

In 2018, El Salvador made a significant advancement in efforts to eliminate the worst forms of child labor. The government extended its National Action Plan for the Protection of Children and Adolescents into 2019 and modified its process for granting adolescents work permits, both with the goal of aligning laws and policies with international standards and national legislation. El Salvador also published its Annual Household Survey with data on child labor, as well as a guide highlighting efforts to combat child labor in the sugarcane industry. In addition, the government launched the local government component of its Sustainable Families Strategy in 16 municipalities and implemented an inter-agency protocol to improve coordination of services for human trafficking victims. However, children in El Salvador engage in the worst forms of child labor, including in illicit activities, sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. Law enforcement agencies continue to lack sufficient resources to fully enforce child labor laws.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador engage in the worst forms of child labor, including in illicit activities, sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. (I-5) Table I provides key indicators on children's work and education in El Salvador.

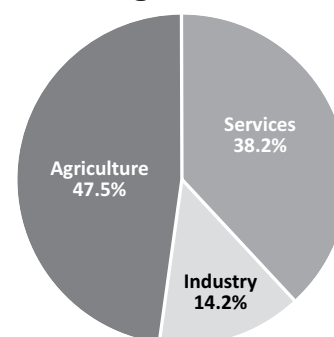
Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	5.9 (68,431)
Attending School (%)	5 to 14	92.3
Combining Work and School (%)	7 to 14	6.1
Primary Completion Rate (%)		90.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2015. (7)

Figure I. 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 (2,8-10)
	Cattle-raising† (10)
	Fishing,† including harvesting shellfish and mollusks† (2,3,8,11-13)
Industry	Manufacturing fireworks† (2,9,11,13,14)
	Production of baked goods (10)
	Construction† (8,10,11,15)
Services	Garbage scavenging,† street begging,† performing,† and vending† (2,9,11,16)
	Domestic work (2,9-11,17,18)
	Selling goods in markets or kiosks and working in restaurants (10)
	Repairing motor vehicles† (10,15)

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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 [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (4,11,13)
	Use by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs, sometimes as a result of human trafficking (3,4,13)
	Forced begging, domestic work, and street work (3,4,11)

[†] 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 El Salvador often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation. They are also recruited by gangs for illicit activities such as delivering threats, collecting extortion money, serving as surveillance, trafficking drugs, and committing homicides. (1,5,19,20) Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Once en route, they become vulnerable to human trafficking and commercial sexual exploitation. (3,5,19,21) El Salvador's Trafficking in Person's Special Prosecutor indicated that girls between the ages of 10 and 17 were the most at risk of being trafficked. (5)

In 2018, El Salvador published the results of the 2017 El Salvador Annual Household Survey, which reflected a 1.3 percent reduction in child labor compared to 2016. (1) Child labor in El Salvador is predominantly male, with boys comprising approximately two-thirds of child laborers ages 5 to 17. (10,22-24) However, girls comprise the majority of children engaged in domestic work in third-party homes. (10,11,17)







Multiple reports, including by a third-party monitoring group, indicate that the use of child labor in sugarcane harvesting has decreased since 2010. (1,25-27) In 2018, the government cooperated with the ILO and FUNDAZUCAR, a corporate social responsibility entity of the Sugar Association of El Salvador, to publish a guide detailing efforts to combat child labor in the sugar industry. However, supporting data demonstrating the impact from these efforts have not been published. (1)

At schools, children are recruited, extorted, and harassed by gangs, which may cause them to stop attending school. Children who do not attend school are more vulnerable to child labor, including its worst forms. (1,3,21,28-33) Poverty, particularly in rural areas, also presents a barrier to education in El Salvador because children leave school to contribute to family incomes. Furthermore, poor families may find it difficult to obtain the required birth certificates to enroll children in school. (1) Limited reporting also indicates that children from indigenous communities disproportionately lack access to education. (1)

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's laws and regulations are in line with relevant international standards (Table 4).

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 114 of the Labor Code; Article 38 of the Constitution; Article 59 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (34-36)
Minimum Age for Hazardous Work	Yes	18	Article 105 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 (34,35,37)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (37)
Prohibition of Forced Labor	Yes		Articles 3 and 54–55 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 (34-36,38)
Prohibition of Child Trafficking	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (36,38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 169–173 of the Penal Code; Article 55 of LEPINA (36,38,39)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Articles 214 and 345 of the Penal Code; Article 56 of LEPINA (36,38,39)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Articles 2 and 6 of the Military Service Law (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 215 of the Constitution; Decree N. 298 (34,41)
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 (34,39,42)
Compulsory Education Age	Yes	18‡	Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (34,36,43)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (34,36,43)

