

In 2022, El Salvador made moderate advancement in efforts to eliminate the worst forms of child labor. The government amended the Labor Code to allow for higher fines to be imposed for child labor violations. The Trafficking in Persons Unit of the Attorney General's Office added 6 prosecutors for a total of 15. In addition, the National Council on the Trafficking of Persons carried out trainings for hospitality and emergency services hotline workers to enable them to better identify victims of human trafficking. However, children in El Salvador are subjected to 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 throughout the country continue to lack sufficient resources to enforce child labor laws. Gaps also remain related to the lack of publicly available, comprehensive information on the government's labor and criminal law enforcement efforts. Finally, social programs do not adequately address the full scope of the child labor problem in the country, particularly in the service sector.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

In 2022, the Director General of Statistics and Census published results from the 2021 El Salvador Annual Multipurpose Household Survey, which found that around 81,164 children between the ages of 5 and 17 are working in El Salvador, an 8 percent decrease since 2020. (1,2) The survey also found that more than 61 percent of child laborers live in rural communities and 41 percent do not attend school. However, it did not include information about the sectors in which children are working. (1) Table 1 provides key indicators on children's work and education in El Salvador.

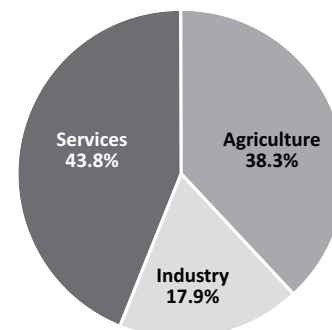
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	4.1 (41,069)
Attending School (%)	5 to 14	91.1
Combining Work and School (%)	7 to 14	4.3
Primary Completion Rate (%)		100.1

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2023. (3)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2020. (4)

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 (5-7)
	Cattle-raising† (6,7)
	Fishing,† including harvesting shellfish and mollusks† (5,7-11)
Industry	Manufacturing fireworks† (5,7,11)
	Production of baked goods (6,7)
	Construction† (8,9)

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

Sector/Industry	Activity
Services	Garbage scavenging,† street begging,† washing cars, and vending† (5,9,12,13)
	Domestic work (5,8,12)
	Street vending (8,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,9-12)
	Use by gangs to perform illicit activities, including committing homicides, delivering threats, collecting extortion money, conducting surveillance activities, and trafficking drugs, sometimes as a result of human trafficking (8,9,12)
	Forced begging, domestic work, agricultural labor, construction, and work in textiles (5,9,10,12,14)

† 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.

Multiple reports, including by third-party monitoring groups, indicate that the use of child labor in sugarcane harvesting has decreased. (15) However, despite ongoing government efforts to address child labor in this sector, recent data have not been published to provide details on government programs that focus on addressing the problem and demonstrate the impact of such efforts. (7) Children in El Salvador often lack economic stability and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation and recruitment by gangs to carry out illicit activities. (8,9,12) Gangs have traditionally forced young girls into domestic servitude, including providing childcare, and in some cases, children are taken into prisons to be commercially sexually exploited by prisoners. (8,9) According to El Salvador's Trafficking in Person's Special Prosecutor and local NGOs, adolescent girls with limited education are among the most at risk of being trafficked. (16) LGBTQI+ adolescents have also been forced into commercial sexual exploitation by gangs. (5) However, in 2022, gang activity decreased dramatically across El Salvador following the arrests of thousands of suspected gang members under the government's state of exception, introduced March 27, 2022. Reports have documented gangs' loss of control over neighborhoods throughout the country, and residents of these neighborhoods had observed a significant decline in extortion, violence, and gang recruitment by the end of 2022. (2,17) Some of the suspected gang members arrested were children and adolescents. The Government of El Salvador did not implement screening measures for indicators of force, fraud, or coercion in this population. (2)




