

In 2014, Chile made a significant advancement in efforts to eliminate the worst forms of child labor. The Government created the Social Observatory to Eradicate Child Labor, a coordinating mechanism for research and outreach efforts on child and adolescent labor. As part of the ongoing implementation of Education Decree 280 of 2009, indigenous language and cultural education is now required at schools with 20 percent or more indigenous children. The National Minors' Service (SENAME) assisted 1,290 child victims of commercial sexual exploitation. SENAME registered 386 cases in its Worst Forms of Child Labor Registry. Chile also continued to implement several programs targeting the worst forms of child labor. However, children in Chile are engaged in child labor, including in retail, and in the worst forms of child labor, including in illicit activities. The Government has yet to adopt a new national plan against child labor.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chile are engaged in child labor, including in retail. Children are also engaged in the worst forms of child labor, including in illicit activities.(1-4)

The results of the 2012 National Survey on Activities of Children and Adolescents (*Encuesta de Actividades de Niños, Niñas y Adolescentes*) indicate that 70.6 percent of working children ages 5 to 17 are engaged in work classified as hazardous.(1, 3) Thirty-nine percent of children found in the worst forms of child labor are engaged in illicit activities, including in the production and trafficking of drugs.(5) Table 1 provides key indicators on children's work and education in Chile.

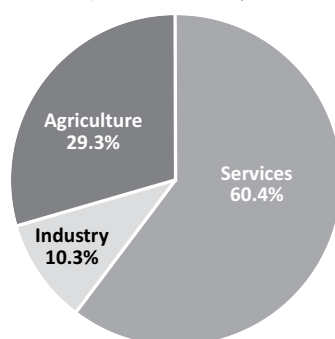
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	3.8 (94,025)
Attending School (%)	5-14 yrs.	99.5
Combining Work and School (%)	7-14 yrs.	4.5
Primary Completion Rate (%)		97.3

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(6)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Actividades de Niños, Niñas y Adolescentes Survey, 2012.(7)

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 crops, selling crops, and working on agricultural loading docks* (3, 8) Livestock rearing* (3, 8)



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

Sector/Industry	Activity
Agriculture	Forestry,*† activities unknown (3, 9)
	Hunting,* activities unknown (3, 9)
	Fishing,* activities unknown (3, 9)
Industry	Construction,* activities unknown (1, 3, 8)
	Production of ceramics,* books,* and garments* (8)
	Domestic work (1-3)
	Washing cars* and repairing shoes* (3, 8)
Categorical Worst Forms of Child Labor‡	Street work, including street vending and work in retail,* activities unknown (1, 3, 8, 10)
	Used in illicit activities, including in the production and distribution of drugs sometimes as a result of human trafficking* (2, 4, 11)
	Forced labor in agriculture,* mining,* domestic work,* and hospitality sectors* each sometimes as a result of human trafficking (2, 8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1, 8, 12, 13)

* 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.

The commercial sexual exploitation of children occurs in cities, in open public areas, and in other venues, such as bars and dance clubs.(2) Child trafficking occurs internally and, to a lesser extent, from Chile to other Latin American countries for commercial sexual exploitation. Girls from other Latin American countries are also trafficked to Chile for commercial sexual exploitation and domestic work.(14) Children are used to transport drugs in the border area with Peru and Bolivia.(8) Limited evidence suggests that children from Bolivia, Colombia, Ecuador, Paraguay, and Peru are found in forced labor in the agriculture, mining, domestic work, and hospitality sectors.(2) Indigenous children and adolescents from Otavalo, Ecuador, are also vulnerable to trafficking for labor exploitation in Chile.(11)

Data from the Government’s National Minors’ Service (SENAME) indicate that in 2014, approximately 506 children lived on the streets and approximately 2,343 children were found engaging in different activities on streets in the metropolitan region of Santiago. The Santiago region reported the highest incidence of children living and working on the streets.(15-17) However, no information is available on the types of activities children performed while working on the streets.

The Araucania region of Chile experiences the highest levels of poverty; it is also a region with a large indigenous population.(3) There is no recent data available on the percentage of indigenous children engaged in child labor in Chile; the last comprehensive study conducted on child labor among indigenous children in Chile is from 2005.(18)

Limited evidence suggests that access to education is a problem for indigenous children, who are vulnerable to the worst forms of child labor.(19) However, as of 2014, indigenous language and cultural education is required at schools with 20 percent or more indigenous children as a part of the Government’s Indigenous Language Sector Program (*Sector de la Lengua Indígena*) in the following indigenous languages: Aymara, Mapudungun, Quechua, and Rapa nui.(20)



II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Chile 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	✓

