

In 2014, Ecuador made a significant advancement in efforts to eliminate the worst forms of child labor. The Government issued Official Registry No. 221, which provides that the regional Ministry of Labor offices register adolescent workers, protecting their rights and formalizing their employment. The National Police Unit for Crimes against Children and Adolescents (DINAPEN) conducted 84 operations to combat commercial sexual exploitation and rescued 56 children and adolescents. The Ministry of Tourism and DINAPEN signed an agreement to coordinate the prevention of commercial sexual exploitation of children. Ecuador also continued to participate in a number of programs targeting the worst forms of child labor. However, children in Ecuador continue to engage in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Ecuador still faces resource constraints that prevent labor inspectors from conducting inspections and enforcing child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ecuador are engaged in child labor, including in agriculture. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking.(1-3) In 2013, the Government released the results of the Child Labor Survey. The survey indicates that 359,597 Ecuadorian children and adolescents work, or 8.6 percent of the population between the ages of 5 and 17. Data from this survey were not analyzed in time for inclusion in the table below.(3, 4) Table 1 provides key indicators on children's work and education in Ecuador.

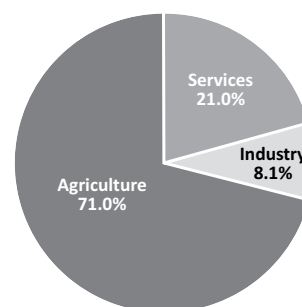
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	2.7 (75,689)
Attending School (%)	5-14 yrs.	96.9
Combining Work and School (%)	7-14 yrs.	2.4
Primary Completion Rate (%)		110.9

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Nacional de Empleo, Desempleo, y Subempleo, 2011.(6)

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	Production of bananas,† palm oil,*† timber,*† and flowers† (2, 7-12)
	Fishing,*† activities unknown (7, 12, 13)
	Gold mining† and small-scale mining† (2, 3, 11, 13-15)
Industry	Production of bricks† (14-16)
	Construction,† including loading construction material, mixing materials to make concrete, and brickwork (3, 17, 18)
Services	Domestic work† (2, 12, 19, 20)
	Unpaid household services* (3)
	Street work, including shoe shining,*† selling newspapers,*† and vending*† (2, 10, 12, 13, 15, 21)

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 (21-24)
	Used in illicit activities, including drug trafficking* (2, 21)
	Used in armed conflict by illegal Colombian non-state armed groups,* activities unknown (18, 25)
	Used in the production of pornography* (10)
	Forced labor in domestic work, street vending, begging, and in unknown sectors each sometimes as a result of human trafficking* (2, 22, 23, 26-34)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† 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 the northern border region of Ecuador face extreme poverty and are found in domestic work, street work, and in the worst forms of child labor, including in commercial sexual exploitation. In the past several years, the percentage of children found in the aforementioned types of work in the provinces of Sucumbíos, Orellana, and Esmeraldas has increased by approximately 10 percent.(21)

Children, mostly girls, who do household chores for more than 14 hours a week, Monday through Friday, are often the most vulnerable because they perform work activities behind closed doors.(3)

Girls from Colombia and Peru are trafficked to Ecuador for domestic work and commercial sexual exploitation. Ecuadorian indigenous children are trafficked within Ecuador and to other neighboring countries for domestic work, begging, and factory and commercial work.(21, 23, 25)







Indigenous children are particularly vulnerable to involvement in child labor, as 40% of indigenous people are found in situations of extreme poverty in Ecuador; 44 percent of children in Ecuador identified as indigenous in the 2010 census.(2, 3, 35) The Child Labor Survey indicates that Cotopaxi Province, located in the central highlands, has the highest percentage of children working. In this region, the majority of children are indigenous.(36)

