

Ecuador

<i>Selected Statistics and Indicators on Child Labor¹²⁰¹</i>	
Population, children, 5-14 years, 2004:	2,969,088
Working children, 5-14 years (%), 2004:	10.2
Working boys, 5-14 years (%), 2004:	12.6
Working girls, 5-14 years (%), 2004:	7.8
Working children by sector, 5-14 years (%), 2004:	
- Agriculture	71.0
- Manufacturing	4.5
- Services	22.9
- Other	1.6
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	116.8
Net primary enrollment rate (%), 2006:	96.8
School attendance, children 5-14 years (%), 2004:	91.1
Survival rate to grade 5 (%), 2005:	77.3
ILO Convention 138:	9/19/2000
ILO Convention 182:	9/19/2000
CRC:	3/23/1990
CRCOPAC:	6/7/2004
CRCOPSC:	1/30/2004
Palermo:	9/17/2002
ILO-IPEC participating country:	Yes

Incidence and Nature of Child Labor

In Ecuador, children work in rural and urban areas, mostly in the informal sector. They work in the agricultural sector, in the harvest of bananas and flowers, and small-scale gold mining.¹²⁰² Minors are also found working in the production of broccoli and strawberries, as well as in the production of bricks and cinder blocks.¹²⁰³ In urban areas, they work as street beggars and vendors, messengers, domestic servants, shoe shiners, garbage collectors, and recyclers.¹²⁰⁴ Many of them work alongside their parents in family-run businesses. Working children often use chemicals and sharp tools, and lift heavy loads.¹²⁰⁵

Children are sexually exploited for commercial purposes in Ecuador. Some trafficked children are sold into prostitution, forced agricultural labor, and begging.¹²⁰⁶ Domestic and international trafficking in children is a problem.¹²⁰⁷ There are also reports of indigenous children being trafficked to other Latin American countries and Europe. Colombian girls are trafficked to Ecuador for the purpose of sexual exploitation, and some Ecuadorean children are trafficked to neighboring countries as well as Spain and Italy.¹²⁰⁸ There are reports of children from Ecuador working as coca pickers in Colombia.¹²⁰⁹

Child Labor Laws and Enforcement

The Constitution, approved in 2008, sets the minimum age for employment at 15 years, prohibiting child labor below this age.¹²¹⁰ Minimum age 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. The law prohibits adolescents from working more than 6 hours per day or more than 5 days per week.¹²¹¹ Resolution No. 016 of 2008 prohibits children under 15 years from work in 93 economic activities, including livestock raising, fishing, extraction of salt, the textile industry, logging, and quarrying.¹²¹²

The Labor Inspectorate and municipalities oversee labor contracts and work permits for adolescents 15 years and older.¹²¹³ The law prescribes sanctions for violations of child labor laws, such as monetary fines and the closing of establishments where child labor occurs.¹²¹⁴

The Constitution prohibits forced labor, human trafficking, and any form of exploitation.¹²¹⁵ Commercial sexual exploitation of children under 18 is punishable with 6 to 9 years of imprisonment and of children under 14 with 12 to 16 years of imprisonment. Trafficking in children is punishable by 9 to 12 years of imprisonment if the victim is younger than 18 years, and 12 to 16

years in prison if the victim is under 14 years old.¹²¹⁶ The law establishes a penalty of 9 to 12 years' imprisonment for promoting child sex tourism. Child pornography is punishable with sentences from 6 to 9 years if the victim is under 18 years and 12 to 16 years if the child is under 12 years. Several state and municipal governments have established anti-trafficking ordinances and action plans.¹²¹⁷ The new 2008 Constitution abolished compulsory military service and established a civic-military volunteer service. Adolescents may join the civic-military voluntary services at age 18.¹²¹⁸

The Ministry of Labor and Employment (MTE) has 27 child labor inspectors who investigate cases of child labor throughout the country. Ten child labor inspectors are exclusively taking part in the eradication of child labor in mining.¹²¹⁹ In 2008, labor inspections were conducted in 3,089 workplaces and 1,539 minors were found working in violation of labor laws.¹²²⁰ The Ecuadorean National Development Plan (2007–2010) includes the elimination of child labor as one of its objectives.