‡ Age calculated based on available information (36,43)

In 2018, the Ministry of Labor and Social Security (MTPS) modified its questionnaire for granting labor permits to adolescents to comply with its legislation on Hazardous Occupations or Activities Prohibited for Children. The MTPS also advised the Ministry of the Treasury on ILO rules on Sustainable Criteria to Prevent and Eliminate Child Labor from Public Acquisitions. (1)

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. (34-36,43)

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 the MTPS that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Welfare (MTPS)	Inspects registered businesses for labor violations, including child labor. (8,13) Maintains a child labor unit dedicated to child labor law enforcement issues. (44) Refers cases of alleged crimes of the worst forms of child labor to the Office of the Attorney General (AG). (8)

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

Organization/Agency	Role
AG	Enforces criminal laws related to the worst forms of child labor. Maintains AG's Special Unit on Trafficking in Persons and Related Crimes that consists of 12 prosecutors who investigate human trafficking and related crimes. (8,9,28,38) Refers exploited children to the Salvadoran Institute for the Comprehensive Development of Children and Adolescents (ISNA) for social services. (8)
National Civilian Police (PNC)	Enforces criminal laws related to the worst forms of child labor. Maintains PNC's Special Unit on Trafficking in Persons and Related Crimes that investigates cases of human trafficking, including child trafficking. (8,13,38) Maintains a hotline that receives complaints about human trafficking for sexual and labor exploitation. (45)
ISNA	Receives referrals from law enforcement agencies on cases of criminal exploitation of children, including for forced labor, human trafficking, and commercial sexual exploitation. Provides child victims with services, including shelter, medical attention, psychological help, and legal advice. (46)

*Agency was created during the reporting period.

Labor Law Enforcement

In 2018, labor law enforcement agencies in El Salvador took actions to combat child labor (Table 6). However, gaps exist within the operations of the MTPS that may hinder adequate labor law enforcement, including financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	\$1,696,239 (13)	Unknown
Number of Labor Inspectors	181 (13)	104 (1)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (1)
Initial Training for New Labor Inspectors	N/A	Yes (1)
Training on New Laws Related to Child Labor	N/A	Yes (1)
Refresher Courses Provided	Yes (13)	Yes (1)
Number of Labor Inspections Conducted	31,337 (47)	1,440 (1)
Number Conducted at Worksite	31,337 (47)	585 (1)
Number of Child Labor Violations Found	2 (13)	3 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (13)	3 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (13)	0 (48)
Routine Inspections Conducted	Yes (13)	Yes (1)
Routine Inspections Targeted	Yes (13)	Yes (1)
Unannounced Inspections Permitted	Yes (13)	Yes (1)
Unannounced Inspections Conducted	Yes (13)	Yes (1)
Complaint Mechanism Exists	Yes (13)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (1)

In 2018, the MTPS published a comprehensive report detailing its activities targeting child labor from 2009 until 2018, including targeted inspection data on the worst forms of child labor in the fireworks, coffee, and sugar industries from 2017 through May 2018. (1) The Ministry indicated that in 2018, the labor inspectorate changed its work schedule to conduct inspections in the agricultural sector early in the morning to identify child labor. (1)

During the reporting period, 82 of El Salvador's 104 inspectors received training on International Law and National Legislation, the ILO and its Normative Systems, the Application of International Law and ILO Jurisprudence, Freedom of Association and Collective Bargaining, and Compliance with Equality Conventions. (1)

The MTPS indicated that its budget is insufficient to address workers' rights and expressed concern that the Ministry's proposed 2019 budget does not include funds to specifically combat child labor. (1) The labor inspectorate employed fewer inspectors in 2018 than in 2017, and inspectors focus primarily on the formal

sector due to resource constraints, despite the size of El Salvador's informal sector. In 2018, the Ministry did not report any inspection activities targeting the categorically worst forms of child labor, such as forced begging and forced domestic work, and instead limited inspections to known problem areas such as car washes, street vendors, and some farms. (1,48) Furthermore, the number of labor inspectors is likely insufficient for the size of El Salvador's workforce, which includes more than 2.7 million workers. According to the ILO's technical advice of a ratio approaching of 1 inspector for every 15,000 workers in industrializing economies, El Salvador would employ about 164 labor inspectors. (49)

The MTPS identified three child labor violations in 2018, but no penalties were issued because the cases were reportedly resolved upon re-inspection. (1)

Article 627 of the Labor Code specifies a default fine of no more than \$60 per violation of all labor laws, including child labor laws. (1,35) Reports indicate that this amount is insufficient to deter labor violations. (5,28) In 2018, the MTPS imposed approximately \$13,000 worth of labor fines, but information was not available to determine how much was collected overall and how much was collected for child labor violations. (1)

