

In 2016, Paraguay made a significant advancement in efforts to eliminate the worst forms of child labor. The Government approved the National Strategy to Prevent Forced Labor and renewed the National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents. The Government also published results from a 2015 survey on rural child labor and formalized an agreement to accelerate authorization of workplace inspection search warrants. In addition, the Government launched a project to promote decent work in the production of cotton by combatting poverty and discrimination, preventing and eradicating child labor and forced labor, formalizing employment, and promoting youth employment. However, children in Paraguay are engaged in the worst forms of child labor, including cattle raising and domestic work. The funding and reach of existing social programs and law enforcement agencies hamper the Government's ability to fully address the worst forms of child labor, particularly in rural areas.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Paraguay engage in the worst forms of child labor, including cattle raising and domestic work.(1-12) The 2011 National Survey of Child and Adolescent Activities found that 21 percent of all Paraguayan children were engaged in hazardous work.(2) The 2015 Survey of Activities of Rural Area Children and Adolescents, published in 2016, identified 384,677 children engaged in child labor in agriculture.(1) Table 1 provides key indicators on children's work and education in Paraguay.

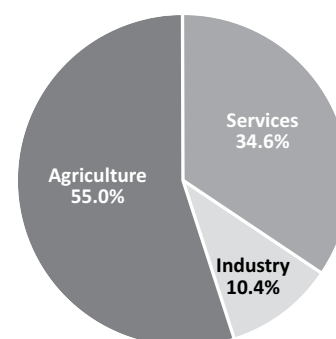
Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|----------|---------------|
| Working (% and population) | 10 to 14 | 10.4 (72,036) |
| Attending School (%) | 5 to 14 | 94.2 |
| Combining Work and School (%) | 10 to 14 | 9.5 |
| Primary Completion Rate (%) | | 89.1 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2016.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Permanente de Hogares (EPH), 2014.(14)

Figure 1. Working Children by Sector, Ages 10-14



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 | Production of manioc, corn, beans, peanuts, sesame, sugarcane, tomato, lettuce, melons, sweet potato, peppers, onion, carrots, cabbage, yerba mate (stimulant plant), soy, wheat, stevia, cotton, and charcoal (1, 4, 5, 7, 8, 15-19) |
| | Raising poultry, pigs, cattle,† sheep, and goats and producing milk (2, 5, 7) |
| | Fishing, including using hooks and harpoons,† preparing bait, and cleaning fish† (1) |
| Industry | Construction, activities unknown, and production of bricks (2, 4, 7-9, 19) |
| | Limestone quarrying† and gold mining† (2, 4, 7, 8, 19) |

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

| Sector/Industry | Activity |
|---|---|
| Services | Domestic work† (2, 6-12, 20) |
| | Street work,† including vending, shoe shining, and begging (2, 4, 8, 9, 21) |
| | Garbage dump scavenging† (2, 3, 22) |
| Categorical Worst Forms of Child Labor‡ | Debt bondage in cattle raising, dairy farms, and charcoal factories (4, 7) |
| | Commercial sexual exploitation and domestic servitude, each sometimes as a result of human trafficking (2-4, 6-9, 19, 23) |
| | Use in the production of child pornography (4, 24-27) |
| | Use in illicit activities, including smuggling and drug trafficking (3, 4, 8, 19, 28) |
| | Forced recruitment of children by non-state armed groups for use in armed conflict (4, 5, 8, 9, 19) |

† 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.




