

Honduras

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Honduras has been a member of ILO-IPEC since 1996.¹⁷²⁵ In 1998, the government established the National Commission for the Gradual and Progressive Eradication of Child Labor. The National Commission coordinates all activities to combat child labor and to mainstream working minors into educational programs.¹⁷²⁶ The commission is currently participating in an ILO-IPEC project, with funding from USDOL, to prevent and remove children from full-time work in the melon sector of Choluteca and in commercial coffee farms in Santa Barbara.¹⁷²⁷ The government also collaborates with the NGO *Compartir* on a child labor project in the garbage dump of Tegucigalpa.¹⁷²⁸ With technical assistance from ILO-IPEC and funding from USDOL, the Honduras National Institute of Statistics is working in consultation with the Ministry of Labor and Social Security (MOL) to conduct a national child labor survey.¹⁷²⁹ Honduras is also participating in a USDOL-funded ILO-IPEC regional project aimed at combating commercial sexual exploitation.¹⁷³⁰ With other donor funding, ILO-IPEC is carrying out a project aimed at raising awareness, collecting information and providing direct services to children involved in domestic work in the homes of third parties.¹⁷³¹

¹⁷²⁵ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations in Honduras*, project proposal, HON/00/P50/USA, Geneva, July - September 2000, 5. See also Government of Honduras, *Esfuerzos en la Eliminación de las Peores Formas de Trabajo Infantiles*, September 2002. See also ILO-IPEC, *All About IPEC: Programme Countries*, [online] [cited August 30, 2002]; available from http://www.ilo.org/public/english/standards/ipecc/about/countries/t_country.htm.

¹⁷²⁶ Decreto Ejecutivo Número PCM-017-98, Presidencia de la República (Honduras: 1998), 2 and 4, decreed the creation of the National Commission. Also, in June 2000, the Ministry of Labor and Social Security published a report on its efforts and focus on inspection, capacity building, surveys, awareness-raising, and coordination between agencies. See U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2159*, June 2000. See also Secretary of Labor and Social Security, *Informe Trabajo Infantil en Honduras*, 2000.

¹⁷²⁷ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations*, project proposal. See also ILO-IPEC, *Prevention and Progressive Elimination of Child Labor in the Coffee Industry in Honduras*, project proposal, HON/99/05/050, Geneva, 1999.

¹⁷²⁸ Government of Honduras, *Esfuerzos en la Eliminación de las Peores Formas de Trabajo Infantiles*, 10. In addition, with funding from ILO-IPEC, *Compartir* carried out a study on the conditions of work at the Tegucigalpa garbage dump. *Compartir, Niñez Trabajadora en el Depósito de Basura de Tegucigalpa, Estudio de Focalización y Condiciones de Trabajo*, ILO-IPEC, Tegucigalpa.

¹⁷²⁹ ILO-IPEC, *SIMPOC Central America*, project proposal, CAM/99/05/050, Geneva, 1999.

¹⁷³⁰ In Honduras, this project will focus primarily on regional collaboration, awareness raising, institutional capacity building, and coordination. ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, project document, RLA/02/P51/USA, Geneva, 2002.

¹⁷³¹ ILO official, electronic correspondence to USDOL official, September 16, 2002.

In June 2001, the Honduran Private Business Council promoted a Declaration signed by the MOL, the First Lady of Honduras, and the ILO to immediately eradicate the worst forms of child labor.¹⁷³² In September 2001, in collaboration with the Honduran Private Business Council, the MOL implemented an education campaign to increase industry awareness on the worst forms of child labor.¹⁷³³ Within the same year, the Legislative Assembly published specific regulations on child labor, which outline activities prohibited for children and adolescents and sanctions for employers who violate these rules and regulations.¹⁷³⁴ The Government of Honduras also published its National Plan of Action for the Gradual and Progressive Eradication of Child Labor in 2001.¹⁷³⁵

The government has also collaborated with the Spanish Agency for International Cooperation on public awareness and information collection strategies on child labor; with UNICEF on capacity building and public awareness activities; and with Save the Children–UK on activities related to its national plan of action and child labor in the diving sector.¹⁷³⁶