Reports indicate that there is a lack of access to education for certain ethnic groups and for migrant children. Indigenous children in both rural and urban areas are found to abandon school early.(24) For example, 48 percent of indigenous adolescents do not attend secondary school in rural areas, and 37 to 40 percent do not attend secondary school in urban areas.(35) In 2012, 25 percent of children ages 12 to 17 in the Los Ríos province and approximately 20 percent of children from the same age group in the provinces of Esmeraldas, Loja, and Manabí did not have access to education.(24) Government statistics also report that most children (ages 6 to 11) from all ethnic groups attribute not attending school to a lack of economic resources and the need to work.(24)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Ecuador 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, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 5, Article 46 of the Constitution; Title V, Chapter 1, Article 82 of the Childhood and Adolescence Code (37, 38)
Minimum Age for Hazardous Work	Yes	18	Title I, Article 2 and Title V, Chapter 1, Article 87 of the Childhood and Adolescence Code (38)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Title II, Chapter 1, Article 5 and Chapter 2, Article 8 of Resolution No. 016 of 2008 (39)
Prohibition of Forced Labor	Yes		Articles 91 and 105 of the Integral Penal Code (40)
Prohibition of Child Trafficking	Yes		Articles 91, 105, and 213 of the Integral Penal Code (40)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 103 of the Integral Penal Code (40)
Prohibition of Using Children in Illicit activities	Yes		Articles 219 and 220 of the Integral Penal Code (40)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Title III, Chapter 4, Article 57 of the Childhood and Adolescence Code (38)
Compulsory Education Age	Yes	15	Chapter 5, Article 38 of the Organic Intercultural Education Law (41)
Free Public Education	Yes		Title VI, Article 4 of the Organic Intercultural Education Law; Chapter 5, Article 28 of the Constitution (37, 41)

* No conscription (37)

In March 2014, the Government issued the Official Registry No. 221, published in April 2014. This order provides that the regional Ministry of Labor (MOL) offices register adolescent workers, protecting their rights and formalizing their employment.(12, 42) As a part of this law, adolescents, 15 years and older, can be granted work contracts. The law requires the MOL to submit monthly reports on adolescents granted work contracts to the provincial Childhood and Adolescent Councils and to the Ecuadorian Institute of Social Security.(42)

A new criminal code, the Integral Penal Code (COIP), was implemented in August 2014. The COIP further specifies what actions constitute trafficking in persons, and substantially increases penalties for trafficking crimes.(40) The COIP criminalizes the use of children and adolescents in forced labor, forced prostitution, the use or procurement or offering of a child for the production of pornography or pornographic performances, child soldiering, and forced begging. It also defines the illegal adoption of children and adolescents as human trafficking.(40, 43) The COIP increases penalties for the trafficking of migrants, raising the term for imprisonment from 10 to 13 years and for the trafficking of non-migrants from 16 to 19 years.(40, 43).

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor (MOL)	Monitor child labor, conduct labor inspections at work sites, and enforce child labor laws. Administer sanctions against companies found using child labor.(10) Has a system to collect fines.(8)
Ministry of Justice, Attorney General's Office	Enforce criminal laws against child labor, commercial sexual exploitation, and human trafficking.(25)
Ministry of Interior (MOI)	Oversee and evaluate all police actions, including those of the country's Anti-Trafficking Police Unit (ATU) and the National Police Unit for Crimes against Children and Adolescents (DINAPEN), which investigates all crimes against children, including abuse, sexual exploitation, sex tourism, smuggling, kidnapping, exploitative child labor and forced labor.(31, 43) The ATU investigates human trafficking cases, rescue victims, and arrest traffickers.(10) Police units have dedicated officers in each province, and some of the officers are dedicated to victims and witness protection.(4, 18)

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Office of the Prosecutor General	Conduct investigations and try cases of child sex trafficking, child forced labor, commercial sexual exploitation, and child pornography.(10)
Ministry of Education	Provide immediate educational services for victims of child labor.(44, 45)
Ministry of Economic and Social Inclusion (MIES)	Provide remediation services to child laborers and their families. Has a Special Protection Subsecretary to assist children who are victims of abuse, human trafficking, exploitative child labor, and sexual exploitation of all types. Runs seven protection centers staffed by social workers, doctors, psychologists, and educators.(4)

Law enforcement agencies in Ecuador took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, the MOL employed 164 people nationwide in the inspection unit, including a dedicated child labor inspector in each province. However, a source indicates that the number of inspectors per province is too low; in some cases, large jurisdictions have only five inspectors.(43) Inspectors received training on the worst forms of child labor. Reports indicate that the training is insufficient.(18, 43, 46)

