

# Working children in Latin America: Disputes over labor prohibition

Crianças trabalhadoras da América Latina: disputas em torno da proibição do trabalho

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#### **ABSTRACT**

This article discusses child labour, based on the movement of working children and adolescents in Latin America. The paper is the result of bibliographic research carried out between 2024 and 2025 as part of a sandwich doctorate at the Bolivian Catholic University, under file number 88881.982415/2024-01. The study problematises the official reproduction of the discourse on the eradication of child labour and the social protection of children and adolescents and presents a counter-hegemonic model: the movement of working children and adolescents in Bolivia, which announces a perspective of critical valuation of labour and confronts the official discourse of the United Nations and its agencies. Furthermore, the movement is fighting to guarantee work and a dignified life for young workers, a reflection that is necessary for social workers to question an official ideological discourse reproduced by international organizations.

**Keywords:** Child Labour. International Organizations. Movement of Working Children and Adolescents.

#### **RESUMO**

Este artigo realiza uma discussão sobre o trabalho infantil, a partir do movimento de crianças e adolescentes trabalhadoras da América Latina. A produção resulta de uma pesquisa bibliográfica, realizada no período 2024-2025, no doutorado sanduíche na Universidad Católica Boliviana, sob o número de processo 88881.982415/2024-01. O estudo problematiza a reprodução oficial do discurso de erradicação do trabalho infantil e da proteção social de crianças e adolescentes e apresenta um modelo contra-hegemônico: o movimento de crianças e adolescentes trabalhadoras da Bolívia que anuncia a perspectiva da valoração crítica do trabalho e confronta o discurso oficial da Organização das Nações Unidas e suas agências. O referido movimento se põe na luta pela garantia ao trabalho e uma vida digna dos pequenos trabalhadores, reflexão esta necessária aos trabalhadores sociais, como forma de problematizar o discurso oficial ideológico reproduzido pelos organismos internacionais.

**Palavras-Chave:** Trabalho Infantil. Organismos Internacionais. Movimento de Crianças e adolescentes trabalhadoras.

#### **ARTICLE**

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### Introduction

"Workers needed, two-year-olds are welcome to apply. Shocking, isn't it? Think of two- and three-year-old children at work!" (Huberman, 1981, p. 128).

The epigraph above, taken from the Report on *Homework in the Fabricated Metal Industry in Connecticut*, describes children employed from a very young age in Connecticut, USA, in 1934.

Although the prohibition of child labor began in 1919 with the establishment of the International Labor Organization (ILO), which set the *Minimum Age for Admission of Children to Industrial Employment* (ILO, 1919), society still openly tolerates early labor, at least when it leads to fame and financial gain. This suggests that countries signatory to ILO pacts tend to focus their campaigns and prohibitions on early labor when it is associated with the children of the working class. This reality contradicts the arguments that the discussion surrounding child labor is settled or that the practice no longer occurs or has diminished.

Another common theoretical and social stance in global, Brazilian, and Bolivian discourse is the complete prohibition of child and adolescent labor. This stands in stark contradiction to the reality on the streets, as commonly observed at traffic lights in large cities. Furthermore, the media has increasingly brought to light cases of artists and athletes who were famous in their childhood and now report sexual abuse by their coaches, producers, and mentors.<sup>2</sup> This demonstrates that, despite professional success, children engaged in early labor can be victims of violence, regardless of social class, types of work, or type of compensation.

Based on these empirical observations and insights from an ongoing sandwich doctorate, this article seeks to understand and problematize the reality of children and adolescents who continue to work. It proposes a broader discussion about child labor and the social participation of children and adolescents from the perspective of the *Unión de Niños, Niñas y Adolescentes Trabajadores de Bolívia* – UNATSBO (Union of Working Children and Adolescents of Bolivia). For 22 years, UNATSBO has been fighting for the right to work and a dignified life for children and adolescents, and this paper partially contrasts its efforts with the Brazilian reality.

<sup>1</sup> Menores desdenham da educação e dizem ganhar mais do que médico vendendo curso para ser influencer (G1-São Paulo, 2024). Elas ainda são crianças e já influenciam milhares de pessoas (Correio Brasiliense, 2024). Influenciadores mirins: reflexos da publicidade digital direcionada às crianças (Efing; Moreira, 2021).

