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³⁰⁴² PNG Children's Foundation Inc., PACE, and UNICEF, *The National Action Plan Against Commercial Sexual Exploitation of Children in Papua New Guinea (July 2006-June 2011)*, 2006, 5. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Papua New Guinea." See also U.S. Embassy- Port Moresby, *reporting, February 23, 2009*.

Paraguay

*Selected Statistics and Indicators on Child Labor*³⁰⁴³

Population, children, 10-14 years, 2005:	739,776
Working children, 10-14 years (%), 2005:	15.3
Working boys, 10-14 years (%), 2005:	22.6
Working girls, 10-14 years (%), 2005:	7.7
Working children by sector, 10-14 years (%), 2005:	
- Agriculture	60.8
- Manufacturing	6.2
- Services	32.1
- Other	0.9
Minimum age for work:	12
Compulsory education age:	14
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	111.3
Net primary enrollment rate (%), 2005:	94.3
School attendance, children 5-14 years (%), 2005:	90.3
Survival rate to grade 5 (%), 2004:	87.7
ILO Convention 138:	3/3/2004
ILO Convention 182:	3/7/2001
CRC:	9/25/1990
CRCOPAC:	9/27/2002
CRCOPSC:	8/18/2003
Palermo:	9/22/2004
ILO-IPEC participating country:	Yes

*In practice, must pay for various school expenses

Incidence and Nature of Child Labor

In Paraguay, many children, primarily boys, work in agriculture in the production of goods such as cotton, soy, sesame, wheat, peanuts, beans, and stevia (a plant-based sweetener).³⁰⁴⁴ Children, primarily boys, also work in the manufacturing sector, construction, hotels, restaurants, and

transportation. Children also work in markets and in stores.³⁰⁴⁵ Children, primarily girls, work as *criadas*, or child domestic servants, and do not receive salaries but are promised room, board, and financial support for schooling. However, these child domestic workers are sometimes subject to sexual exploitation and often lack access to education.³⁰⁴⁶

Trafficking of children for commercial sexual exploitation and forced domestic service from rural to urban areas occurs in Paraguay. Some children were reported to be sold by their parents or guardians for forced labor or sexual exploitation.³⁰⁴⁷ Sexual exploitation and trafficking of girls, and increasingly boys, occur frequently in the tri-border region of Paraguay, Argentina, and Brazil. Children are also found working as drug smugglers along the border with Brazil.³⁰⁴⁸ Boys working in prostitution are trafficked internationally, especially to Italy.³⁰⁴⁹ Children are trafficked to Argentina, Spain, Brazil, Chile, and Bolivia.³⁰⁵⁰

Child Labor Laws and Enforcement

Children between 12 and 15 years may engage in light labor with parental authorization in nonhazardous and nonindustrial working conditions.³⁰⁵¹ The minimum age for employment in industrial work is 15 years, with exceptions for children over 12 years working in authorized professional schools and family businesses where the work is not dangerous.³⁰⁵² The CEACR, however, has noted that the Government of Paraguay has not described the nature of the work that is permitted for children under the minimum age.³⁰⁵³ The laws on legal work hours

for children are conflicting. According to the Child and Adolescent Code, children 14 to 16 years may not work more than 4 hours per day and 24 hours per week, and children 16 to 18 years may not work more than 6 hours per day and 36 hours per week. However, according to the Labor Code, children between 12 and 15 years may not work more than 4 hours per day, or 24 hours per week, while children 15 to 18 years may not work 6 hours a day or a maximum of 36 hours per week. According to the Child and Adolescent Code, the maximum daily work hours are reduced to 4 for adolescents that are attending school. However, according to the Labor Code, work hours for adolescents attending school are limited to 2 hours per day.³⁰⁵⁴

Both the Labor and Family Codes prohibit minors from work between the hours of 8 p.m. and 6 a.m. However, while the Family Code specifies that the prohibition applies to those 14 to 18 years of age, the Labor Code applies the prohibition to children 15 to 18 years.³⁰⁵⁵ Employers are required to maintain a registry containing biographical information on adolescent employees and to register adolescent employees with the Ministry of Justice and Labor and the Council for Children's Rights.³⁰⁵⁶ Minors are to be paid at least 60 percent of the legal minimum salary for unspecified labor, and if a minor performs the same work as an adult, he or she must be paid the established legal minimum wage.³⁰⁵⁷ Fines are established for employing children under 18 years for nighttime industrial work and for employing minors less than 12 years.³⁰⁵⁸

