

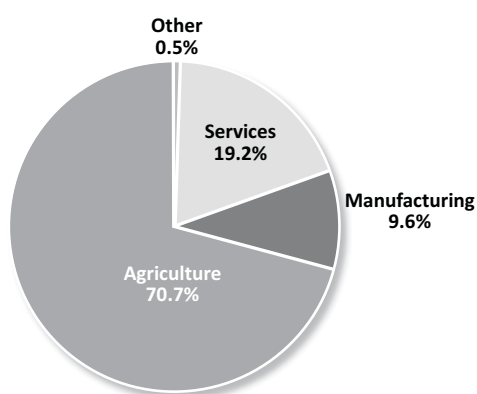
In 2011, Nicaragua made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government used its annual salary-setting regulations for the coffee harvests to raise awareness about the laws that protect minors from underage and hazardous work in that sector. The Government also expanded its collaboration with coffee producers and civil society to protect adolescents and provide children educational opportunities on coffee farms. In addition, the Government initiated a pilot program to improve livelihoods and eliminate child labor in stone quarries. However, the Government's enforcement of labor laws in agriculture is still limited. Plans to combat child labor and protect children have not been fully implemented, and programs are insufficient to reach the numbers of children engaged in hazardous child labor in agriculture and exploited in commercial sexual exploitation.



Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	8.4 (109,380)
Attending School	5-14 yrs.	84.9
Combining Work and School	7-14 yrs.	7.0
Primary Completion Rate		80.9

Working Children by Sector, ages 5-14



Sources:

Primary completion rate: Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from HHS Survey, 2005.(11)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Nicaragua are engaged in the worst forms of child labor, especially in agriculture and commercial sexual exploitation.(2-4) Children work in hazardous conditions producing crops such as coffee, bananas and tobacco. These children often carry heavy loads, use dangerous tools and are exposed to dangerous pesticides and fertilizers.(5-10) Children have been found working in dangerous conditions in the production of oranges, African palm and sugarcane, although the extent of the problem is unknown.(3, 5, 6, 9, 12) Nicaraguan children migrate with their families to work on coffee farms in Costa Rica where they are exposed to a variety of risks.(13) Children also work long hours risking injury in tasks such as breeding livestock, crushing stone, extracting pumice, mining for gold and collecting mollusks and shellfish.(5, 6, 9, 12) In addition, children work as street vendors, which may expose them to multiple dangers, including severe weather, vehicle accidents and criminal elements.(3, 6, 12) Children also work as domestic servants in third-party homes, in which they face long hours and are often subjected to abuse.(3, 14, 15) Some children engage in construction, which may require them to carry heavy loads and use dangerous tools.(3, 5) Children may also work as assistants on buses, often riding precariously on the exterior of vehicles or entering and exiting moving vehicles.(3, 14) A significant number of children work in dangerous conditions in the informal sector. Some children scavenge for garbage.(3, 6)

Nicaragua

Child pornography has been reported as a problem in Nicaragua, and children are also exploited in prostitution.(2, 3, 16, 17). Nicaragua is a source and transit country for minors trafficked for sexual exploitation.(2, 16) Some children are trafficked within Nicaragua for sex tourism, which is reportedly on the rise, and to work as domestic servants.(2, 16) Persons without legal identification documents are at an increased risk of trafficking and UNICEF has indicated that more than one-third of Nicaraguan children have not been formally registered with the Government.(3, 18) Children from poor rural areas, especially girls, are among the most vulnerable to trafficking. The victims are often deceived with promises of good jobs and then forced to work as prostitutes in urban areas or neighboring countries.(2, 17) The Government reports that trafficking is a significant problem and that trafficking victims and brothel owners are linked to organized crime.(2, 19, 20) The Government believes that the lack of economic opportunities, increased regional trade, semi-porous borders and the development of communications technology have been factors contributing to the recruitment of children and youth into commercial sexual exploitation and trafficking.(21)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for employment at age 14.(22, 23) Children ages 14 to 16 must have parental permission and be under the supervision of the Ministry of Labor (MITRAB) in order to work.(3) Minors are prohibited from engaging in work that may interfere with their schooling or that endangers their health and safety, such as work in mines, garbage dumps and night entertainment venues.(22) The law imposes fines for violators and allows inspectors to close establishments employing children.(3, 24) The Labor Code requires employers of adolescent domestic workers under age 18 to facilitate and promote their education.(22, 25)

MITRAB maintains an updated list of types of work that are harmful to the health, safety and morals of children, applicable to both the informal and formal sectors. The list prohibits children under age 18 to work in mining and manufacturing or engage in activities with exposure to toxic substances or that interfere with schooling.(14, 26) The Childhood and Adolescence Code prohibits the use of children in illicit activities.(23) MITRAB issued regulations specific to both the 2010-2011 and 2011-2012 coffee harvests prohibiting children under age 14 from working, protecting adolescents of legal working age and ensuring minimum wages.(27-29)

