

In 2022, Peru made moderate advancement in efforts to eliminate the worst forms of child labor. The government added all agricultural activities to its hazardous work list for children and passed a new law, which imposed higher fines for cases of commercial sexual exploitation as a result of human trafficking. The government also trained 300 judges on child labor laws and nearly 1,500 government officials on preventing and eliminating trafficking in persons and forced labor. In addition, the Protocol of 2014 to the Forced Labor Convention, 1930, entered into force during the reporting year. However, children in Peru are subjected to the worst forms of child labor, including in mining and in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in the production of rice and Brazil nuts. Peruvian law allows children ages 12 to 14 to do light work without specifying the activities in which children may work. Labor law enforcement agencies in Peru still lack sufficient inspectors and training to adequately address child labor, and the government did not provide complete information on labor law and criminal enforcement efforts against child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children's work and education in Peru.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	18.7 (1,213,785)
Attending School (%)	5 to 14	83.0
Combining Work and School (%)	7 to 14	18.0
Primary Completion Rate (%)		116.2

Source for primary completion rate: Data from 2021, published by UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Hogares (ENAHOG), 2021. (2)

These data are not comparable with data presented in last year's report due to changes in survey source, survey questionnaire, or age range surveyed.

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	Transplanting and harvesting rice,† and collecting and harvesting Brazil nuts/chestnuts† (3)
	Fishing† (4-8)
	Logging† timber and clearing forestland for mining, including cutting down and burning trees (4-7,9,10)
Industry	Mining† (8,11,12)
	Production of bricks† and fireworks,† construction, and metal manufacturing (5-8,10-14)
Services	Street work,† including vending, begging, shoe shining, carrying loads, selling in kiosks and markets, collecting fares on public buses,† and washing cars (4-6,8,11-13,15)
	Treating leather, repairing shoes, and tailoring (11,16)
	Repairing motor vehicles† (9)
	Garbage scavenging† (17)
	Working in restaurants, domestic work,† and cleaning offices and hotels (6,8,11-13)

MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in mining, including gold mining (8,9,12,13,18)
	Forced labor in logging timber, street vending, and begging (8,12,13,18)
	Forced domestic work (8,12,13,18)
	Commercial sexual exploitation, including in bars, nightclubs, brothels, and logging and mining camps, each sometimes as a result of human trafficking (8,12)
	Growing and processing coca (stimulant plant) and transporting drugs (8,12,13,18,19)
	Counterfeiting lightbulbs (8,18,20,21)
	Recruitment of children by non-state armed groups for use in armed conflict (8,20-23)

† 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 Peru work in informal and small-scale mining, particularly for gold, sometimes in situations of forced labor, and are exposed to hazards, including mercury and harmful gases, wall and mine collapses, landslides, and explosives accidents. (5,8,9,12,13,18,24) Communities located near illegal mining operations are often isolated and lack a permanent government presence, increasing the likelihood of child trafficking and the use of children for commercial sexual exploitation and forced labor in bars, restaurants, and other types of service providers. (8,9,12,13,18,20,21) Girls from Colombia, Ecuador, and Venezuela are also subjected to commercial sexual exploitation, domestic work, and forced labor in mining regions of Peru. (8,13,21,25) Children from indigenous communities are particularly vulnerable to labor and commercial sexual exploitation. (8) In addition, the Militarized Communist Party of Peru (MPCP), a remnant of the Shining Path terrorist group active in the Valley of the Apurimac, Ene, and Mantaro rivers, continued to use children in combat, forced domestic work, and drug trafficking. (8,12,13,20-23) Some children are also subjected to forced labor in the production and trafficking of drugs and may be exposed to hazardous chemicals when processing coca or working as drug couriers. (8,12,13,18,19)

While in-person classes resumed in March 2022 and the government supported a distance learning program (*Aprendo en Casa*), problems such as limited class sizes, long distances to schools, and lack of necessary documentation such as birth certificates or passports continue to hinder education access for many children, including refugee and migrant children, and may have exacerbated their vulnerability to child labor and human trafficking. (8,26-28) While education is free, school retention of Venezuelan migrant and refugee students was often impacted by their families’ lack of economic resources and sustainable livelihoods. (8)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Peru 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	✓

