

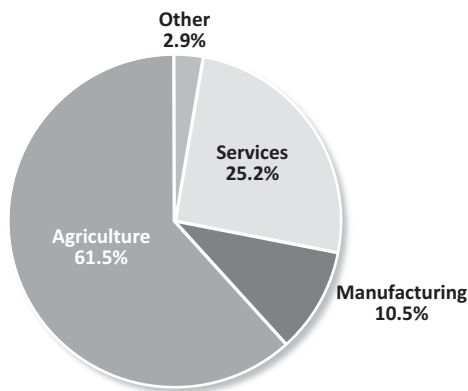
*In 2012, Honduras made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Honduras passed a comprehensive law on trafficking, as well as a new Fundamental Law of Education that raised the compulsory education level to ninth grade. In addition, the police force received training on the worst forms of child labor. The Government also trained municipal employees and community stakeholders on child labor. However, the inspections process may not sufficiently deter employers from exploiting children. Children continue to engage in the worst forms of child labor, particularly in hazardous activities in agriculture and commercial sexual exploitation.*



### Statistics on Working Children and Education

| Children                  | Age       | Percent       |
|---------------------------|-----------|---------------|
| Working                   | 5-14 yrs. | 7.2 (151,468) |
| Attending School          | 5-14 yrs. | 83.7          |
| Combining Work and School | 7-14 yrs. | 4.8           |
| Primary Completion Rate   |           | 101.5         |

### Working Children by Sector, ages 5-14



**Sources:**

**Primary completion rate:** Data from 2011, published by UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from HHS Survey, 2007.(2)

### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Honduras are engaged in the worst forms of child labor, including in hazardous activities in agriculture and commercial sexual exploitation.(3-10) Children work in melon production and coffee fields. Limited evidence suggests they also work in the worst forms of child labor in the production

of sugarcane.(11-17) Children working in agriculture may use dangerous tools, carry heavy loads, and apply harmful pesticides.(18, 19)

Recent data from the Government of Honduras indicate that 62.3 percent of working children work in agriculture.(5) Limited evidence indicates that children are involved in fishing, where they work as diver's assistants and dive for lobster.(5, 11, 20) These children may work long hours, perform physically demanding tasks, and face dangers such as the risk of drowning.(6, 9, 21-24) Indigenous children are especially vulnerable to working in agriculture and fishing.(25)

There is limited evidence that suggests that children work in the production of limestone and lime.(6, 20, 26) Mining and quarrying expose children to dangerous activities, such as carrying heavy loads, and to toxic dust, chemicals, and extreme weather.(6) Children are also found begging on the streets and scavenging in garbage dumps.(6, 13, 20, 26-28) In urban areas, child labor is prominent in the construction sector, where they may work at heights, carry heavy loads, and use dangerous machinery.(6) There are also reports of children washing car windows at stop lights.(29, 30)

Children, predominantly girls, also work as domestic servants.(9, 13, 17, 28, 31-33) They may be required to work long hours, performing strenuous tasks, without sufficient food or shelter. These children may be isolated in private homes and are susceptible to physical and sexual abuse.(6, 17, 34, 35) Children are also reported to work as drug mules in urban areas.(26, 28, 29)

Honduras is a source and transit country for children subjected to trafficking in persons, including for the purpose of commercial sexual exploitation.(28, 29) Children are generally trafficked from rural areas into commercial sexual exploitation in urban and tourist spots, such as Tegucigalpa, San Pedro Sula, La Ceiba, and the Bay Islands.(23, 24, 28, 32) In addition, reports indicate that Honduran children are trafficked to Central and North America for commercial sexual exploitation.

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Limited evidence suggests that girls from neighboring countries, including Guatemala and Mexico, are subjected to sexual servitude in Honduras.(23, 24, 28)

## Laws and Regulations on the Worst Forms of Child Labor

The Constitution and Labor Code prohibit the employment of persons younger than age 16, but children ages 14 to 15 may work with written parental consent and permission from the Secretariat of Labor (STSS) for no more than four hours per day.(10, 29, 36-41) Children between the ages of 16 and 18 are allowed to work no more than six hours per day with permission from STSS. Additionally, STSS can grant special permission for minors between the ages of 16 and 18 to work in the evening if it does not affect their schooling.(10) The Children’s Code prohibits children ages 14 and younger from working, even with parental permission, and establishes prison sentences of three to five years for individuals who allow children to work illegally.(36) A 2007 Government of Honduras analysis of the legal minimum age for employment placed the minimum age at 14.(40, 42) An employer who legally hires a person age 14 or 15 must certify that the young person has finished or is finishing compulsory schooling.(36) Furthermore, the law requires employers with more than 20 school-age children working at their business facility to provide a location for a school.(10)