	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	14
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Constitution prohibits forced labor, slavery and indentured servitude.(3, 30) The Constitution was amended in 1995 to prohibit compulsory military service. The minimum legal age for voluntary entry into the armed forces is 18.(31)

The Penal Code establishes penalties related to the commercial sexual exploitation of children, including for the procurement or recruitment of children under age 18 for prostitution.(32) Promoting, filming or selling child pornography is prohibited.(32) The Penal Code also prohibits trafficking of persons and imposes increased penalties for trafficking of individuals under age 18.(32)

The Constitution requires compulsory education through primary school, which is about age 15.(30) The Constitution establishes the right to free primary education, but associated school costs prevent some children from attending school.(10, 30, 33, 34)

Institutional Mechanisms for Coordination and Enforcement

MITRAB's National Commission for the Progressive Eradication of Child Labor and Protection of the Young Worker (CNEPTI) has been the primary institution that sets the priorities on child labor policy.(35) CNEPTI consists of a consortium of government agencies and NGOs that address child labor issues in the country through awareness-raising strategies and coordination of direct action programs.(24, 35) The Labor Code designates CNEPTI to receive the revenues from fines issued for child labor violations to raise awareness

and protect minors.(36) However, it is unclear if CNEPTI is the primary entity responsible for coordinating overall efforts to address child labor. Since 2009, the directive board of CNEPTI has convened only once in conjunction with the 2010 launch of the official launch of the Roadmap for the Elimination of the Worst Forms of Child Labor.(3, 12, 26, 27, 37-42) The National Social Welfare System (SNBS) requires government institutions to protect the rights of children and adolescents.(43) Under the SNBS, Program Love (Programa Amor) is responsible for the protection of the rights of children and adolescents at risk, including those in the street and working, and their families. It is overseen by First Lady Rosario Murillo, in coordination with the Ministries of Government, Family, Health, Education and Labor.(19, 34, 43-45) Child labor experts have indicated that coordination between Program Love, CNEPTI and MITRAB has been weak.(12, 26, 27, 37-40)

MITRAB is responsible for enforcing labor laws.(12, 43) MITRAB's Inspector General's Office is responsible for inspecting all child labor violations.(12, 39) MITRAB's Child Labor Inspections Unit conducts training on child labor. It also regulates and integrates child labor issues into labor inspections and works with the Nicaraguan National Police (NNP), Ministry of Family and the Human Rights Attorney for Children to enforce child labor laws.(12, 24, 25, 39)

The Ministry of Family and NNP administer a general hotline to report the welfare of children, including trafficking and exploitation of children.(12, 39) In 2011, MITRAB had 87 total inspectors; three inspectors located in Managua were dedicated to conducting child labor investigations.(12, 39) MITRAB often solicited volunteers to assist with inspections.(12) Government officials and child labor experts have reported that child labor inspections in agricultural areas are limited due to resource and personnel constraints.(39) From January through June 2011, 761 child labor inspections were conducted, 48 of which were conducted at night clubs, bars and massage parlors.(39) In the same time period, MITRAB identified 125 child labor infractions by employers, affecting 298 children.(39) MITRAB also reported that it removed 148 children from work, including from hazardous conditions.(39) From January through June 2011, MITRAB reported issuing four fines related to child labor violations. However, it is not known why the number of fines issued compared to the number of violations is low and if the fines issued were collected.(39)

The Ministry of Government is responsible for combating trafficking in persons, operating an anti-trafficking in persons unit, leading the National Coalition against Trafficking in

Persons (NCATIP) and supporting a national protocol to repatriate children and adolescents who have been victims of trafficking.(17, 20, 43) The NCATIP consists of government ministries, civil society organizations and international NGOs and aims to detect, prevent, protect and rehabilitate trafficking victims.(20) Nonetheless, a 2009 evaluation of a USDOL-funded project found that institutional weaknesses in some of the agencies that participate in the NCATIP could hinder the effectiveness of the protocol.(46, 47)

In 2011, more than 3,000 government personnel were provided trafficking in persons and the commercial sexual exploitation of children awareness and prevention training.(43) The Public Ministry's Gender Unit has two national-level prosecutors and 35 department-level prosecutors who handle cases of child exploitation, including child trafficking, commercial sexual exploitation and the use of children in illegal activities.(12, 39) The NNP also has three units that were established in 2010 and addressed cases of child trafficking in 2011: the Special Crimes Unit which is responsible for investigation; the Police Intelligence Unit, which is responsible for detection; and 54 Women's Commissions, which are responsible for prevention and protection.(2, 39) In 2011, two cases of child pornography and one case of child prostitution that involved several children were reported and remained pending at the year's end.(39) One case of domestic servitude and sexual exploitation of an 11 year-old girl was under prosecution by the Prosecutor General's office.(17)