The government has initiated several programs in order to improve children's access to quality basic education. The Ministry of Education provides very poor families with stipends for school supplies and makes available radio and long distance learning for children in distant rural areas with few schools.¹⁷³⁷ Regional committees of child defense volunteers also try to convince parents to send their children to school.¹⁷³⁸ The Ministry of Education has developed an Education for All plan to increase access to primary education; improve the quality of pre-school and primary education by encouraging new teaching modalities, improving curriculum, and reducing drop-out rates and desertion; reduce illiteracy; and expand basic education services and training in essential skills for youth.¹⁷³⁹

¹⁷³² U.S. Embassy- Tegucigalpa, *unclassified telegram no. 3211*, October 2001. See also Eris Gallegos, "Firma de Declaración: Empresarios se comprometen a erradicar las peores formas de trabajo infantil," *El Tiempo* (San Pedro Sula), 2001.

¹⁷³³ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 3211*. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2001: Honduras*, Washington, D.C., March 4, 2002, 2903-07, Section 6d [cited December 20, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/wha/8328.htm>.

¹⁷³⁴ Government of Honduras, *Poder Legislativo Decreto No. 199-2001*, (December 11, 2001), as cited in La Gaceta, Diario Oficial de la República de Honduras. See also U.S. Embassy- Tegucigalpa, *unclassified telegram no. 0944*, March 2002.

¹⁷³⁵ National Commission for the Eradication of Child Labor, *Plan de Acción Nacional Para la Erradicación Gradual y Progresiva del Trabajo Infantil en Honduras*, Tegucigalpa, December 2001.

¹⁷³⁶ Secretary of Labor and Social Security, *Informe Trabajo Infantil en Honduras*.

¹⁷³⁷ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 3211*.

¹⁷³⁸ *Ibid.*

¹⁷³⁹ UNESCO, *Education for All 2000 Assessment: Country Reports-Honduras*, prepared by Secretary of Public Education, pursuant to UN General Assembly Resolution 52/84, October 1999, [cited August 30, 2002]; available from http://www2.unesco.org/wef/countryreports/honduras/rapport_1.html.

Incidence and Nature of Child Labor

In 2000, the ILO estimated that 7.1 percent of children ages 10 to 14 years in Honduras were working.¹⁷⁴⁰ According to a study undertaken by the Ministry of Labor and Social Security in association with UNICEF and the Honduran Institute for Childhood and the Family, nearly half of all working children work in agriculture, cattle farming, or fishing.¹⁷⁴¹ Twenty percent of working children are employed in manufacturing, mining, electricity, gas, and construction. The remaining 30 percent of working children are employed in commerce, transportation, finance, or service industries (including domestic service).¹⁷⁴² Two-thirds of working children work without compensation to supplement family incomes derived from family farms or for small businesses.¹⁷⁴³ Child labor in Honduras increased significantly after Hurricane Mitch in 1998.¹⁷⁴⁴

According to the Government of Honduras, the worst forms of child labor in Honduras include: prostitution (particularly in the tourist sector along the North Coast and other areas); fireworks manufacturing (in Copan); marine diving (on lobster boats in the Mosquitia coast); work in limestone quarries and garbage dumps (in the two large cities of Tegucigalpa and San Pedro Sula); mining and dirt extraction (South and East regions); the sale and handling of pesticides (Copan, La Ceiba, and Choluteca); construction; and agricultural work (in the coffee and melon industries).¹⁷⁴⁵ Children have also been used to sell drugs in Olancho and Comayagua.¹⁷⁴⁶

There is evidence that some children engage in prostitution.¹⁷⁴⁷ Honduras is primarily a source country for girls trafficked for commercial sexual exploitation. Honduran girls are trafficked by criminal groups to Mexico and other Central American countries; and boys have been reportedly

¹⁷⁴⁰ World Bank, *World Development Indicators 2002* [CD-ROM], Washington, D.C., 2002. According to the ILO, 58,000 children ages 10 to 14 were working. ILO, *Yearbook of Labour Statistics 2001*, Geneva.

¹⁷⁴¹ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2159*.

¹⁷⁴² FUNPADEM, *Pobreza y Subsistencia: Trabajo Infantil y Adolescente en los Departamentos de Cortes, Copan, y Santa Barbara*, San José, Costa Rica, 2001, 56-60. See also U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2159*.

¹⁷⁴³ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2159*.