## International Conventions and Selected Laws on Child Labor and Education

|   |   |     |
|---|---|-----|
|  | C138, Minimum Age   | ✓   |
|   | C182, Worst Forms of Child Labor  | ✓   |
|  | CRC   | ✓   |
|   | CRC Optional Protocol on Armed Conflict   | ✓   |
|   | CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓   |
|  | Palermo Protocol on Trafficking in Persons  | ✓   |
|  | Minimum Age for Work  | 14  |
|   | Minimum Age for Hazardous Work  | 18  |
|  | Compulsory Education Age  | 17  |
|   | Free Public Education   | Yes |

Executive Agreement STSS-211-01 prohibits all persons younger than age 18 from night work, full-time work, and hazardous work, which includes work in construction, manufacturing, hunting, mining, street work, fishing, street cleaning, and quarrying.(29, 32, 43) Despite the Agreement, under Article 122 of the Children’s Code, minors aged 16 and 17 may receive authorization from the STSS to perform dangerous labor if they have completed technical training approved by STSS.(9, 10, 29, 44)

All forms of forced and bonded labor are prohibited.(43, 45) The Penal Code criminalizes procuring, recruiting, and using children for commercial sexual exploitation. Executive Agreements and the Children’s Code prohibit the use of children in illegal activities such as drug trafficking, and protect children from being trafficked. During the reporting period, the Government of Honduras passed Decree 59-2012, a comprehensive law on trafficking. (10, 46, 47) The new law prohibits trafficking of persons for forced labor, servitude, and commercial sexual exploitation. It offers protections for minors who are victims of trafficking.(10, 29, 43, 47-49)

In general, military service is voluntary in Honduras and the minimum age is 18. During times of conflict, military service is compulsory for all capable Hondurans ages 18-30.(10, 41, 50, 51)

During the reporting period, the National Congress passed a new Fundamental Law of Education that raised the compulsory education level to ninth grade.(10, 52-54) The Constitution establishes the right to free primary education.(41) However, associated school costs, such as matriculation fees, uniforms, and transportation fees, may prevent some children from attending.(27, 55-58)

## Institutional Mechanisms for Coordination and Enforcement

A national commission created under the National Plan of Action to Prevent and Eradicate Child Labor II (NPAPECL II) coordinates all matters related to child labor. Members of the national commission include STSS, the Honduran Institute for Children and the Family (INHFA), the Supreme Court, the Social Security Administration, the Public Ministry, and other government entities.(32, 59) The Inter-Institutional Commission Against Exploitation and Commercial Sex Trafficking (CICESCT) coordinates the efforts of government institutions and civil society groups to combat commercial sexual exploitation and trafficking.(29, 32) CICESCT consists of representatives from 52 partners, including several

government ministries and various NGOs.(29, 32) As of 2012, under Decree 59-2012, CICESCT operates under the Secretariat of Justice and Human Rights (SJDH) and is required by law to be funded on an annual basis; however, it was not funded during the reporting period.(10, 60) The Secretariat of Indigenous People and Afro-Hondurans also has the eradication of child labor among indigenous communities as part of its mandate.(61)

The STSS is the primary government agency responsible for inspecting labor conditions and enforcing child labor laws.(32) INHFA is charged with supervising and providing technical assistance to private and public institutions that work to protect the well-being of children, including victims of child labor and their families.(10, 32, 59) In 2012, the STSS employed 121 inspectors, all of whom were trained to enforce child labor laws. These inspectors are assigned to 17 STSS local offices throughout the country. (10, 29) The STSS reported that its budget was cut by 25 percent in 2012.(10) During the reporting period, the STSS and IHNFA carried out training with the municipal council of the Department of El Paraiso concerning child labor. Participants included members of civil society, the local police, and local authorities.(62)

In 2012, the STSS reported that 243 children were removed from work as a result of its preventative activities.(10) During 2012, reports show that 5,226 labor inspections were conducted, almost 40 percent more than in 2011. However, information was not available on the number of child labor violations found, and the STSS indicated that no children were removed during inspections.(10, 29) In 2011, the STSS found 11 children working during its inspections.(29) Most of the inspections take place in the urban areas of Tegucigalpa and San Pedro Sula, and the ILO Committee of Experts reported that resource constraints limited labor inspections in rural areas and in indigenous communities, where hazardous activities in agriculture and fishing/diving are concentrated.(10, 63)

The process for inspections includes a preliminary visit, during which inspectors inform companies of violations but do not issue fines or provide assistance to children who are found working.(10, 64) Employers have 3 days to address violations and make corrections.(10, 65) Inspectors then conduct a re-inspection to determine if the violations have been rectified. If violations are found during re-inspection, inspectors proceed to issue penalties.(65) However, reports indicate that if serious violations involving underage children or hazardous conditions are found during the preliminary visits, they are immediately

reported and corrected.(66) This two-tiered inspection process does not automatically penalize violators on their first offense, and may not sufficiently deter employers from exploiting children in the workplace. However, the lack of publically available information on the results of inspections prevents a complete understanding of how successful this inspection system is.

