

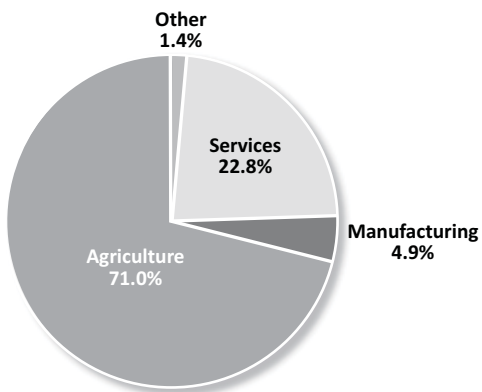
Ecuador

In 2011, Ecuador made a moderate advancement in efforts to eliminate the worst forms of child labor. In 2011, the Government adopted the Organic Intercultural Education Law, which increases the number of classroom hours children must be in school. It also increased the number of labor inspectors and conducted inspections for child labor in landfills. The Government and international organizations have reported that child labor has been effectively eliminated in landfills, although the Government has indicated that local governments need to continue monitoring landfills to ensure that children do not return to work there. The Government has also systematically documented those efforts so they can be replicated in other sectors. The worst forms of child labor persist in street work and in some agricultural activities.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	5.4 (155,352)
Attending School	5-14 yrs.	94.9
Combining Work and School	7-14 yrs.	4.7
Primary Completion Rate		105.5

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2007, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from ENEMDU Survey, 2009.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Ecuador, particularly indigenous and Afro-descendant children, are engaged in the worst forms of child



labor(3), including in dangerous forms of agriculture and street work.(4, 5) Children perform hazardous work in the production of bananas and flowers, fishing, raising livestock and animal slaughter, although reportedly child labor in the flower industry has been decreasing.(5-10) Evidence from Ecuador indicates that children who work in agriculture use dangerous machinery, tools and pesticides; carry heavy loads; and work long hours.(5-7)

Children also work as domestic servants.(4, 5, 11) There is evidence that children in this sector in Ecuador often work long hours; are isolated; and are vulnerable to physical abuse, sexual harassment and forced labor.(5, 6, 8)

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. (6, 9) Indigenous children start working outside their communities with parental consent at age 12 and engage in exploitative labor, including in construction.(5, 10-12)

In urban areas, children work on the streets, shining shoes, collecting and recycling garbage, and selling newspapers and candies.(5, 8, 13) Children are subject to forced begging.(13-15) Children working on the streets may be exposed to multiple dangers including severe weather, criminal elements and traffic accidents. During the reporting period, a few children were found working in landfills, which points to the need to continue the efforts to keep children out of landfills, where they are exposed to toxic substances and the risk of physical injuries as well as respiratory, skin and stomach diseases.(5, 6, 16-21)

Children are engaged in commercial sexual exploitation and trafficking.(8, 22, 23) They are involved in sex tourism in urban and tourist areas. Children are also trafficked from rural areas to urban centers for commercial sexual exploitation and other forced labor.(24) They are trafficked to Colombia, Venezuela, the Dominican Republic and Chile for the purpose of labor exploitation in domestic service, street vending and begging.(23, 24) Girls from Colombia and Peru

are trafficked to Ecuador for labor and commercial sexual exploitation.(18, 27-29)

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.(25-27) There are also reports of the worst forms of child labor in the production of pornography, palm oil and timber in Ecuador.(5-7, 9)

Laws and Regulations on the Worst Forms of Child Labor

The Constitution of Ecuador sets the minimum age for work at 15.(28) It also sets the minimum age for hazardous work at 18.(28-30) Resolution No. 016 of 2008 prohibits children under age 18 from work in 93 economic activities, including livestock raising, fishing, extraction of salt, the textile industry, logging, quarrying and domestic service, and various agricultural activities, such as applying fertilizer or clearing land.(29) The Code for Children and Adolescents establishes sanctions for violations of child labor laws, including monetary fines and the closing of establishments.(30) The Labor Code authorizes labor inspectors to conduct inspections at workplaces including factories, workshops, workers' homes or any other establishments when they consider it appropriate or when employers or workers request an inspection.(31) 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.(9)

The Constitution prohibits forced labor, human trafficking and any form of exploitation, including the use of children for illicit activities.(28) Provincial and municipal governments have established anti-trafficking ordinances and action plans.(32, 33) The Penal Code penalizes commercial sexual exploitation of children, pornography and trafficking.(34) The Code for Children and Adolescents prohibits the recruitment of children for armed conflict.(30) There is no compulsory military service in Ecuador, and the age for voluntary military service is 18.(9, 28) However, it is not clear whether Ecuador has established specific penalties for the recruitment of children for armed conflict or illicit activities.