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

Convention	Ratification
 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	✓

The Government has established 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	15	Article 13 of the Labor Code (21)
Minimum Age for Hazardous Work	Yes	18	Articles 13–14 and 18 of the Labor Code; Law No. 20.539 (21, 22)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Law No. 20.189; Law No. 20.539 (22)
Prohibition of Forced Labor	Yes		Article 2 of Law No. 19.812 (23)
Prohibition of Child Trafficking	Yes		Articles 1 and 411 of Law No. 20.507 (24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Chapter 6, Article 367 of the Penal Code; Law No. 20.594; Articles 1 and 411 of Law No. 20.507; Law No. 20.526 (25-27)
Prohibition of Using Children in Illicit Activities	Yes		Paragraph 1, Article 5 and Paragraph 2, Article 19 of Law No. 20.000; Law No. 20.084 (28, 29)
Minimum Age for Compulsory Military Recruitment	Yes	18	Chapter 1, Article 13 of the Armed Forces' Recruitment and Mobilization Law No. 2.306 (30)
Minimum Age for Voluntary Military Service	Yes	17	Chapter 1, Article 13 of the Armed Forces' Recruitment and Mobilization Law No. 2.306 (30)
Compulsory Education Age	Yes	18	Article 4 of the General Education Law No. 20.370 (31)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (31)

Chilean law provides for specific penalties for adults who involve children under the age of 14 in the production or trafficking of illicit drugs.(24, 29, 32)

The minimum age for voluntary and compulsory military service in Chile is 18. Children may register at age 17 for voluntary service, but may enter the service only at age 18.(33, 34) According to the Armed Forces' Recruitment and Mobilization Law, during times of war, the President of Chile may call upon persons of any age to be employed in “services that the nation requires”; however, it is not clear if this provision applies to persons younger than 18 years old. Moreover, the ILO CEACR has suggested that Chile clarify the minimum age for which this provision applies.(30, 34)

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 and Social Prevision (MINTRAB)	Enforce child labor laws and generate public awareness of child labor and commercial sexual exploitation.(1, 35)
National Minors' Service (SENAME)	Coordinate and provide services for vulnerable children in collaboration with Rights Protection Offices.(36, 37)
National Investigations Police	Oversee regional offices that specialize in investigating sex crimes and cases involving the commercial sexual exploitation of children. Refer children to SENAME.(38, 39)

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

Organization/Agency	Role
National Prosecutor's Office	Enforce laws and prosecute perpetrators of child trafficking and commercial sexual exploitation of children.(38)
Rights Protection Offices	Refer cases of children whose rights have been violated, and monitor and raise awareness of the worst forms of child labor. Located in municipalities throughout the country and overseen by SENAME.(9)

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

Labor Law Enforcement

In 2014, the Ministry of Labor and Social Prevision (MINTRAB) had 112 vehicles and 106 permanent offices and carried out 115,272 inspection visits—a considerable increase from 3,350 in 2013.(11) MINTRAB employs approximately 503 labor inspectors; they inspect for all types of labor violations, including child labor.(1, 11, 40) From January to July 2014, 106 cases of child labor were detected, a decrease from 184 in 2013.(4) MINTRAB imposed 604 fines for child labor violations, including 113 found in retail, 91 in hotels and restaurants, and 92 in manufacturing industries.(4) Six fines were imposed for cases involving minors under age 15, and 131 were for cases involving minors ages 15 to 17.(4, 10)

Criminal Law Enforcement

In 2014, 192 cases of commercial sexual exploitation, including cases of child prostitution, pornography, and trafficking for commercial sexual exploitation, were investigated in the Chilean judicial system. A total of 25 criminal convictions for the commercial sexual exploitation of minors also occurred during the same period.(4) In 2014, SENAME assisted 1,290 child victims of commercial sexual exploitation, compared with 1,095 during 2013. SENAME assisted an additional 386 children involved in undisclosed activities whose cases were found in the Worst Forms of Child Labor Registry but were detected by agencies other than SENAME.(4) During the reporting period, there were 291 cases of children and adolescents involved in the worst forms of child labor. Thirty-one percent were involved in illicit activities, including in drug production and drug trafficking; 17 percent were found in hazardous activities; 4.9 percent were found in commercial sexual exploitation; and 10.6 percent were found in other worst forms of child labor not categorized.(11, 41) Thirty-one percent of the reports involved girls and 54 percent involved children over age 15.(4)

In 2014, there were 118 total criminal prosecutions for trafficking in persons, including 115 for the prostitution of minors. There were no convictions for cases involving minors under Chile's trafficking statute during the reporting period.(11) However, there were 22 convictions for the prostitution of minors and 15 for the use of minors in the production of pornography.(11)

