

In 2022, Chile made moderate advancement in efforts to eliminate the worst forms of child labor. Chile passed laws that specifically prohibit the use of children in illicit activities, raised the maximum prison sentences for those guilty of committing child trafficking crimes, and guaranteed the rights of children to be protected from economic exploitation. The Ministerial Advisory Commission for the Eradication of Child Labor and Protection of Working Adolescents held several meetings on inspection guidelines for the labor directorate, which resulted in the creation of a manual and training modules on child labor and migration for enforcement personnel. In addition, Chile participated in the Alliance 8.7 Strategic Workshop as a Pioneer Country to renew its roadmap for attaining sustainable development goal 8.7. However, children in Chile are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children are also subjected to involvement in the production and trafficking of drugs. Furthermore, migrant children face significant barriers to education, including discrimination and a lack of transportation and access to educational settings. There is also a lack of adequate shelters for child survivors of trafficking in persons.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children’s work and education in Chile.

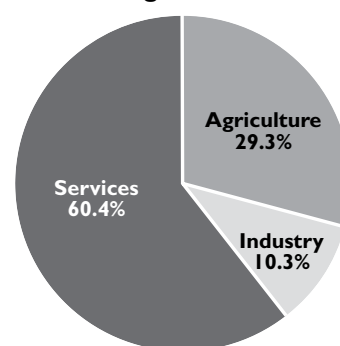
Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	3.8 (94,025)
Attending School (%)	5 to 14	99.5
Combining Work and School (%)	7 to 14	4.5
Primary Completion Rate (%)		101.5

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta de Actividades de Niños, Niñas y Adolescentes (Simpoc), 2012. (2)

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	Livestock rearing (3)
	Forestry, † activities unknown (3,4)
	Hunting, † activities unknown (4)
	Fishing, † activities unknown (3,4)
Industry	Construction, † bricklaying, † and carpentry † (2,4,5)
Services	Domestic work (3,4,6)
	Working in retail, hospitality, corner stores, offices, restaurants, and bars † (3,5-8)
	Garbage collection, † and street cleaning (5)
	Street work, † including street vending (7)

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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‡	Use in illicit activities, including in the production, selling, and distribution of drugs, sometimes as a result of human trafficking (3,6,7,9,10)
	Forced labor in agriculture, mining, construction, street vending, domestic work, and garment and hospitality sectors (9,11,12)
	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (3,9-13)
	Forced domestic work (13)

† 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 from indigenous and migrant communities are especially vulnerable to human trafficking for labor exploitation in Chile. (12) Children are also involved in street work, including the selling of goods. (7) While education is compulsory through secondary school, some educational barriers do exist in Chile, including the lack of transportation to schools in rural areas and discrimination in educational settings, specifically for migrant children. (3,6,14,15)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Chile 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).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	18	Articles 13 and 17 of the Labor Code (16)
Minimum Age for Hazardous Work	Yes	18	Articles 13, 14, and 18 of the Labor Code (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 14–18 of the Labor Code; Decree 1 (16-19)
Prohibition of Forced Labor	Yes		Article 19, No. 2 of the Constitution; Article 2 of the Labor Code; Article 411 of the Penal Code (16,20-22)
Prohibition of Child Trafficking	Yes		Article 411 of the Penal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 366, 367, and 411 of the Penal Code; Law No. 20.594 (21,23,24)
Prohibition of Using Children in Illicit Activities	Yes		Article 72 of the Penal Code; Law 21.444 (25,26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Chapter I, Article 32 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (27)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Chapter I, Article 13 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (27)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 26 of Law No. 20.357 (28)
Compulsory Education Age	Yes	18‡	Articles 4, 25, and 27 of the General Education Law No. 20.370 (15)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (15)

‡ Age calculated based on available information (15)

In 2022, the Chilean government amended the Penal Code to fully prohibit the use of children in illicit activities, including in the production and trafficking of drugs. (25,26,29) Chile also made updates to its criminal code by promulgating Law 21.522, which replaced the term "child prostitution" with "commercial sexual exploitation of a person under the age of 18," and included a minimum sentencing of 5 to 10 years for perpetrators of this crime, with sentencing as high as 20 years if the minor is personally or economically dependent on the perpetrator. (12,13,30) In addition, the government promulgated Law 21.523, which increased the maximum prison sentence for child trafficking to between 10 to 20 years. (12,13,31) Chile also passed Law 21.430 on Guaranteed Rights and Protections for Children and Adolescents, which establishes the right of minors to be protected from economic exploitation, sexual exploitation, and child labor. (12,13,32)

