



In 2016, Argentina made a significant advancement in efforts to eliminate the worst forms of child labor. The Government issued an Executive Decree that determined in law the types of hazardous occupations prohibited for children under age 18 and ratified the Protocol of 2014 to ILO C. 29 on Forced Labor. The Ministry of Labor, Employment, and Social Security conducted trainings on child labor and adolescent work for labor inspectors, government officials, and union delegates around the country. The National Commission for the Eradication of Child Labor coordinated government efforts to implement child labor research, strengthen child labor law enforcement, and develop commitments by the private sector to prevent and eliminate child labor. In addition, the Government convened agencies from the UN System for Development in Argentina to discuss plans for the IV Global Conference on Child Labor, which Argentina will host in 2017 in cooperation with the ILO. The Government also expanded the Universal Child Allowance Program to more than 3.7 million children. However, children in Argentina perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government does not appear to publish comprehensive labor and criminal law enforcement data on child labor, including its worst forms, and social programs that address child labor in agriculture do not appear to address the full scope of the problem.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Argentina perform dangerous tasks in agriculture. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.(1-6) In November 2016, the Government, in collaboration with the ILO, began implementing the National Survey on Children and Youth Activities (EANNA) to assess child labor in urban areas, and planned for a similar survey for rural areas in 2017.(6, 7) Table 1 provides key indicators on children’s work and education in Argentina.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.2 (258,286)
Attending School (%)	5 to 14	98.5
Combining Work and School (%)	7 to 14	4.8
Primary Completion Rate (%)		101.8

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from *Módulo de Actividades de Niños, Niñas y Adolescentes, 2012*.(9) Data on working children, school attendance, and children combining work and school are for urban areas only. According to UN data, 91.8 percent of the population of Argentina lives in urban areas (see <http://data.un.org/CountryProfile.aspx?crName=ARGENTINA>).

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Harvesting blueberries, carrots, cotton, garlic, grapes, olives, onions, potatoes, strawberries, and tomatoes (4, 10-22)
	Harvesting yerba mate (stimulant plant) and tobacco (1-3, 23-26)
	Production of garments (27, 28)
Industry	Production of bricks and wooden crates (6, 12, 29-31)
	Construction,† activities unknown (12, 32)
Services	Street begging and performing, windshield-washing, guarding parked cars (12, 33-35)
	Refuse collection, recycling, and garbage scavenging (12, 19, 33, 36-38)
	Domestic work (33, 39)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking, and use in the production of pornography (5, 6, 33, 40)
	Forced labor in the production of garments (21, 41, 42)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.







[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Although the extent of the problem is unknown, reports indicate that girls from Argentina’s northern provinces are often victims of human trafficking for commercial sexual exploitation.(43, 44) Children of Bolivian immigrants in Argentina engage in child labor in agriculture and domestic service, and engage in forced child labor in the production of garments.(18, 39, 42) Although the extent of the problem is unknown, reports indicate that the trafficking of Bolivian children to Argentina for labor and commercial sexual exploitation has increased.(45–47) Reports also indicate that Paraguayan children are trafficked to Argentina for commercial sexual exploitation.(5, 43, 48)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Argentina has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2016, Argentina ratified the Protocol of 2014 to ILO C. 29 on Forced Labor.(49, 50)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Argentina’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2, 7, and 17 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Article 9 of the Special Code on Contracting Domestic Workers; Article 1 of the Child Labor Law; Article 25 of the Child and Adolescent Rights Protection Law; Articles 54–55 of the Law on Agrarian Work (51–55)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Prohibition of Child Labor and Protection of Adolescent Work Law; Articles 176 and 191 of the Law on Labor Contracts; Article 62 of the Law on Agrarian Work (51, 55, 56)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Executive Decree 1117/2016 on Dangerous Work (57)
Prohibition of Forced Labor	Yes		Article 15 of the Constitution; Articles 1 and 24–26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 9 of the Child and Adolescent Rights Protection Law (53, 58, 59)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Articles 1 and 25–26 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 9 of the Child and Adolescent Rights Protection Law (53, 59)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 1 and 21–23 of the Modifications to the Prevention of and Sanction Against Trafficking in Persons and Assistance to Victims Law; Article 6 of the Crimes Against Sexual Integrity Law; Article 128 of the Penal Code (59-61)
Prohibition of Using Children in Illicit Activities	Yes		Article 11 of the Possession and Trafficking of Drugs Law (62)
Minimum Age for Military Recruitment			
State Compulsory	Yes*	18	Article 19 of the Voluntary Military Service Law (63)
State Voluntary	Yes	18	Article 8 of the Voluntary Military Service Law (63)
Non-state Compulsory	No		
Compulsory Education Age	Yes	18‡	Articles 16 and 29 of the National Education Law; Article 2 of the Law on Early Education (64-66)
Free Public Education	Yes		Articles 15–16 of the Child and Adolescent Rights Protection Law (53)

