

In 2019, El Salvador made a moderate advancement in efforts to eliminate the worst forms of child labor. The government published results from its Annual Multipurpose Household Survey, which identifies child labor prevalence in the country. The Ministry of Labor and Social Welfare also significantly increased fines assessed for labor violations and criminal law enforcement agencies investigated 45 cases of child commercial sexual exploitation. In addition, the National Council for Children established an emergency hotline to receive reports of child abuse, including child labor. However, children in El Salvador engage in the worst forms of child labor, including in commercial sexual exploitation and in illicit activities, each sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. Law enforcement agencies continued to lack sufficient resources to enforce child labor laws throughout the country. Gaps also remained related to the implementation of key policies to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador engage in the worst forms of child labor, including in commercial sexual exploitation and in illicit activities, each sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. (1-6) In 2019, the Director General of Statistics and Census published results from the 2018 El Salvador Annual Multipurpose Household Survey (EHPM in Spanish), which found that around 101,000 children between the ages of 5 and 17 are working in El Salvador, a 21.69 percent decrease since 2017. (5,7) The survey also found that over 60 percent of child laborers live in rural communities and around 40 percent do not attend school. (5,7) Table 1 provides key indicators on children’s work and education in El Salvador.

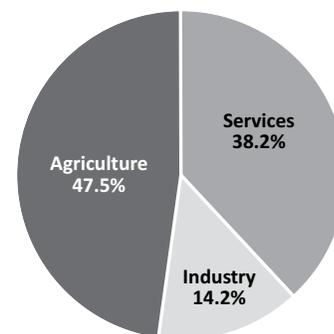
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	5.9 (68,431)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		86.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2015. (9)

Figure 1. Working Children by Sector, Ages 5-14



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	Harvesting sugarcane† and coffee,† and production of cereal grains (5,10,11)
	Cattle-raising† (11)
	Fishing,† including harvesting shellfish and mollusks† (2,5,12)
Industry	Manufacturing fireworks† (5,10,12)
	Production of baked goods (11)
	Construction† (5,11,13)

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

Sector/Industry	Activity
Services	Garbage scavenging,† street begging,† performing,† and vending† (5,10,14)
	Domestic work (5,10,11,15–17)
	Selling goods in markets or kiosks and working in restaurants (11)
	Repairing motor vehicles† (11,13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,6,12)
	Use by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs, sometimes as a result of human trafficking (2,5,6,12)
	Forced begging, domestic work, agricultural labor, construction, work in textiles, and street work (2,5,6)

† 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.

Children in El Salvador often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation. They are also recruited by gangs for illicit activities such as delivering threats, collecting extortion money, conducting surveillance activities, trafficking drugs, and committing homicides. (1,4–6,18,19) Gangs also often force young girls into domestic servitude, including providing childcare, and into sexual exploitation. Reports indicate that those who resist forced gang labor have been assaulted or killed. (5,6) El Salvador’s Trafficking in Person’s Special Prosecutor and local NGOs have indicated that adolescent girls with limited education are among the most at risk of being trafficked. (4,19) LGBTI adolescents are also at risk of being forced into commercial sexual exploitation by gangs. (5)

Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Once en route, they become vulnerable to human trafficking and commercial sexual exploitation. (2,4,6,20)

Multiple reports, including by third-party monitoring groups, indicate that the use of child labor in sugarcane harvesting has decreased since 2010. (1,21,22) However, despite ongoing government efforts to address child labor in this sector, recent data demonstrating the impact of specific government programs have not been published. (1)

At schools, children are recruited, extorted, and harassed by gangs, which may cause them to stop attending school. Children who do not attend school are more vulnerable to child labor, including its worst forms. (1,2,20–23) Poverty, particularly in rural areas, also presents a barrier to education in El Salvador because children leave school to contribute to family incomes. Although the Comprehensive Law of Protection of Childhood and Adolescence indicates that lack of identity documents will not prevent school enrollment, NGOs and international organizations have indicated that the requirement for children to have birth certificates to enroll in school may explain under-enrollment rates, as the cost for these documents may be prohibitive for very poor families. (5) Limited reporting also indicates that children from indigenous communities disproportionately lack access to education. (1,5)

II. LEGAL FRAMEWORK FOR CHILD LABOR

El Salvador 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	✓

Table 3. Ratification of International Conventions on Child Labor (Cont.)