In 2011, the NNP investigated 26 trafficking cases, of which the Prosecutor's Office prosecuted 21, with nine resulting in convictions requiring 7 to 12 years of jail time. At least one of these cases involved children.(17, 39, 41) The Ministry of Family is responsible for providing care to child trafficking victims and has a unit specifically to address trafficking and commercial sexual exploitation.(43) In 2011, the Government provided care and repatriated 10 minors who were victims of trafficking and commercial sexual exploitation.(43) Although the Government provides some shelter and services to child trafficking victims, current services do not appear to be sufficient to assist all child trafficking victims in Nicaragua; therefore, international organizations and NGOs are the principal service providers assisting trafficking victims.(2, 39)

Government Policies on the Worst Forms of Child Labor

In December 2010, the Government officially launched the Roadmap for the Elimination of the Worst Forms of Child Labor by 2015, which had been developed by multiple

ministries, employer groups, unions and other civil society organizations, with assistance from the ILO and IDB.(27, 40) Government officials, the national police and civil society organizations convened in 2011 to develop indicators and concrete steps for the Roadmap's implementation; however, an action plan for implementation has not yet been issued.(38, 40)

The Government of Nicaragua also targets children and adolescents who work in stone quarries, mines and in African palm cultivation through its Plan of Integrated Attention.(43) The Plan involves coordination among several national ministries and local municipalities to identify the current situation of child labor and to design a plan of action to restore the rights of working children and adolescents for education, recreation, health and nutrition, and to promote better livelihoods for their families.(43)

The Government provides special protections for victims of commercial sexual exploitation and trafficking in persons through its Policy on Special Protection for Children and Adolescents.(48) As a member of the Central American Parliament Commission on Women, Children, Youth and Family, the Government is participating in a regional Plan to Support the Prevention and Elimination of Human Trafficking and Commercial Sexual Exploitation of Children and Adolescents.(48) The Government oversees the implementation of the 10-year National Action Plan for Children and Adolescents, which supports children's rights.(49)

There are other national plans that include provisions that may have an impact on child labor. The National Program for Decent Work in Nicaragua (2008–2011) supports efforts to eliminate the worst forms of child labor by 2015 and includes specific provisions for assistance to CNEPTI and the National Commission against Commercial Sexual Exploitation.(33) Additionally, the Government of Nicaragua's poverty reduction strategy incorporates policy actions to eradicate child labor through the provision of comprehensive care and education.(39, 50) Despite this progress, the Government has not fully developed plans for implementation of the above plans and programs to achieve its objectives against child labor.

The Government is striving to achieve its Millennium Development and Education for All Goals by 2015. With support from The World Bank and USAID, the Government's poverty reduction strategy has contributed to improved educational access, attendance and quality in primary schools.(50-53) However, access to secondary education is more limited, primarily due to school costs and the need to work.(50) A 2009 report of the ILO Committee of Experts indicated that secondary schools have not been targeted as

a priority and secondary school attendance remains low—increasing the risk of children's engagement in exploitative work.(16)

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

In 2011, the Ministry of Family had 23 departmental offices and 7 district offices in Managua that provided 18,380 at-risk children and adolescents with educational and recreational opportunities.(43) It also provided scholastic reinforcement to over 11,000 of those youth. As a result, 872 children and adolescents reduced their work activities and 662 were withdrawn from child labor.(43)

During October and December 2010, data on child labor were collected for the National Survey on Child and Adolescent Labor to better understand the country's current child labor situation. Data had not yet been released as of the end of the reporting period.(54)

MITRAB has collaboration agreements with the Chamber of Mines and the Mining Union, and with coffee plantations, to prevent and eliminate the worst forms of child labor.(24) In recognition of the 2011 World Day Against Child Labor, coffee producers from Jinotega shared good practices to reduce child labor with producers in Matagalpa and reaffirmed their commitment to provide better conditions for coffee workers and to support educational opportunities for their workers' children.(55)

The Government of Nicaragua has been collaborating with the private sector and civil society to eliminate hazardous child labor in the coffee sector and to achieve a child-labor free coffee harvest in the Department of Jinotega.(56-58) The Coffee Harvest Plan aims to develop a comprehensive approach to assist children whose parents work in the coffee harvest and improve educational opportunities for children on coffee plantations.(16, 59) MITRAB and Ministry of Education support the Educational Bridges (EB) program that provides education to children of coffee workers to prevent child labor during the coffee harvests.(38)