On June 18, 2022, Protocol of 2014 to the Forced Labor Convention, 1930, entered into force in Peru, one year after ratification. (29)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Peru's legal framework to adequately protect children from the worst forms of child labor, including the lack of prohibition of recruitment of children by non-state armed groups.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 1, 51, 69, 70, and 73 of the Child and Adolescent Code; Articles 4 and 5 of Law No. 29981 on SUNAFIL (30,31)
Minimum Age for Hazardous Work	Yes	18	Articles 1, 56-58, 69, 70, and 73 of the Child and Adolescent Code; Articles 4 and 5 of Law No. 29981 on SUNAFIL (31,32)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1 and 2 of the Supreme Decree No. 009-2022-MIMP and its Annex; Article 58 of the Child and Adolescent Code (32-34)
Prohibition of Forced Labor	Yes		Articles 2 and 23 of the Constitution; Article 4 of the Child and Adolescent Code; Article 129-O of the Penal Code (32,35,36)
Prohibition of Child Trafficking	Yes		Article 4 of the Child and Adolescent Code; Articles 129-A and 129-B of the Penal Code (32,35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 4 of the Child and Adolescent Code; Articles 129-A, 129-B, 129-H--129-J, 129-L, 129-M, 179--181-B, and 183 of the Penal Code (32,35)
Prohibition of Using Children in Illicit Activities	Yes		Articles 46-D, 128, 296, 296-A, and 297 of the Penal Code (35)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 23 of Law No. 29248 Military Service (37)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 2 and 6 of Law No. 29248 Military Service (37)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17‡	Article 17 of the Constitution; Articles 12 and 36 of the General Education Law; Article 61 of Supreme Decree No. 011-2012-ED (36,38,39)
Free Public Education	Yes		Article 17 of the Constitution; Article 4 of the General Education Law (36,38)

‡ Age calculated based on available information (36,38)

In 2022, the government issued a decree amending the Regulation to Law 28868, putting in place higher fines for tourist restaurants and travel agencies failing to take appropriate actions to prevent and report cases of children being subjected to the worst forms of child labor, including in commercial sexual exploitation. (8,40) Also during the reporting period, Peru updated its list of hazardous work for adolescents through Supreme Decree No. 009-2022-MIMP and its Annex. (33,34) This action expanded the list from agro-industrial activities, which expose children to chemicals and fumigation, to all agricultural activities. (33,34,41) However, the Child and Adolescent Code includes a light work exception for children as young as age 12 without specifying the activities or hours in which light work may be permitted. (12,30) 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. (32,36,38,39) Peru also lacks legislation to prohibit the recruitment of children by non-state armed groups.