SENAME and the Inter-American Institute for Children provided training for technical staff on identifying commercial sexual exploitation and human trafficking. As a result, the Institute developed a new online course for regional cities, which had 134 users, and an additional 300 participants in its regular in-person courses in 2014.(4, 42) SENAME also conducted a number of trainings with a special focus on immigrant children and trafficking in persons issues, and on child labor prevention, with the Department of Juvenile Justice, the Ministry of Education, and the Ministry of the Interior.(4)

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 Advisory Committee to Eradicate Child Labor	Formulate the National Action Plan to Combat Child Labor.(9, 43) Led by MINTRAB and includes the following members: SENAME, the Ministry of Education, the Ministry of Justice, the Ministry of Agriculture, and the National Statistics Institute and National Tourism Service (SERNATUR), as well as the National Investigations Police and the National Uniformed Police.(43)

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

Coordinating Body	Role & Description
Worst Forms of Child Labor Task Force	Evaluate and promote programs that prevent and protect children from the worst forms of child labor. Receive financial and technical assistance from the ILO.(36, 44) Oversee the Worst Forms of Child Labor Registry, which tracks incidents of the worst forms of child labor and provides information on programs designed to assist child workers.(45, 46) Includes implementing a multisector protocol for the identification, registration, and care of victims of the worst forms of child labor.(31)
Interagency Task Force on Trafficking in Persons	Coordinate the Government's anti-human trafficking efforts; led by the Ministry of the Interior. Members include law enforcement agencies, the National Prosecutor's Office, the Ministry of Foreign Relations, the Ministry of Justice, and SENAME, among others.(47)
National Observatory of Commercial Sexual Exploitation	Conduct and publish research on the commercial sexual exploitation of children, in collaboration with the Government and civil society; led by SENAME.(1)
Social Observatory to Eradicate Child Labor*	Established by Decree No. 131 to coordinate child and adolescent labor issues among working groups, foundations, educational study centers, and institutions. Conduct technical studies on child and adolescent labor issues and evaluate current child labor elimination policies.(48) Disaggregate child labor survey data from the 2012 National Survey on Activities of Children and Adolescents.(48) Includes two full-time staff members and an operating budget of \$150,808.(4)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the Worst Forms of Child Labor Task Force met nine times.(4)

The National Observatory of Commercial Sexual Exploitation met eight times in 2014. The Interagency Task Force on Trafficking in Persons also worked with SENAME to provide assistance for a possible case of human trafficking involving an Ecuadorian minor.(4)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 7. Policies Related to Child Labor

Policy	Description
Second Framework for Action Against the Commercial Sexual Exploitation of Children (2012–2014)	Aims to prevent the commercial sexual exploitation of children and promote coordination among government agencies and NGO service providers. Adopted by the Ministry of Justice, SENAME, and other government agencies and NGO partners in 2012.(9, 49, 50)
National Action Plan Against Trafficking in Persons	Implements actions to prevent and combat trafficking in persons, with a focus on women and children.(11) Encompasses four strategic areas: (1) prevention and awareness raising, (2) control (prosecution), (3) victims' assistance and protection, and (4) interinstitutional cooperation and coordination.(11)
Cooperative Agreement for the Prevention and Eradication of Child Labor and Protection of Adolescent Workers in Chile Between the Ministry of Labor and Social Prevision and the Ministry of Education	Creates mechanisms to detect child labor within the school system in the capital region. The Ministry of Education and MINTRAB are signatories to the agreement.(51)
Chilean Ministry of the Interior and Public Security and U.S. Department of Homeland Security Joint Statement on Trafficking in Personst	Proposes to increase collaboration among enforcement agencies to target and eliminate human trafficking enterprises. Seeks to enhance information exchanges between Chile and the United States on human trafficking.(52)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labort (2014-2020)	Aims to increase regional cooperation on eradicating child labor by 2020 through signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Chile at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(53-55)

† Policy was approved during the reporting period.

Although the Government has policies aimed at trafficking in persons and commercial sexual exploitation, it has still not enacted a second National Action Plan to Combat Child Labor. However, during the reporting period, the National Advisory Committee began drafting this plan.(4, 43)