In 2014, labor inspectors conducted approximately 25,745 inspections for all types of labor violations, and found that 1,496 children were engaged in child labor, compared to 1,345 children in 2013.(4, 43, 46) Comprehensive inspections with a focus on child labor were carried out.(46) Unannounced inspections were regularly performed. The Labor Code authorizes labor inspectors to conduct inspections at workplaces, including factories, workshops, and workers' homes, when they consider it appropriate or when employers or workers request an inspection.(18) In addition, under an agreement between the MOL and the Ministry of Mines and Energy, labor inspectors can enforce child labor laws in mining activities and impose sanctions for violations.(18)

MOL issued 117 penalties for infractions of child labor laws and collected \$64,540 in fines.(43) The Government has a protocol in place to provide immediate access to social protection programs to working children and adolescents who are found during inspections.(47) In 2014, the Special Protection Subsecretary of the Ministry of Economic and Social Inclusion (MIES) reported assisting 32,360 children and adolescents, of whom 25 percent were found in domestic work and 23 percent were found in street work. MIES assisted 68 adolescent girl victims of commercial sexual exploitation, and 80 adolescent victims of labor exploitation.(12) The Special Protection Subsecretary provided assistance and helped return seven adolescent female victims of commercial sexual exploitation as a result of human trafficking, and five adolescent victims of labor exploitation as a result of human trafficking.(12)

Criminal Law Enforcement

In 2014, the ATU had 17 agents based in Quito and focused mostly on cases involving adult victims as well as cases of migrant smuggling.(48) DINAPEN had approximately 657 agents nationwide to handle all crimes against children and 17 officers in its anti-trafficking unit.(10, 48) A source indicates that DINAPEN does not have sufficient resources to investigate trafficking cases.(48)

In 2014, DINAPEN investigated 16 cases and removed 34 children and adolescents from exploitative labor. It also conducted 84 operations to combat commercial sexual exploitation, from which officers rescued 56 children.(48) DINAPEN officers also carried out 403 operations for begging and 1,511 children were rescued. Eighty-four operations were carried out for commercial sexual exploitation and 56 children were rescued.(49) The MIES and MOL carried out 49 inspections targeting the eradication of child labor, resulting in 1,165 children being rescued.(18) During the reporting period, authorities convicted 20 traffickers, and at least four of these convictions were for labor trafficking. However, no information is available on how many of these cases included child victims or if the remaining convictions were for sex trafficking or for labor exploitation.(50) Convicted individuals received sentences of 4 to 16 years of imprisonment.(50) However, one source indicates that there are additional cases involving child victims, including one case of commercial sexual exploitation of a 14-year-old child.(48) The Office of the Prosecutor General assisted 72 victims of human trafficking crimes; however, 6 of these individuals were reported to be dependents of direct trafficking victims. Of the 72 affected individuals, 33 percent were children and adolescents, 81 percent were victims of commercial sexual exploitation, and 19 percent were victims of labor exploitation.(51) No information is available on how many children were victims of each crime.(49) The MOI coordinated the return of 15 Ecuadorian trafficking victims, including 14 minors, to the country.(25) Child trafficking victims were provided with shelter; however, no information is available on the number of children provided shelter.(43)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interagency Steering Committee for the Elimination and Prevention of Child Labor (IAC)	Coordinate efforts to combat child labor in Ecuador under the Program to Eradicate Child Labor. Including participation of several ministries as well as provincial and municipal governments, systematically document the elimination of child labor in priority sectors and develop guidelines so that strategies can be replicated in other sectors in which children work.(43)
National Council for Intergenerational Equity	Coordinate interagency efforts to protect vulnerable populations, including children and adolescents. Replaces the Council for Children and Adolescents.(43)
Local Autonomous Governments	Participate in coordinating mechanisms to combat child labor. Mayors are accountable for ensuring that children are not found working, or they face a fine.(44)
Unified Child Labor Registration System (SURT)	Provide appropriate services to working children. Used by agencies within the IAC.(52)
Ministry of Tourism and DINAPEN*	Coordinate prevention work against the commercial sexual exploitation of minors.(53)

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

In 2014, the Interagency Committee for the Elimination and Prevention of Child Labor began drafting a new manual, Path to Restitution of Rights, which will be used as a guide to improve coordination and to assist child labor cases reported at the local level.(43) MOL trained municipal governments in order to improve coordination and increase local governments' capacity to combat child labor.(43)