* No conscription in practice (67)

‡ Age calculated based on available information (64)

In 2016, the Government issued Executive Decree 1117, which determined the types of hazardous occupations prohibited to children under age 18.(57)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MTESS)	Enforce child labor laws, in part through its Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COORDITIA). Oversee the National Commission for the Eradication of Child Labor (CONAETI).(33, 68, 69) Collaborate with the National Registry of Agricultural Workers and Employers (RENATRE) in enforcing child labor laws in the agricultural sector.(6, 34, 70) Maintain a national hotline through which labor violations can be reported.(35)
Ministry of Justice and Human Rights	Maintain a tribunal for adjudicating disputes in domestic service work and telephone lines for reporting cases of child labor and forced labor.(71)
Office for the Rescue and Care of Trafficking Victims	Provide emergency legal and other assistance to victims of labor and sex trafficking, including child victims. Under the Ministry of Justice and Human Rights.(72) Maintain Regional Offices that coordinate the provision of legal and social services to trafficking victims in the Provinces of Chaco, Chubut, La Pampa, La Rioja, Mendoza, Rio Negro, and Santa Fe.(43, 73-75) Maintain a hotline through which alleged crimes of trafficking in persons can be reported.(72)
Public Prosecutor’s Anti-Trafficking Division (PROTEX)	Prosecute crimes of trafficking in persons for labor and commercial sexual exploitation, instruct federal personnel in the investigation of human trafficking, and design criminal policy in human trafficking.(76-78)
National Immigration Directorate	Direct the National Immigration Police, oversee the rights of migrants, and assist in investigating cases of international human trafficking.(79)
Federal Police	Conduct human trafficking investigations through its Trafficking in Persons Division.(28)
Federal Administration of Public Revenue (AFIP)	Ensure employer compliance with national laws, assist in workplace and labor-related inspections, and initiate prosecutions of labor violations through the Penal Section of its Social Security Directorate.(28, 80, 81)

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Labor Law Enforcement

In 2016, labor law enforcement agencies in Argentina took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	584 (82)	421 (83)
Inspectorate Authorized to Assess Penalties	Yes (35)	Yes (6)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Yes (84)
Training on New Laws Related to Child Labor	Yes (85)	Yes (6)
Refresher Courses Provided	Yes (35)	Yes (84)
Number of Labor Inspections	144,613 (86)	156,956 (87)
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	458 (87)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (35)	21 (6)
Number of Penalties Imposed That Were Collected	Unknown* (35)	Unknown* (6, 88)
Routine Inspections Conducted	Yes (35)	Yes (6)
Routine Inspections Targeted	Yes (35)	Yes (6, 88)
Unannounced Inspections Permitted	Yes (35)	Yes (6)
Unannounced Inspections Conducted	Yes (35)	Yes (88)
Complaint Mechanism Exists	Yes (35)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

* The Government does not publish this information.

The number of labor inspectors is insufficient for the size of Argentina's workforce, which includes more than 17.7 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in industrializing economies, Argentina should employ roughly 1,181 labor inspectors.(89-91)

The Ministry of Labor, Employment, and Social Security's (MTESS) Coordinating Body for the Prevention of Child Labor and the Regulation of Adolescent Work (COODITIA) conducted numerous trainings on child labor and adolescent work for labor inspectors, government officials, and union delegates located around the country; some of the participants took part in targeted inspections, including in sawmills and in the cotton, rice, and yerba mate sectors.(6, 84)

Reports indicate that COODITIA refers children removed from child labor through labor inspections to social protection agencies for services.(34) However, research could not determine whether social protection agencies have procedures to reciprocally refer children rescued from child labor to the MTESS for labor law enforcement, in particular in Argentina's provinces. Research could not find comprehensive information on how many children were referred between the MTESS and social services in 2016.(6)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Argentina took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	Yes (6, 92)
Number of Investigations	Unknown	Unknown

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown

In 2016, the number of investigators from the Public Prosecutor’s Anti-Trafficking Division (PROTEX), the Federal Police, or other criminal law enforcement agencies dedicated to investigating the worst forms of child labor was not known. Research could also not determine whether agencies engaged in enforcing criminal laws related to child labor had sufficient resources to carry out their mandates.