MODERATE ADVANCEMENT

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 Promotion of Employment (Ministerio de Trabajo y Promoción del Empleo [MTPE])	Responsible for supporting the National Labor Inspection Superintendency (<i>Superintendencia Nacional de Fiscalización Laboral [SUNAFIL]</i>), which enforces labor laws by inspecting workplaces with more than 10 registered workers and referring cases of child labor to the Ministry of Women and Vulnerable Populations (<i>Ministerio de la Mujer y Poblaciones Vulnerables [MIMP]</i>) and the Public Ministry (<i>Ministerio Público - Fiscalía de la Nación or MPFN</i>), as appropriate. (4,6,42,43) SUNAFIL maintains a dedicated unit of 10 inspectors who target forced labor and child labor violations and who train other inspectors on these topics. (4,43,44) SUNAFIL has regional offices in Apurímac, Ucayali, Huancavelica, and Tacna, covering all 26 subnational entities of Peru. (6,45) Regional Directorates for Labor consist of one representative of the regional government, one representative of MTPE, and one representative of SUNAFIL. These directorates conduct inspections in workplaces with fewer than 10 registered workers. (46) The MTPE maintains an online reporting service to receive complaints of labor law violations and implements the child labor-free supply chains program "Child Labor-Free Seal" (<i>Sello Libre de Trabajo Infantil [SELTII]</i>) to help agricultural producers comply with child labor laws, including in rural agricultural zones that are difficult for the labor inspectorate to regulate. (47) During the reporting period, six different organizations were recognized with the renewal of their SELTI, which is valid for two years. (48) In November 2022, MTPE in collaboration with the ILO developed and carried out the first edition of online training called "Child Labor and Social Dialogue" for 110 people, including officials from the Regional Directive Commissions to Prevent and Eliminate Child Labor (CDRPETI) and SUNAFIL as well as representatives from worker organizations. (49,50)
Municipal Ombudsman Office for Children and Adolescents (Defensoría Municipal del Niño y del Adolescente [DEMUNA])	Under the umbrella of the MIMP, the 1,890 local offices, including 459 accredited offices, are led by an ombudsman that coordinates government policies and programs that aim to protect and promote the rights of children and adolescents. (51) Each of the offices work collaboratively with the MTPE and local municipal officials, including police, using the Municipal Model for the Detection and Eradication of Child Labor (<i>Modelo de Identificación del Riesgo de Trabajo Infantil or MIRTII</i>) referral protocol to ensure adolescents who are removed from hazardous work receive appropriate social services. (47,52)
Ministry of the Interior (Ministerio del Interior [MININTER])	Investigates child trafficking cases and maintains a hotline to receive reports of human trafficking. (14) Provides survivors and the public with information on human trafficking, refers cases of human trafficking to relevant government offices, and coordinates services for survivors. (14) Within MININTER, the Peruvian National Police enforces criminal laws regarding child labor and child exploitation and maintains the Office to Address Human Trafficking and Illicit Migrant Smuggling (<i>Dirección Contra la Trata de Personas y Tráfico Ilícito de Migrantes [DIRCTPIM]</i>) which investigates cases of child trafficking for labor and sexual exploitation. (53,54) Coordinates with MPFN and MIMP to place survivors with family members or state social services. (4,55) DIRCTPIM has approximately 150 investigators. (5) Municipal police also use MIRTII to work collaboratively with DEMUNA to remove children and adolescents from hazardous work. (47) MININTER launched a national awareness raising campaign for the National and World Day Against Trafficking in Persons that reached over 6,000 people at local fairs. (49) MPFN coordinates with MTPE, SUNAFIL, and PNP to investigate and prosecute criminal violations of child labor laws. Maintains a specialized human trafficking prosecutorial unit in the National Prosecutor's Office which operated in 14 out of 25 regions in 2022. (6,8)

Labor Law Enforcement

In 2022, labor law enforcement agencies in Peru took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Promotion of Employment (MTPE) 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	\$47,000,000 (12)	\$49,000,000 (8)
Number of Labor Inspectors	822 (12)	787 (56)
Mechanism to Assess Civil Penalties	Yes (31)	Yes (31)
Training for Labor Inspectors Provided	Yes (12)	Yes (8)
Number of Labor Inspections Conducted at Worksite	629 (12)	Unknown

Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Labor Law Enforcement	2021	2022
Number of Child Labor Violations Found	34 (12,21)	56 (8,21)
Number of Child Labor Violations for Which Penalties Were Imposed	50 (12)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (12)	Yes (8)
Routine Inspections Targeted	Yes (12)	Yes (8)
Unannounced Inspections Permitted	Yes (58)	Yes (58)
Unannounced Inspections Conducted	Yes (12)	Unknown
Complaint Mechanism Exists	Yes (12)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (8)

