

<sup>1742</sup> U.S. Department of State, "Country Reports- 2008: Guyana," section 6d.

<sup>1743</sup> Partners of the Americas, *Educare - Guyana: Combating Child Labor through Education in Guyana*, Project Revision, October 28, 2008.

<sup>1744</sup> *Ibid.*, 6.

<sup>1745</sup> *Ibid.*, 10-11.

<sup>1746</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 18, 2008. See also ILO-IPEC, *Tackle Child Labor through Education: Moving Children from Work to School in 11 Countries*, Geneva, 2008; available from <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=8511>.

<sup>1747</sup> Government of Guyana and UNICEF, *Country Programme Action Plan between the Government of Guyana and the United Nations Children's Fund*, February 22, 2006, 8, 10, 12-13; available from

[http://www.unicef.org/guyana/GUY\\_CPAP\\_SIGN\\_ED\\_VERSION-\\_22JAN06.pdf](http://www.unicef.org/guyana/GUY_CPAP_SIGN_ED_VERSION-_22JAN06.pdf).

<sup>1748</sup> Bureau of Statistics of Guyana and UNICEF, *Bureau of Statistics of Guyana and UNICEF, Guyana Multiple Indicator Cluster Survey 2006*.

<sup>1749</sup> ILO-IPEC Geneva official, E-mail communication, December 18, 2008. See also ILO, *IPEC Action Against Child Labour 2008: Highlights*, 2009, 56; available from <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=9471>.

<sup>1750</sup> U.S. Department of State, *U.S. Government Funds Obligated in Fiscal Year 2007 for Anti-Trafficking in Persons Projects*, February 26, 2008; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>1751</sup> U.S. Department of State, "Country Reports- 2008: Guyana," section 6d. See also U.S. Embassy-Georgetown, *reporting, December 9, 2008*. See also U.S. Embassy- Georgetown, *reporting, February 27, 2009*.

## Haiti

### Incidence and Nature of Child Labor

Children in Haiti work on family farms and in the informal sector, such as in street vending.<sup>1752</sup> A 2007 household survey, which was carried out by the research firm Macro International Inc. and funded by USDOL, found that more than one-quarter of the sampled workers involved in farming in one department in Haiti are children, primarily contributing to the production of pistachio, corn, peas, millet, sugarcane, manioc, and rice.<sup>1753</sup>

The most common form of work for children in Haiti is domestic service.<sup>1754</sup> The practice of sending children, particularly girls, from poor rural areas to work as domestic servants for relatively richer families is common. While some of these children, referred to as "restaveks," are cared for and receive an education, many are trafficked into forced labor and abusive situations. Such children receive no schooling; are sexually exploited and physically abused; and are unpaid, undocumented, and unprotected.<sup>1755</sup> It is estimated that up to 300,000 children work under the restavek system in Haiti.<sup>1756</sup> A requirement to pay a salary to domestic workers 15 years and older encourages employers to

dismiss the restaveks before they reach that age, which in turn contributes to a large population of street children in Haiti.<sup>1757</sup> There are an estimated 2,500 street children who live in the capital, many of whom are former domestic servants; it has been estimated that this number may have grown to 3,000 children after many destructive storms impacted Haiti in 2008.<sup>1758</sup> Children on the streets work washing car windows, as vendors, as beggars, and also in prostitution.<sup>1759</sup>

In addition to internal trafficking, children are also trafficked from Haiti to the Dominican Republic.<sup>1760</sup> Haitian children trafficked to the Dominican Republic work in domestic service, sex tourism, and agriculture, and they often live in poor conditions.<sup>1761</sup> Haitian nationals who migrate to the Dominican Republic or Dominican children of Haitian descent often lack citizenship or personal identification and are consequently more vulnerable to exploitive labor situations.<sup>1762</sup> Girls are also trafficked from the Dominican Republic to Haiti for commercial sexual exploitation.<sup>1763</sup>

Haiti continues to experience a lack of public safety.<sup>1764</sup> The poor rural economy, which has been further devastated by natural disasters, has

created a major exodus to urban areas.<sup>1765</sup> Children are involved with armed groups and work as porters, spies, messengers, and combatants. Children of extremely poor families are especially vulnerable to recruitment by armed groups and have been forced to participate in illegal activities and subjected to rape.<sup>1766</sup>