During the reporting period, MOI reduced its wait time for the repatriation process of minors, including victims of human trafficking, from three months to one week.(43)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Ecuador has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Ecuador Without Child Labor	Seeks to increase efforts to eradicate child labor by improving data collection, strengthening labor inspections, and carrying out awareness-raising activities in 150 municipalities.(54-56) Government agencies work with the private sector and other actors to address child labor in brickmaking, fishing, street work, and markets.(47) The Government signed an agreement with the agriculture, flower, livestock, and construction sectors to coordinate actions and promote joint programs for the elimination of child labor in those sectors.(47, 57) MIES entered into 206 agreements with local governments and organizations throughout the country to help up to 41,000 children and improved protection and shelter to victims of human trafficking.(4)
National Plan for Good Living (2013-2017)	Seeks to improve living conditions for all citizens and promote social inclusion and decent work. Eradicating child labor and providing access to decent work for adolescents of legal working age are guiding policies under Objectives 2 and 9 of the plan, which was renewed to cover the period from 2013 to 2017.(58)
10-year National Plan for the Comprehensive Protection of Children and Adolescents (2004-2014)	Seeks to protect the rights of children and adolescents. Under Objective 18, for children between the ages of 6 and 12, the plan addresses the eradication of child labor and hazardous child labor.(59) For adolescents between the ages of 12 and 18, Objective 26 focuses on protection against commercial sexual exploitation, and Objective 27 focuses on the eradication of hazardous work and prevention of labor exploitation.(59)
Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014-2020)†	In October 2014, Ecuador participated in the ILO's 18th American Regional Meeting in Lima, Peru, and signed the Declaration of the Establishment of the Regional Initiative: Latin America and the Caribbean Free of Child Labor. The regional initiative was launched in 2013 at the Third Global Conference on Child Labor, and the declaration re-emphasizes signatories' commitments to eradicate all child labor by 2020 as well as their recognition that child labor contributes to social and economic inequality.(60-62)
Sectorial Strategy to Eradicate Child Labor (2014-2017)†	Outlines national priorities and goals for each ministry in eliminating child labor. Delegates responsibilities and budget to each ministry to achieve goals.(43)

† Policy was approved during the reporting period.

Ecuador

SIGNIFICANT ADVANCEMENT

The Government continued to work on a draft of the National Plan to Combat Human Trafficking, Sexual and Labor Exploitation, and other Forms of Exploitation. This plan will guide effort to prevent, investigate, and impose legal sanctions for human trafficking, commercial sexual exploitation, and other forms of abuse, as well as protect and restore the rights of victims of these crimes.(12)