In 2016, PROTEX initiated 293 preliminary investigations of alleged crimes of trafficking in persons; however, research could not determine the number of these investigations, or the number of violations found through them, that involved child victims.(75) PROTEX reported that 54 individuals were charged with crimes of trafficking in persons for sexual or labor exploitation; however, the number of prosecutions involving other worst forms of child labor is unknown. During the reporting period, 19 cases of trafficking in persons were prosecuted in federal courts, with 18 resulting in the conviction of 46 individuals. However, research could not determine how many individuals were prosecuted or convicted for other worst forms of child labor.(93)

The Office for the Rescue and Care of Trafficking Victims and the National Secretariat for Childhood, Adolescence, and Family (SENNAF) provide legal and other assistance to survivors of human trafficking.(45, 72) However, research could not determine the number of child trafficking victims who received these services during the reporting period.

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission for the Eradication of Child Labor (CONAETI)	Coordinate national efforts to monitor and eliminate child labor and implement the National Plan for the Prevention and Eradication of Child Labor.(33, 94-98) Led by the MTESS and re-established in October 2016 to comprise nine government agencies, representatives from UNICEF, the ILO, industry associations, and labor unions.(33, 87, 98, 99) In 2016, coordinated government efforts to implement child labor research, strengthen child labor law enforcement, and develop commitments by the private sector to prevent and eliminate child labor.(100)
Provincial Commissions for the Prevention and Eradication of Child Labor (COPRETI)	Coordinate efforts to prevent and eliminate child labor at the provincial level, including through Local Roundtables on Child Labor at the municipal level.(33, 95, 99, 101, 102). Composed of representatives from government agencies, NGOs, labor unions, and religious institutions; there are 23 COPRETI.(99, 101)
National Secretariat for Childhood, Adolescence, and Family (SENNAF)	Establish public policies through its Childhood and Adolescence Protectorate to secure the rights of children and adolescents; coordinate child protection efforts with other government ministries and NGOs, and provide assistance to trafficking victims. Overseen by the Ministry of Social Development.(103)
Child and Adolescent Labor Monitoring Office (OTIA)	Conduct qualitative and quantitative research on child and adolescent labor to provide policy analysis and inform programming to eradicate child labor and regulate adolescent labor. Created through the Undersecretariat of Technical Programming and Labor Studies of the MTESS.(95, 99, 104)
Coordinating Unit for Children and Adolescents in Danger of Commercial Sexual Exploitation	Provide guidance to relevant institutions; run workshops and research programs regarding commercial sexual exploitation; and assist children, adolescents, and their families. Formed within the Ministry of Justice and Human Rights.(105)
Federal Council for Human Trafficking	Coordinate government-wide efforts to combat human trafficking. Composed of representatives from the three branches of government and NGOs. Presided by the National Council of Women.(6)
Executive Council to Fight Human Trafficking and to Protect and Assist Victims	Coordinate executive branch efforts to combat human trafficking. Composed of representatives of the Ministry of Justice and Human Rights, the Ministry of Security, and the MTESS.(45)
Network of Businesses Against Child Labor	Develop initiatives to raise awareness of child labor and programs to prevent and eradicate child labor. Formed through a partnership among the MTESS, CONAETI, and the businesses that comprise it.(94, 106, 107)

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V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
Third National Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work (2016–2020)	Aims to prevent and eliminate child labor, including its worst forms, and to regulate adolescent work. Promotes the dissemination of information on child labor, strengthens the COPRETI and creates Local Roundtables on Child Labor, promotes families' livelihoods, strengthens the labor inspectorate, fosters civil society engagement on child labor issues, provides for a more inclusive educational system, raises awareness of the safety and health implications of child labor, and promotes institutional and legislative strengthening regarding child labor issues.(108, 109)
Strategic Framework for Cooperation Between Argentina and the UN System for Development (2016–2020)	Establishes development priorities for Argentina as agreed upon by the Government and the agencies comprising the UN System for Development in Argentina. Comprises five areas for cooperation, including the expansion of social protection floors and the promotion of inclusive and sustainable economic growth, which prioritizes the prevention and elimination of child labor and forced labor, as well as the protection of adolescent workers.(110)

[‡] The Government had other policies that may have addressed child labor issues or had an impact on child labor.(111)

