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

¹⁷⁶⁷ 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. 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>.

¹⁷⁶⁸ Government of Haiti, *Code du travail*, articles 335 and 341.

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

¹⁷⁷⁰ Government of Haiti, *Code du travail*, article 73.

¹⁷⁷¹ *Ibid.*, articles 337 and 340.

¹⁷⁷² *Ibid.*, articles 333 and 334.

¹⁷⁷³ *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.

¹⁷⁷⁴ Government of Haiti, *Código penal de Haiti*, article 282; available from http://www.unifr.ch/ddp1/derechopenal/legislacion/l_20080616_57.pdf.

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

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

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

¹⁷⁷⁸ 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*.

¹⁷⁷⁹ U.S. Embassy- Port-au-Prince, *reporting, February 28, 2008*.

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

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

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

¹⁷⁸³ 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*.

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

¹⁷⁸⁵ 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>.

¹⁷⁸⁶ *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.¹⁷⁸⁷ Children, especially boys, predominantly work in rural rather than urban areas.¹⁷⁸⁸ Children work in melon, coffee, lime, limestone, and sugarcane production, and as deckhands and divers in the lobster industry.¹⁷⁸⁹ Children work in mining, selling goods, begging, and scavenging in garbage dumps.¹⁷⁹⁰ Children, predominantly girls, also

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

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.¹⁷⁹² Honduran children are trafficked internally, usually from rural to urban settings. Children are also trafficked internationally to

neighboring countries, often while en route to the United States.¹⁷⁹³

work from the Secretary of State or the Office of Labor and Social Security, and businesses employing children must have a child labor registry.¹⁷⁹⁹

The legal work hours for adolescents are also in conflict. While the Constitution prohibits children under 17 years from working more than 6 hours per day and 30 hours per week, the Childhood and Adolescence Code states that minors between 14 and 16 years cannot work more than 4 hours per day, and minors 16 to 18 years of age cannot work more than 6 hours per day.¹⁸⁰⁰ Night work is prohibited for children under 18 years.¹⁸⁰¹

The Child Labor Regulation and the Childhood and Adolescence Code prohibit children from work that is unhealthy or dangerous, even when completed as part of a program of study.¹⁸⁰² Minors, except adolescents 16 to 18 years with authorization from the Office of Labor and Social Security, cannot engage in work in static positions or on high scaffolding; underwater diving; work in tunnels or underground; agricultural work that implies health risks; work with heavy machinery, ovens, smelters, heavy presses, or glass; or in work that involves exposure to toxic substances, vehicular traffic, loud noise, high-voltage electric currents, or garbage.¹⁸⁰³ Furthermore, in August 2008, the Government published a list of specific activities and occupations that are considered hazardous for children under 18 years of age.¹⁸⁰⁴ Individuals who violate child labor laws may receive prison sentences of 3 to 5 years and fines.¹⁸⁰⁵ However, according to USDOS, child labor laws were not effectively enforced outside of the apparel sector, despite frequent child labor law violations.¹⁸⁰⁶

The Child Labor Regulation prohibits all forms of slavery and practices analogous to slavery, such as the sale of adolescents, debt bondage, and forced labor, including the forced recruitment of adolescents for use in armed conflicts.¹⁸⁰⁷ Trafficking in persons under 18 years of age, inside or outside the national territory with the goal of “commercial exploitation” is sanctioned by 12 to 19 years in prison and a fine.¹⁸⁰⁸ Peacetime military service in Honduras is voluntary, and the age of enlistment is 18 years.¹⁸⁰⁹

*Selected Statistics and Indicators on Child Labor*¹⁷⁹⁴

Population, children, 5-14 years, 2004:	1,941,242
Working children, 5-14 years (%), 2004:	5.4
Working boys, 5-14 years (%), 2004:	8.2
Working girls, 5-14 years (%), 2004:	2.6
Working children by sector, 5-14 years (%), 2004:	
- Agriculture	63.3
- Manufacturing	8.3
- Services	26.5
- Other	1.9
Minimum age for work:	14/16
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%), 2007:	116.8
Net primary enrollment rate (%), 2007:	96.4
School attendance, children 5-14 years (%), 2004:	84.7
Survival rate to grade 5 (%), 2006:	66.5
ILO Convention 138:	6/9/1980
ILO Convention 182:	10/25/2001
CRC:	8/10/1990
CRCOPAC:	8/14/2002**
CRCOPSC:	5/8/2002**
Palermo:	4/1/2008**
ILO-IPEC participating country:	Yes