As stated in the Child and Adolescent Code, employers of adolescent domestic workers must provide certain protections, which include facilitating their school attendance, providing the adolescent with food and a separate bedroom, and registering the adolescent with the social security system. Authorization from the adolescent's guardian is needed for domestic work.³⁰⁵⁹ Employing anyone under 18 years in work that may be harmful to his/her wellbeing is prohibited and punishable by fines.³⁰⁶⁰ The List of Work Endangering Children decree prohibits minors under 18 years from working in 26 broad classifications of work, including crossing national borders, operating dangerous machinery,

working with toxic substances, selling alcoholic beverages, working underground, carrying heavy loads, and working as domestic servants (with exceptions for those 16 and older).³⁰⁶¹ In contrast to the Child and Adolescent Code, the decree prohibits work for adolescents less than 18 years from 7 p.m. to 7 a.m. Although the system of *criadas* and child domestic labor are on this list, the Ministry of Justice and Labor's Department of Legal Affairs states that the system is not completely prohibited for children 16 years and older as long as the provisions for domestic workers laid out in the Child and Adolescent Code are followed.³⁰⁶²

The commercial sexual exploitation of children and adolescents is prohibited. Penalties of up to 5 years of incarceration or fines are imposed for inducing the prostitution of someone under 18 years. If the perpetrator acts for profit the penalty increases to 6 years, and if the victim is under 14 years, the penalty increases to 8 years in prison.³⁰⁶³ The production of child pornography is punishable by 5 to 10 years of incarceration; the distribution of child pornographic material is punishable by 3 to 8 years in prison; and the exhibition of children in sexual acts is punishable by 5 to 10 years in prison. The penalty for using children in pornography increases to 15 years in prison if the minor is under 15 years of age or the perpetrator is the child's guardian.³⁰⁶⁴

Slavery is prohibited.³⁰⁶⁵ The Government prohibits international trafficking for sexual exploitation. The law states that the penalty for trafficking because although the penalty is up to 10 years in prison for deceiving or threatening another into leaving the country under life-threatening circumstances; however, the maximum prison term is up to 6 years for trafficking a person into or out of the country for sexual exploitation.³⁰⁶⁶ Although the law establishes 18 years as the minimum age for conscription into the military, boys 16 to 18 years may join the military in exceptional circumstances.³⁰⁶⁷

The Ministry of Justice and Labor is responsible for inspecting workplaces for child labor violations.³⁰⁶⁸ According to USDOS, the Government lacks resources to investigate child

labor violations.³⁰⁶⁹ The Public Ministry, which investigates and prosecutes trafficking crimes, established an anti-trafficking unit staffed by three prosecutors. The Ministry of the Interior and the National Police also have anti-trafficking units to investigate international and domestic trafficking cases respectively.³⁰⁷⁰ The Government opened 43 cases on behalf of 80 people, including 28 minors, and indicted 11 suspected traffickers. Four suspects were convicted and sentenced to up to 6 years in prison.³⁰⁷¹ The Public Ministry has two prosecutors working on trafficking cases exclusively in its anti-trafficking unit.³⁰⁷² According to USDOS, there were reports indicating that public officials were involved in or facilitated trafficking in persons, but no criminal cases were opened to investigate.³⁰⁷³

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

During the reporting period, the Government's Secretariat for Women (SNNA) worked to implement the National Plan for the Eradication and Prevention of Child Labor (2003-2008). The Plan's objectives included improved data collection, increased awareness, improved legal protections and public policy, implementation of a monitoring system of child labor, and interventions to reduce child labor.³⁰⁷⁴ SNNA also worked to implement the National Plan for the Prevention and Eradication of Child Sexual Exploitation (2003-2008), which aimed to diagnose the national situation, increase awareness, create policies to support prevention and detection, improve institutional capacity, support efforts to help prevent sexual exploitation and help victims, and monitor and evaluate progress. Along with the child labor plan, the National Plan for the Prevention and Eradication of Child Sexual Exploitation is part of the National Policy for Childhood and Adolescence.³⁰⁷⁵