<sup>2</sup> Simone Biles, em depoimento sobre o que sofreu: Culpo Nassar e todo o sistema que permitiu o abuso sexual (EL PAÍS – Brasil, 2021). Alegações de estupro ligam irmãos Menendez a Menudo: Pode haver outras vítimas (CNN-Brasil, 2024).

This bibliographic research will be presented in four parts: 1. The stance of international organizations in the fight against child labor; 2. The movement of working children and adolescents in Latin America; 3. The social participation of children and adolescents and the struggle of the *Unión de Niños, Niñas y Adolescentes Trabajadores* (Union of Working Children and Adolescents) for the right to work; 4. The right to work: The position of the movement of working children and adolescents.

# The stance of international organizations in the fight against child labor

According to Mészáros, establishing simplistic solutions is one way to systematically avoid the structural problem of capitalist exploitation, thereby overlooking it in daily life. For the author, "[...] the dualistic methodology and the dichotomous articulation of categories are very useful weapons in the service of dominant ideological interests [...]" (Mészáros, 2009, p. 105). In practice, both in training and fieldwork, arguments about child labor have been used that disproportionately blame poor families. This contrasts with how families of child performers or athletes are viewed, where the financial returns are not used for family subsistence. In the case of low-income children, family survival sometimes depends on their earnings, a reality magnified when they are unable to remain in school. This approach absolves the state and the capitalist system itself, which continually reproduces poverty and, consequently, child labor.

In this sense, the 20th century was marked by social changes and continuities, including the framing of child labor as a social issue. From then on, child labor was seen as an expression of social inequality, demanding state intervention to serve poor children. This shift was only possible due to the emergence of a new conception of childhood. Additionally, the advancement of productive forces meant that industry, requiring more skilled labor, was no longer a place for children. In this context, international legislation and, later, public policies were created, supposedly to meet child protection needs.

This change in understanding is marked by several ILO Conventions: a) 1919: Minimum Age (Industry) Convention (No. 5); Night Work of Young Persons (Industry) Convention (No. 6); b) 1920: Minimum Age (Sea) Convention (No. 7); c) 1921: Medical Examination of Young Persons (Sea) Convention (No. 16); d) 1936: Minimum Age (Sea) Convention (Revised) (No. 58); e) 1965: Medical Examination of Young Persons (Underground Work) Convention (No. 124); f) 1973: Minimum Age Convention (No. 138); g) 1999: Worst Forms of Child Labour Convention (No. 182) (Souza, 2023).

The issue of child labor eradication gained momentum at the end of the century, specifically in 1992, when it became part of the International Programme on the Elimination of Child Labour (IPEC/ILO). This initiative, coordinated by 88 countries, aimed to

progressively eliminate this social issue by strengthening national capacities to deal with it and fostering a global movement.

The 21st century began under this banner, with the signing of the 2030 Agenda for Sustainable Development. The document's 169 targets established 17 Sustainable Development Goals (SDGs), including Target 8.7: "Take immediate and effective measures to eradicate forced labour [...] secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms" (UN, 2015, p. 26). Despite this, what has been observed is a lack of state accountability. In Brazil, funding for the Child Labor Eradication Program (PETI) has been gradually cut since 2019. In Bolivia, a National Inter-Institutional Plan for the Progressive Eradication of Child Labor (PNEPTI) was only implemented for the 2000-2010 period. In this context, educational campaigns on commemorative dates, such as June 12th (World Day Against Child Labour), have become the main strategy in Brazil, replacing substantive public policies.

It is also worth noting that ILO documents establish a link between poverty, education, and child labor. They argue that child labor prevents children from acquiring skills for a better future, emphasizing that it "[...] perpetuates poverty and affects national economies through losses in competitiveness, productivity, and potential income" (Amorim; Baptista; Ippolito; Djacta, 2016, p. 17). Consequently, education becomes a primary focus in these discourses, masking the theoretical and practical inconsistencies of the ILO and serving as a pillar for the doctrine of *menorismo* (viewing minors as objects of compassion rather than subjects of rights), as indicated by Fernandes' research (2024).