¹⁷⁴⁴ UN Wire, *Child Labor: ILO Says 500,000 Honduran Children Help Support Families*, United Nations Foundation, [online] July 23, 2002 [cited July 23, 2002]; available from http://www.unfoundation.org/unwire/util/display_stories.asp?objid=27840. See also U.S. Department of State, *Country Reports- 2001: Honduras*, 2900-03, Section 5.

¹⁷⁴⁵ National Commission for the Eradication of Child Labor, *Plan de Acción Nacional*, 97-98. See also U.S. Embassy- Tegucigalpa, *unclassified telegram no. 3211*.

¹⁷⁴⁶ National Commission for the Eradication of Child Labor, *Diagnóstico y Plan Nacional Para La Erradicación Gradual y Progresiva del Trabajo Infantil*, Tegucigalpa, 2000, 17.

¹⁷⁴⁷ U.S. Department of State, *Country Reports- 2001: Honduras*, 2900-03, Section 5. See also National Commission for the Eradication of Child Labor, *Diagnóstico y Plan Nacional Para La Erradicación de Trabajo Infantil*, 17.

trafficked to Canada for the sale and transportation of drugs.¹⁷⁴⁸ There have been reports that children from Honduras have also been used as beggars to support traffickers in San Salvador, El Salvador.¹⁷⁴⁹

Education is free and compulsory¹⁷⁵⁰ in Honduras until the age of 13.¹⁷⁵¹ In 2001, the Government of Honduras allocated 9.6 percent of its total yearly expenditure to basic education.¹⁷⁵² In 1999, the gross primary enrollment rate was 97.3 percent, and the net primary enrollment rate was 85.7 percent.¹⁷⁵³ Attendance rates are not available for Honduras. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.¹⁷⁵⁴ Among working children, an estimated 34 percent complete primary school.¹⁷⁵⁵ The average number of years of schooling in Honduras is 4.8 years (6.7 in urban areas and 3 in rural areas).¹⁷⁵⁶

A lack of schools prevents many children in Honduras from receiving an education, as do costs such as enrollment fees, school uniforms and transportation.¹⁷⁵⁷ The government estimates that 65,000 children ages 6 through 12 fail to receive an education due to a lack of financial resources and because their parents rely on them to work in order to help support the family.¹⁷⁵⁸ The poor quality of education and the lack of vocational education are other areas of concern.¹⁷⁵⁹

¹⁷⁴⁸ U.S. Department of State, *Trafficking in Persons Report- 2002: Honduras*, Washington, D.C., June 5, 2002, 57 [cited December 27, 2002]; available from <http://www.state.gov/g/tip/rls/tiprpt/2002/10680.htm>. See also U.S. Department of State, *Country Reports- 2001: Honduras*, 2900-07, Sections 5, 6d and 6f.

¹⁷⁴⁹ U.S. Department of State, *Country Reports on Human Rights Practices- 2001: El Salvador*, Washington, D.C., March 4, 2002, 2808-12, Section 6f [cited December 27, 2002]; available from <http://www.state.gov/g/drl/rls/hrrpt/2001/wha/8354.htm>.

¹⁷⁵⁰ *Constitution of the Republic of Honduras, 1982*, Chapter 8, Article 171, No. 7, [cited November 15, 2001]; available from <http://www.georgetown.edu.pdba/Constitutions/Honduras/honduras.html>.

¹⁷⁵¹ U.S. Department of State, *Country Reports- 2001: Honduras*, 2900-03, Section 5. See also Government of Honduras, *Temas e Indicadores Sobre Trabajo Infantil en Honduras*, September 2001, 8, which states that 14 is the average age for finishing primary school.

¹⁷⁵² U.S. Department of State, *Country Reports- 2001: Honduras*, 2900-03, Section 5.

¹⁷⁵³ UNESCO, *Education for All: Year 2000 Assessment* [CD-ROM], Paris, 2000.

¹⁷⁵⁴ For a more detailed discussion on the relationship between education statistics and work, see the preface to this report.

¹⁷⁵⁵ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations, project proposal, 2*.

¹⁷⁵⁶ FUNPADEM, *Pobreza y Subsistencia*, 63.

¹⁷⁵⁷ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations, project proposal, 2*.

¹⁷⁵⁸ U.S. Department of State, *Country Reports- 2001: Honduras*, 2900-03, Section 5.