Convention	Ratification
 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 (Table 4). However, gaps exist in El Salvador’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work compared to the compulsory age for basic education.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 114 of the Labor Code; Article 38 of the Constitution; Article 59 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (23–25)
Minimum Age for Hazardous Work	Yes	18	Article 105 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 ((23,24,26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (26)
Prohibition of Forced Labor	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 13 of the Labor Code; Article 56 of LEPINA; Articles 4 and 9 of the Constitution (23–25,27)
Prohibition of Child Trafficking	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (25,27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code; Article 55 of LEPINA (25,27,28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of LEPINA (25,27,28)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Articles 2 and 6 of the Military Service Law (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 215 of the Constitution; Decree No. 298 (23,30)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 345 of the Penal Code; Article 1 of the Law Prohibiting Gangs and Criminal Organizations; Article 7 of the Constitution (23,28,31)
Compulsory Education Age	Yes	18‡	Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (23,25,32)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (23,25,32)

‡ Age calculated based on available information (25,32)

On November 5, 2019, the Legislative Assembly Committee of Labor voted to increase significantly fines for labor violations, to a minimum of \$57.14 and a maximum of \$304. Despite this effort, the maximum fine in the Labor Code remained at \$60 during the reporting period. (1,5) The revisions are still pending final approval in the full legislature. (33) In addition, as the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (34–36)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of the Ministry of Labor and Social Welfare (MTPS) that may hinder adequate enforcement of their child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MTPS)	Inspects worksites for labor violations, including child labor, and monitors working conditions for adolescents who are granted work authorization. (5,12) Maintains a child labor unit dedicated to child labor law enforcement issues. (37) Refers cases of the worst forms of child labor to the Office of the Attorney General (AG). (5)
Ministry of Justice and Public Security	Enforces criminal laws related to the worst forms of child labor through the AG and the National Civil Police (PNC), both of which maintain special trafficking in persons units to investigate and prosecute human trafficking, including child trafficking. (5,10,12,27,38) The PNC maintains a hotline that receives complaints about human trafficking for sexual and labor exploitation. (6)
Salvadoran Institute for Childhood and Adolescent Development	Receives referrals from law enforcement agencies on cases of criminal exploitation of children, including for forced labor, human trafficking, and commercial sexual exploitation. Provides child victims with services, including shelter, medical attention, psychological help, and legal advice. (39)

Labor Law Enforcement

In 2019, labor law enforcement agencies in El Salvador took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTPS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2018	2019
Labor Inspectorate Funding	Unknown	Unknown (5)
Number of Labor Inspectors	104 (1)	107 (40)
Inspectorate Authorized to Assess Penalties	Yes (1,24)	Yes (5,24)
Initial Training for New Labor Inspectors	Yes (1)	Yes (5)
Training on New Laws Related to Child Labor	Yes (1)	N/A
Refresher Courses Provided	Yes (1)	Yes (5)
Number of Labor Inspections Conducted	32,991 (41)	33,636 (41)
Number Conducted at Worksite	585 (1)	788 (5)
Number of Child Labor Violations Found	3 (1)	2 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (1)	0 (5)
Number of Child Labor Penalties Imposed that Were Collected	0 (35)	0 (5)
Routine Inspections Conducted	Yes (1)	Yes (5)
Routine Inspections Targeted	Yes (1)	Yes (5)
Unannounced Inspections Permitted	Yes (1)	Yes (5)
Unannounced Inspections Conducted	Yes (1)	Yes (5)
Complaint Mechanism Exists	Yes (1)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (5)

In 2019, the labor inspectorate conducted 8,241 child labor-specific inspections and identified 12 minors working through child labor-specific inspections. (5,41) Two of these children were found without the appropriate work authorization, but penalties were not imposed because the cases were resolved upon re-inspection. (5) In 2019, the MTPS imposed approximately \$566,829 worth of labor violation fines, a significant increase compared to 2018, though none was for child labor violations. Furthermore, information was still not available to determine how much of those fines was collected. (5)

During the reporting period, inspectors received training on a range of topics, including human rights, jurisdiction law, administrative procedural law, labor rights and law, trafficking in persons, and sanctioning. However, none of the courses was child labor-specific and it is unclear if the courses offered included child labor themes. (5)

The MTPS has indicated that its budget is insufficient to address workers' rights and expressed concern that the Ministry's proposed 2019 budget did not include funds to specifically combat child labor. (1,5) Furthermore, the number of labor inspectors is likely insufficient for the size of El Salvador's workforce, which includes more than

2.7 million workers. According to the ILO’s technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, El Salvador would employ about 180 labor inspectors. (42) In addition, inspectors focus primarily on the formal sector in urban areas due to resource constraints, despite the size of El Salvador’s informal sector. (5,40)