The Secretariat for Children and Adolescents implemented *Programa Abrazo (Program Hug)*, a program for urban street children and adolescents that provides cash transfers to families conditioned on children's school attendance and withdrawal from work.³⁰⁷⁶ The Ministry of Education and Culture continues to require that

all schools gather information on the working status of children.³⁰⁷⁷

The Government of Paraguay and other associates and member governments of MERCOSUR are carrying out the "Niño Sur" ("Southern Child") initiative to defend the rights of children and adolescents in the region. The initiative aims to raise awareness of commercial sexual exploitation, improve country legal frameworks, and exchange best practices to tackle issues related to victim protection and assistance.³⁰⁷⁸

Paraguay's National Tourism Office is part of the Joint Group for the Elimination of Commercial Sexual Exploitation of Children in Tourism, which conducts prevention and awareness-raising campaigns to combat the commercial exploitation of children in Latin America. It was created in 2005 and includes the Ministries of Tourism from Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Peru, Suriname, Uruguay, and Venezuela.³⁰⁷⁹

The Government of Paraguay also continues to participate in a four-year Phase III USD 3 million regional projects to eradicate child labor in Latin America, funded by the Government of Spain.³⁰⁸⁰ IDB is also funding a USD 1.2 million regional project to combat the trafficking and sexual exploitation of children in municipalities of Argentina, Brazil, Paraguay, and Uruguay. The project aims to strengthen local organizations and governments that work in prevention, detection, and victim assistance.³⁰⁸¹

The Government coordinates its anti-trafficking in persons efforts through the Inter-Institutional Roundtable for the Prevention and Combat of Trafficking in Persons and includes representatives from government agencies, NGOs, and international organizations. The Roundtable trained over 100 Government officials on trafficking in persons issues.³⁰⁸² The Government also works with NGOs to prevent trafficking in the tri-border area.³⁰⁸³ The Government provides short-term legal, medical, and psychological services—usually through NGOs—to trafficking victims. In addition, the Government operates a shelter for female trafficking victims in Asuncion.³⁰⁸⁴ The

Government also collaborated with IOM in a USD 100,000 five country regional project funded by USDOS to provide return and reintegration assistance to trafficking victims.³⁰⁸⁵ However, the Government's efforts to protect victims of trafficking remained modest, relying mostly on NGOs to provide services and shelter.³⁰⁸⁶

³⁰⁴³ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Paraguay, *Código del Trabajo*, No. 213, (August 22, 1994), articles 36 and 389; available from <http://www.senado.gov.py/leyes/ups/leyes/2648Ley496.DOC>. For age to which education is compulsory, see Government of Paraguay, *Ley General de Educación*, Law No. 1.264, (May 26, 1998); available from <http://www.senado.gov.py>. For free public education, see U.S. Embassy- Asunción, *reporting*, March 23, 2009.

³⁰⁴⁴ U.S. Embassy- Asunción, *reporting*, July 23, 2008. See also ILO, Cooperación Española, and el Desarme y la Libertad Movimiento por La Paz, *El Trabajo Infantil en Canindeyu, Paraguay*, Geneva, 2005; available from http://white.oit.org.pe/ippec/boletin/documentos/ti_rural_py.pdf.

³⁰⁴⁵ ILO-IPEC and Roberto Cespedes, *Infancia y adolescencia trabajadora de Paraguay*, 2006, 49-51, 83; available from http://white.oit.org.pe/ippec/documentos/estadisticas_py_07.pdf.

³⁰⁴⁶ ILO-IPEC, *Perfil del Trabajo Infantil Doméstico en Brasil, Colombia, Paraguay y Perú*, Lima, 2004, 57 and 103; available from http://white.oit.org.pe/ippec/boletin/documentos/perfil_de_trabajo_infantil_vol_1_material_de_trabajo_4_conte.pdf. See also U.S. Embassy- Asunción, E-mail communication to USDOL official, July 17, 2009.