Children are prohibited from night work in industrial jobs, and minors (of undefined age) are prohibited from hazardous work.<sup>1772</sup>

The law prohibits the forced labor of adults and children.<sup>1773</sup> The law also prohibits the corruption of youth under the age of 21 years, including by prostitution, with penalties ranging from 6 months to 3 years of imprisonment.<sup>1774</sup> Child trafficking is illegal, as is recruiting children for sexual exploitation, pornography, and illicit activities.<sup>1775</sup> There are no penalties for trafficking, although there are laws prohibiting and penalizing slavery and kidnapping.<sup>1776</sup>

The law sets the minimum age for military service at 18 years, but in 1995, the military forces were disbanded by presidential order.<sup>1777</sup>

The Ministry of Social Affairs and Labor, through the Institute of Social Welfare and Research (IBESR), is responsible for enforcing child labor laws.<sup>1778</sup> IBESR and the Haitian National Police's Brigade for the Protection of Minors (BPM) take the lead on anti-child trafficking efforts, and BPM is responsible for investigating crimes against children, which include trafficking.<sup>1779</sup> BPM monitors the movement of children crossing into the Dominican Republic.<sup>1780</sup> However, BPM does not investigate restavek or child trafficking cases.<sup>1781</sup> According to USDOS, an absence of governmental institutions, the lack of capacity to adequately monitor borders, and the lack of a well-trained and equipped national police force have inhibited the Government from effectively addressing child trafficking.<sup>1782</sup>

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

The Ministry of Social Affairs provides minimal assistance to street children. The Government refers victims of trafficking to NGOs and social welfare agencies that provide return and reintegration services.<sup>1783</sup> The Government of Haiti is participating in a USD 290,000 project to eradicate and prevent the worst forms of child labor, funded by the Government of Brazil and implemented by ILO-IPEC.<sup>1784</sup>

### *Selected Statistics and Indicators on Child Labor<sup>1767</sup>*

Population, children, 5-14 years, 2005:	2,271,815
Working children, 5-14 years (%), 2005:	29.0
Working boys, 5-14 years (%), 2005:	32.2
Working girls, 5-14 years (%), 2005:	26.0
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	11
Free public education:	Yes*
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2005:	81.2
Survival rate to grade 5 (%):	-
ILO Convention 138:	No
ILO Convention 182:	7/19/2007
CRC:	6/8/1995
CRCOPAC:	No
CRCOPSC:	No
Palermo:	No
ILO-IPEC participating country:	Yes

\*In practice, must pay for various school expenses

### **Child Labor Laws and Enforcement**

The minimum age for work in industrial, agricultural, or commercial enterprises in Haiti is 15 years, while the minimum age for domestic service is 12 years.<sup>1768</sup> However, there are no legal penalties for employing children in domestic labor as restaveks.<sup>1769</sup> The minimum age for work as an apprentice is 14 years, and a medical exam of the child is required.<sup>1770</sup> Children ages 15 to 18 years must obtain a work authorization from the Ministry of Labor. Employing a child without a work authorization is punishable by fines.<sup>1771</sup>

The Government participates in a number of projects to address child trafficking. In one such project, funded by USDOS, IOM is working with NGOs to provide shelter, protection, and services to child trafficking victims, specifically restaveks from Port-au-Prince.<sup>1755</sup> The Government is also participating in a USD 1 million project funded by USAID and implemented by the Pan American Development Foundation (PADF) to strengthen legislation and law enforcement associated with trafficking. Additionally, USDOS is supporting a USD 200,000 project also implemented in Haiti by PADF to prevent trafficking across the border of Haiti and the Dominican Republic.<sup>1756</sup>

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<sup>1752</sup> U.S. Department of State, "Country Reports- 2008: Haiti," section 6d.

<sup>1753</sup> Macro International, *Child Labor in Haiti's Agricultural Sector - A Study of Children in the Rural Centre Department (Draft)*, June 23, 2008, 30.