Criadazgo, a system whereby middle-class and wealthy families informally employ and house child domestic workers from impoverished families, is pervasive in Paraguay; the 2011 National Survey of Child and Adolescent Activities estimated 46,000 children were engaged in *criadazgo*.(2, 4, 12, 16, 19, 27) Children work alongside their parents in debt bondage on cattle ranches, dairy farms, and charcoal factories in the remote Chaco region.(4) The Paraguayan People’s Army (EPP) and the Armed Peasant Association recruit children to carry supplies and serve as lookouts or full-time combatants.(4, 5, 8, 19)

The 2011 National Survey of Child and Adolescent Activities indicated that children who speak Guaraní exclusively are more likely to be involved in child labor and have higher rates of school absence as compared to other working children; poverty is pervasive in rural Paraguay, where Guaraní is the predominant language.(2, 29) School buses or other forms of public transportation are limited in rural areas and school infrastructure is often inadequate in rural and indigenous communities. The Government has noted that girls from rural areas leave school at an earlier age than boys and estimated that more than 50 percent of children with disabilities could not attend school due to lack of access to public transportation.(4, 8, 19) Such challenges may leave these children more vulnerable to child labor. Approximately 13 percent of children engaged in child labor in agriculture do not attend school and 11.8 percent of working children ages 14 to 17 have not completed primary school.(1, 30)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Paraguay 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 | ✓ |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Paraguay’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 | 14 | Article 1 of Law No. 2332; Article 58 of the Childhood and Adolescence Code (31, 32) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 54 of the Childhood and Adolescence Code; Article 3 of Decree No. 4951; Articles 122 and 125 of the Labor Code; Article 15 of the First Employment Law; Article 5 of Law No. 5407 on Domestic Work (31, 33-37) |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes | | Article 54 of the Childhood and Adolescence Code; Article 2 of Decree No. 4951; Article 15 of the First Employment Law; Articles 122, 125, and 389 of the Labor Code; Article 5 of Law No. 5407 on Domestic Work (31, 33-37) |
| Prohibition of Forced Labor | Yes | | Articles 5-7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, 223, and 320 of the Penal Code; Articles 10 and 54 of the Constitution (38-41) |
| Prohibition of Child Trafficking | Yes | | Articles 6 and 7 of the Comprehensive Law Against Trafficking in Persons; Articles 125, 129, and 223 of the Penal Code; Article 54 of the Constitution (38-41) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Articles 135 and 223 of the Penal Code; Article 2.19 of Decree No. 4951; Article 31 of the Childhood and Adolescence Code (31, 33, 39, 41) |
| Prohibition of Using Children in Illicit Activities | Yes | | Article 1 of Law No. 1657; Article 32 of the Childhood and Adolescence Code (31, 42) |
| Minimum Age for Military Recruitment | | | |
| State Compulsory | Yes | 18 | Articles 3 and 5 of the Obligatory Military Service Law (43, 44) |
| State Voluntary | Yes | 18 | Articles 3 and 5 of the Obligatory Military Service Law (43, 44) |
| Non-state Compulsory | No | | |
| Compulsory Education Age | Yes | 15 | Article 2 of Law No. 4088; Article 32 of the General Education Law No. 1264 (45, 46) |
| Free Public Education | Yes | | Article 76 of the Constitution; Article 32 of the General Education Law No. 1264 (38, 45) |

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 laws related to child labor, inspect workplaces for child labor, and fine companies found in violation of labor laws. Refer cases involving criminal violation of child labor to the Public Ministry or the National Secretariat for Children and Adolescents (SNNA).(5, 7) |
| National Police | Maintain a special unit of 33 police officers who handle complaints regarding trafficking in persons, including children, with offices in five cities.(5, 7) |
| The Public Ministry (Prosecutor's Office) | Enforce criminal laws related to the worst forms of child labor by investigating and prosecuting violators and providing support to local prosecutors throughout Paraguay.(7) |
| SNNA | Maintain a unit dedicated to fighting child trafficking and a hotline to report cases of human trafficking and commercial sexual exploitation of children, which received 10,622 calls in 2016. Provide social services to victims referred by law enforcement agencies. (5, 7, 28, 47) |
| The Public Defender's Office | Maintain the Specialized Unit to Combat Human Trafficking and Sexual Exploitation of Children and Adolescents.(48) |
| Attorney General's Office | Investigate and prosecute cases of child labor involving human trafficking via the Anti-Trafficking in Persons Unit, composed of 3 specialized prosecutors based in Asunción and 35 assistants.(5) |