³⁰⁴⁷ Martha Casal Cacharrón, *Un Día te Dejan de Mirar y Te Perdés: Verdades y Desafíos de la Explotación Sexual Comercial de la Infancia y Adolescencia*, ILO-IPEC, Asunción, 2007, 76; available from http://white.oit.org.pe/ippec/documentos/verdades_desafios_py.pdf. See also U.S. Department of State, "Paraguay (Tier 2)," in *Trafficking in Persons Report-2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/documents/organization/105501.pdf>. See also U.S. Department of State, "Paraguay," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119169.htm>. See also U.S. Embassy- Asunción, E-mail communication, July 17, 2009.

³⁰⁴⁸ U.S. Department of State, "Trafficking in Persons Report- 2008: Paraguay." See also ILO-IPEC, *Collection*

of good practices and lessons learned related to the prevention and elimination of commercial sexual exploitation (CSE) of girls, boys and adolescents: INCOME GENERATION, Asunción, 2005; available from http://white.oit.org.pe/ippec/documentos/genera_ing_re_py_br_eng.pdf.

³⁰⁴⁹ U.S. Department of State, "Trafficking in Persons Report- 2008: Paraguay." See also U.S. Embassy- Asunción, *reporting*, March 5, 2008, para 2a.

³⁰⁵⁰ Martha Casal Cacharrón, *Un Día te Dejan de Mirar y Te Perdés*, 76. ILO and IOM, *La trata de Personas en el Paraguay*, Buenos Aires, 2005, 51-52, 54; available from <http://oimconosur.org/notas/buscador.php?tipo=unicot¬a=253>. See also U.S. Embassy- Asunción, E-mail communication, July 17, 2009.

³⁰⁵¹ Government of Paraguay, *Que Modifica, Amplia y Deroga Artículos de la Ley 213/93, Código del Trabajo*, (August 22, 1994), articles 36, 120, 123; available from <http://www.senado.gov.py/leyes/ups/leyes/2648Ley496.DOC>.

³⁰⁵² *Ibid.*, article 119.

³⁰⁵³ ILO Committee of Experts, *Direct Request, Minimum Age Convention, 1973 (No. 138) Paraguay (ratification: 2004)*, [online] 2006 [cited February 4, 2009]; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=21629&chapter=9&query=Paraguay@ref&highlight=&querytype=bool&context=0>.

³⁰⁵⁴ Government of Paraguay, *Código de la Niñez y la Adolescencia*, 1680, (May 30, 2001), article 58; available from <http://www.senado.gov.py/leyes/ups/leyes/26031680.doc>. See also Government of Paraguay, *Código de la Niñez y la Adolescencia*, articles 120-121.

³⁰⁵⁵ Government of Paraguay, *Código del Trabajo, Modificado*, article 122.

³⁰⁵⁶ Government of Paraguay, *Código de la Niñez y la Adolescencia*, articles 60 and 61. See also Government of Paraguay, *Código del Trabajo, Modificado*, article 124.

³⁰⁵⁷ Government of Paraguay, *Código del Trabajo*, No. 213, (June 15, 1993), article 126; available from <http://www.senado.gov.py/leyes/>.

³⁰⁵⁸ Government of Paraguay, *Código del Trabajo, Modificado*, article 389.

³⁰⁵⁹ Government of Paraguay, *Código de la Niñez y la Adolescencia*, articles 63-66.

³⁰⁶⁰ *Ibid.*, article 54. See also Government of Paraguay, *Que Modifica, Amplia y Deroga Artículos de la Ley 213/93, Código del Trabajo*, articles 352 and 389; available from <http://www.senado.gov.py/leyes/>.

³⁰⁶¹ Government of Paraguay, *El Listado de Trabajo Infantil Peligroso*, Decree 4951, (March 22, 2005); available from <http://www.presidencia.gov.py/decretos/D4951.pdf>. See also Government of Paraguay, *Código del Trabajo*, article 122.

³⁰⁶² Government of Paraguay, *El Listado de Trabajo Infantil Peligroso*. See also Government of Paraguay,

Código de la Niñez y la Adolescencia, articles 63-66. See also Embassy of Paraguay, reporting, August 8, 2007.

³⁰⁶³ Government of Paraguay, *Código de la Niñez y la Adolescencia*, article 31. Government of Paraguay, *Código Penal*, 1.160, (1997), article 139; available from <http://www.senado.gov.py/leyes/ups/leyes/26061160.doc>.

