

El Salvador

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working in 2003:	10.2% ¹⁵⁰¹
Minimum age for admission to work:	14 ¹⁵⁰²
Age to which education is compulsory:	15 ¹⁵⁰³
Free public education:	Yes* ¹⁵⁰⁴
Gross primary enrollment rate in 2004:	114% ¹⁵⁰⁵
Net primary enrollment rate in 2004:	92% ¹⁵⁰⁶
Percent of children 5-14 attending school in 2003:	80.4% ¹⁵⁰⁷
As of 2003 percentage of primary school entrants likely to reach grade 5:	73% ¹⁵⁰⁸
Ratified Convention 138:	1/23/1996 ¹⁵⁰⁹
Ratified Convention 182:	10/12/2000 ¹⁵¹⁰
ILO-IPEC participating country:	Yes ¹⁵¹¹
*Must pay for school supplies and related items.	

Incidence and Nature of Child Labor

In 2003 in El Salvador, the majority of working children were found in the agricultural sector (51.2 percent), followed by services (35.3 percent), manufacturing (12.4 percent), and other sectors (1.1 percent).¹⁵¹² Most working children work in family-operated businesses without pay.¹⁵¹³ Working is more common for children in rural areas than in urban areas, and among

¹⁵⁰¹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

¹⁵⁰² *Constitution of the Republic of El Salvador*, Title 2, Chapter 1, Section 2.

¹⁵⁰³ UNESCO Institute for Statistics, *EFA Global Monitoring Report 2007: Strong Foundations*, Paris, 2007, page 268; available from <http://unesdoc.unesco.org/images/0014/001477/147794E.pdf>.

¹⁵⁰⁴ *Constitution*, Articles 53-57. See also Government of El Salvador, *Plan Nacional 2006-2009 para la Erradicación de las Peores Formas de Trabajo Infantil*, Comité Nacional para la Erradicación de las Peores Formas de Trabajo Infantil, March 2006, 11; available from http://www.oit.org.pe/ipec/documentos/plan_nacional_es.pdf.

¹⁵⁰⁵ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

¹⁵⁰⁶ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

¹⁵⁰⁷ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹⁵⁰⁸ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org>.

¹⁵⁰⁹ ILO, *Ratifications by Country*, accessed October 19, 2006; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.

¹⁵¹⁰ *Ibid.*

¹⁵¹¹ 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.

¹⁵¹² UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹⁵¹³ ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador - Phase II*, project document, Geneva, September 30, 2006.

boys than among girls.¹⁵¹⁴ Children work in sugar cane harvesting, fishing, and garbage scavenging.¹⁵¹⁵ Some children work long hours as domestic servants in third-party homes.¹⁵¹⁶

Commercial sexual exploitation and trafficking of children, especially girls, continues to be a problem.¹⁵¹⁷ El Salvador is reported to be a transit point for girls trafficked to such places as Mexico, the United States, and neighboring Central American countries.¹⁵¹⁸ Some children are also trafficked internally from rural areas to urban areas, port cities, and border regions for commercial sexual exploitation.¹⁵¹⁹ At-risk groups include girls, rural and poor children, uneducated adolescents, adolescent mothers and underage foreign females.¹⁵²⁰

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 14 years.¹⁵²¹ Children 12 to 14 can be authorized to perform light work, as long as it does not harm their development or interfere with their education. There are also exceptions for artistic representations.¹⁵²² Children under 16 years are prohibited from working more than 6 hours per day or more than 34 hours per week, regardless of the type of work. Children under 18 are prohibited from working at night.¹⁵²³

Forced labor is prohibited, except in cases specified by the law.¹⁵²⁴ With parental consent, children between 16 and 18 years may volunteer for military service.¹⁵²⁵ The law prohibits trafficking in persons.¹⁵²⁶ Criminal penalties for trafficking range from 4 to 8 years of imprisonment, and increase by one-third if the victim is under 18 years.¹⁵²⁷ The law provides for penalties of 8 to 12 years of imprisonment for the inducement, facilitation, or promotion of prostitution of a person younger than 18, and penalties of 6 to 12 years of imprisonment for the production or distribution of pornography involving minors.¹⁵²⁸

¹⁵¹⁴ ILO-IPEC, *Summary of the Results of the Child Labour Survey in El Salvador*, Geneva, July 2004; available from http://www.oit.org.pe/ipecc/documentos/esa_sum.pdf. See also ILO-IPEC, *El Salvador TBP (II), project document*, 4.

¹⁵¹⁵ ILO-IPEC, *El Salvador TBP (II), project document*.

¹⁵¹⁶ Human Rights Watch, *Abuses Against Child Domestic Workers in El Salvador*, Vol. 16, No. 1 (B), January 2004, 13; available from <http://www.hrw.org/reports/2004/elsalvador0104/elsalvador0104.pdf>.

¹⁵¹⁷ U.S. Department of State, "El Salvador," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Sections 5 and 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/>.

¹⁵¹⁸ Ibid.

¹⁵¹⁹ Ibid. See also U.S. Department of State, "El Salvador (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>.

¹⁵²⁰ U.S. Department of State, "Country Reports- 2006: El Salvador," Section 5.

¹⁵²¹ Government of El Salvador, *Decreto No. 457*, (October 7, 2004), Article 114. See also *Constitution of El Salvador 1983*, Article 38, Part 10.

