

Ecuador

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working in 2001:	15.4% ¹⁴⁰⁸
Minimum age for admission to work:	15 ¹⁴⁰⁹
Age to which education is compulsory:	14 ¹⁴¹⁰
Free public education:	Yes ^{1411*}
Gross primary enrollment rate in 2004:	117% ¹⁴¹²
Net primary enrollment rate in 2004:	98% ¹⁴¹³
Percent of children 5-14 attending school in 2001:	89.8% ¹⁴¹⁴
As of 2003, percent of primary school entrants likely to reach grade 5:	76% ¹⁴¹⁵
Ratified Convention 138:	9/19/2000 ¹⁴¹⁶
Ratified Convention 182:	9/19/2000 ¹⁴¹⁷
ILO-IPEC participating country:	Yes ¹⁴¹⁸
*Must pay for school supplies and related items.	

Incidence and Nature of Child Labor

In 2001, 19 percent of boys and 11.7 percent of girls ages 5 to 14 were working in Ecuador. The majority of working children were found in the agricultural sector (67.5 percent), followed by services (20.9 percent), manufacturing (9.7 percent) and other sectors (1.9 percent).¹⁴¹⁹ A large percentage of working children between the ages of 5 and 17 are found in rural areas of the *sierra*, or highlands, followed by the Amazon and urban coastal areas.¹⁴²⁰ In urban areas,

¹⁴⁰⁸ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, December 20, 2006.

¹⁴⁰⁹ Government of Ecuador, *Código de la Niñez y Adolescencia*, N 2002-100, (January 3, 2003), Article 82; available from <http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipecc/boletin/documentos/cna.doc>.

¹⁴¹⁰ UNESCO, *Education for All - EFA Global Monitoring Report 2007*, 2007; available from <http://unesdoc.unesco.org/images/0014/001477/147794E.pdf>.

¹⁴¹¹ U.S. Department of State, "Ecuador," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78890.htm>.

¹⁴¹² UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

¹⁴¹³ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

¹⁴¹⁴ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹⁴¹⁵ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

¹⁴¹⁶ ILO, *Ratifications by Country*, accessed October 20, 2006; available from <http://www.ilo.org/ilolex/english/docs/declworld.htm>.

¹⁴¹⁷ Ibid.

¹⁴¹⁸ ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited December 15 2006]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

¹⁴¹⁹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹⁴²⁰ ILO-IPEC, *INDEC, Mintrabajo e INFFA presentan resultados preliminares de Encuesta Nacional: 38.6% de niños y niñas entre 5 y 17 años trabajan en el area rural de Ecuador*, [online] December 2001 – February 2002 [cited January 31, 2007]; available from <http://www.oit.org.pe/ipecc/boletin/noticias/vernoticia,36.php>.

children beg on the streets, work in commerce selling candies and newspapers, or provide services as messengers, domestic servants, shoe shiners, garbage collectors and recyclers.¹⁴²¹

The commercial sexual exploitation of children occurs in Ecuador.¹⁴²² An ILO report estimates that 5,200 children are engaged in prostitution.¹⁴²³ Colombian women and girls are trafficked to Ecuador for commercial sexual exploitation. However, most victims are trafficked within the country's borders.¹⁴²⁴ According to the U.S. Department of State, Ecuador has been making significant progress in identifying and punishing trafficking.¹⁴²⁵

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years and identifies categories of dangerous work that are prohibited for minors.¹⁴²⁶ Child labor provisions do not apply to children involved in formative cultural or ancestral practices as long as they are not exposed to physical or psychological harm.¹⁴²⁷ The law prohibits adolescents from working more than 6 hours per day or more than 5 days per week.¹⁴²⁸ The law also prohibits adolescents from working in mines, garbage dumps, slaughterhouses, and quarries, and from working with hazardous materials or in jobs that could be hazardous to the child's physical or mental health.¹⁴²⁹ The Labor Inspectorate and the municipalities oversee labor contracts and work permits for adolescents between 15 and 18 years.¹⁴³⁰ The law prescribes sanctions for violations of child labor laws, such as monetary fines and the closing of establishments where child labor occurs.¹⁴³¹

The law specifically calls for children in Ecuador to be protected in the workplace and against economic exploitation. The law also protects minors against trafficking, prostitution, pornography, and the forced use of illegal drugs and alcohol.¹⁴³² Trafficking in persons for both sexual exploitation and for non-sexual purposes is prohibited¹⁴³³ and can carry up to a 35-year jail term.¹⁴³⁴ The law punishes individuals involved in child prostitution regardless of the

¹⁴²¹ U.S. Department of State, "Country Reports- 2006: Ecuador." See also ECPAT International CSEC Database, *Ecuador*, accessed October 16, 2006; available from <http://www.ecpat.net>.

¹⁴²² U.S. Department of State, "Country Reports- 2006: Ecuador." See also ECPAT International CSEC Database, *Ecuador*.

¹⁴²³ U.S. Department of State, "Country Reports- 2006: Ecuador," Section 5.

¹⁴²⁴ U.S. Department of State, "Ecuador (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65988.htm>.

