

Costa Rica

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working in 2002:	5.9% ¹¹⁴⁴
Minimum age for admission to work:	15 ¹¹⁴⁵
Age to which education is compulsory:	15 ¹¹⁴⁶
Free public education:	Yes ¹¹⁴⁷
Gross primary enrollment rate in 2004:	112% ¹¹⁴⁸
Net primary enrollment rate:	Unavailable
Percent of children 5-14 attending school in 2002:	90.1% ¹¹⁴⁹
As of 2003, percent of primary school entrants likely to reach grade 5:	92% ¹¹⁵⁰
Ratified Convention 138:	6/11/1976 ¹¹⁵¹
Ratified Convention 182:	9/10/2001 ¹¹⁵²
ILO-IPEC participating country:	Yes ¹¹⁵³

Incidence and Nature of Child Labor

In 2002 in Costa Rica, the majority of working children were found in the agricultural sector (57.0 percent), followed by services (30.9 percent), manufacturing (7.3 percent), and other sectors (4.8 percent).¹¹⁵⁴ The rate of child work is higher in rural than in urban areas.¹¹⁵⁵ In rural areas, children work principally in agriculture, forestry, hunting, and trade and repair activities. In urban areas, children work mainly in trade and repair activities, construction and manufacturing.¹¹⁵⁶

According to the National Institute for Children (PANI), commercial sexual exploitation of children is a problem in Costa Rica, with an unknown but significant number of children involved.¹¹⁵⁷ Children in San José, Limón, and Puntarenas are at high risk. From January to

¹¹⁴⁴ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

¹¹⁴⁵ *Código de la Niñez y la Adolescencia*, (1998), Article 78.

¹¹⁴⁶ U.S. Department of State, "Costa Rica," in *Country Report on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/>.

¹¹⁴⁷ Ibid.

¹¹⁴⁸ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

¹¹⁴⁹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹¹⁵⁰ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org/>.

¹¹⁵¹ ILO, *Ratifications by Country*, accessed October 18, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/ratifce.pl?Costa+Rica>.

¹¹⁵² ILO, *Ratifications by Country*, accessed October 18, 2006; available from <http://www.ilo.org/ilolex/cgi-lex/ratifce.pl?Costa+Rica>.

¹¹⁵³ ILO, *IPEC Action Against Child Labor- Highlights 2006*, [online] February, 2007 [cited March 29 2007]; available from http://www.ilo.org/iloroot/docstore/ipec/prod/eng/20070228_Implementationreport_en_Web.pdf.

¹¹⁵⁴ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹¹⁵⁵ Instituto Nacional de Estadística y Censo, Ministerio de Trabajo y Seguro Social, and ILO-IPEC, *National Report on the Results of the Child and Adolescent Labour Survey in Costa Rica*, San José, 2003, 26.

¹¹⁵⁶ Ibid., 32.

¹¹⁵⁷ U.S. Department of State, "Country Reports- 2006: Costa Rica," Section 5.

June 2006, minors in 163 sexual exploitation cases were assisted.¹¹⁵⁸ Child sex tourism is a serious problem, with children trafficked within the country for sexual exploitation and forced labor.¹¹⁵⁹ Girls are trafficked into Costa Rica from other countries for commercial sexual exploitation.¹¹⁶⁰

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years and prohibits minors under 18 years from working at night; in mines, bars, and businesses that sell alcohol; in unsafe and unhealthy places; in activities where they are responsible for their own safety or the safety of other minors; and where they are required to work with dangerous equipment, contaminated substances, or excessive noise.¹¹⁶¹ However, adolescents under 18 years are prohibited from working for more than 6 hours a day or 36 hours a week.¹¹⁶² Children from 12 to 15 may work up to 5 hours per day or 30 hours per week. Children 12 to 18 years old may work longer hours in agriculture and ranching, within the limitations established for the general workday schedules.¹¹⁶³ Violations of minimum age and child labor standards are punishable by fines.¹¹⁶⁴

Forced labor is prohibited under the law.¹¹⁶⁵ Costa Rica does not have armed forces, and the minimum age for recruitment to the police force is 18 years.¹¹⁶⁶ The penalty for paid sexual relations with a minor under age 12 is 4 to 10 years in prison; 3 to 8 years if the victim is 12 to 15 years; and 2 to 6 years if the victim is 15 to 18 years.¹¹⁶⁷ The penalty for procuring a minor under 18 for prostitution or for keeping the minor in prostitution or in sexual slavery is 4 to 10 years in prison. The penalty for pimping a minor under age 12 is 4 to 10 years in prison; and 3 to 9 years if the victim is between 12 and 18.¹¹⁶⁸ The penalty for promoting, facilitating or aiding the trafficking of minors for commercial sexual exploitation or slave labor is 4 to 10 years in prison.¹¹⁶⁹

The Inspections Directorate of the Ministry of Labor is responsible for investigating child labor violations and enforcing child labor laws.¹¹⁷⁰ According to the U.S. Department of State,

¹¹⁵⁸ Ibid.

¹¹⁵⁹ U.S. Department of State, "Costa Rica (Tier 2 Watch List)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm>.

¹¹⁶⁰ Ibid.

¹¹⁶¹ Government of Costa Rica, *Código de la Niñez y la Adolescencia, 1998*, Articles 2, 92, and 94. See also, Government of Costa Rica, *Código de Trabajo*, Articles 88 and 89.

¹¹⁶² Government of Costa Rica, *Código de la Niñez y la Adolescencia, 1998*, Article 95.

¹¹⁶³ Government of Costa Rica, *Código de Trabajo*, Article 89.

¹¹⁶⁴ Government of Costa Rica, *Código de la Niñez y la Adolescencia, 1998*, Article 101.