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

During the reporting period, the Government of Ecuador converted the quasi-governmental organization, Institute for Children and Family (INFA), into a government agency whose principal mission is to guarantee the rights of children, including addressing child labor.¹²²¹ INFA developed a Plan for the Elimination of Child Labor in Landfills, started an initiative to combat child labor in landfills in three municipalities, and carried out an awareness-raising campaign to address child beggars. MTE withdrew 449 children from working in landfills, who were incorporated into the school system and their families were included in the Solidarity Grant (*Bono Solidario*). The Government of Ecuador supported a child labor initiative to eradicate child labor in the banana and mining sectors in the Province of Oro, implemented by the University of Machala and the NGO Development and Self-Management (DyA).¹²²² The Police rescued 95 children from begging on the streets and arrested 50 adults suspected of

trafficking children for the purpose of begging during the holiday season, a period during which this problem is especially prevalent.¹²²³ In addition, INFA is currently adopting a methodology to combat child labor designed by a USDOL-funded 4-year USD 4 million project to address child labor, which is implemented by World Learning and DyA. This initiative combats child labor within indigenous communities through the provision of education services, and it targets 2,124 children for withdrawal and 4,054 children for prevention from exploitive work in the Sierra, Amazon, and Quito.¹²²⁴ It also targets 146 children to be withdrawn from trafficking for begging.¹²²⁵

During the reporting period, the National Plan for the Prevention and Eradication of Child Labor was revised with the aim of linking it with the Social Agenda for Children and Adolescents and the National Development Plan to improve coordination of efforts made by the Government and the private sector to combat child labor.¹²²⁶ The National Council for Children and Adolescents published a protocol to help national and local government agencies and organizations assist child victims of commercial sexual exploitation by providing guidelines about the different actors and stages involved in supporting these children.¹²²⁷

The Government of Ecuador continues to assist child victims of trafficking and sexual exploitation through its Victim and Witness Protection Program. The program coordinates Government and NGO services to victims of trafficking, providing psychological and medical care, shelter, economic and employment assistance, and police protection.¹²²⁸ The Government filed 85 cases of trafficking in people and commercial sexual exploitation, including 11 for child pornography.¹²²⁹

The Government of Ecuador participated in a USDOL-funded 4-year USD 4 million ILO-IPEC Timebound Program, which ended in 2008. It targeted 2,156 children for withdrawal and 5,250 children for prevention from exploitive labor in the banana and cut flower sectors as well as commercial sexual exploitation.¹²³⁰ In addition, it participated in a USDOL-funded 4-year USD 3

million program implemented by Catholic Relief Services to combat exploitive child labor through access to quality education; the project ended in September 2008. The project withdrew 1,192 children and prevented 6,486 children from working in the banana and cut flower industries.¹²³¹

In addition, Ecuador participates in a USD 3.3 million ILO-IPEC regional initiative to eradicate child labor, funded by the Government of Spain.¹²³² To assist the Government of Ecuador address trafficking in persons and children, USDOS and USAID fund several programs to prevent human trafficking and assist victims of trafficking in Ecuador, implemented by organizations such as IOM and the NGO Amauta Foundation.¹²³³

During the reporting period, MTE, with the support of USAID, trained 22 child labor inspectors in child labor-related issues and launched the Labor Inspections Informational System (SIUDEL), which includes an internet site, a speech recognition system, and a call center to provide information about child labor. It also designed an informational system that provided child labor statistics and training to labor inspectors on the eradication of child labor in landfills and the banana sector.¹²³⁴

The Ministry of Tourism (MOT) continues to raise awareness of commercial sexual exploitation of children and sexual tourism. It organized workshops for the tourism industry, parents, and high school students, and published informational materials.¹²³⁵ In partnership with the Ministry of Social and Economic Inclusion and the Federation of Provincial Tourism Boards, the Ministry established a manual for sustainable tourism for tourist providers, aimed at preventing sexual tourism.¹²³⁶ MOT was designated as the South American regional coordinator for 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 of Argentina, Bolivia, Brazil, Chile, Colombia,