Criminal Law Enforcement

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

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Unknown	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (13)	N/A (1)
Refresher Courses Provided	Yes (13)	Yes (1)
Number of Investigations	19 (13)	40 (1)
Number of Violations Found	77 (13)	14 (48)
Number of Prosecutions Initiated	9 (13)	9 (1)
Number of Convictions	0 (13)	0 (1)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Unknown	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (1)

In 2018, the Office of the Attorney General (AG) reported prosecuting 8 cases of sexual exploitation of minors involving 24 victims and 16 defendants, with 4 defendants receiving sentences of 10 to 12 years. (1) ISNA reported that police rescued 17 adolescent victims of human trafficking and placed them in the ISNA Regional Trafficking in Persons Shelter. (1)

Prosecutors in El Salvador received a range of refresher trainings on human trafficking issues, including 9 prosecutors trained in trafficking in persons and modalities of trafficking in persons, 37 prosecutors trained in cyber-crimes and trafficking, and 7 prosecutors trained in the history of gang evolution and trafficking. (1)

The AG reported that the Ministry of Justice and Public Security is underfunded and unable to field a sufficient number investigators to collect and analyze evidence to process case backlogs. (1) In addition, reports indicate that increased coordination between the National Civilian Police and the AG is needed to improve the investigation and prosecution of criminal child labor violations. (51)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including information sharing among agencies.

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

Coordinating Body	Role & Description
National Committee for the Eradication of Child Labor	Determines and implements government efforts to combat child labor, including the Roadmap to Make El Salvador a Country Free of Child Labor and its Worst Forms. Chaired by MTPS, includes 12 government agencies, along with representatives from labor unions, business associations, and NGOs. (10,11,13,52) Maintains a web-based monitoring system that allows government agencies to share and analyze information to coordinate the implementation of the Roadmap. (13,53,54) Research was unable to identify specific activities undertaken during the reporting period.
National Council Against Trafficking in Persons	Coordinates government efforts to combat human trafficking and implement the National Policy Against Trafficking in Persons. (13,55) Led by the Ministry of Justice and Public Security and composed of 11 government agencies. (13,38,56) In 2019, launched the Inter-Institutional Operation Protocol for the Immediate Attention to Trafficking Victims to establish an inter-agency coordination mechanism and expedite care to trafficking victims from multiple agencies. (5)
National Council for Children and Adolescents (CONNA)	Develops policies to protect the rights of children, including those regarding child labor, and implement LEPINA and the National Policy for the Protection of Children and Adolescents (PNPNA). (13,36,57,58) Composed of Departmental and Local Committees for Children's and Adolescents' Rights, ISNA, the Ministry of Public Security and Justice, the AG, the Human Rights Ombudsman, and other agencies. (13) In 2018, distributed guidelines for coordinating efforts in cases of sexual violence against children and adolescents. (5)
Departmental and Local Committees for Children's and Adolescents' Rights	Implement CONNA's policies, including PNPNA, at the departmental and municipal levels, as well as receive complaints of child rights violations at the departmental level. (13,36,59-61) Research was unable to identify specific activities undertaken during the reporting period.

Salvadoran police chiefs and prosecutors indicated that difficulties in collecting, sharing and gaining actionable insights from investigative information remain a challenge, especially because investigative bodies lack the capabilities to share information electronically. (5)

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 mainstreaming child labor issues into relevant national policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
PNPNA (2013–2023)	Sets government policies aimed at guaranteeing children's rights and protecting children from violence and harm, including the worst forms of child labor. Other objectives include improving health services and access to quality education for children, including children with disabilities, and reducing poverty. (10,58) In 2018, the government launched the National Strategy for the Critical Development of Early Infancy as part of PNPNA. (63)
National Action Plan for the PNPNA (2014–2019)	Sets a framework for implementing the PNPNA from 2014 to 2017. Aims to address PNPNA objectives, including the prevention of violence, the promotion of access to quality education, and the elimination of child labor by focusing on children's and adolescents' rights, gender equality, and social inclusion. (10,64,65) During the reporting period, the action plan was extended into 2019 as part of an effort to bring El Salvador's laws and policies into compliance with international standards. (1)
National Policy Against Trafficking in Persons	Defines a comprehensive plan to combat human trafficking of adults and children for labor and commercial sexual exploitation. Aims to improve prevention efforts, victim assistance, prosecution, interagency coordination, training, and anti-corruption efforts. (66,67) As part of the policy, El Salvador launched an interagency protocol to improve victim assistance, which resulted in trafficking victims receiving expedited medical and psychological care during the reporting period. (5) Also under the policy, the Anti-Trafficking Council continued to operate 19 offices that provided information and referrals for trafficking victims in 15 municipalities across the country. (48)
Educated El Salvador Plan	Outlines six priorities for improving El Salvador's national education system, including increasing security in schools and improving access to education for vulnerable groups, including children engaged in child labor. (13,33) The government indicated in a December 2018 progress report that fewer schools were in gang-controlled communities and that the overall high school dropout rate had decreased. (1)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,5,28,68-78)

