

Honduras

Incidence and Nature of Child Labor

The Honduran National Institute of Statistics estimated that 9.2 percent of children in Honduras ages 5 to 14 years were working in 2002.¹⁹⁷¹ According to a 2003 national survey, the majority of working children ages 5 to 14 are employed in agriculture, forestry, hunting, or fishing.¹⁹⁷² Working children are also employed in manufacturing, mining, electricity, gas, construction, transportation, or service industries.¹⁹⁷³ Children are also employed as domestic servants,¹⁹⁷⁴ and there are isolated instances of children under the legal working age in the maquila sector.¹⁹⁷⁵ Most children work out of economic necessity for their own families in the informal sector, often in rural areas.¹⁹⁷⁶

According to the Government of Honduras, the worst forms of child labor in Honduras include: commercial sexual exploitation (particularly in major cities and the tourist sector along the North Coast); fireworks manufacturing (in Copán); 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 (Copán, La Ceiba, and Choluteca); construction; and agricultural work (in the coffee and melon industries).¹⁹⁷⁷ Children are also involved in the harvesting of sugar cane,¹⁹⁷⁸ and have been involved in the sale of drugs in Olancho and Comayagua.¹⁹⁷⁹

There is evidence of child prostitution in Honduras, particularly in tourist and border areas.¹⁹⁸⁰ The U.S. Department of State reported that observers have identified over 1,000 victims in 2003.¹⁹⁸¹ Honduras serves

¹⁹⁷¹ Another 40.5 percent of children ages 15 to 17 years were also found working. See ILO-IPEC, *Informe Nacional sobre los Resultados de la Encuesta del Trabajo Infantil en Honduras*, San Jose, September 2003; available from http://www.ilo.org/public/spanish/standards/ipecc/simpoc/honduras/report/hn_natl.pdf. For more information on the definition of working children, please see the section in the front of the report entitled Statistical Definitions of Working Children.

¹⁹⁷² This survey was conducted to effectively target anti-child labor projects. See ILO-IPEC, *Informe Nacional sobre los Resultados de la Encuesta del Trabajo Infantil*, 26.

¹⁹⁷³ *Ibid.*

¹⁹⁷⁴ FUNPADEM, *Pobreza y Subsistencia: Trabajo Infantil y Adolescente en los Departamentos de Cortes, Copan, y Santa Barbara*, San José, Costa Rica, 2001, 56-60. In June 2004, ILO-IPEC and the National Institute of Statistics estimated that there are more than 20,000 girls employed as domestic servants in Honduras. See U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*, August 26, 2004.

¹⁹⁷⁵ U.S. Department of State, *Country Reports on Human Rights Practices- 2003: Honduras*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27903.htm>.

¹⁹⁷⁶ The majority of children working for their families do not receive compensation. See U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*.

¹⁹⁷⁷ 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, 97-98.

¹⁹⁷⁸ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2025*, August 2003.

¹⁹⁷⁹ National Commission for the Eradication of Child Labor, *Diagnóstico y Plan Nacional Para La Erradicación Gradual y Progresiva del Trabajo Infantil*, Tegucigalpa, 2000, 17. See also National Commission for the Eradication of Child Labor, *Plan de Acción Nacional*, 97.

¹⁹⁸⁰ U.S. Department of State, *Country Reports- 2003: Honduras*, Section 5. See also National Commission for the Eradication of Child Labor, *Diagnóstico y Plan Nacional Para La Erradicación de Trabajo Infantil*, 17.

as a source and transit country for girls trafficked for commercial sexual exploitation. Honduran girls are trafficked internally and to the United States, Mexico, Guatemala, and other Central American countries for the purpose of prostitution.¹⁹⁸² Children have also been reportedly trafficked to Canada for prostitution and the sale of drugs.¹⁹⁸³