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Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

| Organization/Agency | Role |
|-----------------------------|--|
| Ministry of Women's Affairs | Provide social services to female victims of human trafficking, half of whom are estimated to be children. House an office dedicated to combating trafficking of children staffed with five dedicated personnel.(5, 7, 28) |

Labor Law Enforcement

In 2016, labor law enforcement agencies in Paraguay 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 (5) | \$1.1 million (4) |
| Number of Labor Inspectors | 56 (5) | 30 (4) |
| Inspectorate Authorized to Assess Penalties | No (4) | No (4) |
| Training for Labor Inspectors | | |
| Initial Training for New Employees | Yes (5) | N/A |
| Training on New Laws Related to Child Labor | Yes | Yes (4) |
| Refresher Courses Provided | Yes (5) | Yes (4) |
| Number of Labor Inspections | 308 (49) | 4,800 (4) |
| Number Conducted at Worksite | Unknown | 4,800 (4) |
| Number Conducted by Desk Reviews | Unknown | 0 (4) |
| Number of Child Labor Violations Found | 7 (5) | 17 (4) |
| Number of Child Labor Violations for Which Penalties Were Imposed | 5 (5) | Unknown |
| Number of Penalties Imposed That Were Collected | 2 (50) | Unknown |
| Routine Inspections Conducted | Yes (5) | Yes (4) |
| Routine Inspections Targeted | Yes (5) | Yes (4) |
| Unannounced Inspections Permitted | Yes (5) | Yes (4) |
| Unannounced Inspections Conducted | Yes (5) | Yes (4) |
| Complaint Mechanism Exists | Yes (5) | Yes (4) |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (5) | Yes (4) |

As part of the Ministry of Labor, Employment and Social Security's (MTESS) efforts to professionalize the labor inspectorate, all labor inspectors must now meet the minimum qualification of a university degree. During 2016, the MTESS reassigned some of the incumbent labor inspectors to other functions including training new staff, providing labor complaint customer service, and organizing inspection strategy.(4) The number of labor inspectors is insufficient for the size of Paraguay's workforce, which includes over 3 million workers. According to the ILO's recommendation of 1 inspector for every 15,000 workers in developing economies, Paraguay should employ roughly 219 inspectors.(51-53) Government agencies, international organizations, NGOs, and labor organizations agree that inadequate funding and number of labor inspectors hamper the labor inspectorate's capacity to enforce child labor laws, especially in the informal sector.(4, 5, 16) The inspectorate is particularly limited by the lack of dedicated vehicles or travel funds.(4, 5, 16)

An additional constraint to labor law enforcement is the legal requirement that the Public Ministry and the Ministry of Labor, Employment and Social Security (MTESS) secure a search warrant from a judge if an employer does not permit an inspector to enter a workplace and conduct an inspection. There is a lack of efficient and timely cooperation by judicial authorities in granting workplace inspection search warrants, as the system is paper-based and orders routinely take more than 3 months to arrive.(4, 5, 7, 16, 54) During the reporting period, the MTESS formalized an agreement with judicial authorities, which will go into effect in 2017, to accelerate the authorization of search warrants.(4)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Paraguay 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 | Yes (55) | Unknown |
| Training on New Laws Related to the Worst Forms of Child Labor | Yes (55) | Yes (4) |
| Refresher Courses Provided | Yes (55) | Yes (4) |
| Number of Investigations | 68 (55) | 77 (4) |
| Number of Violations Found | Unknown | 71 (4) |
| Number of Prosecutions Initiated | 60 (55) | 77 (4) |
| Number of Convictions | 35 (55) | 20 (4) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | No (4) | No (4) |