¹⁵²² *Decreto No. 457*, 114-115. See also Government of El Salvador, *Código de Trabajo*.

¹⁵²³ *Decreto No. 457*, 116.

¹⁵²⁴ *Constitution of El Salvador 1983*, Article 9. See also U.S. Department of State, "Country Reports- 2006: El Salvador," Section 6c.

¹⁵²⁵ Coalition to Stop the Use of Child Soldiers, "El Salvador," in *Global Report 2004*, London, 2004.

¹⁵²⁶ U.S. Department of State, "Country Reports- 2006: El Salvador," Section 5.

¹⁵²⁷ Ibid.

¹⁵²⁸ Government of El Salvador, *Decreto No. 210*, (November 25, 2003), Articles 169, 170 and 173. See also Government of El Salvador, *Código Penal*.

Enforcement of child labor laws is the responsibility of the Ministry of Labor.¹⁵²⁹ The U.S. Department of State reports that inspectors focus on the formal sector, where child labor is less frequent.¹⁵³⁰ The Child Labor Unit of the Ministry of Labor was strengthened in 2006 to increase capacity to conduct inspections, through the hiring of additional technical and inspection officers.¹⁵³¹ The Ministry of Labor has 163 labor inspectors, including 24 who work specifically on child labor issues.¹⁵³² During 2006, the Labor Ministry concentrated on monitoring and inspecting sugarcane plantations, resulting in the removal of 149 children from working in sugarcane.¹⁵³³ The National Committee Against Trafficking in Persons comprises 15 government agencies that are responsible for combating trafficking.¹⁵³⁴ In 2006, about 55 children were rescued from trafficking circumstances by Salvadoran authorities.¹⁵³⁵

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

The Government of El Salvador has launched a 2006-2009 National Plan for the Eradication of the Worst Forms of Child Labor, identifying the following as strategic areas of intervention: strengthening of the legal framework; strengthening of institutions; enhancement of educational interventions; provision of health care; provision of recreational, cultural, and sports activities; improving income generation; and strengthening of communication and awareness raising.¹⁵³⁶ The Government of El Salvador continues to participate in various USDOL-funded child labor projects implemented by ILO-IPEC. These include a USD 4 million Child Labor Education Initiative, which aims to prevent and withdraw children from exploitive labor through the provision of education services.¹⁵³⁷ Also, there is a USD 7.3 million project to support a National Timebound Program to eliminate the worst forms of child labor in fishing, sugar cane harvesting, commercial sexual exploitation, and garbage-dump scavenging, which entered its second phase in 2006.¹⁵³⁸ The two USDOL-funded projects, together, aim to withdraw 12,610 and prevent 26,388 children from exploitive child labor.¹⁵³⁹

The Government of El Salvador also participates in regional projects funded by USDOL. These include a USD 8.8 million regional project implemented by ILO-IPEC that seeks to withdraw 713 children and prevent 657 children from commercial sexual exploitation in the region.¹⁵⁴⁰

¹⁵²⁹ U.S. Department of State, "Country Reports- 2006: El Salvador," Section 6d.

¹⁵³⁰ Ibid.

¹⁵³¹ ILO-IPEC, *Supporting the Time-bound Programme for the Elimination of the Worst Forms of Child Labour in El Salvador*, technical progress report, Geneva, September 30, 2006, 11.

¹⁵³² U.S. Embassy- San Salvador, *reporting*, December 18, 2006.

¹⁵³³ Ibid.

¹⁵³⁴ U.S. Embassy- San Salvador, *reporting*, March 5, 2007.

¹⁵³⁵ Ibid. See also Ambassador of El Salvador, Letter to USDOL official, January 8, 2007.

¹⁵³⁶ Government of El Salvador, *Plan Nacional*. See also ILO-IPEC, *El Salvador TBP, technical progress report, September 2006*.

¹⁵³⁷ ILO-IPEC, *El Salvador TBP (II), project document*.

¹⁵³⁸ Ibid., 1, iii. See also ILO-IPEC, *Time-Bound Programme and Education Initiative*, Technical Progress Report, Geneva, September 30, 2006. See also U.S. Embassy- San Salvador, *reporting, March 5, 2007*.

¹⁵³⁹ ILO-IPEC, *El Salvador TBP (II), project document*. See also ILO-IPEC, *ILO-IPEC GPRR Report: Number of Children Withdrawn/Prevented Projects Funded from FY2006*, Geneva, 2007.

¹⁵⁴⁰ 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 March 2005.

The government also participates in a USD 5.7 million Central America regional Child Labor Education Initiative project to strengthen government and civil society's capacity to reduce and prevent exploitive child labor through education. This project implemented by CARE-USA seeks to withdraw or prevent 2,984 children from exploitive child labor regionally.¹⁵⁴¹ With support from the Government of Italy, ILO-IPEC is also working with the Government of El Salvador and other governments of the region to complete a 4-year regional project to reduce the activities of children scavenging in garbage dumps.¹⁵⁴²

¹⁵⁴¹ 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, August 16, 2004.

¹⁵⁴² ILO-IPEC, *Ficha: Avances en la prevención y erradicación del trabajo infantil en El Salvador, 2006*, [online] 2006 [cited October 5, 2006]; available from http://www.oit.org.pe/spanish/260ameri/oitreg/activid/proyectos/ipec/documentos/ficha_pais_esa.pdf. See also ILO-IPEC official, email communication to USDOL official, November 14, 2005.