

In 2020, Nicaragua made minimal advancement in efforts to eliminate the worst forms of child labor. The government established the program Women for Life, Peace, and Wellbeing Plan, with the aim of providing critical attention to victims of domestic violence and sexual violence, as well as trafficking in persons. However, children in Nicaragua are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. Laws do not establish a clear compulsory education age, and national policies to eliminate child labor and protect children have not been fully implemented. The government also lacks a specific and consistent mechanism to coordinate efforts to address child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nicaragua are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1) Children also perform dangerous tasks in agriculture. (2,3) Table 1 provides key indicators on children’s work and education in Nicaragua. Data on some of these indicators are not available from the sources used in this report.

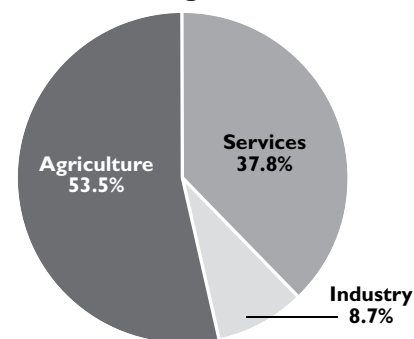
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	47.7 (342,076)
Attending School (%)	10 to 14	88.3
Combining Work and School (%)	10 to 14	40.3
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta Continua de Hogares (ECH), 2012. (5)

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	Harvesting coffee, bananas, tobacco,† and sugarcane (2,6,7)
	Raising livestock† (8,9)
	Collecting shellfish† (9)
Industry	Construction,† including transporting materials† (8-10)
	Quarrying† of pumice and limestone, and mining† of gold (2,9-11)
	Production of gravel (crushed stones)† (12)
Services	Domestic work (8-10)
	Work in transportation† and as couriers† (8,9)
	Work in tourism and the hotel industry (8)
	Street work, including vending,† washing car windshields,† and performing at stoplights† (8,9,13)

Nicaragua

MINIMAL ADVANCEMENT

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 (1,8,9,11,14-17)
	Domestic work as a result of human trafficking (15-17)
	Forced begging, sometimes as a result of human trafficking (10,11,17,18)
	Use in illicit activities, including in drug production and drug trafficking (8,10)

† 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.

Information about the prevalence of child labor in Nicaragua is limited because the last known national survey on child labor was published in 2012. (8,19) However, available research indicates that children are subjected to commercial sexual exploitation, particularly in Granada, Managua, the Caribbean Autonomous Regions, and San Juan del Sur. (11,14,20) Children from poor rural areas, those in the Caribbean Autonomous Regions, and migrants from the Northern Triangle countries are particularly vulnerable. (11) In addition, Nicaragua is a destination country for child sex tourists from the United States, Canada, and Western Europe. (10) Limited research suggests that after the political upheaval that took place in 2018 the Nicaraguan National Police began focusing resources on responding to anti-government protests, as well as surveilling and arresting political opposition members, possibly impacting public security and leaving children more vulnerable to commercial sexual exploitation. (1)




Children in Nicaragua who lack identification documents, sometimes due to a lack of birth registration, may not have access to social services and are at an increased risk of human trafficking and commercial sexual exploitation. (21) An estimated 15 percent of children born in Nicaragua lack birth certificates. (22)

Education is free and compulsory in Nicaragua; however, the costs associated with school supplies and transportation make it difficult for some children, particularly those from poor backgrounds and rural areas, to attend school. (1,8)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Nicaragua 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 (Table 4). However, gaps exist in Nicaragua’s legal framework to adequately protect children from the worst forms of child labor, including establishing a compulsory education age.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 131 of the Labor Code; Article 73 of the Childhood and Adolescence Code; Article 84 of the Constitution (23-26)
Minimum Age for Hazardous Work	Yes	18	Articles 130 and 133 of the Labor Code; Article 1 of Ministerial Agreement No. JCHG-08-06-10; Articles 2 and 74 of the Childhood and Adolescence Code (23-25,27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–7 of Ministerial Agreement No. JCHG-08-06-10; Article 133 of the Labor Code (23,27)
Prohibition of Forced Labor	Yes		Article 40 of the Constitution; Articles 61–63 of the Law Against Trafficking in Persons; Articles 182–183 and 315 of the Penal Code (26,28,29)
Prohibition of Child Trafficking	Yes		Articles 61–63 of the Law Against Trafficking in Persons; Articles 182–183 and 315 of the Penal Code (28,29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 175–183 of the Penal Code; Articles 5 and 26 of the Childhood and Adolescence Code (25,28,29)
Prohibition of Using Children in Illicit Activities	Yes		Article 61 of the Law Against Trafficking in Persons; Articles 358–359 and 362 of the Penal Code; Article 71 of Law 285 (Reform to the Narcotics Law); Article 79 of the Childhood and Adolescence Code (25,28-30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Annex 1 of the Code on the Organization, Jurisdiction, and Social Welfare of the Military (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 509 of the Penal Code; Article 95 of the Constitution (26,28)
Compulsory Education Age	No	12‡	Article 121 of the Constitution; Articles 19 and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (25,26,32)
Free Public Education	Yes		Article 121 of the Constitution; Articles 8, 19, and 23 of the Education Law; Article 43 of the Childhood and Adolescence Code (25,26,32)