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.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role & Activities
Ministry of Labor and Social Welfare (MINTRAB)	Designs and implements national strategies on child labor and generates awareness on child labor and commercial sexual exploitation of children. (6) Enforces child labor laws, coordinating with the Better Childhood Service and the Department of Fundamental Rights. (13,33) During the reporting period, Chile replaced the Department for the Eradication of Child Labor with the Department of Fundamental Rights. The Department of Fundamental Rights is responsible for eradicating child labor and forced labor, as well as addressing labor issues pertaining to migration and people with disabilities. (13) As of 2021, the Undersecretary of Labor within MINTRAB chairs the Ministerial Advisory Commission for the Implementation of the Protocol (ILO C029) on forced labor. The Commission is made up of actors whose knowledge and experience are used to advise the Undersecretary of Labor on the limitations that may hinder implementation of the protocol. (8,34)
Ministry of the Interior	Oversees the National Investigations Police (PDI) and the National Uniformed Police (<i>Carabineros</i>). (13) Both agencies are tasked with investigating and preventing child labor violations and the worst forms of child labor. (35) Within PDI, the Brigade to Investigate Trafficking in Persons investigates trafficking of children, modern slavery, and organized crime. (35,36) The Sexual Assault Victim Care Center provides support to child survivors of commercial sexual exploitation. (35) Within the National Uniformed Police, the Directorate for Family Protection provides special orientation on policies and operating plans for detection of commercial sexual exploitation of children. (3)
National Prosecutor's Office (<i>Fiscalía Nacional</i>)	Conducts criminal investigations and prosecutes crimes related to the worst forms of child labor. Trains and coordinates with interagency partners, including PDI, <i>Carabineros</i> , and regional and local prosecutor's offices. (3,37)

Labor Law Enforcement

In 2022, labor law enforcement agencies in Chile took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Welfare that may hinder adequate labor law enforcement, including insufficient human resource allocation.

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Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	\$74,000,000 (37)	\$9,700,000 (13)
Number of Labor Inspectors	467 (37)	350 (13)
Mechanism to Assess Civil Penalties	Yes (16)	Yes (16)
Training for Labor Inspectors Provided	Yes (37)	Yes (13)
Number of Labor Inspections Conducted at Worksite	78,050† (37)	Unknown
Number of Child Labor Violations Found	218 (37)	186 (13)
Number of Child Labor Violations for Which Penalties Were Imposed	218 (37)	172 (13)
Number of Child Labor Penalties Imposed that Were Collected	218 (37)	172 (13)
Routine Inspections Conducted	Yes (8)	Yes (13)
Routine Inspections Targeted	Yes (8)	Yes (13)
Unannounced Inspections Permitted	Yes (8,16)	Yes (13,16)
Unannounced Inspections Conducted	Yes (8)	Yes (13)
Complaint Mechanism Exists	Yes (8)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (13)

† Data are from January 1, 2021, to January 31, 2022.

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in Chile took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including judges suspending or commuting sentences for those convicted of child commercial sexual exploitation crimes.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	Yes (8)	Yes (13)
Number of Investigations	Unknown	509 (13)
Number of Prosecutions Initiated	Unknown	43 (13)
Number of Convictions	Unknown	25 (13)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Yes (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (13)

During the reporting period, the government provided criminal law enforcement information for inclusion in this report.

In 2022, judges frequently suspended or commuted sentences of individuals convicted of commercial sexual exploitation of children, including human trafficking. (3,9) There is also a lack of adequate shelters for child survivors of trafficking in persons. (11)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism to coordinate its efforts to address child labor (Table 8).

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

Coordinating Body	Role & Activities
Ministerial Advisory Commission for the Eradication of Child Labor and Protection of Working Adolescents (CETI)	Coordinates with the Department of Fundamental Rights on implementing the National Strategy for the Eradication of Child Labor and Protection of the Working Adolescent on the national and subnational levels. (13) During the reporting period, CETI held meetings on inspection guidelines for the labor directorate and conducted a survey of work activities for boys, girls, and adolescents, the results of which will be published in 2023. CETI also drafted a manual on child labor and migration with support from IOM, developed training modules for employees of the Better Childhood Service, and updated information about child labor on the government's website. (13)

