a program to improve the labor rights of domestic workers.(82) Various government agencies work with the private sector and other actors to address child labor in brickmaking, fishing, street work, and markets.(61) Additionally, the Government signed an agreement with the agriculture, flower, livestock, and construction sectors to coordinate actions and promote joint programs for the elimination of child labor in those sectors.(54, 61)

The Government continues to implement a national program to combat child begging, which includes awareness-raising campaigns in communities that receive and send child beggars.(9, 30, 82, 83) Although the Government of Ecuador did not eliminate child labor in begging, reports indicate that there has been a significant reduction in child begging over the last 3 years.(12) Additionally, child labor in the flower industry has reportedly been decreasing, particularly in large-scale export farms that account for approximately 60 percent of Ecuador's flower exports.(13)

As part of the implementation of the National Plan to Combat Human Trafficking and Exploitation, the Government and INFA assist children who are engaged in child labor or who are victims of trafficking and commercial sexual exploitation. INFA works closely with law enforcement officials to protect children and provide social services to children at 86 INFA centers across the country.(9, 12, 26, 61) Additionally, the Government of Ecuador works with four NGOs to provide services to child victims of trafficking. These services include shelter, food, job training, legal assistance and physical and psychological medical care.(29)

In addition, the Government of Ecuador implements a set of social protection programs to combat poverty and social exclusion. It administers the Grants for Human Development, a conditional cash transfer program that supplements household income. It also targets vulnerable families and conditions payments on keeping children under age 15 in school and taking them for medical checkups.(11, 12, 64, 84, 85) The Government of Ecuador expanded funding for the program to increase its payout from \$35 to \$50 per month per family. The payments assisted 1.2 million families in 2012.(12) Research found that this program has helped reduce child labor. Working children whose families receive the Grants for Human Development are more likely to stay in school rather than work, particularly children ages 11 to 15.(85-87) In addition, the Government carries out the School Meals Program, which provides free meals to 1.6 million school children across the country.(9, 88) The question of whether this Program has an impact on child labor does not appear to have been addressed.

The Government has partnered with Telefónica Foundation and other NGOs to combat child labor by raising awareness among local communities and by providing educational opportunities to children, particularly indigenous children, who work or are at risk of working.(9, 12, 89)

The Government continues to receive technical support from international organizations to combat trafficking in persons.(90, 91)

In 2012, Ecuador participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues Project which is active in approximately 40 countries.(92) In Ecuador, 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. The project also aims to strengthen legal protection and social service delivery for child domestic workers.(92)

The Government of Ecuador also participates 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 Afro-descendants.(93) 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. It also supports capacity building of government and civil society organizations, raises awareness, and conducts research.(93) In 2012, the Government organized an International Conference for Sharing Experiences in the Elimination of Hazardous Child Labor, with the participation of delegations from Bolivia, Brazil, and Peru and support from the ILO, UNICEF and other national stakeholders.(5)

Additionally, the Government participates in two USDOL-funded regional projects initiated in 2012 to combat child labor among vulnerable groups and to promote lesson sharing between Panama, Ecuador and other countries. A \$3.5 million project strengthens policy and enforcement of child labor laws and occupational safety, and a \$6.5 million project combats the worst forms of child labor among the most vulnerable populations, including Afro-descendants, migrants, and indigenous children, by providing them with educational and livelihood services.(94, 95) In Ecuador, both projects are piloting efforts to address the link between child labor and disabilities.(94, 95)

Despite these efforts, current programs do not appear to be sufficient to address the extent of the worst forms of child labor in Ecuador, particularly in agriculture and street work.

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

| Area | Suggested Actions | Year(s) Action Recommended |
|------------------------------|--|----------------------------|
| Coordination and Enforcement | Engage in transborder collaboration with Colombia to address the recruitment of minors for the worst forms of child labor. | 2010, 2011, 2012 |
| | Allocate sufficient material resources to ensure that labor inspectors are able to conduct inspections and enforce child labor laws. | 2009, 2010, 2011, 2012 |
| Social Programs | Support local governments in monitoring child labor in new priority sectors following the protocol established in landfills and slaughterhouses. | 2010, 2011, 2012 |
| | Apply the successful strategy used to eliminate child labor in landfills and slaughterhouses to other new activities in which children work. | 2011, 2012 |
| | Assess the impact that the School Meals Program may have on reducing child labor. | 2011, 2012 |
| | Expand child labor programs that particularly target agriculture and street work. | 2009, 2010, 2011, 2012 |

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