<sup>1754</sup> ILO-IPEC, *Haiti escenario de moderna esclavitud*, [August 2005 [cited February 16, 2009]; available from <http://www.oit.or.cr/ipsec/encuentros/noticia.php?notCodigo=469>. See also U.S. Department of State, "Country Reports- 2008: Haiti," section 6d.

<sup>1755</sup> U.S. Department of State, "Country Reports- 2008: Haiti," section 5. See also U.S. Department of State, "Haiti," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>. See also ILO Committee of Experts, *Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22 and 35 of the Constitution), Third Item on the Agenda: Information and Reports on the Application of Conventions and Recommendations*, ILO Conference, 92nd session, Geneva, 2005; available from <http://www.ilo.org/ilolex/cgi-lex/pdconv.pl?host=status01&textbase=iloeng&document=7698&chapter=6&query=%28C029%29+%40ref+%2B+%28Haiti%29+%40ref&highlight=&querytype=bool&context=0>. See also IOM, *Americas: Assistance for Children Victims of Human Trafficking in Haiti*, [online] December 4, 2006 [cited February 16, 2009]; available from <http://www.iom.int/jahia/Jahia/featureArticleAM/cache/offonce?entryId=12185>. See also ILO, *Hope for Haiti's restavecs: South-South cooperation against child labour*, [online] 2008 [cited February 16, 2009]; available from <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EGUA-7BJN9W?OpenDocument>. See also Marc Lacey, "Children in Servitude, the Poorest of Haiti's Poor," *The New York Times*, September 13, 2008.

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<sup>1756</sup> The Protection Project, "Haiti," in *2007 Human Rights Report on Trafficking in Persons, Especially Women and Children*, 2007; available from <http://www.protectionproject.org/haiti.doc>. See also ILO, *Hope for Haiti's restavecs*. See also ILO Committee of Experts, *Report of the Committee of Experts*.

<sup>1757</sup> ILO Committee of Experts, *Report of the Committee of Experts*. See also Government of Haiti, *Code du travail*, article 350.

<sup>1758</sup> Louis Joinet, *Situation of Human Rights in Haiti*, UN Economic and Social Council, January 24, 2006, 2. See also U.S. Department of State, "Country Reports- 2008: Haiti," section 5. See also U.S. Embassy- Port-au-Prince, *reporting*, February 6, 2009.

<sup>1759</sup> U.S. Department of State, "Country Reports- 2008: Haiti," section 6d. See also U.S. Embassy- Port-au-Prince, *reporting*, February 6, 2009.

<sup>1760</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Haiti." See also The Protection Project, "Haiti," in *2005 Human Rights Report on Trafficking in Persons, Especially Women and Children*, 2005; available from <http://www.protectionproject.org/haiti.doc>.

<sup>1761</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Haiti." See also U.S. Department of State, "Dominican Republic (Tier 2 Watch List)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>. See also IOM, *Americas: Assistance for Children Victims*. See also U.S. Embassy- Port-au-Prince, *reporting*, February 6, 2009.

<sup>1762</sup> U.S. Department of State, "Dominican Republic," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 2; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119157.htm>. See also U.S. Department of State, "Trafficking in Persons Report- 2008: Dominican Republic."

<sup>1763</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Haiti."

<sup>1764</sup> Ibid. See also UNICEF, *At a Glance: Haiti*, [online] [cited February 16, 2009]; available from <http://www.unicef.org/infobycountry/haiti.html>.

See also Louis Joinet, *Situation of Human Rights in Haiti*, 2.

<sup>1765</sup> Macro International, *Child Labor in Haiti's Agricultural Sector*, 4.

<sup>1766</sup> UNICEF, *At a Glance: Haiti*. See also UN Mission for the Stabilization of Haiti Child Protection Unit official, Interview with USDOL consultant, July 25, 2006. See also Coalition to Stop the Use of Child Soldiers, "Haiti," in *Child Soldiers Global Report 2008*, London, 2008; available from <http://www.child-soldiers.org/regions/country?id=92>. See also Organization of American States, *Observations of the Inter-American Commission on Human Rights upon*

Conclusion of its April 2007 Visit to Haiti, Washington, DC, March 2, 2008, 16; available from <http://www.cidh.org>.