¹⁷⁵⁹ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations, project proposal, 2*.

Child Labor Laws and Enforcement

The Constitution and the Labor Code set the minimum age for employment at 16 years, with the exception that a child who is 15 years of age is permitted to work with parental consent and Ministry of Labor permission.¹⁷⁶⁰ An employer who legally hires a 15-year-old must certify that the child has finished, or is finishing, compulsory schooling.¹⁷⁶¹ Children under the age of 16 are prohibited from night work and from working in clubs, theaters, circuses, cafes, bars, in establishments that serve alcoholic beverages, or in jobs that have been determined to be unhealthy or dangerous.¹⁷⁶² Children under age 16 are limited to working six hours a day and 30 hours a week.¹⁷⁶³ The Children's Code prohibits a child of 14 years of age or younger from working, even with parental permission, and establishes prison sentences of three to five years for individuals who allow children to work illegally.¹⁷⁶⁴

The Minor's Code criminalizes child prostitution. Children 18 years and younger are protected under this law against sexual exploitation, child prostitution and child pornography.¹⁷⁶⁵ Violation of these laws can carry five to eight years imprisonment.¹⁷⁶⁶ The Penal Code also includes provisions that prohibit trafficking in persons, which can carry six to nine years imprisonment.¹⁷⁶⁷ However, prosecution and law enforcement efforts are weak due to corruption and lack of resources.¹⁷⁶⁸

The MOL is responsible for conducting child labor inspections.¹⁷⁶⁹ The Ministry has an insufficient number of inspectors for the entire country,¹⁷⁷⁰ and is not able to effectively enforce laws in rural areas or against small companies.¹⁷⁷¹ Despite these problems, in 2001, the ministry

¹⁷⁶⁰ *Constitution of the Republic of Honduras, 1982*, Chapter 5, Article 128, No. 7. See also Government of Honduras, *Temas e Indicadores Sobre Trabajo Infantil en Honduras*, 5. See also U.S. Department of State, *Country Reports-2001: Honduras*, 2903-07, Section 6d.

¹⁷⁶¹ U.S. Department of State, *Country Reports- 2001: Honduras*, 2903-07, Section 6d.

¹⁷⁶² ILO-IPEC Regional Office for Latin America and the Caribbean, *HONDURAS: Sistema Regional de Información sobre Trabajo Infantil*, San Jose, 1999, 19-20.

¹⁷⁶³ *Constitution of the Republic of Honduras, 1982*, Chapter 5, Article 128, No. 7.

¹⁷⁶⁴ Government of Honduras, *Código de la Niñez y de la Adolescencia, 1998*, 120 and 34. See also U.S. Department of State, *Country Reports- 2001: Honduras*, 2903-07, Section 6d.

¹⁷⁶⁵ Article 148 criminalizes child prostitution, while Article 143 criminalizes pornography. U.S. Embassy-Tegucigalpa, *unclassified telegram no. 2902*, August 2000.

¹⁷⁶⁶ Government of Honduras, *Temas e Indicadores Sobre Trabajo Infantil en Honduras*, 7.

¹⁷⁶⁷ U.S. Department of State, *Country Reports- 2001: Honduras*, 2903-07, Section 6f.

¹⁷⁶⁸ U.S. Department of State, *Trafficking in Persons Report: Honduras*, 57.

¹⁷⁶⁹ Secretary of Labor and Social Security, *Informe Trabajo Infantil en Honduras*.

¹⁷⁷⁰ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 3211*.

¹⁷⁷¹ U.S. Department of State, *Country Reports- 2001: Honduras*, 2903-07, Section 6d.

opened a regional office and reinitiated inspections on lobster boats in the Mosquitia area, where boat captains illegally employ boy divers. Early in 2001, the MOL conducted a special inspection of the melon industry in order to uncover the incidence of child labor in that sector.¹⁷⁷²

The Government of Honduras ratified ILO Convention 138 on June 9, 1980 and ILO Convention 182 on October 25, 2001.¹⁷⁷³

¹⁷⁷² U.S. Embassy- Tegucigalpa, *unclassified telegram no. 3211*.

¹⁷⁷³ ILO, *Ratifications by Country*, in ILOLEX, [database online] [cited December 3, 2002]; available from <http://ilolex.ilo.ch:1567/english/newratframeE.htm>.