During the reporting period, the Interagency Task Force on Child Labor and Migration began working on a study on the work of migrant children and adolescents in Chile, and results are expected to be published in 2023. (13)

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 a lack of implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description & Activities
National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025)	Establishes a strategy to eradicate child labor by combining efforts across national and regional agencies and private and public entities, and requiring regions to establish a strategy to address child labor issues in the area. (38) MINTRAB oversees the implementation of regional strategies, including the design and implementation of regional operating plans. MINTRAB continued implementing the national strategy during the reporting period. (13)
Third Action Plan against the Commercial Sexual Exploitation of Children and Adolescents	Creates cooperation mechanisms for private and public institutions to collaborate on preventing and detecting commercial sexual exploitation of children and providing social services and rights restitution to survivors. (39) Research was unable to determine whether activities were undertaken during the reporting period to implement this plan.
National Action Plan Against Human Trafficking (2019–2022)	Prevents and addresses human trafficking, with a focus on women and children. Encompassed four strategic areas: prevention and awareness raising, prosecution, victims' assistance and protection, and inter-institutional cooperation and coordination. (40) The Intersectoral Roundtable on Trafficking in Persons developed the Action Plan in 2019, which was approved at the working level but is awaiting approval at the ministerial level. (36,41,42) The plan continued to guide member agencies' work in 2022, despite not being fully implemented. (12) The government plans to draft a new Action Plan against Trafficking in Persons in 2023. (12)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (43)

During the reporting period, the Ministry of Labor and Social Security attended the Alliance 8.7 workshop to renew the roadmap for attaining sustainable development goal 8.7. This goal seeks to eliminate child labor in all its forms by 2025. (13,44)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, 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 a lack of shelters for survivors of human trafficking.

Table 10. Key Social Programs to Address Child Labor

Program	Description & Activities
Better Childhood Service (<i>Mejor Niñez</i>)	Operates under the Ministry of Social Development and Family, guaranteeing the protection of vulnerable children and adolescents, particularly those living on the streets, and survivors of commercial sexual exploitation, in coordination with the Department of Child Labor Eradication. (37,45) Also coordinates with Local Offices of Childhood (<i>Oficinas Locales de la Niñez</i>), referring cases of children whose rights have been violated to appropriate social services and monitoring cases of the worst forms of child labor. These offices are located in municipalities throughout the country and are part of the larger social protection network overseen by Better Childhood Service. (45,46) During the reporting period, Better Childhood conducted activities in 11 regions across Chile to assist with its Sexual Exploitation Program. The program is dedicated to addressing commercial sexual exploitation of children and adolescents by financing accredited collaborating. (12,47)

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

Reports indicate that the absence of specialized shelters for male survivors of human trafficking remains a problem. (12)

During the reporting period, the National Service for Specialized Protection to Children and Adolescents, in conjunction with the Inter-American Institute, held a seminar on violence and commercial sexual exploitation. The seminar included discussions about new forms of commercial sexual exploitation of children in digital

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spaces, and the challenges in criminal prosecution and protection of survivors. (48) Additionally, the Development Subdirectorates of the National Service of Tourism created training for several members of the tourist industry on prevention, identifying, and acting in cases of commercial sexual exploitation of children. (49) The Ministry of Labor and Social Security also established partnerships with the private sector, in which they provided businesses, unions, and the general public with training on preventing the worst forms of child labor. (13)

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 Chile (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors have sufficient vehicles to carry out their duties.	2016 – 2022
	Ensure that cases related to the commercial sexual exploitation of children are prosecuted fully and that appropriate penalties are imposed on violators.	2016 – 2022
	Publish information on the number of labor inspections conducted at worksites.	2022
	Ensure that there are adequate shelters available for child victims of human trafficking.	2019 – 2022
Government Policies	Ensure that the National Action Plan Against Human Trafficking is approved at the ministerial level and implemented.	2021 – 2022
	Ensure that activities are undertaken to implement the Third Action Plan against the Commercial Sexual Exploitation of Children and Adolescents and that information on these activities is made publicly available.	2022
Social Programs	Conduct research to determine the activities carried out by children working in forestry, hunting, and fishing to inform policies and programs.	2020 – 2022
	Ensure that educational barriers, such as the lack of transportation to school in rural areas and discrimination of migrant children in educational settings, are addressed to prevent child labor.	2018 – 2022
	Ensure that male survivors of human trafficking have access to shelters and specialized services.	2022

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