Education is free and compulsory¹⁹⁸⁴ in Honduras until the age of 13.¹⁹⁸⁵ In 2001, the gross primary enrollment rate was 105.8 percent, and the net primary enrollment rate was 87.5 percent.¹⁹⁸⁶ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. Recent primary school attendance statistics are not available for Honduras. Among working children, an estimated 34 percent complete primary school.¹⁹⁸⁷ In May 2004, the Honduran National Institute of Statistics reported that the average number of years of schooling for all Hondurans is 5.5 years (6.9 years in urban areas and approximately 4.1 years in rural areas). Women have an average of 5.6 years of primary education and men have an average of 5.3 years of primary education.¹⁹⁸⁸ The government estimated that 125,000 children ages of 7 to 12 years fail to receive an education. Of the 125,000, the government estimates that nearly 10,000 will never attend primary school.¹⁹⁸⁹ In 2003, the government allocated 26.9 percent of its total yearly expenditure to education, including salaries of teachers and administrators.¹⁹⁹⁰

A lack of schools prevents many children in Honduras from receiving an education, particularly for preschool and middle school students, as do costs such as enrollment fees, school uniforms, and

¹⁹⁸¹ U.S. Department of State, *Trafficking in Persons Report- 2004: Honduras*, Washington, D.C., June 14, 2004; available from <http://www.state.gov/g/tip/rls/tiprpt/2004/33188.htm>. In December 2003, Casa Alianza released a study estimating that there are approximately 8,335 children who are victims of some form of CSEC in Honduras. The report also identified 1,019 children (979 of whom were female) who are being commercially sexually exploited.. See Casa Alianza, *Casa Alianza Honduras reveals the facts on child sexual exploitation*, [online] December 16, 2003 [cited May 19, 2004]; available from <http://www.casa-alianza.org/EN/human-rights/sexual-exploit/docs/16122003.phtml>.

¹⁹⁸² Victims trafficked through Honduras originate in Mexico, Guatemala, Belize, and El Salvador. See U.S. Department of State, *Country Reports- 2003: Honduras*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report- 2004: Honduras*.

¹⁹⁸³ U.S. Department of State, *Country Reports- 2003: Honduras*, Section 6f.

¹⁹⁸⁴ *Constitución de la República de Honduras, 1982*, Capitulo 8, Artículo 171; available from <http://www.georgetown.edu/pdba/Constitutions/Honduras/hond82.html>.

¹⁹⁸⁵ U.S. Department of State, *Country Reports- 2003: Honduras*, Section 5. The average age for finishing primary school is 14 years. See also Government of Honduras, *Temas e Indicadores Sobre Trabajo Infantil en Honduras*, September 2001, 8.

¹⁹⁸⁶ World Bank, *World Development Indicators 2004* [CD-ROM], Washington, D.C., 2004. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

¹⁹⁸⁷ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations in Honduras*, project document, HON/00/P50/USA, Geneva, July - September 2000, 2.

¹⁹⁸⁸ FUNPADEM, *Pobreza y Subsistencia*, 63.

¹⁹⁸⁹ U.S. Department of State, *Country Reports- 2003: Honduras*, Section 5.

¹⁹⁹⁰ *Ibid.*

transportation costs. The poor quality of education and the lack of vocational education have been other areas of concern.¹⁹⁹¹

Child Labor Laws and Enforcement

The Labor Code and the Constitution set the minimum age for employment at 16 years.¹⁹⁹² According to the Labor Code and the Children's Code, children ages 14 to 15 years are permitted to work with parental consent and Ministry of Labor permission. Before granting permission, the Ministry of Labor must conduct a home study to verify there is a need for the child to work and the conditions will be non-hazardous.¹⁹⁹³ If a child 14 to 15 years is hired, an employer must certify that he or she has finished, or is finishing, compulsory schooling.¹⁹⁹⁴ The Children's Code prohibits a child younger than 14 years of age from working, even with parental permission,¹⁹⁹⁵ and establishes fines between USD 273 and USD 1,366, as well as prison sentences of 3 to 5 years for individuals who allow or oblige children to work illegally. Fines double if the firm is a repeat offender.¹⁹⁹⁶ Children under the age of 16 are prohibited from working at night and in clubs, theaters, circuses, cafes, bars, in establishments that serve alcoholic beverages, or in jobs that have been determined to be unhealthy or dangerous.¹⁹⁹⁷ Hazardous work defined by Honduran law includes standing on high scaffolding, using toxic substances, painting with industrial or lead paint, diving underwater, working in tunnels or underground, working with wood cutting machines, ovens, smelters, or heavy presses, and exposure to vehicular traffic, loud noise, high voltage electrical currents, and garbage.¹⁹⁹⁸ Children ages 16 to 17 years may only work 6 hours per day.¹⁹⁹⁹

