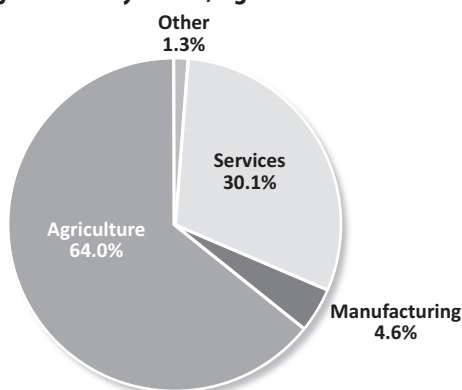


In 2012, Peru made a significant advancement in efforts to eliminate the worst forms of child labor. The Government approved and began implementing its second National Strategy for the Prevention and Eradication of Child Labor for 2012-2021. As part of the strategy, the Government funded and launched two new pilot programs to reduce child labor in urban and rural areas. The Government also began collecting more detailed annual statistics on children's work and initiated two impact evaluations on programs to combat child labor. Further, the Ministry of Labor hired additional inspectors and increased the number of employers sanctioned for child labor violations. The National Police released public information on the number of children rescued from situations of trafficking, as well as information on criminal prosecutions of traffickers. While these efforts demonstrate positive steps, child labor inspections remain underfunded and are insufficient in number, especially in regions with the highest rates of child labor. There is also a lack of coordination and information-sharing between Government agencies dealing with child labor issues. Children continue to engage in the worst forms of child labor, including in hazardous activities in agriculture and mining.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	38.5 (2,392,997)
Attending School	6-14 yrs.	97.0
Combining Work and School	6-14 yrs.	40.5
Primary Completion Rate		96.8

Working Children by Sector, Ages 5-14



Sources:

Primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Trabajo Infantil (ETI) (SIMPOC) Survey, 2007.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Peru are engaged in the worst forms of child labor, including in hazardous activities in agriculture and mining.(3, 4) According to the Government's 2011 Household Survey, 68 percent of child laborers under the legal working age work in rural areas.(5) Though evidence is limited, in agriculture children reportedly produce cotton, rice, barley, coffee, broccoli, cacao, avocado, and sugarcane, which often exposes them to harmful pesticides, long working hours, and extreme weather.(6-8) Although information is limited, there are reports that children also perform hazardous activities in the production of Brazil nuts.(6-8) Children are responsible for shepherding and caring for farm animals, as well.(9) Children herding livestock may suffer injuries such as being bitten, butted, gored, or trampled by animals.(10)

Children work in mining, particularly gold mines, which requires them to carry heavy loads and work in poorly ventilated, unsafe conditions.(4, 6, 8, 11) Evidence suggests that forced child labor is a problem in informal gold mines.(8, 12-14) Children, principally boys, also work in fishing.(15, 16) These children may work long hours, perform physically demanding tasks, and face dangers such as drowning.(3, 17)

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In urban areas, children produce bricks and fireworks, which may cause them to be harmed by dangerous chemicals, extreme heat, and carrying heavy loads.(8, 18) Children work on the streets as vendors, performers, beggars, and car washers, which exposes them to the risk of vehicle accidents. Children also work as fare collectors on buses and as scavengers in garbage dumps.(6, 8, 9, 19-21) Children also reportedly work in battery recycling, which exposes them to hazardous substances.(4)

Children, mainly girls, work in domestic service in both rural and urban areas and are vulnerable to physical and sexual abuse.(6, 22) Some children, especially girls from the poorest areas of Peru, are trafficked into commercial sexual exploitation and domestic service through false offers of employment in other occupations or promises of education.(12, 23, 24) Girls are reportedly particularly found in commercial sexual exploitation near mining camps.(25, 26) Child sex tourism is a problem in Cuzco, Lima, and Iquitos.(12, 23)

Drug traffickers and the terrorist group Shining Path are reported to use children to grow and process coca, sometimes using hazardous chemicals, as well as to transport drugs.(12, 21, 23) There are credible reports that Shining Path employs child soldiers, including through forced recruitment, in the Apurimac-Ene River Valley.(21, 23, 27)

Laws and Regulations on the Worst Forms of Child Labor

The Child and Adolescent Code sets the general minimum age for employment at 14 and places some restrictions on the ability of children ages 14 and older to work legally. For employment in nonindustrial agricultural work, the minimum age is 15; for work in the industrial, commercial, and surface mining sectors, the age is 16; and for work in the industrial fishing sector, the age is 17.(28) Additionally, the Child and Adolescent Code requires children under age 18 to receive a permit from the Ministry of Labor or the municipality in order to work and prohibits night work for children under age 15.(29)

The Government of Peru has in place a List of Hazardous Occupations for Children under Age 18, which prohibits minors from working in 29 types of hazardous activities and allows for updates to the list as necessary. These hazardous activities include domestic work in third-party homes, work in fireworks production, public transportation, garbage dumps, manufacturing, and street work.(24, 30) The list also prohibits minors from engaging in hazardous activities in fishing, mining, and agriculture, such as carrying heavy loads, working underwater or underground, and handling pesticides or sharp tools.(30)