In September 2014, Ecuador participated in the First Meeting of the Working Groups of the XVIII Inter-American Conference of Ministers of Labor to foster continued dialogue and cooperation on labor issues throughout the Americas. Held in Bridgetown, Barbados, these discussions promoted the exchange of information on policies and programs that seek to formalize the informal sector, uphold workers' rights, and prevent and eliminate child labor.(63)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Ecuador funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
Grants for Human Development‡	MIES conditional cash transfer program that supplements household income. Also targets vulnerable families and conditions payments on keeping children under age 15 in school and taking them for medical checkups. (14, 64, 65) The payments assisted 1.5 million families in 2014, a small decrease from 1.95 million families in 2013.(12, 18) Working children whose families receive the grants are more likely to stay in school rather than work, particularly children ages 11 to 15.(66-68)
National Program to Combat Child Begging‡	MIES program that raises awareness about child begging in origin and receiving communities that send and receive child beggars.(32)
School Meals Program*‡	Government program that provides free meals to 1.3 million school children across the country.(8, 69)
Business Network for a Child Labor Free Ecuador‡	UN initiative that seeks to gain commitment from participating industries to promote the prevention and elimination of child labor in their supply chains. By 2014, 28 businesses had joined, up from 27 in 2013.(52, 70-72) Businesses participating in the program have three commitments: to promote zero tolerance of child labor, conduct a supply chain analysis to determine if there is child labor, and develop strategies to prevent and eradicate child labor in the supply chain.(71) Since 2013, the program has benefitted approximately 178,000 children and has expanded to six provinces in the country.(72)
Education and Monitoring Program for the Eradication of Child Labor (2012-2014)	\$1.3 million Government of Spain-funded, 2-year multi-country education and monitoring program for the eradication of child labor.(73)
Eradication of Child Labor in Latin America (Phase 4) (2011-2015)	\$4.5 million Government of Spain-funded, 3-year multi-country project for the eradication of child labor. During the reporting period, the final version of SURTI was completed.(73)
Project for the Reduction of Child Labor through South-South Cooperation in Ecuador (2009-2014)	\$700,000 Government of Brazil-funded, 4-year project to support exchange of good practices to combat child labor through South-South Cooperation.(73)
Support to the Partnership Program to Prevent and Eliminate Child Labor in the Americas (2009-2015)	\$3.5 million Government of Brazil-funded, 4-year project to support exchange of good practices to combat child labor between Paraguay, Bolivia, Ecuador, and Timor-Leste.(73)
Global Action Program on Child Labor Issues Project (2011-2015)	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of national governments and develop strategic policies to address the elimination of child labor and strengthen legal protections and social service delivery for child domestic workers in Ecuador.(74) In 2014, the Child Domestic Workers Social Services Gap Assessment study was finalized and the protective policy framework document on the elimination of child labor in domestic work and the protection of young domestic workers of legal working age was adopted.(74)
Building Effective Policies against Child Labor in Ecuador and Panama (2012-2016)	\$3.5 million USDOL-funded, 4-year project implemented by ILO-IPEC to strengthen policy and enforcement of child labor laws as well as occupational health and safety services.(75) The project also promotes lesson sharing between Panama, Ecuador, and other countries. In Ecuador, the project is piloting efforts to address the link between child labor and disabilities.(75)

Table 8. Social Programs to Address Child Labor (cont)

Program	Description
EducaFuturo Project (2012-2016)	\$6.5 million USDOL-funded, 4-year project implemented by Partners of the Americas to combat the worst forms of child labor among the most vulnerable populations, including Afro-descendants, migrants, and indigenous children, by providing them with educational and livelihood services in Ecuador and Panama.(76) The project also promotes lesson sharing between Panama, Ecuador, and other countries. In Ecuador, the project is piloting efforts to address the link between child labor and disabilities.(76) The project benefited 2,320 children in 2014.(77)
Projects to Combat Human Trafficking and Exploitation	National Institute of Children and Families (INFA) program to assist children who are engaged in child labor or who are victims of human trafficking and commercial sexual exploitation. Works closely with law enforcement officials to protect children and provide social services at 86 INFA centers across the country.(10) Additionally, the Government of Ecuador works with several NGOs to provide services to child victims of trafficking. These services include shelter, food, job training, legal assistance, and physical and psychological medical care. (10) The Government continues to receive technical support from international organizations to combat trafficking in persons, including working with the UNODC in launching the 2014 Global Report on Trafficking in Persons.(18, 78, 79)
Prevention of Sexual Exploitation of Children and Adolescents from Tourism‡	Ministry of Tourism program that seeks to prevent sexual exploitation by creating regulations and awareness campaigns in the tourism sector.(80)

* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Ecuador.

The Government has partnered with NGOs to combat child labor by raising awareness in local communities and providing educational opportunities to children, particularly from indigenous groups, who work or are at risk of working.(10, 81) Although the Government of Ecuador has implemented programs in various sectors, research found no evidence that it has carried out specific programs to assist children in domestic work and in street work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Ecuador (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor in order to provide adequate coverage of the workforce, and ensure that inspectors receive training on the worst forms of child labor.	2009 – 2014
	Make publicly available the number of convictions and fines issued for child trafficking and provide adequate resources to investigators of such crimes.	2014
Social Programs	Assess the impact that the School Meals Program may have on reducing child labor.	2011 – 2014
	Expand efforts to improve access to education for all children, particularly for children from different ethnic groups and migrant children.	2014
	Conduct research to determine the activities carried out by children working in unknown sectors as a result of trafficking to inform policies and programs.	2013 – 2014
	Expand child labor programs that target the worst forms of child labor in domestic work and street work, and in areas with recently documented high rates of child labor, such as Cotopaxi Province.	2009 – 2014

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