Research indicates that Peru does not have an adequate number of labor inspectors to carry out their mandated duties. (59-61) In addition, many of Peru's inspectors are "auxiliary" or junior-level inspectors with limited authority to conduct inspections until they complete 2 years of service and an examination. Auxiliary inspectors must have tenured inspectors supervise their inspection processes and review their inspection acts for any businesses with more than 10 employees. (57,62) Funding also remains inadequate to carry out sufficient inspections and maintain facilities, and enforcement in the informal sector, in which many child laborers are found, is also insufficient. (12,63) In addition, the National Labor Inspection Superintendency (SUNAFIL) prohibits inspectors from conducting routine inspections of any given worksite on the same subject or issue within the same year. (12,64) Civil society and labor sector experts reported that training for SUNAFIL's labor inspectors is inadequate as inspectors are in need of more training on labor law compliance, and trainings do not occur frequently enough and are limited outside of Lima. (6,57)

Criminal Law Enforcement

In 2022, criminal law enforcement agencies in Peru 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 financial resource allocation.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	Yes (8)	Unknown (8)
Number of Investigations	Unknown	Unknown (8)
Number of Prosecutions Initiated	Unknown	Unknown (8)
Number of Convictions	Unknown	Unknown (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (65-67)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (8)

In August 2022, more than 300 judges took the second edition of the online course called "Legal Framework, Regulations, and Actions to Combat Child Labor" and nearly 1,500 government officials received training on preventing and eliminating human trafficking and forced labor. (49) Through the U.S.-Peru Child Protection Compact Partnership, the United States and Peru provided support to seven shelters in Peru for child victims of human trafficking. (57) Despite these efforts, there is an insufficient number of shelters for survivors of the worst forms of child labor throughout the country, including shelters to serve boys, and a lack of specialized services for survivors of human trafficking. (13,24,55,68,69) Research has indicated that investigations and prosecutions were inadequate to deter child trafficking, particularly in illegal mining areas and bars. Moreover, reports noted too few investigators, insufficient funding or resources to carry out investigations, low conviction rates, and inadequate training for MTPE investigators, police, and members of the judicial system. (8,10,12,14,20,24,68)

Peru

MODERATE ADVANCEMENT

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
Multisectoral Permanent Commission for the Follow-up to the Implementation of the Multisectoral Policy for Children towards 2030*	Launched on January 28, 2022, and created by Presidential Decree No. 001-2022-MIMP, the Multisectoral Commission is led by the MIMP, through its Vice Ministry for Vulnerable Populations (Chair) and Directorate-General for Children (Secretariat). It comprises 22 government officials from 16 different agencies— including the Ministries of Labor, Interior, and Education, as well as nine entities from other levels of government— and invites public-private partnerships, civil society, and international cooperation actors to participate on an ad hoc basis. (8,70) Its three main duties are: a) follow-up of the Multisectoral Policy for Children towards 2030; b) publish reports on urgent measures to be adopted by service providers; and c) issue an annual technical report. (70) Although some regional commissions under CDRPETI created action plans to address child labor as required by their operating rules, research could not confirm whether all Regional Commissions had done so during the reporting period. Additionally, most Regional Commissions lacked the funding to carry out these action plans. (49)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies that are consistent with relevant international standards on child labor (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description & Activities
Multisectoral National Policy for Children towards 2030 (PNMNNA)†	Aims to eliminate the worst forms of child labor by improving livelihoods of low-income families, providing better working conditions for adolescents, raising awareness of child labor, and increasing child labor law enforcement. (4,15) Also seeks to improve the quality of child labor data in Peru. (15) Through ministerial resolution number 292-2022-TR, on November 7, 2022 the government developed the Multisectoral National Policy for the Prevention and Eradication of Child Labor, which reportedly covers the time period of 2022–2030. (71)
National Plan to Combat Forced Labor (2019–2022)	Established policies and plans to reduce forced labor. (72) In 2022, the government released a toolkit to help providers refer children and adult survivors of forced labor to relevant information and services at the regional level. (73) The Regional Directorates for Labor and Employment Promotion also incorporated forced labor prevention measures into their regional or local plans, and approved a new project to assist human trafficking survivors to access jobs. (49)
National Policy Against Trafficking in Persons and its Forms of Exploitation (2022–2030)	Serves as the roadmap to prevent, control, reduce, and prosecute human trafficking crimes at all levels. (13) MININTER is the lead on all efforts and the plan focuses on expanding preventative monitoring; improving inspection, prosecution, and criminal sanction systems; and strengthening attention to and reintegration of survivors. (74) Under this policy, the government operates seven specialized shelters exclusively for girls exploited in sex trafficking in the regions of Cusco, Lima, Loreto, Madre de Dios, and Puno with a capacity for approximately 120 survivors. (21)