Children in El Salvador face numerous barriers to education, such as insufficient funds allocated to education and precarious school infrastructure. (18) Most schools in the country are not constructed in a manner that allows them to adjust to environmental changes. For example, 6 out of 10 schools are not prepared to face environmental risks, natural disasters, and epidemics. (9) Furthermore, 1,943 of the country's approximately 6,400 schools do not have adequate sanitation systems, 938 schools do not have access to drinking water, and an additional 964 schools have an inconsistent source of water. (9) Reporting also indicates that children from indigenous communities disproportionately lack access to education. (5,10,15) Many students drop out of school before completing their education, particularly during middle school, due to the existing barriers to education. (9) Some transgender children have been denied access to education, and 23 percent of LGBTQI+ youth stopped their education before high school, in contrast with the 7.1 percent children nationwide who drop out of basic education. (8) Furthermore, gang violence has led to forced displacement of families, resulting in additional children dropping out of school. (10) The Ministry of Education (MINED) reported that only 6 out of 10 students complete 9 years of compulsory education. (9) Children who do not attend school are more vulnerable to child labor, including its worst forms. (15,19)

According to the Comprehensive Law of Protection of Childhood and Adolescence, a lack of identity documents should not prevent school enrollment. However, research indicates that children are, in practice, being required to have birth certificates to enroll in schools, in contravention of national law. (5,8,10) According to MINED, it is standard procedure in every school in the country to require birth certificates for enrollment. In the cases when a child does not have a birth certificate, the school will consider their enrollment, but there is no guarantee of admission. (20) This practice may be having an adverse effect on the enrollment rates of children in school, because the cost for identity documents is prohibitive for very poor families. (5,8-10)

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	✓
	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.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 114, 116, and 627 of the Labor Code; Article 38.10 of the Constitution; Articles 59 and 60 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (21-23)
Minimum Age for Hazardous Work	Yes	18	Article 105 and 627 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 (21,22,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (24)
Prohibition of Forced Labor	Yes		Articles 3, 5, 54, and 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 (21-23,25)
Prohibition of Child Trafficking	Yes		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (23,25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code; Article 55 of LEPINA (23,25,26)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3, 5, 54, and 55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of LEPINA (23,25,26)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Articles 2 and 6 of the Military Service Law (27)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 215 of the Constitution; Articles 2 and 11 of the Decree No. 298 (21,28)
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 (21,26,29)
Compulsory Education Age	Yes	16‡	Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA (21,23,30)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (21,23,30)

* Country has no conscription

‡ Age calculated based on available information (23,30)

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In 2022, the Legislative Assembly passed reforms to Article 627 of the Labor Code, which allow for higher fines to be imposed for child labor violations. (31) The Growing Together Law, which entered into force on January 1, 2023, replaced the Comprehensive Law of Protection of Childhood and Adolescence (LEPINA). This law merged El Salvador's two child protection agencies, Consejo Nacional para la Niñez y la Adolescencia (CONNA) and the Instituto Salvadoreño para la Niñez y la Adolescencia (ISNA) into one: El Consejo Nacional de la Primera Infancia, Niñez y Adolescencia (CONAPINA). (8,32) Under LEPINA, which made secondary education compulsory, the minimum age for work was lower than the compulsory education age. As Growing Together repeals LEPINA, it appears that the compulsory education levels are early childhood education and basic education, making the new compulsory education age 16. However, under both LEPINA and Growing Together, El Salvador's light work framework is inconsistent with international standards because it does not specify the work activities children can perform. (21-23)

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 (MTPS)	Inspects worksites for labor violations, including child labor, and monitors working conditions for adolescents who are granted work authorization. (5,11) Maintains a child labor unit dedicated to child labor law enforcement issues. (13,33) Refers cases of the worst forms of child labor to the Attorney General's Office. (5,13)
Ministry of Justice and Public Security	Enforces criminal laws related to the worst forms of child labor, together with the Attorney General's Office, through the National Civil Police (PNC), which maintains a special trafficking in persons unit to investigate and prosecute human trafficking, including child trafficking. (5,9,11,25)
Attorney General's Office	Responsible for initiating criminal proceedings for all types of the worst forms of child labor, as well as bringing the cases to trial. The Attorney General is the head of the office and is elected by the Legislative Assembly. (9) In 2022, the Trafficking in Persons Unit of the Attorney General's Office gained 6 additional prosecutors, for a total of 15 prosecutors. (8)