# The movement of working children and adolescents in Latin America

According to data from the ILO and UNICEF, 160 million children worldwide are engaged in child labor. Yet, there has been little discussion about the stagnation of efforts to combat this problem, which has led to an absolute increase of more than 8 million child laborers since 2016 (ILO; UNICEF, 2021).

In the socioeconomic context of capitalism, child labor is a form of labor exploitation of the proletarian class, which includes children, primarily because they represent a cheaper labor force. As capitalism has advanced and consolidated, this contradictory scenario has diversified, leading to international positions formalized through mechanisms that seek to normalize agendas and perceptions on various issues.

In this light, research conducted in Bolivia on the movement of working children and adolescents has allowed for a critical examination of the issue. The movement is understood as a form of resistance to the advancement of capital, highlighting the reality that

eradicating child labor is not possible within this society. Instead, the focus must be on fighting for a dignified life for children and adolescents. This approach avoids the current trend of promoting promises of empowerment or youth agency as paths to change—ideas widely disseminated in the Brazilian educational sphere and rights-guarantee systems.<sup>3</sup> These are ideological products far from being realized in a context of advancing neoliberal policies that undermine workers' rights.

Furthermore, the expectation of urgently eradicating child labor exploitation has prevented social workers from effectively understanding the concrete reality. For social workers, this stance distances them from their ethical-political project and the defense of a societal model different from that of capitalist society.

In Latin America, the first movement of working children and adolescents began in Lima, Peru, in 1976, with the *Movimiento de Adolescentes y Niños Trabajadores Hijos de Obreros Cristianos* – MANTHOC (Movement of Working Adolescents and Children of Christian Workers). Its goal was to organize working children and adolescents to achieve better conditions in education, health, and work, and to improve their quality of life within the framework of children's rights. It also sought to defend their rights in the exercise of citizenship through transformative actions and proposals for a more just, supportive, and humane society. The movement brought together over 34 organizations with approximately 15,000 children across the country (MANTHOC, n.d.).

The 1980s saw a great effervescence of social movements in Latin America. In this context, the regulatory framework on the rights of children and adolescents advanced after the promulgation of the Convention on the Rights of the Child (CRC) in 1989. This was also a period when Latin American countries, including Bolivia (1982) and Brazil (1985), were undergoing redemocratization. It was in this context, specifically in 1985, that Brazil saw the rise of the Movimento Nacional de Meninos e Meninas de Rua - MNMMR (National Movement of Street Boys and Girls). Funded by UNICEF and supported by Liberation Theology from the Catholic Church and Neo-Pentecostal churches across several Latin American countries, the movement was articulated with the pre-Constitutional Assembly debate (Fernandes; Lara, 2021). However, this movement, far from focusing on labor, aimed to address the existence of street children during the deinstitutionalization of the country's 20th-century child welfare institutions. This contributed to a temporary solution for a neoliberal state that did not know what to do with them (Zanella, 2018). Notably, the MNMMR in Brazil, under the auspices of UN international organizations, was highly active during the pre-Constitutional Assembly and was decisive in the enactment of the Child and Adolescent Statute in 1990.

O Ministério da Educação (MEC) de 2022 apontou que a Base Nacional Comum Curricular (BNCC) traz nos seus textos, da Educação Infantil ao Ensino Médio, a palavra protagonismo mais de 50 vezes, seja para se referir às habilidades e competências ou a vida pessoal e coletiva dos estudantes (MEC, 2022).

Similarly, a movement akin to Brazil's, the *Movimiento Nacional Los Chicos del Pueb-lo* (National Movement of the People's Children), emerged in Argentina, also backed by the Church. Its agenda focused on tenderness, affection, and faith, with a call to dream of new worlds but without defending work as a right (Varela, 1987). These two movements went in the opposite direction of those that emerged in countries like Peru and Bolivia, which centered their struggle on the right to work and a dignified life, opposing the exploitation of children and adolescents.