*In practice, must pay for various school expenses

**Accession

Child Labor Laws and Enforcement

Honduran laws governing the minimum age for work are conflictive.¹⁷⁹⁵ Although the Constitution and the Labor Code both set the minimum age for work at 16 years, children may be authorized to work with parental consent when it is indispensable for the subsistence of the family and does not interfere with the child’s education.¹⁷⁹⁶ Furthermore, a 2007 Government analysis of the legal minimum age for employment placed the minimum age at 14 years.¹⁷⁹⁷ Additionally, the Childhood and Adolescence Code and the Child Labor Regulation assert that no child under 14 years will be authorized to work.¹⁷⁹⁸ All minors between 14 and 18 years of age must receive authorization to

The law also penalizes the use of children for the production or trafficking of drugs.¹⁸¹⁰

The Penal Code criminalizes procuring, especially the recruitment and submission of children to commercial sexual exploitation, as well as domestic and international trafficking of children for commercial sexual exploitation, with penalties of 9 to 15 years of imprisonment.¹⁸¹¹ Honduran law also prohibits the use of children under 18 years for exhibitions or performances of a sexual nature and in the production of pornography.¹⁸¹² Sexual tourism is punishable by 12 to 18 years of imprisonment and a fine if the victim is a minor.¹⁸¹³ According to USDOS, law enforcement officials collaborate with neighboring countries and the United States on anti-trafficking efforts and child sex tourism investigations.¹⁸¹⁴

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

The Government of Honduras launched a National Plan of Action for the Eradication of Child Labor in May 2008 that will last 7 years. The Plan builds upon the work accomplished through the first Plan of Action (2001-2005) and involves the coordination of many government agencies.¹⁸¹⁵ Honduras is also implementing a 5-year National Plan of Action to Eradicate Commercial Sexual Exploitation of Children, which was introduced in 2008. The plan aims to promote inter-institutional cooperation, justice, and assistance for child victims of commercial sexual exploitation.¹⁸¹⁶ The Government continues to refer child victims to NGOs for care.¹⁸¹⁷ As a member of the Central American Parliament Commission on Women, Children, Youth, and Family, the Government is participating in a regional Plan to Support the Prevention and Elimination of Human Trafficking and Commercial Sexual Exploitation of Children and Adolescents.¹⁸¹⁸

The Government of Honduras participated in regional projects funded by USDOL, including a 7-year USD 8.8 million project implemented by ILO-IPEC which concluded in April 2009 and sought to combat commercial sexual exploitation through a variety of activities, including capacity building and legal reform. In addition, the project

targeted 713 children for withdrawal and 657 children for prevention from commercial sexual exploitation in Central America.¹⁸¹⁹ The Government also participated in the 4-year USD 5.7 million Child Labor Education Initiative regional project implemented by CARE that worked to strengthen the Government and civil society's capacity to combat child labor through education and withdrew or prevented 4,105 children from exploitive child labor.¹⁸²⁰ During the reporting period, the Ministry of Education adopted one of the project's piloted educational models, Niño Tutor ("Child Tutor"), to implement in every school with the purpose of eliminating child labor and improving the educational attainment of children who have worked or are at risk of working.¹⁸²¹

The Government of Honduras participated in a USD 550,000 ILO-IPEC project that ended in August 2008 and was funded by the Government of Canada that focused on combating child labor through strengthening labor ministries.¹⁸²² During the reporting period, the Government also participated in a Phase III USD 3.3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain and implemented by ILO-IPEC.¹⁸²³ Additionally, with the assistance of UNICEF, the National Commission for Family and Childhood publishes materials outlining the definitions, dangers, and legal regulations of child labor in Honduras.¹⁸²⁴

¹⁷⁸⁷ National Statistics Institute of Honduras, *Encuesta Permanente de Hogares de Propósitos Múltiples*, Tegucigalpa, May 2008. See also U.S. Embassy-Tegucigalpa, *reporting*, January 20, 2009.

¹⁷⁸⁸ UCW and ILO-IPEC, *Child Labour in the Latin America and Caribbean Region: A Gender Based Analysis*, ILO, Geneva, April 2006, 90.