Paraguay, Peru, Suriname, Uruguay, and Venezuela.¹²³⁷

Municipalities in Ecuador are taking steps to address child labor while Territorial Councils for Children have assigned funding to child labor initiatives. For example, the Government of Quito prohibits child labor while the National Committee for the Progressive Elimination of Child Labor established an indigenous child labor working group to address child labor in indigenous communities.¹²³⁸ The Government of Ecuador continues working in partnership with UNICEF and the Prochildren program of Telefonica Foundation to combat child labor.¹²³⁹

¹²⁰¹ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see 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/actividad/proyectos/ippec/boletin/documentos/cna.doc>. For age to which education is compulsory, see U.S. Department of State, "Ecuador," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>. For free public education, see U.S. Department of State, "Country Reports- 2008: Ecuador." See also National Constituent Assembly, *Constitución del Ecuador*, (September 28, 2008), article 28; available from http://www.asambleanacional.gov.ec/images/constitucion_de_bolsillo.pdf.

¹²⁰² Government of Ecuador, *Plan Nacional de Desarrollo 2007-2010*, Quito, 2007, 232-233; available from <http://www.sigob.gov.ec/metadatos/main/componentes/clasif.asp?consulta=2009&titulo=Plan%20Nacional%20de%20Desarrollo&nivel=4>. See also U.S. Embassy- Quito, *reporting*, June 13, 2008.

¹²⁰³ Raul Harari and Homero Harari, "Children's Environment and Health in Latin America The Ecuadorian Case," *Annals of the New York Academy of Science* 1076 (2006), 670. See also World Learning and Development and Self-Management (DyA), *Wiñari: Combating the Worst Forms of Child Labor through Education in Ecuador*, Project Document, September 30, 2005, 45, 50.

¹²⁰⁴ U.S. Department of State, "Country Reports- 2008: Ecuador," section 6d. See also World Learning and Development and Self-Management (DyA), *Wiñari, Project Document*, iv, 84.

¹²⁰⁵ U.S. Embassy- Quito, *reporting*, June 13, 2008. See also World Learning and Development and Self-Management (DyA), *Wiñari, Project Document*, 38.

¹²⁰⁶ ILO, *Estudio Rápido sobre Causas, Consecuencias, Magnitud, Mecanismos, Circuitos Fines y Otras Importantes Características de la Trata de Niños, Niñas y Adolescentes en Ecuador*, Quito, 2006, 7-20; available from <http://www.ilo.org/ipeginfo/product/viewProduct.do?productId=6277>, Government of Ecuador, *Plan Nacional de Desarrollo 2007-2010*. See also U.S. Department of State, "Country Reports- 2008: Ecuador," section 5b. See also U.S. Department of State, "Ecuador (Tier 2)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>.

¹²⁰⁷ U.S. Embassy- Quito, *reporting*, March 4, 2009.

¹²⁰⁸ USAID, *Anti-Trafficking Technical Assistance: Ecuador Anti-Trafficking Assessment*, 2006, 3-5; available from <http://www.state.gov/g/tip/rls/rpt/78948.htm>. See also U.S. Department of State, "Country Reports- 2008: Ecuador," section 5b.

¹²⁰⁹ David Khoudour-Castéras, *Efectos de la Migración sobre el Trabajo Infantil en Colombia*, ILO-IPEC, 2007, 14. See also Monica Hurtado, *Trata de Infantes y Adolescentes en Colombia (1999-2006)*, ILO-IPEC, 2007, 46.

¹²¹⁰ National Constituent Assembly, *Constitución*, article 46.

¹²¹¹ Government of Ecuador, *Código de la Niñez y Adolescencia*, articles 84 and 86.

¹²¹² Government of Ecuador, *Resolución No. 016 CNNA - 2008: El Consejo Nacional de la Niñez y la Adolescencia*, (May 8, 2008); available from http://www.cnna.gov.ec/_upload/Trabajo_Infantil.pdf.

¹²¹³ Government of Ecuador, *Código de la Niñez y Adolescencia*, articles 88 and 93.

¹²¹⁴ *Ibid.*, articles 81, 82, 95.