<sup>1767</sup> For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Haiti, *Code du travail*, (1984), article 335; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/135/64790/F61HTI01.htm>. For age to which education is compulsory, see UNESCO, *Education for All Global Monitoring Report 2006: Literacy for Life*, Paris, 2005, 306; available from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=43283&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=43283&URL_DO=DO_TOPIC&URL_SECTION=201.html). For free public education, see Government of Haiti, *Constitution de la République d'Haiti*, (1987), article 32; available from <http://pdba.georgetown.edu/Constitutions/Haiti/haiti1987fr.html>. See also U.S. Department of State, "Haiti," in *Country Reports on Human Rights Practices-2008*, Washington, DC, February 25, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119163.htm>.

<sup>1768</sup> Government of Haiti, *Code du travail*, articles 335 and 341.

<sup>1769</sup> U.S. Department of State, "Country Reports- 2008: Haiti," section 6d.

<sup>1770</sup> Government of Haiti, *Code du travail*, article 73.

<sup>1771</sup> *Ibid.*, articles 337 and 340.

<sup>1772</sup> *Ibid.*, articles 333 and 334.

<sup>1773</sup> *Ibid.*, article 4. See also Government of Haiti, *Loi relative à l'interdiction et à l'élimination de toutes formes d'abus, de violences, de mauvais traitements ou traitements inhumains contre les enfants*, (June 5, 2003), article 2.

<sup>1774</sup> Government of Haiti, *Código penal de Haiti*, article 282; available from [http://www.unifr.ch/ddp1/derechopenal/legislacion/l\\_20080616\\_57.pdf](http://www.unifr.ch/ddp1/derechopenal/legislacion/l_20080616_57.pdf).

<sup>1775</sup> Government of Haiti, *Loi relative a l'interdiction et a l'élimination de toutes formes d'abus*, article 2.

<sup>1776</sup> U.S. Department of State, "Country Reports- 2008: Haiti," section 5.

<sup>1777</sup> Coalition to Stop the Use of Child Soldiers, "Child Soldiers Global Report 2008: Haiti."

<sup>1778</sup> Ministry of Social Affairs and Labor official, Interview with USDOL consultant, July 17, 2006. See also U.S. Embassy- Port-au-Prince, *reporting, February 6, 2009*.

<sup>1779</sup> U.S. Embassy- Port-au-Prince, *reporting, February 28, 2008*.

<sup>1780</sup> U.S. Department of State, "Country Reports- 2008: Haiti," section 5.

<sup>1781</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Haiti." See also U.S. Embassy- Port-au-Prince, *reporting, February 28, 2008*.

<sup>1782</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Haiti." See also U.S. Embassy- Port-au-Prince, *reporting, February 6, 2009*.

<sup>1783</sup> U.S. Department of State, "Trafficking in Persons Report- 2008: Haiti." See also U.S. Embassy- Port-au-Prince, *reporting, February 28, 2008*. See also U.S. Embassy- Port-au-Prince, *reporting, February 6, 2009*.

<sup>1784</sup> ILO-IPEC Geneva official, E-mail communication to USDOL official, December 18, 2008.

<sup>1785</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, accessed March 11, 2009; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>1786</sup> *Ibid.*

## Honduras

### Incidence and Nature of Child Labor

A May 2008 census by the National Statistics Institute of Honduras reported that the majority of working children in Honduras work in agriculture, forestry, hunting, and fishing.<sup>1787</sup> Children, especially boys, predominantly work in rural rather than urban areas.<sup>1788</sup> Children work in melon, coffee, lime, limestone, and sugarcane production, and as deckhands and divers in the lobster industry.<sup>1789</sup> Children work in mining, selling goods, begging, and scavenging in garbage dumps.<sup>1790</sup> Children, predominantly girls, also

work as domestic servants, where they are sometimes subject to abuse by third-party employers.<sup>1791</sup>

Commercial sexual exploitation of children is especially problematic in border areas, in major cities, such as Tegucigalpa, and in tourist areas, such as San Pedro Sula and the Bay Islands. Honduras is a transit and source country for children trafficked for commercial sexual exploitation.<sup>1792</sup> Honduran children are trafficked internally, usually from rural to urban settings. Children are also trafficked internationally to