# Social participation and the UNATSBO's struggle for the right to work

In 1992, Brazil pioneered the implementation of the ILO's International Programme on the Elimination of Child Labour (IPEC). Later, in 1996, it created the Child Labor Eradication Program (PETI), which, after being redesigned in 2013, operated through Strategic Actions. While one of its objectives was to accelerate actions to prevent and eradicate child labor, it lacked mechanisms for the participation of its main stakeholders, involving only the protection network directly engaged in the actions. Regarding the social participation of adolescents, it was not until 2017 that Resolution No. 191 of the National Council for Children and Adolescents (CONANDA) established the consultative participation of adolescents through the creation of an Adolescent Participation Committee (CPA). The recommendation was for State Councils to implement their CPAs and support municipalities in their creation, leading to the first participation of adolescents in the National CPA in 2020 (Brazil, 2017). Given this situation, it is important to emphasize that Brazil remained outside the Latin American circuit of working children and adolescent movements, adhering instead to the guidelines of international organizations.

Bolivia, on the other hand, stands out with the creation of the Union of Working Children and Adolescents of Bolivia (UNATSBO), which is part of a broader movement. According to Mamani and Cabrera (2020), although UNATSBO was formally established in 2003, there are records of steering committees being formed in La Paz, Santa Cruz, and Cochabamba as early as 1985. Several events culminated in the creation of this movement. For example, in 1995, Bolivia hosted the Third Latin American Meeting of Working Children and Adolescents. In 2000, the First National Meeting of Working Children and Adolescents took place in Sucre. Finally, in 2003, the Second National Meeting was held, with representatives from Llallagua, Sucre, Potosí, La Paz, Cochabamba, Santa Cruz, El Alto, Oruro, Tarija, and Monteagudo, at which point UNATSBO was officially founded.

One of UNATSBO's main struggles was the modification of Article 61 of the State's Political Constitution during the Constituent Assembly between 2006 and 2007.

The previous article simply prohibited child labor. After a suggestion from the movement, the wording was changed to:

All forced labor and child exploitation are prohibited. Activities carried out by children and adolescents within the family and social sphere will be geared toward their comprehensive development as citizens and will have a formative function. Their rights, guarantees, and institutional protection mechanisms will be subject to special regulations. (Bolivia, 2009, Art. 61 - authors' translation).

It was in this context that UNATSBO strengthened its position as a social movement representing working children and adolescents from various regions of Bolivia. Subsequently, through organization, street demonstrations, and collaboration with politicians, it successfully proposed a new framework for protecting child labor in the new *Código Niña*, *Niño y Adolescente* – CNNA (Child and Adolescent Code), Law No. 548 of 2014. This law authorized self-employed child labor from the age of 10, going against ILO Conventions, with the support of then-President Evo Morales (Mamani; Cabrera, 2020).

This scenario, however, changed on July 21, 2017, with Constitutional Ruling 0025/2017, following an action brought by the Ombudsman's Office. This ruling declared the authorization of child labor at age ten unconstitutional. Nevertheless, despite this modification, the UNATSBO movement maintained its position in favor of child labor and against labor exploitation (Mamani; Cabrera, 2020).

One of the benefits of the 2014 Law was the creation of a Children and Adolescents Committee, under Articles 190 and 191 of the CNNA, which provides for Committees as bodies of social participation at the central, departmental, municipal, and indigenous levels. Participants can be between ten and eighteen years old, with a requirement that at least 50% of committee members be girls (Bolivia, 2014). A 2023 mapping identified at least 153 operating committees across various spheres (Act-2gether Latinoamérica, 2023).

Having these bodies for social participation is essential for defending children's and youth's rights. However, it must be noted that these committees, whether in Brazil (since 2020) or Bolivia, have limitations, as they are tied to institutional and governmental bodies, granting them only relative autonomy. On the other hand, the power of the struggle of movements like UNATSBO is undeniable, as they objectively center their fight on material life and what directly affects the working class: the right to work and, beyond that, the right to a dignified life. This makes it clear that the discourse of simply combating child labor has proven inconsistent and ineffective.

# The right to work: the position of the movement of working children and adolescents

Currently, labor movements exist in Paraguay, Bolivia, Peru, Argentina, Colombia, Ecuador, Venezuela, Mexico, and Guatemala. The movement of working children and adolescents has a 48-year history of fighting for better living conditions. Based on an analysis of international meetings during this period, some issues are highlighted as essential for strengthening the movement.