In 2018, the Ministry of Labor highlighted ongoing social programs aimed at providing children access to education and the increase in the minimum wage as key actions taken during the reporting period that directly or indirectly impacted the prevalence of child labor in El Salvador. (79) The government has not incorporated child labor elimination and prevention strategies into the National Youth Policy (2010–2024). (80)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, 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 adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
USDOL-funded Projects	Projects which aim to reduce the incidence of child labor, including: Youth Pathways—Central America (2015–2019), \$16.5 million project implemented by Catholic Relief Services in El Salvador and Honduras; Global Research on Child Labor Measurement and Policy (MAP) Development (2013–2018), \$7 million project implemented by ILO in 10 countries; and Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives (RICHES) (2017–2021), \$1.5 million project implemented by the Grameen Foundation in El Salvador and the Philippines. (81–84) As part of the MAP project, USDOL is working with local stakeholders in El Salvador to ensure that the 2017 Annual Household Survey published in 2018 is accurate and consistent. (85) Additional information is available on the USDOL website.
Human Trafficking Public Awareness Campaigns†	Government public-awareness campaigns implemented by CONNA and the Ministry of Foreign Affairs to raise awareness about the dangers of human trafficking. Includes CONNA's "Don't Risk Your Lives" campaign, supported by UNICEF and IOM, and the "Protection Starts at Home" and "Talk to Me" awareness programs, which promote respect towards the physical, psychological, and sexual integrity of children and adolescents. (13,50,51,81) In 2018, launched a public awareness campaign in cooperation with the UNODC Blue Heart Campaign that included outdoor billboards and broadcast media, as well as training for hotel operators and bus drivers. (5) Also launched a public awareness campaign to promote the Crime Stoppers tip line. (5)
Sustainable Families Programs†	Set of government programs focused on improving health, education, productivity, and security, and eliminating poverty through inclusive and sustainable economic growth and public services. Includes Health and Education Bonus Programs that assist families with cash transfers conditioned on children's school attendance and health checkups. (66,89,90) In 2018, 16 municipalities were incorporated into the Financial and Productive Inclusion component of the strategy, which aims to engage local governments in pursuing the goals of the strategy. (91) The EU contributed \$11 million in 2018 to support the strategy in 2019. (92)
School Prevention and Security Plan†	Programs implemented by MINED, the Ministry of Justice 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. (94,95) In 2018, MINED opened 76 training centers and accelerated learning centers targeting secondary school students. (1)

† 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. (1,5,9,95–99)

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 and not attending school, such as children engaged in domestic work.

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 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 years to the age up to which education is compulsory.	2018
Enforcement	Publish or make publicly available the labor inspectorate's level of funding.	2018
	Provide sufficient funding and resources to the Ministry of Labor and Social Welfare and criminal law enforcement agencies to fully enforce child labor laws, including in the informal sector.	2010 – 2018
	Ensure that the labor inspectorate has the resources to adequately investigate all cases of child labor, including in the informal sector, and increase the number of labor inspectors to meet the ILO's technical advice.	2018
	Ensure that all inspectors receive regular refresher training and training on new laws related to the worst forms of child labor.	2018

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that penalties are imposed, and publish information about fines collected for child labor violations.	2015 – 2018
	Establish monetary penalties for child labor violations that are proportionate to the nature and seriousness of the offense.	2009 – 2018
	Improve coordination between the National Civilian Police and the Attorney General in their investigation and prosecution of criminal cases related to the worst forms of child labor.	2014 – 2018
Coordination	Document and publish information regarding actions taken by the National Committee for the Eradication of Child Labor and the Departmental and Local Committees for Children's and Adolescents' Rights.	2018
	Develop information-sharing capabilities to improve coordination among criminal investigative agencies.	2018
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014 – 2018
Social Programs	Collect and publish government statistics evaluating the impact of collaborative projects targeting child labor in sugarcane production.	2016 – 2018
	Remove barriers to education, such as birth registration requirements, and ensure access for all children, including students of indigenous descent.	2011 – 2018
	Implement programs to address child labor for children not living with their parents, such as child labor in domestic work.	2017 – 2018

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