† Policy was approved during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government funded and participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including inadequacy of efforts to address child labor in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description & Activities
Secondary Tutorial Program†	Rural basic education program supported by the Ministry of Education that includes school meal plans (<i>Qali Warma</i>) for rural students throughout the country, including hard-to-reach indigenous communities. (47) The government continued to implement the program during the reporting period. (21)
Learn Program (<i>Yachay</i>)†	MIMP program to increase access to social services for children subjected to street work, begging, and commercial sexual exploitation. The Street Educators (<i>Educadores de Calle</i>)† program is part of the broader <i>Yachay</i> Program and provides counseling and training to children engaged in child labor, begging, and street work. (4,75) Operates 71 centers at the national level for educational activities, parent training, and workshops. (4,75) Connects working children and their families to educational and social services to withdraw them from exploitative work and improve family welfare. (5,75-77) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Together Program (<i>Juntos</i>)†	Ministry of Development and Social Inclusion program that provides cash transfers to low-income households in 15 of the country's 25 regions. (4,78) The government continued to implement the program during the reporting period. (21)

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 Peru.

Reports indicate that existing social programs are not sufficient to fully address the problem of child labor in Peru, including the large number of children who perform dangerous tasks in agriculture. Peru also lacks targeted programs to assist children who are subjected to commercial sexual exploitation and children who work in mining, logging, and domestic work. (8,20)

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 Peru (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 to 17 to align with the compulsory education age.	2018 – 2022
	Establish a law criminally prohibiting the recruitment of children younger than age 18 by non-state armed groups.	2016 – 2022
	Ensure that light work provisions determine the activities and the number of hours per week in which light work may be permitted.	2017 – 2022
Enforcement	Publish information on child labor violations found for which penalties were imposed, whether they were collected, and the number of labor inspections conducted at worksite.	2015 – 2022
	Increase funding and resources for labor and criminal law enforcement agencies.	2015 – 2022
	Ensure adequate enforcement of child labor laws, including in the informal sector.	2009 – 2022
	Increase training for enforcement personnel on child labor and forced labor issues.	2019 – 2022
	Increase the number of labor inspectors from 787 to about 1,247 to ensure adequate coverage of the labor force of approximately 18.7 million people.	2019 – 2022
	Remove the "auxiliary inspector classification" to increase efficiency in the labor inspection process and allow inspectors to conduct follow-up inspections at any time.	2017 – 2022
	Publish information on training for criminal investigators, the number of investigations conducted, prosecutions initiated, and convictions.	2015 – 2022
	Ensure that criminal law enforcement officials conduct adequate investigations in mining areas and bars and initiate prosecutions when violations are found to deter perpetrators of the worst forms of child labor.	2016 – 2022
	Ensure that there are sufficient shelters, including shelters for boys, and specialized services available for survivors of human trafficking.	2019 – 2022
Coordination	Ensure that Regional Commissions for the Prevention and Eradication of Child Labor develop action plans to address child labor and allocate sufficient funding to implement these plans.	2010 – 2022
	Ensure that key coordinating bodies related to the worst forms of child labor are active, publish information on annual activities, and carry out their mandates.	2020 – 2022

MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Enhance efforts to make education accessible for all children, including migrant and refugee children, by addressing barriers such as limited class sizes, long distances to schools, and lack of necessary documentation.	2014 – 2022
	Publish information on activities taken under all social programs that address child labor.	2018 – 2022
	Expand social programs to reach a greater number of children who perform dangerous tasks in agriculture; initiate social programs to address child commercial sexual exploitation, child labor in mining, child labor in logging, and child domestic work.	2009 – 2022

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