¹⁴²⁵ Ibid. See also U.S. Department of State, *Trafficking in Persons Interim Assessment*, [online] 2006 [cited January 31, 2007]; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>.

¹⁴²⁶ Government of Ecuador, *Código de la Niñez y Adolescencia*, Articles 81-95.

¹⁴²⁷ Ibid., Article 86.

¹⁴²⁸ Ibid., Article 84.

¹⁴²⁹ Ibid., Article 87.

¹⁴³⁰ Ibid., Articles 88-93.

¹⁴³¹ Ibid., Articles 81, 82, 95.

¹⁴³² Government of Ecuador, *Constitución Política de la República de Ecuador*, (1998), Article 50; available from <http://pdba.georgetown.edu/Constitutions/Ecuador/ecuador98.html>.

¹⁴³³ Government of Ecuador, *Ley Reformatoria al Código Penal que tipifica los delitos de explotación sexual de los menores de edad*, Article 8; available from http://www.congreso.gov.ec/documentos/pro_aprobados/25-330.pdf.

¹⁴³⁴ U.S. Department of State, "Trafficking in Persons Report- 2006: Ecuador." See also U.S. Embassy Official-Quito, E-mail communication to USDOL Official, August 18, 2006.

victim's consent. The age of consent is 18. The law establishes 6 to 12 years in prison for promoting child sex tourism.¹⁴³⁵ The age of compulsory military service is 18 years.¹⁴³⁶

The Specialized National Police Unit for Children (DINAPEN) leads actions against trafficking.¹⁴³⁷ With USG assistance, Ecuador has increased the number of trafficking law enforcement officials and prosecutors. A specialized 36-member police unit and an 8-member trafficking intelligence unit were created during 2006.¹⁴³⁸ The Government has been actively conducting new investigations and prosecutions under the anti-trafficking legislation.¹⁴³⁹ During this year, Ecuadorian authorities arrested 41 persons and reported 15 cases of trafficking that reached some stage of prosecution. One trafficker was sentenced to 9 years in prison.¹⁴⁴⁰ Rescued minors returned to their families or were directed to specialized NGOs.¹⁴⁴¹

In 2006, the Ministry of Labor permanently hired 28 child labor inspectors who are currently operating in 22 provinces.¹⁴⁴² Inspections were conducted in businesses and plantations, resulting in fines for flower and banana plantations, brick makers, and furniture makers.¹⁴⁴³ The fines collected will be reinvested, with some of the funds going to education scholarships for the identified children.¹⁴⁴⁴

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

The Government of Ecuador, through the National Committee for the Progressive Elimination of Child Labor (CONEPTI), oversaw its National Plan for the Progressive Elimination of Child Labor 2003-2006 (PETI Plan).¹⁴⁴⁵ In 2006, CONEPTI was strengthened through the establishment of a Technical Secretariat with the operating capacity to follow up on projects, negotiate agreements, promote awareness, train stakeholders on program goals and make policy decisions regarding inspectors and social controllers.¹⁴⁴⁶

In 2006, the Inter-Institutional Commission for Combating Trafficking in Persons approved a National Plan to combat trafficking. The plan lays the framework for combating illegal migration and trafficking, sexual and labor exploitation, prostitution, pornography and other

¹⁴³⁵ U.S. Department of State, "Country Reports- 2006: Ecuador," Section 5.

¹⁴³⁶ Coalition to Stop the Use of Child Soldiers, "Ecuador," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=824. See also Government of Ecuador, *Constitución Política de la República de Ecuador*, Article 188.

¹⁴³⁷ U.S. Department of State, "Trafficking in Persons Report- 2006: Ecuador." See also U.S. Department of State, "Ecuador," in *Country Reports on Human Rights Practices- 2005*, Washington, DC, March 8, 2006; available from <http://www.state.gov/g/drl/rls/hrrpt/2005/61726.htm>.

¹⁴³⁸ U.S. Department of State, "Country Reports- 2006: Ecuador," Section 5.

¹⁴³⁹ U.S. Department of State, *Trafficking in Persons Interim Assessment*.

¹⁴⁴⁰ U.S. Department of State, "Trafficking in Persons Report- 2006: Ecuador."

¹⁴⁴¹ U.S. Department of State, "Country Reports- 2006: Ecuador," Section 5.

¹⁴⁴² Embassy of Ecuador, *Actions Undertaken by the State of Ecuador to Prevent and Eradicate Child Labor*, 2006.

¹⁴⁴³ Catholic Relief Services, *SOY! Project*, technical progress report, Quito, September 20, 2006.

¹⁴⁴⁴ U.S. Department of State, "Country Reports- 2006: Ecuador," Section 6d.

¹⁴⁴⁵ Ministry of Labor and Employment, *Plan Nacional para la Prevención y Erradicación Progresiva del Trabajo Infantil en el Ecuador- PETI*, Quito, December 26, 2005; available from http://www.oit.org.pe/ipec/documentos/plan_eti_ecuador.pdf.