In November 2016, the Attorney General's office rescued 35 indigenous Ache victims, including 7 children, from forced labor producing charcoal on a farm in the Chaco.(4, 17, 47) During the reporting period, a judge in the city of Horqueta placed a 17 year old girl on house arrest for possession of a fire arm and EPP communications. (56) Government agencies, international organizations, NGOs, and labor organizations have observed that more specialized prosecutors are needed to support local prosecutors nationwide and to increase the Public Ministry's ability to investigate and prosecute child labor cases involving human trafficking.(4, 5, 16) The Special Directorate to Fight the Trafficking of Persons and Commercial Sexual Exploitation of Children has insufficient resources, including vehicles, fuel, and logistical support, to carry out investigations, particularly in remote areas, such as the Chaco, where the worst forms of child labor, human trafficking, and debt bondage are most prevalent. Overall, Paraguay's law enforcement agencies lack resources, including staff and training, to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor; as a result, the number of convictions of crimes related to the worst forms of child labor is insufficient and existing penalties are inadequate deterrents.(4, 5, 7, 16, 57)

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 to Prevent and Eradicate the Exploitation of Children (CONAETI) | Lead government efforts against child labor and include representatives from the MTESS, the Ministry of Justice and Human Rights, the Ministry of Women's Affairs, the SNNA, and other government agencies, as well as labor union representatives, industry associations, and NGOs.(7, 58) |
| Inter-Institutional Working Group on Preventing and Combating Human Trafficking | Coordinate interagency efforts to combat all forms of trafficking in persons, including child trafficking. Headed by the Ministry of Foreign Relations.(7, 20, 58) |
| Defense Councils for the Rights of Children and Adolescents | Coordinate efforts to protect children's rights at the municipal level, including by maintaining a registry of children involved in economic activities and coordinating with vocational training programs for adolescents.(7, 31) |

In 2016, the MTESS met regularly with the Ministries of Education and Health, however, coordination between these ministries remains insufficient to combat the worst forms of child labor.(4-7, 59)

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 |
|--|--|
| National Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2016–2020)† | Aims to raise awareness and strengthen enforcement of child labor laws. Provides child laborers access to free, quality education and offers livelihood alternatives for their families.(4, 7, 58) |
| National Strategy to Prevent Forced Labor† | Aims to prevent and eradicate forced labor and care for victims.(60) |

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Table 9. Key Policies Related to Child Labor (cont)

| Policy | Description |
|---|---|
| National Plan for Development (2014–2030) | Aims to reduce social exclusion and poverty, including by preventing and eliminating child labor.(61) |
| National Plan on Human Rights | Promotes human rights, including the prevention and elimination of child labor and forced labor.(62) |
| Inter-Institutional Agreement on Government Procurement | Prohibits Government procurement of goods or services involving child labor. Established between SNNA and the National Bureau for Public Contracts.(63) |

† Policy was approved during the reporting period.

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 |
|---|---|
| USDOL-Funded Projects | USDOL projects that aim to eliminate child labor, including its worst forms, through research, improved monitoring and enforcement, policy development, and awareness-raising. These projects include Country Level Engagement and Assistance to Reduce Child Labor (CLEAR) , implemented by the ILO in 11 countries; Global Research on Child Labor Measurement and Policy Development , implemented by the ILO in 10 countries; Global Action Program on Child Labor Issues , implemented by the ILO in approximately 40 countries; and Paraguay Okakuaa (Paraguay Progresses) , \$6 million project implemented by Partners of the Americas.(64-66) For additional information about USDOL's work, please visit our Web site . |
| Embrace Program (<i>Programa Abrazo</i>)† | SNNA program to assist children engaged in exploitative work by providing them and their families with health and education services, food deliveries, and cash transfers conditioned on children's school attendance and withdrawal from work.(58) Works closely with NGO Fortalecer in the implementation of ILO-IPEC programs and with the Sugarcane Growers' Association, Ministry of Education and Culture, and CONAETI to set up programs tailored to at-risk children who work during the sugarcane harvesting season.(7) |
| Combating Commercial Sexual Exploitation of Girls, Boys and Adolescents in Trips and Tourism† | National campaign of the National Secretariat for Tourism and the Association of Female Tourism Executives to raise awareness on protecting children from commercial sexual exploitation.(6) |
| Promotion of Decent Work in the Cotton Supply Chain (2016-2018)* | Government of Brazil-funded project implemented by the ILO to promote decent work in cotton through exchanges on combatting poverty and discrimination, preventing and eradicating child labor and forced labor, formalizing employment, and promoting youth employment and equality.(67, 68) |
| Well-Being Conditional Cash Transfer Program (<i>Tekoporã</i>)† | Government-administered program through the Secretariat for Social Action. Provides conditional cash transfers to families in rural communities.(5) Incorporates aspects of the Embrace Program, such as the family monitoring methodology, to ensure beneficiary children do not engage in child labor.(7) |