International Conventions and Selected Laws on Child Labor and Education

	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	17
	Free Public Education	Yes

Peru's Constitution and Penal Code prohibit all forms of compulsory labor, including forced labor, debt bondage, and servitude.(31, 32) Peru's Penal Code prohibits the prostitution of children, including selling, recruiting, using, and benefiting economically from the crime. The Penal Code also prohibits child pornography, including its production, sale, use, and possession.(33) The Law against Trafficking in Persons and Illegal Migrant Smuggling prohibits all forms of trafficking in persons; penalties increase significantly for child trafficking.(34) The Military Service Law sets the minimum age at 18 and prohibits forced recruitment into the armed services or any defense or armed groups.(35, 36) Peru's Decree No. 22095 prohibits the recruitment of children for the production, sale, and trafficking of illicit drugs.(37)

The Constitution provides for free primary and secondary education. Education is compulsory through the completion of secondary school, generally at age 17.(32, 38)

Institutional Mechanisms for Coordination and Enforcement

The Government of Peru operates a National Commission for the Prevention and Eradication of Child Labor (CPETI), which is led by the Ministry of Labor (MOL) and meets once a month to coordinate government actions against child labor.(21) Members of CPETI include several

government ministries, such as the Ministry of Education, the Ministry of Justice, and the Ministry of the Interior, as well as representatives from business associations, unions, and NGOs.(21, 24) The Government of Peru also operates the National Commission Against Forced Labor, led by the MOL, and the Multi-Sector Committee Against Trafficking in Persons, led by the Ministry of Interior, which coordinate government efforts to combat forced labor and trafficking in persons, respectively.(21) In practice, however, there has been a lack of coordination and information sharing between government agencies dealing with child labor issues, including child trafficking.(21, 24)

The MOL and the National Police enforce laws regarding child labor and child exploitation.(5, 39) The MOL is responsible for carrying out labor inspections in the Lima region.(40) Regional governments maintain regional labor inspectorates which receive support from but are not under the direct control of the MOL.(40) In 2012, the MOL employed 416 inspectors nationally, an increase from 385 inspectors in 2011.(5, 39) Some regional governments employed additional labor inspectors, as well.(41) Inspectors are required to address possible child labor violations during routine inspections.(42) The MOL coordinates with municipal-level child protection offices, the Public Ministry, and the Ministry of Women and Vulnerable Populations to document and investigate complaints of violations of child labor laws. Cases of child labor are also referred to relevant social protection and legal services.(39, 42)

In general, inspectors in Peru lack sufficient resources, such as transportation and fuel, to effectively carry out inspections.(21, 42) The United Nations Committee on Economic, Social, and Cultural Rights has noted that Peru's labor inspection system lacks sufficient capacity to effectively carry out its mandates.(4) In addition, many regional labor inspectorates outside of Lima and Callao are particularly understaffed and underfunded.(40)

During the reporting period, the MOL carried out 1,022 inspections, resulting in 52 employers being sanctioned for illegally employing children—an increase from 48 businesses in 2011.(21) However, the number of inspections carried out nationally is insufficient given the prevalence of child labor.(21) The law permits the MOL to fine employers that employ children in the worst forms of child labor up to \$54,000 per violation.(43, 44) In 2012, fines imposed on businesses for child labor violations totaled approximately \$97,000, an increase from \$50,000 in 2011. Information on whether

the fines were collected was unavailable. As a result of these inspections, the MOL assisted 33 children in Lima who were found to be working illegally.(21) Data on the number of children assisted in other regions was not available. Employers sanctioned for child labor violations were mainly in the mining, agriculture, fishing, and commercial sectors.(21)

The Trafficking Investigation Unit of the Peruvian National Police investigates cases of trafficking in persons and the commercial sexual exploitation of children.(5) During the reporting period, the police investigated 211 reports of trafficking in Cusco, Lima, Loreto, and Madre de Dios regions, resulting in the rescue of 71 minors.(5, 21) Of those minors, 20 were reported to be victims of forced labor and nine of forced begging.(21) As a result of the investigations, 263 persons were arrested and 76 criminal groups were disbanded.(5) The police worked with the Public Ministry to place rescued minors in the care of family members or state social services.(5) The Government of Peru maintains a hotline to receive reports of trafficking in persons.(5, 12) In 2012, the hotline received 801 calls, which resulted in the rescue of nine child trafficking victims.(5)

Government Policies on the Worst Forms of Child Labor

In 2012, the Government of Peru approved the National Strategy for the Prevention and Eradication of Child Labor (ENPETI) for the period 2012-2021, replacing the previous strategy which expired in 2010.(5, 45) The Strategy aims to eliminate hazardous child labor by improving the livelihoods of poor families, improving education opportunities, raising awareness about child labor, improving work conditions for adolescents, and increasing efforts to sanction violators of child labor laws.(9) The ENPETI complements the Government's wider policy for children and adolescents, the National Action Plan for Children and Adolescents for 2012-2021 (PNAIA), which includes the goal of eradicating hazardous child labor.(5, 21) One goal of the ENPETI is to improve the quality of child labor data in Peru.(9) To this end, in 2012, Peru's National Statistics Agency modified its annual National Household Survey to collect more detailed data on the occupations and number of hours worked by children and adolescents.(5)