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In September 2014, Chile participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(56)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
SENAME Programs for Children at Risk of or Engaged in the Worst Forms of Child Labor‡	More than 90 SENAME programs for disadvantaged youth and children at risk of or engaged in the worst forms of child labor.(9, 44) In 2014, SENAME continued funding 17 projects to treat victims of commercial sexual exploitation in 10 regions, as well as the Regional Initiatives Against Commercial Sexual Exploitation of Children (CSEC), run by Raices, the EU, and the Chilean Agency for International Cooperation, and other organizations.(1, 4) Projects are implemented in collaboration with municipal governments and involve 126 local branches of the Office for the Protection of Children's Rights. Programs also include continued support and sponsorship of a program.(4, 36)
Caring Chile Programs (<i>Chile Solidario</i>)*‡	Ministry of Social Development programs implemented by Chilean NGOs to combat poverty. Includes several social welfare programs, including the Bridge Program (Programa Puente), which helps families in extreme poverty, and the Opening Paths (Abriendo Caminos) program for children who are separated from their families.(57)
Child Labor Survey on Commercial Sexual Exploitation	Collaboration of the Government with the ILO to collect data from police and other governmental agencies for a preparatory study on commercial sexual exploitation.(1, 13)
Education and Monitoring Program for the Eradication of Child Labor (2012–2014)	\$1.3 million Government of Spain-funded, 2-year project implemented by ILO-IPEC that aims to strengthen capacity and decisionmaking to meet the goals of the Hemispheric Agenda for Decent Work in Latin America.(58)
Eradication of Child Labor in Latin America (Phase 4) (2011–2015)	\$4.5 million Government of Spain-funded, 4-year project implemented by ILO-IPEC that aims to contribute to the Prevention and Elimination of Child Labor and Protection of Permitted Adolescent Work in Latin America.(58)
Strengthening Social Dialogue as an Effective Tool to Address the Worst Forms of Child Labor (2012–2015)	\$760,000 Government of Ireland-funded, 3-year project implemented by ILO-IPEC that focuses on strengthening social dialogue on the worst forms of child labor in different regions of the world, including Benin, Chile, Fiji, Ghana, and Zambia.(58)
24 Hours Program (<i>Programa 24 Horas</i>), formerly called the New Life Program (<i>Vida Nueva</i>)*‡	Ministries of Education and Health, Department of Juvenile Justice, and Service for Clinical Intervention program in eight cities that aims to address delinquency among children age 14 and younger.(59) Targets children who have been used by adults to carry out illegal activities.(9, 50) Aims to provide integrated intervention for children who have been detained by the police for such activities, but are not subject to the juvenile justice channels because of their age.(59)
Regional Action Group for the Americas	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.(60, 61) Administered in Chile by SERNATUR, which conducts child labor prevention and awareness-raising campaigns in the tourism sector.(1)
Indigenous Language Sector Program (<i>Sector de la Lengua Indígena</i>)*‡	Ministry of Education program that aims to increase the quality of education available to indigenous children. In 2014, pedagogical guides for the fourth basic education course were published in Aymara, Mapudungun, Quechua, and Rapa nui.(20)
Extended School Day Program (<i>Programa 4 a 7</i>)*‡	National Women's Service extended school day program that aims to keep children off the streets while their parents are at work, among other goals.(62)
MERCOSUR Southern Child Initiative	Initiative to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states on the worst forms of child labor and migrant labor, by improving the country's legal frameworks to harmonize them with international conventions affecting children, and by exchanging best practices.(63)
Ethical Family Income Program‡	Ministry of Social Development income assistance and conditional cash transfer program to assist 170,000 families in extreme poverty.(9, 64) Other programs provide scholarships and social services to children from low-income families, and to adolescent parents and children of incarcerated parents who are at high risk of leaving school to enter work.(9)

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

Program	Description
Guides on Eliminating Child Labor and Safe Work for Adolescent Workers	MINTRAB collaboration with the Confederation of Production and Commerce (CPC), one of the country's largest business associations, and the Chilean Safety Association (ACHS) to fight against child labor. The CPC distributes guides to employers on eliminating child labor through public-private partnerships, and the ACHS has developed a manual promoting safety for adolescent workers and has distributed this information widely.(38, 65)
Government Projects for At-Risk Youth in the Dominican Republic (<i>Proyecto de Emprendimiento Juvenil</i>)*‡	Government project supported by the Government of Chile that improves the employability of disadvantaged, at-risk youth through training and internship opportunities to promote entrepreneurial and job-related skills.(66, 67) In 2014, designed a training course on self-employment for youth and trained 25 training facilitators in two towns in the Dominican Republic.(42)

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

‡ Program is funded by the Government of Chile.

Results from the Child Labor Survey on Commercial Sexual Exploitation are still not available.

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 Chile (Table 9).

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Adopt a new national plan against child labor.	2011 – 2014
Social Programs	Assess the impact that various social protection programs may have on the worst forms of child labor.	2010 – 2014
	Conduct research to determine the activities carried out by children working on the street and in retail to inform policies and programs.	2013 – 2014
	Conduct research on the prevalence of child labor in the Araucania region and on vulnerable populations' access to education in the region.	2013 – 2014

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