In December 2016, the Government convened agencies from the UN System for Development in Argentina to discuss plans for the IV Global Conference on the Sustained Eradication of Child Labor, which Argentina will host in 2017 in cooperation with the ILO. The conference theme will include forced labor for the first time, in line with efforts to achieve Target 8.7 of the UN Sustainable Development Goals, which calls for the prevention and elimination of child labor, including its worst forms, and forced labor. The conference will also promote labor market transitions for safe youth employment.(112)

The Government does not appear to have included child labor elimination and prevention strategies into the National Plan on Compulsory Education and Teacher Training (2012–2016).(113)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
Universal Child Allowance Program (Asignación Universal) [†]	Government program funded in part by the World Bank that provides a cash transfer to unemployed parents and workers in the informal economy, contingent upon parents' fulfillment of health and education requirements for their children.(37, 99, 114) In 2016, expanded coverage from 3.5 million to more than 3.7 million children.(115, 116)
RENATRE Awareness-Raising Campaigns [†]	RENATRE campaigns that raise awareness of child labor in agriculture and inform families and children of the right to education.(117, 118)
CONAETI Awareness-Raising Campaigns	CONAETI/Network of Businesses Against Child Labor campaigns that make businesses and the general public aware of child labor in sourcing and supply chains.(6, 106)
USDOL-funded Projects to Support Apprenticeships*	USDOL-funded, \$3 million Project to Promote Workplace-Based Training for Vulnerable Youth in Argentina (2016–2019) and \$1.4 million Promoting Apprenticeship as a Path for Youth Employment in Argentina through Global Apprenticeship Network (GAN) National Networks (2016–2018). Additional information is available on the USDOL Web site .
Harvest Day Care and Future Programs	COPRETI/Network of Businesses Against Child Labor programs that aim to reduce child labor in the production of crops, in which work is often performed by entire families. Program places children in day care centers with educational programs.(10, 119-122)
Program to Strengthen Schools in Agricultural Areas [†]	RENATRE program that provides infrastructural developments, operating costs, and pedagogical development to rural schools located in agricultural areas, where children may be at risk of child labor.(35, 93, 123, 124)
Campaign to Report Human Trafficking	Government campaign to raise public awareness of human trafficking and to encourage use of the national human trafficking hotline.(75)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Argentina.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(6, 19, 75, 125-128)

Reports indicate that the Universal Child Allowance Program has had a positive impact on the reduction of child labor since it began in 2009.(129-131) However, programs that address child labor in the agricultural sector do not appear to address the full scope of the problem. Research also did not find programs that specifically targeted children engaged in street begging and performing, windshield-washing, and guarding parked cars.

In Argentina, education is compulsory until age 18, which is the qualifying age for participation in many youth employment programs, including most apprenticeships. However, reports indicate that many children, including children ages 16 and 17, do not finish secondary education.(92, 115, 132) Children ages 16 and 17 who have not finished secondary school, and who are legally allowed to work, are often unable to find jobs in the formal sector.(92, 132) Without eligibility to participate in youth employment programs until age 18, these children are at an increased risk of engaging in dangerous work. In addition, without formal training, these children are more likely to remain in informal work as adults.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Argentina (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Publish information on the level of funding allocated to the labor inspectorate.	2015 – 2016
	Ensure that there are a sufficient number of labor inspectors to enforce labor laws throughout the country.	2015 – 2016
	Publish information on the number of labor inspections conducted at worksites and through desk reviews, as well as on the penalties collected for child labor violations.	2015 – 2016
	Publish information on the number of children removed from child labor, including its worst forms, who received services and the mechanisms by which labor law enforcement and social service agencies reciprocally refer cases.	2014 – 2016
	Publish information on the number of criminal investigators who investigate child labor-related crimes and ensure that they have sufficient resources to enforce laws on the worst forms of child labor.	2014 – 2016
	Publish information on the number of criminal investigations, violations, prosecutions, and convictions for the worst forms of child labor.	2015 – 2016
	Ensure that there is a reciprocal referral mechanism between criminal law enforcement agencies and social services for cases of the worst forms of child labor.	2015 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the National Plan on Compulsory Education and Teacher Training.	2015 – 2016
Social Programs	Expand the coverage and scope of programs that target child labor in agricultural activities.	2012 – 2016
	Develop specific programs that target child labor in street begging and performing, windshield-washing, and parked car caretaking.	2009 – 2016
	Extend youth employment and vocational training programs to children ages 16 and 17 that also allow children to complete their compulsory schooling.	2015 – 2016

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