The Constitution establishes free and compulsory education through age ninth grade, which is approximately age 15.(8, 9, 28, 35) On March 31, 2011, the new Organic Intercultural Education Law was officially published.(36) The Law requires children to spend more time in class, which is likely to correlate to less time spent working.(36)

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.(9, 37) It is led by the MRL and includes the National Institute of Children and Families (INFA) at the Ministry of Economic and Social Inclusion; the National Council for Children and Adolescents (CNNA), and the Ministries of Education, Tourism, and Mines and Energy; as well as the National Police's Specialized Department for Children and Adolescents (DINAPEN) and provincial and municipal governments.(9, 35, 37)

The MRL monitors child labor, conducts labor inspections at work sites and enforces child labor laws. In 2011, the MRL employed 250 people in the inspection unit, of whom approximately 150 conducted inspections, an increase from 131 labor inspectors in 2010.(38) During the reporting period, labor inspectors conducted approximately 26,000 inspections for all types of labor violations, but there is no information on how many of these inspections pertained to child labor.(38) In 2011, the MRL implemented a new system to collect fines.(38) The number of fines for labor violations issued increased threefold to more than 3,000 in 2011, although there is no information on how many of those violations were related to child labor.(38) The MRL provided training to all labor inspectors on inspection topics that included child labor.(38) Nonetheless, the ILO Committee of Experts has stated that the labor inspectorate needs more material resources to adequately enforce labor laws.(39)

	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	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Attorney General's Office (AGO), the Ministry of Justice (MJ) and DINAPEN enforce criminal laws against child labor, commercial sexual exploitation and trafficking. (9, 37) DINAPEN has 534 police officers who carry out operations to combat child sexual exploitation, sex tourism and trafficking. (38) From January through July 2011, DINAPEN investigated 3 child sexual exploitation cases, including 1 child pornography case, and removed 66 children from labor exploitation. (38) The Government of Ecuador provides protection to the working children and adolescents found during inspections. (40) A new Anti-Trafficking Unit of the National Police works with child trafficking victims and rescued eight adolescents ages 14 to 17 between July and December of 2011. (38)

During the reporting period, the MJ, DINAPEN and the Anti-Trafficking Unit trained law enforcement officials on commercial sexual exploitation and human trafficking. (38)

Government Policies on the Worst Forms of Child Labor

The 2005-2013 National Plan for the Progressive Elimination of Child Labor (PETI) is the main policy instrument to combat child labor. It seeks to mainstream child labor into social programs and coordinate efforts among Government, private sector and civil society actors. (41) The National Plan to Combat Human Trafficking, Sexual and Labor Exploitation and other Forms of Exploitation guides the efforts to prevent, investigate, protect, sanction and restore the rights of victims of human trafficking, commercial sexual exploitation and other forms of abuse. (42)

The Government has incorporated child labor into its 2009-2013 National Plan for Well-Being and the 10-year National Plan for the Comprehensive Protection of Children and Adolescents. (43, 44) The National Plan for Well-Being seeks to improve living conditions and to promote social inclusion and decent work. (43) The 10-year National Plan of Action for the Comprehensive Protection of Children and Adolescents seeks to protect the rights of children and adolescents; it includes 29 focus areas, including child labor. (44) The Social Agenda for Children and Adolescents ensures that the rights of children are protected and that they do not perform hazardous labor. (45)

The Government of Ecuador and other MERCOSUR countries are carrying out the Southern Child (Niñ@ Sur) 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; mutual 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. (49-51) During the reporting period, MERCOSUR member-countries met to discuss violence against children, child trafficking and commercial sexual exploitation of children. (46)

The Government of Ecuador leads the Joint Regional Group for the Americas. (47, 48) The Joint Regional Group, whose other members include Argentina, Bolivia, Brazil, Chile, Colombia, Peru, Suriname, Uruguay and Venezuela, conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. (47) The Joint Group met in April 2011 in Quito to discuss efforts and advances in combating child sex tourism. (49)