The Government of Nicaragua participated in a USDOL-funded, 3-year \$5 million initiative, called ENTERATE, that worked to expand the Educational Bridges program and other efforts in the Departments of Madriz, Jinotega and Managua that withdrew and prevented 10,636 children from exploitative labor and provided them with education and training opportunities.(38, 60) ENTERATE raised awareness among parents and business owners about the hazards of child labor and the expansion of the EB program

resulted in the construction of new schools and provision of educational materials on additional coffee plantations.(38) During the 2010-2011 coffee harvest, the Government and coffee producers provided education and three meals daily to 1,371 children of farm workers plus a minimum salary for facilitators and educators.(38) An EB implementation manual was developed in 2011 to guide the expansion of the program. The manual was utilized in preparation for the 2011-2012 harvest to train an additional 60 EB facilitators and guide improvements of EB venues at 40 coffee farms.(38) Additionally, ENTERATE provided support to the Ministry of Education's School Passport pilot program that provides migrant children continuity in their education so that they stay in school instead of work. The pilot program monitors internal migration and education in 13 municipalities that have significant school attrition rates.(38)

During the reporting period, MITRAB collaborated with ENTERATE to address the issue of child labor in stone quarries. As a result of a feasibility study, two cooperatives involving 67 families in the municipality of El Rama were provided equipment to reduce the demand for manual labor and eliminate child labor.(38, 39, 61) Over 120 children and adolescents are expected to be withdrawn from child labor as a result of this initiative.(38, 39, 43, 61) In Chinandega, the Government removed 23 children from working in stone quarries and provided them with comprehensive care and assistance to attend school. The initiative also assisted the families of those children with training and equipment to generate self-employment.(43)

Program Love targets 25,000 street children and their families primarily in Managua and aims to provide education for children and vocational training for parents.(19, 34, 44, 45) A 2011 technical progress report stated that over 88,000 children under age 6 whose mothers work were receiving comprehensive

care at child development centers through Program Love.(50) However, there are varied reports about the program's effectiveness.(39, 62, 63) The Ministry of Education and Sport implements a national literacy and education campaign for children and young persons excluded from the educational system.(34)

The Government of Nicaragua also supports a Youth, Employment and Migration Program that seeks to reduce the need for migration by improving vulnerable youth's access to employment opportunities.(64) As part of this program, a 2011 technical progress report indicated that 11 municipalities are pursuing strategies to facilitate employment and self-employment for 5,000 youth between the ages of 15 and 24, and a National Youth Employment Commission has been established to help develop the National Youth Employment Plan.(50, 64) The Government reported that in 2011, 970 adolescents and 1,183 mothers as heads of households completed pre-employment courses provided by the National Technological Institute.(43) However, no evaluation of this program's impact on reducing the worst forms of child labor has been identified. Additionally, MITRAB educated 944 adolescent workers in their labor rights in 2011.(39) The Government supports a birth registration campaign in some areas of Nicaragua to facilitate access by undocumented children to social services and reduce their vulnerability to trafficking; however, the campaign is not nationwide, which leaves many children without access to basic services.(3, 37, 65)

Despite these efforts, current programs do not appear to be sufficient to address the extent of the worst forms of child labor in Nicaragua, particularly in the production of agricultural products, shellfish, pumice and African palm. The Government has identified the need to extend strategies to reach more children who work in other sectors, such as rice and African palm.(39, 43, 56, 58)

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Nicaragua:

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Dedicate more human and financial resources to the enforcement of child labor laws, including in agriculture.	2009, 2010, 2011
	Provide information on the enforcement of the law on adolescent domestic workers and the employers' obligation to ensure the education of adolescent workers.	2011

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Clarify the role of CNEPTI in coordinating government efforts to reduce child labor and ensure that progress toward this goal is monitored on a regular basis, including by convening more frequently.	2009, 2010, 2011
	Report trafficking statistics disaggregated by age.	2011
	Enhance coordination and information sharing among actors involved in child labor issues and anti-trafficking campaigns.	2009, 2010, 2011
Policies	Finalize and begin implementation of a concrete action plan to reach the objective of eliminating the worst forms of child labor by 2015.	2009, 2010, 2011
	Develop strategies and devote resources to improve attendance in secondary education.	2009, 2010, 2011
	Expand awareness raising and identify strategies to reduce the demand for child sex tourism and commercial sexual exploitation.	2009, 2010, 2011
Social Programs	Expand birth registration programs nationwide.	2009, 2010, 2011
	Dedicate greater resources to expand services that assist child trafficking victims.	2010, 2011
	Make publicly available information on Program Love and its results in order to inform future efforts.	2010, 2011
	Expand programs to address the worst forms of child labor to sectors where exploitative child labor exists, such as shellfish and African palm.	2009, 2010, 2011
	Assess the pilot programs in stone quarries and if effective, consider expanding to additional areas.	2011
	Assess the impact of the Youth, Employment and Migration Program on reducing child labor.	2011
	Apply good practices and strategies to eliminate child labor in the coffee sector to other sectors, including by raising awareness and partnering with business owners to eliminate child labor in their production processes.	2009, 2010, 2011

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