* Program was launched during the reporting period.

† Program is funded by the Government of Paraguay.

The 2012 Law Against Trafficking in Persons requires the Ministry of Women's Affairs to provide compensation and financial assistance to victims of sexual and labor trafficking, including minors. However, the Government has not allocated funding for the Ministry of Women's Affairs to implement such a program, and most victims did not have access to comprehensive care.(5, 16, 40, 69) Although Paraguay has programs that target child labor, the scope and funding level of these programs is insufficient to fully address the extent of the problem, and programs are limited by the absence of government education and health services in rural areas. Additional programs are needed to reach the large numbers of working children, especially in agriculture, including cattle herding, and domestic work.(5, 16) The Government lacks appropriate programs and social services for the disarmament, demobilization, and reintegration of children associated with armed groups. (5, 59)

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 Paraguay (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 | Strengthen the labor inspectorate by permitting inspectors to determine and assess penalties for child labor violations. | 2016 |
| | Make information on the number of penalties imposed and collected for child labor violations publicly available. | 2016 |
| | Increase the number of labor inspectors trained and responsible for providing enforcement of child labor laws to meet international standards and increase the funding and resources available to the labor inspectorate, including dedicated vehicles and travel funds. | 2009 – 2016 |
| | Build enforcement capacity to address children’s work in the informal sector. | 2014 – 2016 |
| | Implement the agreement to accelerate authorization of workplace inspection search warrants to improve the cooperation mechanisms among judicial authorities and labor enforcement officials. | 2013 – 2016 |
| | Establish a referral mechanism between criminal authorities and social services to ensure victims of the worst forms of child labor receive appropriate services. | 2016 |
| | Ensure children associated with armed groups are referred to appropriate rehabilitation and reintegration programs. | 2015 – 2016 |
| | Increase efforts to prosecute crimes related to the exploitation of children in the worst forms of child labor, including by hiring and training more specialized prosecutors; providing resources, such as vehicles and fuel, to enable investigations in remote areas, such as the Chaco; developing coordination and referral mechanisms for government agencies to refer relevant cases to the Public Ministry; and increasing penalties for crimes. | 2012 – 2016 |
| Coordination | Strengthen interagency coordinating mechanisms, with particular focus on the communication between the Ministry of Education and the Ministry of Health, to combat child labor, including its worst forms. | 2013 – 2016 |
| Social Programs | Increase access to education for children vulnerable to child labor, particularly children living in rural and indigenous communities, including in the Chaco, and children with disabilities. | 2014 – 2016 |
| | Further expand government programs to assist more families and children affected by child labor, including in agriculture and domestic work. | 2010 – 2016 |
| | Implement disarmament, demobilization, and reintegration programs for children associated with armed groups and ensure these children receive sufficient rehabilitation services. | 2015 – 2016 |

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in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, “developed economies” equate to the ILO’s classification of “industrial market economies; “economies in transition” to “transition economies,” “developing countries” to “industrializing economies, and “the least developed countries” equates to “less developed countries.” For countries that appear on both “developing countries” and “least developed countries” lists, they will be considered “least developed countries” for the purpose of calculating a “sufficient number” of labor inspectors.

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