¹⁴⁴⁶ Embassy of Ecuador, *Actions Undertaken by the State of Ecuador to Prevent and Eradicate Child Labor*.

forms of exploitation of women and minors.¹⁴⁴⁷ The government has provided training and resources to combat trafficking, and continued to work with civil society to train officials, raise public awareness, and improve victims' protection.¹⁴⁴⁸

In October 2006, The Ministry of Tourism launched an awareness raising campaign to prevent the commercial sexual exploitation of children related to tourism. The USD 60,000 campaign will produce posters, billboards and brochures to be distributed and displayed at highways, airports and tourist agencies.¹⁴⁴⁹

The National Institute for Children and Family (INNFA) began efforts to raise awareness on trafficking in persons through radio, television and other initiatives. The government worked with the private sector for distributing anti-trafficking messages at several venues, such as public theaters and local air flights, and through fliers enclosed with bank and credit card statements.¹⁴⁵⁰

The Government of Ecuador supports education programs that contribute to the withdrawal or prevention of children from exploitive labor. INNFA implements several educational programs for working children. One program reintegrates working children and adolescents from the ages of 8 to 15 into the school system to complete the basic education cycle. Another program provides vocational training and alternative recreational activities to working children between 8 and 17 years, as well as raising the awareness of parents on the dangers of exploitive labor. For adolescents 10 to 17 years who have not completed primary schooling and are more than 3 years behind their peers, INNFA offers an accelerated learning program to help them complete the equivalent of basic education.¹⁴⁵¹

As part of its social protection network, the Social Protection Program (PPS) at the Ministry of Social Welfare provides scholarships for children who left school for economic reasons to reinsert child laborers back into the school system.¹⁴⁵²

The Ministry of Labor has implemented a pilot awareness-raising project for the eradication of child labor in the Tarqui Market of the city of Manta. The project provides services to 260 children who were withdrawn and 500 children who were prevented from the worst forms of child labor in the area.¹⁴⁵³

A USD 4 million Timebound Program, funded by USDOL and implemented by ILO-IPEC through 2008, complements the government's plan to eliminate the worst forms of child labor in the country. This project targets 2,120 children for withdrawal and 2,880 children for prevention

¹⁴⁴⁷ ILO-IPEC, *TPR*, technical progress report, Geneva, September 30, 2006.

¹⁴⁴⁸ U.S. Department of State, *Trafficking in Persons Interim Assessment*.

¹⁴⁴⁹ Ministry of Tourism, *La explotación sexual en turismo gana una campaña de prevención*, [online] 2006 [cited November 17, 2006]; available from http://www.turismo.gov.ec/ministerio/index.php?option=com_content&task=view&id=156&Itemid=2.

¹⁴⁵⁰ U.S. Department of State, "Trafficking in Persons Report- 2006: Ecuador."

¹⁴⁵¹ INNFA, *Proyectos*, [online] 2006 [cited October 16, 2006]; available from http://www.innfa.org/innfa/index.php?option=com_content&task=view&id=141&Itemid=148&lang=es.

¹⁴⁵² Ministry of Social Welfare, *La Red de Protección y Rehabilitación Social - Programa de Protección Social*, [online] 2006 [cited October 16, 2006]; available from <http://www.pps.gov.ec/paginas/pps/redphs.htm>.

¹⁴⁵³ Embassy of Ecuador, *Actions Undertaken by the State of Ecuador to Prevent and Eradicate Child Labor*.

from exploitive labor.¹⁴⁵⁴ In addition, the Government of Ecuador participates in a USD 3 million USDOL-funded 4-year program implemented by Catholic Relief Services to combat exploitive child labor through access to quality education. This project targets 619 children for withdrawal and 9,701 children for prevention from work in the banana and cut flower industries.¹⁴⁵⁵ An ongoing USD 4 million USDOL-funded project, initiated in 2005 by World Learning and Development and Self-management (DYA), combats child labor within the indigenous population through the provision of education services. This project targets 2,124 indigenous children for withdrawal and 4,054 indigenous children for prevention from exploitive work in the Sierra, Amazon, and Quito.¹⁴⁵⁶ Ecuador also participates in a USD 2.1 million global SIMPOC project funded by Canada with technical assistance from ILO-IPEC.¹⁴⁵⁷ To address trafficking in persons, including children, the State Department's Trafficking in Persons Office and USAID fund six programs in Ecuador with a total cost of nearly USD 1.3 million.¹⁴⁵⁸

¹⁴⁵⁴ ILO-IPEC, *Supporting the Time-Bound Program for the Elimination of the Worst Forms of Child Labor in Ecuador*, Project Document, ECU/03/P50/USA, Geneva, August, 2003.

¹⁴⁵⁵ U.S. Department of Labor, *ILAB Technical Cooperation Project Summary: Project SOY! - Combating the Worst Forms of Child Labor through Education in Ecuador*, 2004.

¹⁴⁵⁶ U.S. Department of Labor, *ILAB Technical Cooperation Project Summary: Project Wiñari - Combating the Worst Forms of Child Labor through Education in Ecuador*, 2005.

¹⁴⁵⁷ ILO-IPEC, *IPEC Projects from all Donors except USDOL*, November 3, 2006.

¹⁴⁵⁸ U.S. Embassy Official-Quito, E-mail communication to USDOL Official, August 7 2007.