Criminal Law Enforcement

Criminal law enforcement agencies in El Salvador took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including allocating financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2018	2019
Initial Training for New Criminal Investigators	Yes (1)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A
Refresher Courses Provided	Yes (1)	Yes (5)
Number of Investigations	40 (1)	Unknown (5)
Number of Violations Found	14 (35)	Unknown (5)
Number of Prosecutions Initiated	9 (1)	Unknown (5)
Number of Convictions	0 (1)	0 (5)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (1)	Yes (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (1)

In 2019, El Salvador’s Specialized Anti-Trafficking in Persons Unit opened 45 cases of female commercial sexual exploitation involving girls between the ages of 10 and 17. It also initiated the prosecution of two defendants charged with trafficking and forced labor for pineapple sales in a case that includes minors. (5) The police and the Office of the Attorney General (AG) also carried out “Operation Turquoise” in October of 2019 in San Salvador, Sonsonate, and Chalatenango Departments. Because of this effort, nine individuals were arrested from various bars and charged with trafficking in persons for the sexual exploitation of minors. (19) However, the government did not provide for this report the total number of investigations conducted, violations found, or prosecutions initiated during the reporting period related to the worst forms of child labor.

El Salvador increased its number of prosecutors of anti-trafficking in persons from 5 in 2018 to 16 in 2019, including 2 prosecutors located in the remote regions of San Miguel and Ahuachapán, which have the highest rate of trafficking complaints. Even with this increase, the AG has indicated that the Ministry of Justice and Public Security is underfunded and unable to support a sufficient number of investigators to collect and analyze evidence to process case backlogs. (1,19,40) In addition, reports indicate that increased coordination between the National Civil Police (PNC) and the AG is needed to improve the investigation and prosecution of criminal child labor violations. (44) Salvadoran police chiefs and prosecutors indicated that difficulties in collecting, sharing, and gaining actionable insights from investigative information remain a challenge, especially because investigative bodies lack the capabilities to share information electronically. (4,6)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including funding allocation. .

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

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor	Determines and implements government efforts to combat child labor. Chaired by MTPS, includes 12 government agencies, along with representatives from labor unions, business associations, and NGOs. (11,12,45) Maintains a web-based monitoring system that allows government agencies to share and analyze information to coordinate the implementation of the Roadmap. (12,46,47) In 2019, the committee worked with civil society organizations to draft and submit a request to the Legislative Assembly to reform Article 38 of the Comprehensive Law of Protection of Childhood and Adolescence (LEPINA in Spanish) to eliminate physical punishment of children. (5)
National Council Against Trafficking in Persons	Coordinates government efforts to combat human trafficking and implement the National Policy Against Trafficking in Persons. (12,36) Led by the Ministry of Justice and Public Security and composed of 11 government agencies. (12,27,48) Research was unable to identify specific activities undertaken during the reporting period.
National Council for Children and Adolescents (CONNA)	Develops policies to protect the rights of children, including those regarding child labor, and implements LEPINA and the National Policy for the Comprehensive Protection of Children and Adolescents in El Salvador (PNPNA). (12,25,49,50) Responds to cases involving the violation of children's rights by providing victim assistance. (51) In 2019, CONNA partnered with UNICEF and local NGOs to establish a free emergency hotline, "1-2-3 Habla Conmigo," designed specifically to report violations of children's rights, which may include child labor. (52)
Departmental and Local Committees for Children's and Adolescents' Rights	Implement CONNA's policies, including PNPNA, at the departmental and municipal levels, and receive complaints of child rights violations. (12,25,53–55) Research was unable to identify specific activities undertaken during the reporting period.

The budget for the National Council for Children and Adolescents (CONNA) is reported to have operated at a deficit from 2018 and into 2019 despite an increase of \$100,000 allocated due to a rise in the number of cases the council has received. (51)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including the implementation of relevant national policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Policy for the Comprehensive Protection of Children and Adolescents in El Salvador (PNPNA) (2013–2023)	Sets government policies aimed at guaranteeing children's rights and protecting children from violence and harm, including the worst forms of child labor. Other objectives include reducing poverty and improving health services and access to quality education for children, including children with disabilities. (11,50) Research was unable to identify specific activities undertaken during the reporting period.
National Action Plan for the PNPNA (2014–2019)	Set a framework for implementing the PNPNA from 2014 to 2019. Aimed to address PNPNA objectives, including the prevention of violence, the promotion of access to quality education, and the elimination of child labor by focusing on children's and adolescents' rights, gender equality, and social inclusion. (11,57,58) Research was unable to identify specific activities undertaken during the reporting period.
National Policy Against Trafficking in Persons	Defines a comprehensive plan to combat human trafficking of adults and children for labor and commercial sexual exploitation. Aims to improve prevention efforts, victim assistance, prosecution, inter-agency coordination, training, and anti-corruption efforts. (59,60) Research was unable to identify specific activities undertaken during the reporting period.
Educated El Salvador Plan	Outlines six priorities for improving El Salvador's national education system, including increasing security in schools and improving access to education for vulnerable groups, including children engaged in child labor. (12,61) In 2019, the government merged the plan with <i>Plan Cuscatlá</i> , which focuses on addressing the specific educational needs of different regions. (5,62)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,4,38,63–73)