The Public Ministry's Office of the Special Prosecutor for Children (OSPC) prosecutes criminal cases against those alleged to have involved children in trafficking, hazardous labor, and forced labor, or commercial sexual exploitation.(10, 67) OSPC is staffed by two prosecutors and four research analysts who investigate and prosecute cases of child labor.(10) During the reporting period, no investigations or prosecutions of child labor cases were conducted by OSPC.(10, 23)

Honduras is a member of the Regional Conference of Migration, that implements an Action Plan with a special focus on child migrants and their repatriation.(68, 69)

### **Government Policies on the Worst Forms of Child Labor**

The 7-year NPAPECL II aims to prevent children from dropping out of school before they can legally work, to withdraw children who are currently engaged in the worst forms of child labor, and to ensure that the laws that protect children are enforced.(32, 59, 70) CICESCT also has regional subcommittees in San Pedro Sula, Choluteca, and Danlí to oversee local implementation of NPAPECL II.(27)

A joint effort by the ILO and the Government, called the Roadmap for the Eradication of Child Labor (the Roadmap) in Honduras, aims to improve coordination of the Government's responses to child labor issues.(32) The Roadmap works at the national, regional, and subregional levels and incorporates issues related to poverty, education, health, and social mobilization.(32) Under Executive Decree PCM-011-2011, the Government of Honduras approved the Roadmap as national policy. Under Article 2, the Government instructs all Secretariats and their dependencies to incorporate the issue of child labor elimination and prevention into their institutional strategic planning in accordance with the framework of the National Plan.(5, 6, 61, 71, 72) During the reporting period, activities carried out under the Roadmap framework focused mainly on training the police force on the worst forms of child labor.(10) Additionally, the national poverty reduction strategy incorporates child labor issues.(10, 32)

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## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Government of Honduras participated in a Meeting of Labor Ministers of Central America, Belize, and the Dominican Republic to highlight best practices and lessons learned, and to enhance cooperation in support of the regional Roadmap and the goal of eliminating the worst forms of child labor by 2015. At the end of this meeting, Honduras highlighted the ability to continuously measure the incidence of child labor in the country as a best practice.(61, 73)

In 2012, Honduras participated in the USDOL-funded, 4-year Global Action Program on Child Labor Issues, which is active in approximately 40 countries. In Honduras the project aims to improve the evidence base on child labor and forced labor through data collection and research.(74)

The Government of Honduras has implemented the conditional cash transfer program Voucher 10,000 that aims to reduce poverty by providing financial assistance to the head of household, provided that children meet educational and health requirements.(32, 75, 76) The Government aims to ensure

that indigenous and Afro-Honduran households have access to the Program.(76) The number of beneficiaries reached by the Program during the reporting period was not available.(10)

The STSS also implements the My First Job Program, which connects disadvantaged youth with vocational opportunities.(29, 32, 77) Strategies of the My First Job Program include job skills and vocational training, internships, job placement, and public-private partnerships to support on-the-job training.(10, 29) The number of beneficiaries for this program in 2012 was not available.(10) In addition, the Friendly Hand Program targets young persons working in garbage dumps in Tegucigalpa and San Pedro Sula by offering a holistic approach to removing them from the worst forms of child labor. The program offers training for the entire family.(78-80)

Although such programs could reduce youths' vulnerability to the worst forms of child labor, the impact of these programs on child labor does not appear to have been assessed. Furthermore the Government has no programs specifically focused on combating the worst forms of child labor in hazardous agricultural work, fishing and commercial sexual exploitation.

### Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Honduras:

| Area                         | Suggested Actions  | Year(s) Action Recommended |
|------------------------------|--|----------------------------|
| Laws and Regulations         | Ensure that minors that work have authorization from the STSS.   | 2011, 2012                 |
| Coordination and Enforcement | Ensure adequate funding is provided to STSS, including resources for inspections in areas where exploitative child labor is prevalent, such as rural areas and indigenous communities where children engage in hazardous activities in agriculture and fishing/diving. | 2010, 2011, 2012           |
|                              | Ensure that the two-tiered inspection system does not create an incentive to employ children   | 2011, 2012                 |
|                              | Ensure that CICESCT has the resources necessary to carry out activities mandated by law.   | 2012                       |
|                              | Make information publicly available on the sectors in which inspections were carried out and sanctions imposed for child labor violations.   | 2012                       |
| Policies                     | Dedicate more resources to and document the progress of the implementation of the NPAPECL II.  | 2009, 2010, 2011, 2012     |
| Social Programs              | Assess the impact of social programs, such as Voucher 10,000, My First Job, and Friendly Hand, on reducing child labor.  | 2010, 2011, 2012           |
|                              | Implement targeted programs to address the worst forms of child labor in agriculture, fishing, and commercial sexual exploitation.   | 2009, 2010, 2011, 2012     |

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