Ministerial Resolution 215-2011-TR requires the MOL to implement the Sector Strategy on the Prevention and Eradication of Child Labor, which was developed jointly by the MOL and ILO.(39) The Strategy includes the objectives

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of increasing the availability of child labor data, raising public awareness, strengthening coordination between public and private entities on child labor issues, and improving investigations of child labor violations.(39, 40) In 2012, the MOL began implementing the Strategy, including by providing training to regional CPETI commissions to increase their capacity to foster public-private cooperation on child labor issues.(5)

Supreme Decree 052-2011-PCM requires the MOL to implement specific actions to eradicate the worst forms of child labor, including the creation of regional CPETI commissions in areas with high rates of child labor.(46) By the end of 2012, the CPETI had established regional commissions in 23 of the 25 regions in Peru.(5) However, not all of the regional commissions have plans of action against child labor in place, and some are not funded.(24, 42) During the reporting period, the Government worked with the ILO and the nonprofit organization Desarrollo y Autogestión to provide technical assistance to some regional CPETI commissions.(5, 7) In addition, in 2012 the MOL worked with Desarrollo y Autogestión to participate in a training workshop hosted by the Government of Ecuador to learn about best practices in eradicating child labor in garbage dumps.(7)

Peru is also a member of the Joint Regional Group for the Americas, which conducts child labor prevention and awareness-raising campaigns in tourism.(47)

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

In 2012, the Government supported three new programs to address the worst forms of child labor: the Seed Project implemented in the regions of Huancavelica, Junín, and Pasco; a project in the Carabayllo district of the Lima region to address child labor in garbage dumps; and a project in the Huánuco region to improve educational opportunities for child laborers. The Seed Project is a USDOL-funded 4-year project to combat rural child labor, which targets 6,500 children and 3,000 families, providing them with education and livelihood services to reduce the incidence of child labor.(7, 19) In 2012, the Project began providing children engaged in or at risk of exploitative child labor with afterschool assistance and worked with their families to reduce child labor on family farms.(7) The Seed Project also began working with the Ministry of Social Development to study the impact of the Government's conditional cash transfer program, the Together Program, on child labor. In addition, the Project worked with an external evaluator to assess the effectiveness of some of the Project's interventions in reducing child labor.(7)

The Carabayllo and Huánuco projects are 2-year pilot projects to reduce child labor; they are funded by the Government and are subject to impact evaluations to determine their effectiveness in reducing child labor.(9) In Carabayllo, the Government will provide scholarships, education assistance, psychological help, and other services to 1,000 families and 1,500 children with the aim of reducing urban child labor, especially in garbage dumps.(5, 9) The Huánuco project seeks to improve school retention and attendance rates among child laborers in rural areas. In conjunction with the Together Program, the Huánuco program will assist approximately 25,000 children and 4,900 families by providing them with cash transfers, education, and livelihood services. To carry out the impact evaluation of this program, the Government will provide families with different packages of services to assess if there is an optimal program design or package of interventions that would more effectively reduce child labor.(5, 9) The Together Program provides cash transfers to approximately 650,000 low-income households in 14 of the country's 25 departments.(48, 49)

The Government also implements anti-poverty and education programs that benefit children and families vulnerable to the worst forms of child labor. The MOL runs the Peru Works Program, which offers temporary work and technical training to low-income households and requires beneficiaries to commit to withdrawing their children from child labor.(21, 39) The MOL also runs the Youth to Work Program, which provides 16-to-24-year-olds with free job training, and the Go Peru Program, which provides job training, assistance for entrepreneurs, and job placement services to the unemployed, including youth.(21) The Street Educators Program provides counseling and training to children engaged in begging and street work in 20 cities throughout Peru.(50) The Program connects working children and their families to educational and social services with the goal of withdrawing them from exploitative work and improving family welfare.(42, 50)

Although some programs target children engaged in the worst forms of child labor in urban areas, they reach only a fraction of these children. Existing initiatives to combat child labor in agriculture are also insufficient, given the scope of the problem.(21) Information is not available on specific programs to assist children working in mining and domestic work.

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

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Increase the level of funding allocated to the MOL and to regional governments to help ensure effective enforcement of child labor laws, particularly in regions with high rates of child labor and underfunded labor inspectorates.	2009, 2010, 2011, 2012
	Increase information publicly available about child labor law enforcement efforts, particularly at the regional level, including the number of children rescued from child labor and the number of fines imposed and collected for child labor violations.	2012
	Strengthen coordination and information-sharing mechanisms among government agencies dealing with child labor issues.	2012
Policies	Establish regional commissions for the prevention and eradication of child labor in all regions, develop regional plans of action against child labor, and allocate sufficient funding to implement them.	2010, 2011, 2012
Social Programs	Initiate social programs to address child labor in mining and domestic service.	2009, 2010, 2011, 2012
	Expand social programs to reach a greater number of children working in hazardous occupations in agriculture and urban hazardous work.	2009, 2010, 2011, 2012

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