Labor Law Enforcement

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

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	\$1.6 million (9)	\$1.68 million (8)
Number of Labor Inspectors	Unknown (9)	Unknown
Mechanism to Assess Civil Penalties	Yes (22)	Yes (22)
Training for Labor Inspectors Provided	Yes (9)	Unknown
Number of Labor Inspections Conducted at Worksite	Unknown (9)	Unknown
Number of Child Labor Violations Found	Unknown (9)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown
Routine Inspections Conducted	Yes (9)	Unknown
Routine Inspections Targeted	Yes (9)	Unknown
Unannounced Inspections Permitted	Yes (22)	Yes (22)
Unannounced Inspections Conducted	Yes (9)	Unknown
Complaint Mechanism Exists	Yes (9)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (8)

Since 2020, the government has provided limited information on its labor law enforcement efforts for inclusion in this report. MTPS has indicated that its budget is insufficient to address workers' rights. (10) In addition, inspectors focus primarily on the formal sector in urban areas, as resource constraints prevent inspections in El Salvador's large informal sector. (5,8,10,15,34) While the number of labor inspectors in the country is unknown, research indicates that El Salvador does not have an adequate number of labor inspectors to carry out their mandated duties. (8,35,36)

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in El Salvador took actions to address child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including insufficient allocation of financial resources.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	Unknown (9)	Unknown
Number of Investigations	Unknown (9)	36 (8)
Number of Prosecutions Initiated	Unknown (9)	Unknown
Number of Convictions	Unknown (9)	3 (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (9)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (8)

The government provided limited information on its criminal law enforcement efforts for inclusion in this report. (2) The scope of the government's criminal law enforcement efforts, however, is likely insufficient to fully address the extent of the child labor problem in the country, particularly when it comes to the worst forms of child labor. The Attorney General's Office stated the need for more investigators and analysts due to the complexity of the investigations and the specialized investigation techniques required. (9,10) Reports also indicate that the Ministry of Justice and Public Security is underfunded and is unable to support a sufficient number of investigators to collect and analyze evidence to process case backlogs. (13,15,16,34) Interagency coordination remained weak during the reporting period. (38)

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). However, gaps exist that hinder the effective coordination of efforts to address child labor, including a lack of efficacy in accomplishing mandates.

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

Coordinating Body	Role & Activities
National Committee for the Eradication of Child Labor	Determines and implements government efforts to address child labor. Chaired by MTPS, includes 11 government agencies, along with representatives from labor unions, business associations, and NGOs. (11,39) Research was unable to determine whether the National Committee for the Eradication of Child Labor was active during the reporting period.

The National Council on the Trafficking of Persons met several times in 2022 at the working level. It carried out training and awareness campaigns to help workers in the hospitality sector and operators of emergency services hotlines recognize possible trafficking victims. (8,40)

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 lack of mainstreaming of child labor issues into relevant national policies.

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Table 9. Key Policies Related to Child Labor

Policy	Description & Activities
National Policy for the Comprehensive Protection of Children and Adolescents in El Salvador (PNPNA) (2013–2023)	Seeks to protect 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. (41) The National Council for Children and Adolescents (CONNA) reported that in 2022 it implemented several specialized plans under the National Policy for the Comprehensive Protection of Children and Adolescents, including Open Arms, which provided returning migrant children and their families with guaranteed support services to help prevent child labor. (2)
National Policy Against Trafficking in Persons	Provides a comprehensive plan to address human trafficking of adults and children for labor and commercial sexual exploitation. Aims to improve prevention efforts, victim assistance, prosecution of trafficking crimes, interagency coordination, training, and anti-corruption efforts. (42,43) During the reporting period, the government deployed an immediate response team to identify possible survivors of human trafficking returning to El Salvador. (8) The government also developed training plans for the PNC on issues pertaining to trafficking in persons. (40,44)
National Policy to Support Early Childhood Development (<i>Crecer Juntos</i>) (2020–2030)	Seeks to ensure children reach their maximum potential during early childhood by guaranteeing the necessary conditions to provide them with education, health, nutrition, and environments that protect their rights. Also aims to eradicate child labor for children between the ages of 5 and 7 by 2030. (13,45) During the reporting period, the government created a management team in each of the 14 departments to implement the plan and conducted a training course for those teams. The government also formed an interagency team to monitor the <i>Crecer Juntos</i> policy. (2)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (9,15,46,47)