³⁰⁶⁴ Government of Paraguay, *Ley No 2861/2006*, 2861, (January 17, 2006), articles 1-4; available from <http://www.senado.gov.py/leyes/ups/leyes/42562861-2006.doc>.

³⁰⁶⁵ Government of Paraguay, *Constitución Política de la República del Paraguay*, (June 20, 1992), articles 10, 54; available from http://www.senado.gov.py/leyes/?pagina=ley_resultado&id=2865.

³⁰⁶⁶ *Código Penal*, No. 1.160, articles 125 and 129; available from <http://www.unifr.ch/derechopenal/legislacion/pa/cpparaidx.htm>. See also ILO-IPEC, *Law Enforcement in Argentina and Paraguay*, Paraguay, 2005, 32; available from http://white.oit.org.pe/ipecc/documentos/legis_esci_arg_py_eng.pdf.

³⁰⁶⁷ Coalition to Stop the Use of Child Soldiers, "Paraguay," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=835.

³⁰⁶⁸ U.S. Embassy- Asunción, reporting, March 23, 2009.

³⁰⁶⁹ Ibid.

³⁰⁷⁰ Ibid.

³⁰⁷¹ U.S. Embassy- Asunción, E-mail communication, July 17, 2009.

³⁰⁷² U.S. Department of State, "Trafficking in Persons Report- 2008: Paraguay." See also U.S. Embassy- Asunción, E-mail communication, July 17, 2009.

³⁰⁷³ U.S. Department of State, "Trafficking in Persons Report- 2008: Paraguay."

³⁰⁷⁴ Secretariat for Childhood and Adolescence, National Committee for Children and Adolescents, Movimiento por la Paz, el Desarme y la Libertad, and ILO-IPEC, *Construir otro Paraguay para los niños, niñas y adolescentes*, Asunción, 2005, 89; available from http://white.oit.org.pe/ipecc/documentos/planes_grales_py.pdf.

³⁰⁷⁵ Ibid., 119-120.

³⁰⁷⁶ Radio Viva 90.1 FM, "Reestructuran Programa Abrazo para llegar a las comunidades", [online], 2009; available from <http://www.radioviva.com.py/articulo.php?ID=3205>. See also ABC Digital, "El

programa Abrazo es oficialmente de la SNNA", abc.com, [online], 2008; available from <http://www.abc.com.py/2008-11-19/articulos/471001/el-programa-abrazo-es-oficialmente-de-la-snna>. See also U.S. Embassy- Asunción, E-mail communication, July 17, 2009.

³⁰⁷⁷ U.S. Embassy- Asunción, reporting, March 23, 2009.

³⁰⁷⁸ Argentine Ministry of Justice, Security, and Human Rights, *XII Reunión de Altas Autoridades Competentes en Derechos Humanos y Cancillerías del MERCOSUR y Estados Asociados*, [online] [cited April 7, 2009]; available from <http://www.derhuman.jus.gov.ar/mercosur/>. See also Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited April 7, 2009]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>.

³⁰⁷⁹ Brazilian Ministry of Tourism, *Ecuador Assume Dirección de Grupo Latino-Americano para a Proteção Infante-Juvenil*, November 26, 2008; available from <http://www.turismo.gov.br/>. See also Ministry of Tourism, *Ecuador Asume Liderazgo en Suramérica para la Protección de Menores Jóvenes*, 2008; available from http://www.turismo.gov.ec/index.php?option=com_content&task=view&id=885&Itemid=43.

³⁰⁸⁰ ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

³⁰⁸¹ IDB, *La Trata y el Tráfico de Niños y Adolescentes para fines Explotación Sexual*, [online] [cited January 29, 2009]; available from <http://www.iadb.org/projects/Project.cfm?language=Spanish&PROJECT=R%20DT1266>.

³⁰⁸² U.S. Embassy- Asunción, reporting, March 9, 2009. See also U.S. Department of State, "Country Reports- 2008: Paraguay," section 5.

³⁰⁸³ U.S. Department of State, "Trafficking in Persons Report- 2008: Paraguay."

³⁰⁸⁴ Ibid.

³⁰⁸⁵ U.S. Department of State, "Chile (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>.

³⁰⁸⁶ U.S. Department of State, "Trafficking in Persons Report- 2008: Paraguay."