¹²¹⁵ National Constituent Assembly, *Constitución*, articles 46 and 66.

¹²¹⁶ Government of Ecuador, *Ley Reformatoria al Código Penal que Tipifica los Delitos de Explotación Sexual de los Menores de Edad*, (June 15, 2005), chapter III; available from <http://www.acnur.org/biblioteca/pdf/6032.pdf>.

¹²¹⁷ U.S. Department of State, "Country Reports- 2008: Ecuador," section 5. See also Government of Ecuador, *Ley Reformatoria al Código Penal*, chapter IV.

¹²¹⁸ National Constituent Assembly, *Constitución*, article 161. See also U.S. Embassy -Quito, E-mail communication to USDOL official, July 10, 2009.

¹²¹⁹ Government of Ecuador, *Written communication*, submitted in response to U.S. Department of Labor Federal Register Notice (December 19, 2008) "Request for Information on Efforts by Certain Countries to Eliminate the Worst Forms of Child Labor",

Washington, DC, 2009, 8. See also USAID official, E-mail communication to USDOL official, January 21, 2009.

¹²²⁰ Government of Ecuador, *Request for Information*, 8.

¹²²¹ Government of Ecuador, *Decreto Ejecutivo No. 1170*, (June 24, 2008); available from <http://www.sigob.gov.ec/decretos/Default.aspx>.

¹²²² Government of Ecuador, *Request for Information*, 4. See also Minister of Labor and Employment, *Boletín de Relaciones Internacionales del Ministerio de Trabajo y Empleo*, December 2008, 3.

¹²²³ Development and Self-Management official, Interview with USDOL official, February 4, 2009. See also El Universo, *Policía Rescató a 95 Niños Mendigos*, December 26, 2008; available from <http://www.eluniverso.com/2008/12/26/1/1447/1C58C5E982AC46088CCE9539415DAB0D.html>. See also El Universo, *Plan para Erradicar el Trabajo Infantil de Basureros Comenzará en El Oro, Los Ríos y Manabí*, January 31, 2008; available from <http://archivo.eluniverso.com/2008/01/31/0001/12/1B1710C2A2234F94BFB104781DF09F88.aspx>.

¹²²⁴ World Learning and Development and Self-Management (DyA), *Wiñari, Project Document*, iv-v, 37-38.

¹²²⁵ World Learning and Development and Self-Management, *Wiñari: Combating the Worst Forms of Child Labor through Education in Ecuador*, Project Revision, July 10, 2007.

¹²²⁶ Government of Ecuador, *Plan Nacional de Desarrollo 2007-2010*, 237-238. See also Technical Secretariat of the National Committee for the Progressive Elimination of Child Labor (CONEPTI), *Plan Nacional para la Prevención y Erradicación del Trabajo Infantil*, 2008, 26-31.

¹²²⁷ World Learning official, E-mail communication to USDOL official, April 1, 2009.

¹²²⁸ U.S. Embassy- Quito, *reporting*, March 4, 2009. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Ecuador."

¹²²⁹ U.S. Embassy- Quito, *reporting*, March 4, 2009.

¹²³⁰ ILO-IPEC, *Supporting the Time-Bound Program for the Elimination of the Worst Forms of Child Labor in Ecuador (Addendum)*, Final Technical Progress Report, Geneva, June 20, 2008, 5.

¹²³¹ Catholic Relief Services, *Project SOY! Combating the Worst Forms of Child Labor through Education in Ecuador*, Technical Progress Report, September 20, 2008.

¹²³² ILO-IPEC official, E-mail communication to USDOL official, December 18, 2008.

¹²³³ USDOS, *U.S. Government Funds Obligated in Fiscal Year 2007 for Anti-Trafficking in Persons Project*, [online] February 26, 2008; available from <http://www.state.gov/g/tip/c12606.htm>.

¹²³⁴ USAID official, E-mail communication, January 21, 2008. See also Ministry of Labor and Employment, *OIT*

destaca *Acción de Gobierno para Erradicar Trabajo Infantil*, [online] May 28, 2008]; available from <http://www.mintrab.gov.ec/MinisterioDeTrabajo/index.htm>. See also Ministry of Labor, *Taller Nacional que Promueve la Erradicación Progresiva del Trabajo Infantil en Basurales se Inaguró en Quito*, [online] September 19, 2008]; available from <http://www.mintrab.gov.ec/MinisterioDeTrabajo/index.htm>.