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

As part of the implementation of PETI, the Government of Ecuador carries out programs to combat child labor in landfills and in begging. As of May 2011, the National Program for the Eradication of Child Labor in Landfills had rescued more than 2,160 children and adolescents from such work and provided them with access to education, recreation and health services. (6, 8, 41, 43, 55). In May 2011, the MRL conducted inspections nationwide to ensure that children were not working in landfills. (50) The Government and international organizations have reported that child labor has been effectively eliminated in landfills. As a result, the Government pledged to continue working toward eliminating child labor throughout the country. (8, 19, 21, 35, 36, 40, 50, 51) In the event children or adolescents are found working in a landfill, the Government has established a protocol to remove and assist them. (35, 40) Nonetheless, the Government has indicated that local governments need to continue monitoring landfills to ensure that the removed children do not return to work there. (6, 9, 35, 52) The Interagency Committee on Child Labor systematically documented the elimination of child labor in garbage dumps and developed guidelines so that the strategy could be replicated in other activities in which children work. (19, 36, 38, 50) The Government has identified five priority areas from which to eliminate child labor—flower farms, construction, bus terminals, markets and slaughterhouses. (38)

The Government's program, "Ecuador Without Child Labor," seeks to increase the efforts to eradicate child labor by improving data collection, strengthening labor inspections

and carrying out awareness-raising activities. (53, 54) MRL has an agreement with 150 municipalities to combat child labor. It also supports a program to improve the labor rights of domestic workers. (55) Various government agencies work with the private sector and other actors to address child labor in brick-making, fishing, street work, and in markets. (43, 58) Additionally, on June 9, 2011, 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. (36, 40)

The Government implements a national program to combat child begging, which includes a hotline to report cases of begging and awareness-raising campaigns in communities that receive and send child beggars. (38, 55, 56) The Government reported a reduction in the number of children begging over the holiday season, from 6,684 in 2010 to 2,171 in 2011. (38)

As part of the implementation of the National Plan to Combat Human Trafficking and Exploitation, the Government and the National Institute for Childhood and Family (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 them at 86 INFA centers across the country. (9, 38, 40)

In addition, the Government of Ecuador implements a set of social protection programs to combat poverty and social exclusion. It administers the Human Development Grant, a conditional cash transfer program that supplements household income. It targets vulnerable families, which are required to keep their children under age 15 in school and take them for medical checkups. (57) INFA reported that approximately 16,000 to 18,000 children were beneficiaries of the program in 2011. (38) Research found that this program has helped reduce child labor. Working children whose families receive the Human Development Grant are more likely to stay in school

rather than work, particularly children ages 11 to 15. (58-60) In addition, the Government carries out the School Meals Program, which provides free meals to 1.6 million school children across the country. (38, 61) No assessment of the impact of this Program on reducing the worst forms of child labor has been identified.

The Government has partnered with Telefónica Foundation and other NGOs to combat child labor by raising awareness of child labor among local communities and by providing educational opportunities to children, particularly indigenous children, who work or are at risk of working. (38, 62)

The city of Quito is utilizing an innovative accelerated education curriculum to provide educational services to vulnerable children, including child laborers. Currently, 1,500 children are participating. (24) The Government of Ecuador also took part in the initiatives to combat child labor funded by Brazil and Spain, and it received technical support from international organizations to combat trafficking in persons. (69-71)

The Government 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 and Afro-descendant children. (63, 64) 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. The project also conducts capacity building of government and civil society organizations, raises awareness and conducts research. (63, 64) In 2011, the project began implementing programs to address child labor among indigenous populations in the Ecuadorian highlands and among Afro-descendants in the province of Esmeraldas. (36)

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
Laws and Regulations	Clarify whether the Ecuadorian legislation has established penalties associated with the recruitment of children for use in armed conflict or illicit activities.	2010, 2011

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Allocate sufficient material resources to ensure that labor inspectors are able to conduct inspections and enforce child labor laws.	2010, 2011
Social Programs	Support local governments in monitoring child labor in landfills.	2010, 2011
	Apply the successful strategy used to eliminate child labor in garbage dumps to other activities in which children work.	2011
	Expand the Human Development Grant Program to reach more impoverished families who rely on child labor.	2011
	Assess the impact that the school breakfast program may have on reducing child labor.	2011
	Expand child labor programs that target indigenous and Afro-descendant children, particularly in agriculture and street work.	2010, 2011

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