First, there is a struggle for the recognition and legitimacy of the movement in representing the interests of working children and adolescents. The movement demands to be consulted on every decision that affects them, citing the 1989 Convention on the Rights of the Child (CRC). This was observed in the 1997 meeting in Peru.

We have made the decision to participate in International Conferences to assert our right to freedom of expression; we also demand our participation with voice and vote in them, since the issues discussed and the decisions made concern us, and therefore, we must be protagonists. (ProNats, 1997, p. 2 - authors' translation).

Second, there are demands for access to education and better living and working conditions for them and their parents, which require government commitment. Their campaign not only aims to ensure that those who need to work are not criminalized or persecuted, but also stands against all forms of exclusion and discrimination based on race, ethnicity, caste, religion, or gender. It demands respect for all populations and their rights, particularly those of working children and adolescents (ProNats, 2002).

In their words, "[...] in our lives, work allows us to resist with dignity the economic, political, and oppressive model that criminalizes and excludes us, worsening our living conditions and those of our families and communities [...]" (ProNats, 2004, pp. 1-2). This reflects an understanding of labor within the capitalist system and how this economic model directly affects individual and collective life, identifying them as a working class whose labor power is their only means of survival.

Regarding international organizations, the movement demands that they create spaces for dialogue and consultation to discuss issues involving children and adolescents and to recognize their organizing process. In 2015, the ILO participated remotely in the International Forum; however, despite listening to child laborers, it provided no answers to their questions or suggestions. The movement explicitly rejects the ILO's proposed concept of child labor, believing it focuses exclusively on exploitation and thus creates confusion. This point was discussed at the 2017 meeting in La Paz, Bolivia.

The discourse on child labor promoted by the International Labour Organization (ILO) creates a smokescreen to hide the reality and dehumanization of the neoliberal economic system and the logic of exploitation permitted and encouraged by states. The new wave of slavery, explicit or implicit, that is sweeping the world has nothing to do with the labor of millions of child and adolescent workers, but with the logic of globalized capitalism, which continues to exploit the very expropriation and impoverishment it generates to subject people to any condition to find minimal employment opportunities to avoid starvation. (ProNats, 2017, pp. 1-2 - authors' translation).

The movement aims to deepen the debate on child labor beyond concepts centered on education and poverty. They seek to discuss with governments and international organizations the economic system and how it directly affects them and their families, given that transformations in the world of work have increased the number of outsourced, precarious, "uberized," and unemployed workers.

Without critical reflection or a paradigm shift, the ILO insists on playing with the lives of millions of child and adolescent workers, turning a deaf ear to their demands for public policies that protect their rights. It is worth noting that its representatives, despite being formally invited to this Forum, once again refused to listen to the voices of organized child workers. This adds to the contempt repeatedly expressed by this international organization when it states that by 2025 all forms of child labor will have been eliminated. According to the ILO's own figures in its report "Global Estimates of Child Labour: Results and trends, 2012-2016," in 2025, we will still have 121 million children in child labor, making this strategy a chronicle of a failure foretold. This means we will still have several generations of child workers throughout this century. What will we do with them? What will the ILO do? Will it continue to deny them any form of social recognition, condemning them to social invisibility? (ProNats, 2017, p. 2 - authors' translation).

These questions are highly relevant in a macro-political analysis, since the eradication of child labor is unthinkable under capitalism, as Karl Marx warned after scrutinizing legislation on the subject in Instructions for the Delegates of the Provisional General Council: The Different Questions (1866), addressed to the delegates of the Central Council of the First Congress of the International Workingmen's Association (IWA). In his text *Arbeit von Jugendlichen und Kindern (beiderlei Geschlechts)* ("Juvenile and children's labour (both sexes)"), he discusses labor as an ontological category:

However, for the present, we have only to deal with the children and young persons of both sexes divided into three classes, to be treated differently [a]; the first class to range from 9 to 12; the second, from 13 to 15 years; and the third, to comprise the ages of 16 and 17 years. We propose that the employment of the first class in any workshop or housework be legally restricted to

two; that of the second, to four; and that of the third, to six hours. For the third class, there must be a break of at least one hour for meals or relaxation. (Marx, 1867, p. 194).