* No conscription (26)

‡ Age calculated based on available information (25,26,32)

Nicaraguan law is not clear regarding the age up to which education is compulsory. Article 121 of the Constitution states that primary school education is compulsory; however, it does not specify an age. (26) Under Articles 19 and 23 of the Education Law, education is compulsory only through the sixth grade, which it specifies is up to age 12 and the end of primary school. (32) Article 43 of the Childhood and Adolescence Code states that both primary and secondary school education are compulsory, suggesting up to age 17; however, it does not specifically state an age. (25) The lack of clarity regarding the age up to which education is compulsory, and the potential gap between the compulsory education age and the minimum age for work, may leave children vulnerable to child labor, including its worst forms. (33)

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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

Nicaragua

MINIMAL ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MITRAB)	Enforces labor laws and sets child labor policy priorities. Conducts labor inspections through its General Labor Inspectorate, and conducts child labor inspections through its Child Labor Inspections Unit. (16) Conducts training on child labor issues and inspections. Maintains a mailbox in each of Nicaragua's 17 departments to receive complaints of child labor violations. (16)
Nicaraguan National Police	Addresses cases of child labor and human trafficking through the Police Intelligence Unit, which detects crimes, and the Special Crimes Unit, which investigates crimes. Maintains a hotline for reporting violations of children's rights. (16)
Ministry of Governance	Coordinates participation between MITRAB and the Nicaraguan National Police in labor inspections in which employers resist inspection. (16)
Prosecutor's Office	Prosecutes cases of child trafficking, commercial sexual exploitation, and the use of children in illicit activities. Contains 2 national-level and 35 department-level prosecutors who prosecute these and other crimes. (16)
Human Rights Attorney for Children	Assists in the enforcement of laws related to child labor and hazardous child labor. (16)

Labor Law Enforcement

In 2020, labor law enforcement agencies in Nicaragua took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MITRAB) that may hinder adequate labor law enforcement, including resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$1,200,000 (16)	\$1,380,000 (1)
Number of Labor Inspectors	97 (16)	97 (1)
Inspectorate Authorized to Assess Penalties	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	Yes (16)	N/A (1)
Training on New Laws Related to Child Labor	N/A	N/A (1)
Refresher Courses Provided	Unknown (16)	Yes (1)
Number of Labor Inspections Conducted	13,529 (16)	15,182 (1)
Number Conducted at Worksite	Unknown (16)	Unknown (1)
Number of Child Labor Violations Found	272 (16)	4 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (16)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (1)
Routine Inspections Conducted	Yes (16)	Yes (1)
Routine Inspections Targeted	Yes (16)	Yes (1)
Unannounced Inspections Permitted	Yes (23)	Yes (35)
Unannounced Inspections Conducted	Unknown (16)	Unknown (1)
Complaint Mechanism Exists	Yes (16)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (1)

In 2020, a total of 15,182 labor inspections were conducted, representing approximately 156 inspections carried out by each inspector. This is a high number of inspections conducted by each inspector, and it is likely that this high number impacts the quality of such inspections. (1) A lack of resources may hinder MITRAB's capacity to enforce child labor laws. (8,9,36) For example, the number of labor inspectors is likely insufficient for the size of Nicaragua's workforce, which includes approximately 3 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Nicaragua would employ about 203 inspectors. (37,38) Although the government maintains that its budget for the inspectorate is sufficient, civil organizations indicate that funding levels do not permit the inspectorate to address the scope of the problem. For example, reports indicate that Nicaragua has a large informal and rural workforce, and the General Labor Inspectorate is unable to cover the country's vulnerabilities to, and the magnitude of, labor violations adequately. (1,9) In 2020, MITRAB signed 6,503 cooperative agreements with private sector businesses that pledged not to use child labor. (1)

The government did not provide information on the number of penalties imposed for child labor violations, nor on penalties collected, for inclusion in this report.

Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Nicaragua took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including the allocation of sufficient financial resources to inform monitoring and investigations of the worst forms of child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (16)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown (1)
Refresher Courses Provided	Unknown (16)	Unknown (1)
Number of Investigations	2 (16)	7 (1)
Number of Violations Found	2 (16)	7 (1)
Number of Prosecutions Initiated	6 (16)	7 (1)
Number of Convictions	Unknown (16)	9 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (16)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (1)

Research did not find the number of criminal investigators employed by the Nicaraguan National Police or Prosecutor General's Office during the reporting period. Information about the training provided to criminal law enforcement investigators was also unavailable. (9,18)

The government investigated seven cases of commercial child sexual exploitation; however, this number is low compared to the severity of the problem in the country. (1) Furthermore, according to the government they obtained nine convictions against individuals for violations related to the commercial sexual exploitation of children. (1) However, the government does not publicize the judicial proceedings and independent observers are unable to verify arrests, detentions, and convictions of individuals. (39) Research indicates that criminal law enforcement agencies lack sufficient financial resources to adequately carry out criminal investigations. In addition, research points out that efforts related to the worst forms of child labor do not adequately address the scope of the problem. (40,41)

The Ministry of the Family, Adolescence, and Childhood (MIFAN) maintains a hotline for receiving reports on human trafficking and commercial sexual exploitation, as well as assists in providing officials with training on child labor violations. (34) Although MIFAN also maintains a guide for assisting child victims of commercial sexual exploitation, reports indicate that the government had no formal procedures for the identification of human trafficking victims among high-risk populations, including children who are trafficked for commercial sexual exploitation. (17)

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 efficacy in accomplishing mandates.

Nicaragua

MINIMAL ADVANCEMENT

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

Coordinating Body	Role & Description
National Social Welfare System	Coordinates efforts on child labor and ensures that government institutions protect the rights of children and provide social services to them as part of its mandate to assist the Nicaraguan population. Comprises various government ministries, including MITRAB; the Ministry of the Family, Adolescence, and Childhood (MIFAN); the Ministry of Education (MINED); the Ministry of Health (MINSAL); and the Ministry of Governance. (36,42) Research was unable to determine whether the National Social Welfare System Coordinating Body was active during the reporting period.
National Coalition Against Trafficking in Persons	Coordinates efforts to address human trafficking for labor and commercial sexual exploitation. Led by the Ministry of Governance and comprises law enforcement agencies, the Supreme Court of Justice, and NGOs. (20,43) During the reporting year, it met monthly, as did its 16 department-wide working roundtable committees. (1,39)

Although the National Coalition Against Trafficking in Persons (NCATIP) led several working groups in 2020, for the fourth year in a row NCATIP did not engage local civil society, despite being required to do so by law. Local civil society organizations were also unable to corroborate increased NCATIP activity in the local working groups, and in general, the government did not coordinate with or fund NGOs, despite NGOs providing the majority of victim services. (1,11,15,20,44) Some civil organizations report a continued dismantling of once-active NCATIP regional committees and state that it has had no measurable impact since its creation. (39) NCATIP also did not appoint its Executive Secretariat, which is mandated by the Law Against Trafficking in Persons. (1,11)

Reporting indicates that the National Social Welfare System does not have a specific and consistent coordinating mechanism due to limited coordination among constituent ministries and a lack of financial resources dedicated to combating child labor. (12)