¹⁷⁸⁹ ILO-IPEC, *Good Practices for the Prevention and Progressive Eradication of Child Labor in Agriculture in Central American and the Dominican Republic*, Managua, 2006, 7; available from http://www.oit.org.pe/ipecc/documentos/good_practices_agri.pdf. See also Charles Curry-Smithson, *Education Initiative Needs Assessment for Honduras*, November 24, 2003. See also Ruth Yanet Escoto Meras, *Proyecto Nacional De Erradicación Progresiva De Trabajo Infantil En El Sector Café En Honduras*, Consultora Nacional - ILO-IPEC, Tegucigalpa, July 2003, 257 and 264. See also

Rainforest Alliance, *Forestry for Lobster Saves Child Divers in Honduras*, Rainforest Alliance, Fall 2006; available from http://www.rainforest-alliance.org/forestry/sustainable-forestry-update/fall_06.html. See also U.S. Embassy- Tegucigalpa, *reporting, January 20, 2009*. See also U.S. Department of State, "Honduras," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 6; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119164.htm>.

¹⁷⁹⁰ Charles Curry-Smithson, *Education Initiative Needs Assessment for Honduras*, 38. See also U.S. Embassy- Tegucigalpa, *reporting, January 20, 2009*. See also ILO-IPEC, *Análisis cualitativo del Trabajo Infantil en Honduras*, San José, 2003, 14. See also U.S. Department of State, "Country Reports- 2008: Honduras," section 6.

¹⁷⁹¹ ILO-IPEC, *Trabajo Infantil Doméstico en Honduras: A Puerta Cerrada*, 2003, 74, 79, 82-83. See also ILO-IPEC, *Análisis cualitativo del Trabajo Infantil en Honduras*, 14. See also U.S. Department of State, "Country Reports- 2008: Honduras," section 6.

¹⁷⁹² ILO-IPEC, *Análisis cualitativo del Trabajo Infantil en Honduras*. See also U.S. Department of State, "Honduras (Tier 2)," in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008>. See also U.S. Department of State, "Country Reports- 2008: Honduras," section 5. See also U.S. Embassy- Tegucigalpa, *reporting, February 23, 2009*.

¹⁷⁹³ U.S. Department of State, "Trafficking in Persons Report- 2008: Honduras." See also U.S. Embassy- Tegucigalpa, *reporting, February 23, 2009*.

¹⁷⁹⁴ 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 Honduras, *Constitución*, (January 11, 1982), article 128; available from <http://pdba.georgetown.edu/Constitutions/Honduras/hond82.html>. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, Decreto No. 73-96, (September 5, 1996), article 125; available from <http://www.paho.org/spanish/ad/fch/ca/derecho27.pdf>. See also Government of Honduras, *Código del Trabajo y sus Reformas*, Decreto No. 189, (July 15, 1959), article 32; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/S59HND01.htm#t3>.

For age to which education is compulsory, see Ministry of Education, *Educación Básica*, [online] 2009 [cited February 2, 2009]; available from http://www.se.gob.hn/index.php?a=Webpage&url=BASICA_home. For free public education, see Government of Honduras, *Constitución*, article 171. See also UNESCO, *EFA Global Monitoring Report, Literacy for Life*, Geneva, 2006; available from

<http://unesdoc.unesco.org/images/0014/001416/141639e.pdf>.

¹⁷⁹⁵ U.S. Department of State official, E-mail communication to USDOL official, August 5, 2008.

¹⁷⁹⁶ Government of Honduras, *Constitución*, article 128(7). See also Government of Honduras, *Código del Trabajo*, articles 32 and 128.

¹⁷⁹⁷ Office of Labor and Social Security official, Letter to Primero Aprendo Project Coordinator, July 25, 2007.

¹⁷⁹⁸ Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 120. See also Government of Honduras, *Reglamento sobre Trabajo Infantil en Honduras*, Acuerdo Ejecutivo No. STSS-211-01, (October 10, 2001).

¹⁷⁹⁹ Government of Honduras, *Government of Honduras, Reglamento sobre Trabajo Infantil*. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 126.

¹⁸⁰⁰ Government of Honduras, *Constitución*, article 128(7). See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, articles 125(a) and (b).

¹⁸⁰¹ Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 125(c). See also Government of Honduras, *Government of Honduras, Reglamento sobre Trabajo Infantil*, articles 7(a), 7(b), 7(c).

¹⁸⁰² Government of Honduras, *Government of Honduras, Reglamento sobre Trabajo Infantil*, article 8. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 122.

¹⁸⁰³ Government of Honduras, *Government of Honduras, Reglamento sobre Trabajo Infantil*, article 8. See also Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 122.

¹⁸⁰⁴ CARE, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Technical Progress Report, September 19, 2008, table IIIC and annex K.

¹⁸⁰⁵ Government of Honduras, *Código de la Niñez y de la Adolescencia*, articles 128 and 134.

¹⁸⁰⁶ U.S. Department of State, "Country Reports- 2008: Honduras," section 6d.