¹¹⁶⁵ U.S. Department of State, "Country Reports- 2006: Costa Rica," Section 6c.

¹¹⁶⁶ Coalition to Stop the Use of Child Soldiers, "Costa Rica," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=821.

¹¹⁶⁷ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties*, CRC/C/OPSC/CRI/1, prepared by Government of Costa Rica, pursuant to Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography: Costa Rica, December 12, 2005.

¹¹⁶⁸ Ibid.

¹¹⁶⁹ Ibid.

¹¹⁷⁰ Ministerio de Trabajo y Seguridad Social, *Poder Ejecutivo Directriz: Manual de Procedimientos de la Dirección Nacional de Inspección*, San José, 2-3; available from

Inspections Directorate officials acknowledge that their effectiveness at enforcing child labor laws is severely limited by lack of resources.¹¹⁷¹

PANI and the Ministry of Labor carry out investigations and provide protection to child victims of sexual exploitation.¹¹⁷² In particular, the Office of the Special Prosecutor for Domestic Violence and Sexual Crimes for the San Jose Area enforces prohibitions against the sexual exploitation of children.¹¹⁷³ As many as seven government agencies are responsible for combating trafficking and commercial exploitation of children, with many investigations started by the various agencies.¹¹⁷⁴ However, according to the U.S. Department of State, witness intimidation, lack of resources and poor coordination among the agencies inhibit enforcement efforts.¹¹⁷⁵ An Inter-Ministerial Group on Trafficking carries out efforts to raise awareness and promote law enforcement.¹¹⁷⁶

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The National Agenda for Children and Adolescents, 2000-2010, includes strategies to prevent and eliminate the worst forms of child labor.¹¹⁷⁷ In May 2006, the government began economic subsidies for poor adolescents in the formal and non-formal education system to reduce child labor.¹¹⁷⁸ In addition, the Government of Costa Rica has launched the Second National Action Plan for the Prevention and Eradication of Child Labor and Special Protection of Adolescent Workers 2005-2010.¹¹⁷⁹ The government also had a Master Plan on Children and Adolescents, which included a plan to combat commercial sexual exploitation of children.¹¹⁸⁰

The Government of Costa Rica continues to participate in a USD 8.8 million regional project funded by USDOL and implemented by ILO-IPEC aimed at combating commercial sexual exploitation of children.¹¹⁸¹ The project aims to withdraw 713 children and prevent 657 children

<http://www.ministrabajo.go.cr/Informacion%20General/Cartera%20de%20servicios/Direccion%20Nacional%20de%20Inspeccion.htm#Atenci3n%20de%20trabajadores%20menores%20de%20edad>. See also U.S. Embassy- San Jose, *reporting*, September 6, 2005.

¹¹⁷¹ U.S. Embassy- San Jose, *reporting*, September 6, 2005.

¹¹⁷² Government of Costa Rica, *Report and Comments on Sexual Exploitation of Children in Costa Rica*, submitted in response to U.S. Department of Labor Federal Register Notice (July 14, 2004) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor", Embassy of Costa Rica in the United States, August 23, 2004.

¹¹⁷³ U.S. Department of State, "Country Reports- 2006: Costa Rica," Section 5.

¹¹⁷⁴ *Ibid.*

¹¹⁷⁵ *Ibid.*

¹¹⁷⁶ *Ibid.*

¹¹⁷⁷ Government of Costa Rica, *Agenda Nacional para la Niñez y la Adolescencia: Metas y Compromisos, 2000-2010*, San José, September 2000, 11, 21.

¹¹⁷⁸ ILO-IPEC, *Stop the Exploitation. Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama, and the Dominican Republic*, technical progress report, San José, September 30, 2006, 15.

¹¹⁷⁹ Government of Costa Rica, *Segundo Plan Nacional de Acción para la Prevención, Erradicación del Trabajo Infantil y Para la Protección Especial de las Personas Adolescentes Trabajadoras, Costa Rica, 2005-2010*, San José, 2005; available from http://www.oit.org.pe/ipec/documentos/plan_eti_costa_rica.pdf.

¹¹⁸⁰ Government of Costa Rica, *Plan Maestro Niñez y Adolescencia, 2002-2006*, San José, 2002.

¹¹⁸¹ ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, project document, RLA/02/P51/USA, 2002, 2005.

from commercial sexual exploitation in the region.¹¹⁸² The Government of Costa Rica is also participating in a USD 5.5 million USDOL-funded regional Child Labor Education Initiative Program implemented by CARE, which seeks to strengthen government and civil society's capacity to combat child labor through education.¹¹⁸³ This project seeks to withdraw or prevent 190 children from entering exploitive labor.¹¹⁸⁴ A USDOL-funded ILO-IPEC-implemented USD 3 million regional project to combat child labor in commercial agriculture ended in 2006.¹¹⁸⁵ The project withdrew 2,309 children and prevented 2,693 children from the region from exploitive labor.¹¹⁸⁶

¹¹⁸² Ibid.

¹¹⁸³ CARE USA, *APRENDO Project. Combating Exploitive Child Labor Through Education in Central America (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and the Dominican Republic*, project document, 2004.

¹¹⁸⁴ CARE USA, *Technical Progress Report: Combating Child Labor Through Education in Central America and the Dominican Republic "Primero Aprendo"*, September 30, 2006, 10.

¹¹⁸⁵ ILO-IPEC, *Prevention and Progressive Elimination of Child Labour in Agriculture in Central America, Panama and the Dominican Republic (Phase II)*, project document, September 30, 2003.

¹¹⁸⁶ ILO-IPEC, *ILO-IPEC GPRA Report: Number of Children Withdrawn/Prevented. Project Funded from FY2003*, Geneva, 2006.