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 the inadequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description & Activities
Public Awareness Campaigns for At-Risk Populations†	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, both of which promote respect toward the physical, psychological, and sexual integrity of children and adolescents. (48) The hotline offers children and adults the ability to consult specialists in emergency situations. (48) In 2022, CONNA strengthened the services of its hotline, running a social media campaign to promote the hotline and CONNA’s services. The hotline received calls regarding 26 cases of child labor during the reporting period. (8)
Sustainable Families 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. (13,42) This program continued during the reporting period, with over 29,000 families receiving health or education bonuses in 2022. (8)
School Prevention and Security Plan†	Programs implemented by the Ministry of Education 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. (13,49,50) During the reporting period, the PNC, with the support of the U.S. Department of State’s Bureau of International Narcotics and Law Enforcement Affairs, developed training sessions for children and adolescents designed to remove children from risky situations, such as affiliation with gang members and drug trafficking. The program reached 233 schools and benefitted 11,065 children. (8)

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

† 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. (15)

Despite efforts to address human trafficking, services for boys and LGBTQI+ youth who are human trafficking survivors are limited, which may leave them vulnerable to being trafficked again. (38,40) 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 or attending school, such as children engaged in domestic work. (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 El Salvador (Table I I).

Table I I. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the legal light work provisions specify the activities in which light work may be undertaken by those under age 16.	2021 – 2022
Enforcement	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 – 2022
	Employ at least 193 labor inspectors to ensure adequate coverage of approximately 2.9 million people.	2018 – 2022
	Ensure that all labor inspectors receive training on child labor themes.	2018 – 2022
	Collect and publish information on labor law enforcement efforts, including the number of labor inspectors and whether they received training on child labor, the number and type of labor inspections conducted, the number of violations found, and the total penalties imposed and collected.	2021 – 2022
	Collect and make publicly available complete information on training for new criminal investigators and data on the number of prosecutions initiated and number of sentences imposed for the commission of child labor crimes.	2019 – 2022
	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 electronic information-sharing capabilities.	2014 – 2022
	Ensure there is a sufficient number of criminal law enforcement officials to carry out criminal investigations on the worst forms of child labor, and that they receive specialized training.	2021 – 2022
	Screen for indicators of the worst forms of child labor among children apprehended for illicit activity in connection to organized criminal groups and ensure that they are provided with adequate social services.	2022
Coordination	Ensure that all bodies responsible for coordinating government activities to address child labor, including the National Committee for the Eradication of Child Labor, are able to carry out their intended mandates.	2018 – 2022
Social Programs	Collect and publish government statistics evaluating the impact of collaborative projects targeting child labor in sugarcane production.	2016 – 2022
	Remove barriers to education, such as birth registration requirements, and ensure access for all children, including students of indigenous descent and LGBTQI+ youth.	2011 – 2022
	Ensure that schools have proper infrastructure and sanitation systems to support students.	2021 – 2022
	Ensure that adequate services are available for all human trafficking survivors, including boys and LGBTQI+ youth.	2020 – 2022
	Implement programs to support child laborers who may not be living with their parents, including child domestic workers.	2017 – 2022
	Ensure annual surveys that provide data on child labor include information on specific child labor work sectors and the worst forms of child labor.	2020 – 2022

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