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 these policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Roadmap to Make Central America, Panama, and the Dominican Republic a Child Labor Free Zone	Sets the goal of eliminating the worst forms of child labor by 2015 and all forms of child labor by 2020. (45) Research was unable to determine whether activities were undertaken during the reporting period to implement the Roadmap. (1,8)
Good Government Plan	Sets development goals for government ministries, including MITRAB, MINED, and MINSAL. Prioritizes human trafficking investigations; aims to protect children from commercial sexual exploitation; and commits to training teachers by creating 1,000 primary school teaching positions and increasing access to education, including for indigenous and Afro-descendant children. (46) Research was unable to determine whether activities were undertaken during the reporting period to implement the Good Government Plan.
National Action Plan on Human Trafficking (2018–2022)	A four-pronged approach focused on awareness raising, capacity building, trainings, victim protection, and monitoring. (11) The Supreme Court of Justice oversaw the design and implementation of the plan. IOM collaborated by editing the document and provided training for government officials. (11) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Action Plan on Human Trafficking.
National Strategy for the Comprehensive Care and Assistance to Victims of Human Trafficking	Describes the process for identifying and assisting victims of human trafficking. (47) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Strategy for the Comprehensive Care and Assistance to Victims of Human Trafficking.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 scope of their operations.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Love Program (<i>Programa Amor</i>)†	MIFAN program that supports vulnerable or impoverished children, including children involved in child labor such as street work. Provides educational assistance for children and vocational training for parents. (48) Promotes school attendance, house-to-house and school visits, and extra-curricular activities. (1) Overseen by Nicaragua's Vice President in coordination with MINED, MINSA, MITRAB, and the Ministry of Governance. (48) Allows MIFAN to carry out activities with other government institutions, civil society, and religious organizations, as well as with communities and families. (1) Includes children from birth to age 6 through the Love Program for the Smallest Ones. (48) There is little to no information available from the government regarding the impact of the program since its creation in 2008. (49,50)
Educational Bridges (<i>Puentes Educativos</i>)†	MITRAB and MINED public-private partnership implemented by World Vision that provides education to children of coffee workers to prevent child labor during coffee harvests. (51,52) Research was unable to determine whether activities were undertaken during the reporting period to implement Educational Bridges.
Integral School Meal Program (<i>Merienda Escolar</i>)†	MIFAN and WFP initiative that provides children and adolescents with meals at school to address poverty and improve attendance. (34) In 2020, the government reported providing this assistance to 100 percent of students in public grade schools, and reports indicate this program was active during the year. (1,53,54)
National School Supply Program (<i>Paquetes Escolares Solidarios</i>)†	MINED program that distributes packages of school supplies to preschool, primary, and secondary school children in the poorest districts to increase attendance and completion rates. (34) During the reporting period, the government reported providing assistance to 100 percent of rural students through the program, and reports indicate that the program was implemented throughout the year. (1,55,56-58)
Women for Life, Peace, and Wellbeing Plan (<i>Plan Mujeres por la Vida, Paz y Bien</i>)*†	Government initiative that began in February 2020. Provides critical attention to victims of domestic violence, sexual violence, and human trafficking. (1) Mostly consists of awareness-raising activities; during the reporting period, reached 34,660 beneficiaries, including 8,494 children and 5,485 adolescents, through activities such as door-to-door visits, fairs, festivals, community assemblies, radio programs, and extra-curricular activities that addressed themes such as the role of families in promoting safe and secure homes for children. (1)

* Program was launched during the reporting period.

† Program is funded by the Government of Nicaragua.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,59,60)

MIFAN coordinated services for child trafficking victims, including access to medical and legal services, as well as education. (18,44) Yet the country still lacks adequate services for human trafficking victims, such as shelters and specialized services for victims with disabilities and male trafficking victims. Furthermore, child trafficking victims have at times been returned to their families despite the risk of re-victimization. (44)

The scope of current social programs is not sufficient to assist children who are subjected to human trafficking or engaged in the worst forms of child labor, including commercial sexual exploitation. (16) Research indicates that the regions most affected by human trafficking, such as the Caribbean Autonomous Regions, lack adequate care facilities, and children who are victims of human trafficking in these areas are referred to NGO shelters in Managua. (39)

The government does not report funding levels for, or specific activities undertaken by, the Love Program; however, research indicates that the program is underfunded. (36)

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 Nicaragua (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law is consistent and provides a compulsory education age that is not less than the minimum age for work.	2014 – 2020
Enforcement	Ensure that adequate training and refresher courses are provided for labor law inspectors and criminal investigators.	2019 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Publish complete labor law enforcement data, including information about worksite inspections, unannounced inspections, number of child labor violations, and penalties imposed for violations.	2015 – 2020

Nicaragua

MINIMAL ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Ministry of Labor has sufficient funding to enforce labor laws adequately, including those related to child labor, and that resource needs are met.	2018 – 2020
	Ensure that criminal law enforcement efforts are sufficient to address the scope of the problem and that agencies have the funding and resources necessary to carry out duties.	2014 – 2020
	Establish an adequate mechanism for identifying human trafficking victims, particularly children, among high-risk populations.	2018 – 2020
Coordination	Ensure that the National Social Welfare System is active, fully funded, and carries out its mandated activities.	2020
	Ensure that the government has a specific and consistent mechanism to coordinate efforts to address child labor, including with NGOs, and to publicly report on these efforts.	2014 – 2020
	Ensure that the National Coalition Against Trafficking of Persons works with relevant local stakeholders to address human trafficking issues, and ensure that it establishes its Executive Secretariat, as mandated by the Law Against Trafficking in Persons.	2015 – 2020
Government Policies	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2009 – 2020
Social Programs	Collect and publish updated data on the prevalence of child labor in the country.	2018 – 2020
	Expand birth registration programs to ensure that children have access to basic services.	2009 – 2020
	Remove barriers to education, such as transportation and the cost associated with school supplies, for all children, particularly those from poor backgrounds and rural areas; develop strategies and devote resources to improve attendance of children in secondary school.	2009 – 2020
	Implement social programs that address the full scope of the worst forms of child labor in the country, including commercial sexual exploitation.	2009 – 2020
	Develop social services for human trafficking victims, such as shelters and specialized services, and ensure that services are available throughout the country, especially in areas where children are most vulnerable.	2010 – 2020
	Ensure that social programs are adequately funded and implemented, and that they report on their yearly efforts.	2019 – 2020

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