¹⁸⁰⁷ Government of Honduras, *Government of Honduras, Reglamento sobre Trabajo Infantil*, article 10(a).

¹⁸⁰⁸ Government of Honduras, *Decreto No. 234-2005: Reforma al Código Penal 2005*, ILO-IPEC, 2005, Article 149; available from http://genero.bvsalud.org/lildbi/docsonline/1/8/681-OIT_DECRETO_234_2005.pdf.

¹⁸⁰⁹ Coalition to Stop the Use of Child Soldiers, "Honduras," in *Child Soldiers Global Report 2008*, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

¹⁸¹⁰ Government of Honduras, *Código de la Niñez y de la Adolescencia*, article 178.

¹⁸¹¹ Government of Honduras, *Reforma al Código Penal*, articles 148 and 149.

¹⁸¹² Ibid., articles 149(B) and 149(D). See also Government of Honduras, *Government of Honduras, Reglamento sobre Trabajo Infantil*, article 10. See also Government of Honduras, *Código del Trabajo*, article 134.

¹⁸¹³ Government of Honduras, *Reforma al Código Penal*, article 149(E).

¹⁸¹⁴ U.S. Department of State, "Trafficking in Persons Report- 2008: Honduras."

¹⁸¹⁵ National Commission for the Gradual and Progressive Eradication of Child Labor, *Plan de Acción Nacional para la Erradicación Gradual y Progresiva del Trabajo Infantil en Honduras*, Tegucigalpa, 2008. See also U.S. Embassy- Tegucigalpa, *reporting, January 20, 2009*.

¹⁸¹⁶ Interinstitutional Commission against the Commercial Sexual Exploitation of Children and Adolescents in Honduras, *Plan de Acción Nacional Contra la Explotación Sexual Comercial de Niñas, Niños y Adolescentes en Honduras*, Tegucigalpa, 2006, 31-38; available from http://white.oit.org.pe/ipecc/documentos/plan_esc_honduras.pdf.

¹⁸¹⁷ U.S. Department of State, "Trafficking in Persons Report- 2008: Honduras."

¹⁸¹⁸ Comisión de la Mujer Niñez Juventud y Familia del Parlamento Centroamericano, *I Plan de Trabajo Regional de la Comisión para Apoyar la Prevención y Eliminación la Trata de Personas y la Explotación Sexual Comercial de Niños, Niñas y Adolescentes, 2008-2010*, 2008.

¹⁸¹⁹ ILO-IPEC, "Stop the Exploitation" ("*Alto a la explotación*") *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, RLA/02/P51-05/52/USA, San Jose, 2002, 2005, 1 and 63. See also ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Addendum, Geneva, September 2005, 1 and 22.

¹⁸²⁰ CARE, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America (Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua) and the Dominican Republic*, Project Document, 2004. See also CARE, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Project Revision, September 29, 2006.

¹⁸²¹ CARE, *Primero Aprendo, Technical Progress Report*, table IIIC and annex K.

¹⁸²² ILO-IPEC official, E-mail communication to USDOL official, December 18, 2008. See also ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

¹⁸²³ ILO-IPEC official, E-mail communication, February 4, 2008. See also ILO-IPEC official, E-mail communication, February 4, 2008.

¹⁸²⁴ U.S. Embassy- Tegucigalpa, *reporting, January 20, 2009*.

India

Incidence and Nature of Child Labor

According to the Government of India, the largest number of working children can be found in agriculture, including the production of rice and hybrid seeds.¹⁸²⁵ A large number of children can also be found in the informal economy, and ILO reports that children's work is increasingly occurring in home-based production rather than organized factory settings.¹⁸²⁶ Other activities in which children work in the informal economy include vending food and other goods, repairing vehicles and tires, construction, food preparation, scavenging and rag-picking, shoe-shining, car washing, begging, and domestic service. The majority of children working in domestic service are girls 12 to 17 years of age, though some are

reportedly as young as 5 or 6 years, and many work very long hours and suffer abusive treatment.¹⁸²⁷ A large proportion of the working children engaged in waste-picking are from the scheduled castes and tribes, communities that have traditionally suffered from societal discrimination.¹⁸²⁸ Children work in service industries such as hotels, food service, and tourism.¹⁸²⁹ Working children are found in industries such as quarrying of sandstone and other materials; stone breaking; gemstone polishing; *zari*-production, consisting of embroidering or sewing beads and colored threads to fabric; and hand-loomed silk cloth, often used to make *saris*.¹⁸³⁰ Children also work in the manufacturing of matches, bricks, carpets, locks, glass bangles, fireworks, leather goods, *bidis*