¹²³⁵ Ministry of Tourism, *Turismo Lidera Estrategia para Prevenir y Erradicar Prácticas de Explotación Sexual Asociada a Viaje*, [online] 2008 [cited January 26, 2009]; available from http://www.turismo.gov.ec/index.php?option=com_content&task=view&id=885&Itemid=43. See also Ministry of Tourism, *En Otavalo se Desarrolló un Taller sobre la Prevención y Explotación Sexual de Niños y Adolescentes*, [online] 2008 [cited January 26, 2009]; available from http://www.turismo.gov.ec/index.php?option=com_content&task=view&id=905&Itemid=43.

¹²³⁶ U.S. Embassy- Quito, *reporting, March 4, 2009*.

¹²³⁷ 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. See also Brazilian Ministry of Tourism,

Equador Assume Direção de Grupo Latino-Americano para a Proteção Infanto-Juvenil, November 26, 2008; available from http://200.143.12.85/turismo/opencms/institucional/noticias/arquivos/Equador_assume_dir_ecao_de_grupo_latino-americano_para_protecao_infanto-juvenil.html.

¹²³⁸ Metropolitan Council of Quito, *Ordenanza Metropolitana No. 0241*, (February 8, 2008). See also Technical Secretariat of the National Committee for the Progressive Elimination of Child Labor (CONEPTI), *Acta de Conformación de la Mesa de Trabajo Infantil Indígena*, September 10, 2008. See also Technical Secretariat of the National Committee for the Progressive Elimination of Child Labor (CONEPTI), *Memoria Foro "Erradicando el Trabajo Infantil en Ecuador"* May 6-7, 2008, 2008.

¹²³⁹ Development and Self-Management official, Interview, February 4, 2009. See also Central Bank of Ecuador, *PMT inaugura "CENTRO PANITA" y gradúa a 550 niños*, Quito, July 10, 2008; available from <http://www.bce.fin.ec/documentos/PublicacionesNotas/ComunicacionMedios/BoletinesPrensa/BPrensa129.pdf>. See also Minister of Labor and Employment, *El Peti: Boletín No. 2*, March 2008, 3.

Egypt

Incidence and Nature of Child Labor

A large portion of working children in Egypt is found in the agricultural sector, where children are hired each year for the cotton harvest.¹²⁴⁰ Children also work in a number of sectors deemed hazardous by the Government of Egypt including leather tanning, fishing, glassworks, blacksmithing, working metal and copper, construction, carpentry, mining, auto repair, textile manufacturing, and brick making.¹²⁴¹ In addition, children participate in the hazardous work of limestone quarrying where they face serious health risks from rock cutting machines, limestone dust, and intense heat.¹²⁴² UNICEF estimates that there are some 1 million street children in Egypt.¹²⁴³ Street children, primarily boys, work collecting garbage, begging, and vending.¹²⁴⁴ Street children are particularly vulnerable to becoming involved in illicit activities, including pornography and prostitution.¹²⁴⁵

Reports indicate a widespread practice of poor, rural families arranging to send their daughters to cities to work as domestic servants in the homes of wealthy residents. Child domestic workers are excluded from the protections of the labor code and are highly susceptible to harsh working conditions as well as physical and sexual abuse.¹²⁴⁶

Children, especially street children and young girls from poor families, are trafficked internally for the purposes of commercial sexual exploitation, forced begging, and domestic labor.¹²⁴⁷ Recent reports indicate that trafficking for the purposes of child sex tourism is becoming increasingly prevalent in Cairo, Alexandria, and Luxor.¹²⁴⁸ It has been reported that wealthy men from the Gulf region travel to Egypt for the purpose of temporary marriages, a form of commercial sexual exploitation, with minor girls.¹²⁴⁹ Girls are sometimes sold to men for short-term marriages which are akin to prostitution.¹²⁵⁰