The government has not incorporated child labor elimination and prevention strategies into the National Youth Policy (2010–2024). (74)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2019, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Human Trafficking Public Awareness Campaigns†	Government public awareness campaigns implemented by CONNA and the Ministry of Foreign Affairs to raise awareness about the dangers of human trafficking. Includes the “Protection Starts at Home” awareness program and the “Call 1 2 3” Hotline, which promote respect toward the physical, psychological, and sexual integrity of children and adolescents. (12,43,44,75) The “Call 1 2 3” Hotline was officially launched in 2019, and it offers children and adults the ability to consult specialists in emergency situations. The “Protection Starts at Home” campaign conducted public awareness campaigns during the reporting period about child sexual abuse. (5,76)
Sustainable Families Programs†	Set of government programs focused on improving health, education, productivity, and security, and eliminating poverty through inclusive and sustainable economic growth and access to public services. Includes Health and Education Bonus Programs that assist families with cash transfers conditioned on children’s school attendance and health checkups. (59,80,81) During the reporting period, in cooperation with the EU, the program held focus groups in five municipalities as part of a gender study aimed at identifying how gender-related issues are being addressed by the strategy. (82)
School Prevention and Security Plan†	Programs implemented by the Ministry of Justice and Public Security and the PNC in schools with high levels of violence. Includes activities such as provision of psychological help, online classes, skills workshops for youth, and increased police patrols. (83–86) The government increased the number of the program’s training centers from 1,104 in 2018 to 1,123 in 2019. (85,86)
USDOL-Funded Projects	Projects which aim to reduce the incidence of child labor, including: Youth Pathways-Central America (2015–2019), \$16.5 million project implemented by Catholic Relief Services in El Salvador and Honduras; and Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives (RICHES) (2017–2021), \$1.5 million project implemented by the Grameen Foundation in El Salvador and the Philippines. (75,87-89) For additional information, please see the USDOL website.

† Program is funded by the Government of El Salvador.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,4,10,84,91–94)

Despite efforts to combat human trafficking, services for adolescent male human trafficking victims are limited, which may leave them vulnerable to being trafficked again. (6) Although the government implements several programs to reduce the worst forms of child labor by assisting poor families and school children, research found no evidence that the government has programs that assist child laborers who may not be living with their families and not attending school, such as children engaged in domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in El Salvador (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for work from 14 years to the age up to which education is compulsory.	2018 – 2019
Enforcement	Publish or make publicly available the labor inspectorate’s level of funding.	2018 – 2019
	Provide sufficient funding and resources to the Ministry of Labor and Social Welfare and criminal law enforcement agencies to fully enforce child labor laws and investigate cases involving the worst forms of child labor, including in the informal sector.	2010 – 2019
	Increase the number of labor inspectors to meet the ILO’s technical advice.	2018 – 2019
	Ensure and verify that child labor themes are included in annual refresher courses for inspectors.	2018 – 2019
	Collect and publish information about fines collected for child labor violations.	2015 – 2019
	Establish monetary penalties for child labor violations that are proportionate to the nature and seriousness of the offense.	2009 – 2019
	Collect and publish complete information on training for new criminal investigators and data on the number of investigations conducted, criminal violations found, and penalties imposed related to the worst forms of child labor.	2019
	Improve coordination between the National Civil Police and the Office of the Attorney General in their investigation and prosecution of criminal cases related to the worst forms of child labor, including by developing information-sharing capabilities.	2014 – 2019

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Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure actions are taken to carry out the mandates of the Departmental and Local Committees for Children's and Adolescents' Rights and the National Council Against Trafficking in Persons.	2018 – 2019
	Ensure coordinating bodies have sufficient funding to meet yearly operational and service demands.	2019
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014 – 2019
	Ensure implementation of policies addressing the worst forms of child labor and report on yearly activities.	2019
Social Programs	Collect and publish government statistics evaluating the impact of collaborative projects targeting child labor in sugarcane production.	2016 – 2019
	Remove barriers to education, such as birth registration requirements, and ensure access for all children, including students of indigenous descent.	2011 – 2019
	Ensure adequate services are available for all human trafficking victims, including adolescent males.	2019
	Implement programs to support child laborers who may not be living with their parents, including child domestic workers.	2017 – 2019

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