Continuing his analysis, when the Gotha Congress in 1875 approved a program calling for the "Prohibition of child labor [...]" (Marx, 2012, p. 91), Marx offered the following critique: "[...] it was absolutely necessary to determine the *age limit*. A *general prohibition* of child labor is incompatible with the existence of large-scale industry and hence an empty, pious wish" (Marx, 2012, p. 47). For him, the combination of regulated productive work with education would be a powerful means of social transformation (Zanella, 2018).

Agreements and programs are negotiated between international organizations and national governments without consulting the most interested parties: working children and adolescents. This reflects a logic where international organizations claim to follow the Doctrine of Comprehensive Protection but only if children say what they want to hear—a clear reproduction of *menorismo*. This approach fails to officially recognize the logic of capitalism that continues to subject children to exploited, precarious, and invisible labor without rights.

The various ILO conventions governing child labor focus on prohibition. Consequently, children and adolescents who work outside the permitted age do so illegally, and they and their families are often criminalized. It is important to emphasize that child labor is class-based and that the concept of childhood as a fragile period of preparation for adulthood does not apply to all. Therefore, it is crucial to continue discussing the issue, problematizing its contradictions, and thinking beyond the official discourse (Souza; Mubarac Sobrinho; Herran, 2018).

When we defend the abolitionist idea of eradicating child labor, we render invisible the needs of those who must work. As a result, we fail to obtain the socioeconomic data needed to develop public policies that could create the necessary conditions for its eradication.

For Liebel and Muñoz (2008), it is necessary to overcome this abolitionist position and broaden the reflection based on a new paradigm: the critical valuation of work. This paradigm, promoted in several *NATs Journals*, suggests that it is only possible to combat labor exploitation by giving a voice to children and adolescents. This implies creating spaces for action and strengthening their social status, where they can be heard and respected. Furthermore, it would be necessary to recognize child and adolescent labor as an economically generative activity, requiring a revitalization of the work culture that values their contributions without depreciating them or assuming they have less worth. Beyond the situation of the children, the circumstances of their

families must be considered, as they are sometimes forced to live in poverty and rely on their children's work. Within this new logic, work could be a choice, not an obligation (Liebel; Muñoz, 2008).

In this sense, recognizing child labor is a form of social protection that will enable the creation of new public policies to support working children and adolescents and prevent their exploitation.

#### Final Considerations

Based on a Marxist analysis of capitalist society, we consider labor an essential dimension for the working class, for whom their labor power is the only means of survival. This situation directly affects the children and adolescents of this class who, on one hand, are prohibited from working and, on the other, are forced into precarious, informal jobs for which they and their families are criminalized.

In this context, the related movements that emerged in Latin America in defense of childhood, especially in the 1980s, positioned themselves on opposite sides despite claiming to defend children's rights. The MNMMR and the *Movimiento Nacional de los Chicos del Pueblo* adopted a *menorista* position, while the NNATs took an emancipatory stance.

Addressing this reality is always contradictory, as there is general agreement that children and adolescents should primarily study, not work. While a movement of this population for the right to work exists due to the absence of public protection policies, this movement is also a form of resistance grounded in a counter-hegemony to the existing system. It refuses to accept the discourse of the long-awaited eradication of child labor when it is still evidently necessary in a society that, despite its rhetoric of child protection, experiences the daily violation of their rights. Another important point is the ILO's lack of dialogue. It does not accept the position of working children and adolescents and, consequently, fails to legitimize their movement, instead presenting them as mere statistics. This reinforces the organization's *menorista* policy of not listening to the key stakeholders.

This is a necessary reflection for social workers, to ensure progress beyond the mere reproduction of campaign rhetoric against child labor and the exaltation of education as the sole path to social transformation. Furthermore, this discussion offers an alternative way to escape the traps of ideas like youth resilience and empowerment. It encourages looking beyond subjective and individual issues to collectively problematize the issue, considering the economic context, the social system, neoliberalism, the precariousness of work, the minimalist state, and how these factors directly impact the lives of working-class children and adolescents.

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