The Children's Code protects children 18 years and younger against sexual exploitation, child prostitution, child pornography, and incitement to participate in illegal activities, and mandates 3 to 5 years imprisonment and fines for violators.²⁰⁰⁰ The Penal Code punishes those who promote or facilitate prostitution, or corrupt others with 5 to 8 years imprisonment. The sentence is increased by one-half if the victim is under 18 years.²⁰⁰¹ Honduran law also includes provisions that prohibit trafficking in persons,

¹⁹⁹¹ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations*, project document, 2.

¹⁹⁹² *Código de Trabajo de la República de Honduras y sus reformas*, 1959, Decreto No. 189, Artículo 128; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/S59HND01.htm>. See also *Constitución de la República de Honduras*, 1982, Capítulo 5, Artículo 128, Número 7.

¹⁹⁹³ *Código de Trabajo*, Artículos 33 and 128. See also *Código de la Niñez y de la Adolescencia*, 1996, Artículo 119. See also *Constitución de la República de Honduras*, 1982, Capítulo 5, Artículo 128, Número 7. See also U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*.

¹⁹⁹⁴ U.S. Department of State, *Country Reports- 2003: Honduras*, Section 6d. See *Código de Trabajo*, Artículo 133.

¹⁹⁹⁵ *Código de la Niñez y de la Adolescencia*, 1998, Artículos 119 and 20.

¹⁹⁹⁶ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2025*. See also U.S. Department of State, *Country Reports- 2003: Honduras*, Section 6d.

¹⁹⁹⁷ *Código de Trabajo*, Artículo 129. See also *Código de la Niñez y de la Adolescencia*, 1996, Artículo 123.

¹⁹⁹⁸ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*.

¹⁹⁹⁹ *Constitución de la República de Honduras*, 1982, Capítulo 5, Artículo 128, Número 7.

²⁰⁰⁰ *Código de la Niñez y de la Adolescencia*, 1998, Artículos 134 and 41.

²⁰⁰¹ Interpol, *Legislation of Interpol member states on sexual offences against children: Honduras*, [database online] 2004 [cited October 15 2004], Artículo 148 de Código Penal de Honduras; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaHonduras.asp>.

which can carry 6 to 18 years of imprisonment, as well as fines.²⁰⁰² However, according to the U.S. Department of State, prosecution and law enforcement efforts are weak due to inadequate police and court systems, corruption, and lack of resources.²⁰⁰³

The Ministry of Labor and Social Security (MOLSS) is responsible for conducting child labor inspections.²⁰⁰⁴ The country's 119 labor inspectors report violations for administrative action, but may not sanction employers; courts are responsible for determining sanctions.²⁰⁰⁵ The Labor Code is more effectively enforced in urban areas and large-scale manufacturing and services,²⁰⁰⁶ although violations occur frequently in rural areas or at small companies.²⁰⁰⁷ Despite these challenges, the ministry opened a regional office and reinitiated inspections on lobster boats in the Mosquitia area in 2001, where boat captains illegally employ boy divers. Also in 2001, the MOLSS began to conduct special inspections of the melon industry to uncover the incidence of child labor,²⁰⁰⁸ and continues to do so in the melon and sugar cane sectors.²⁰⁰⁹

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

The Government of Honduras, through its National Commission for the Gradual and Progressive Eradication of Child Labor,²⁰¹⁰ is currently participating in a number of ILO-IPEC projects. These include a USDOL-funded project to prevent and remove children from full-time work in commercial coffee farms in Santa Barbara,²⁰¹¹ as well as two USDOL-funded regional projects aimed at combating child labor in

²⁰⁰² U.S. Department of State, *Country Reports- 2003: Honduras*, Section 6f. See also U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2025*.

²⁰⁰³ U.S. Department of State, *Country Reports- 2003: Honduras*, Section 6f. See also U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*.

²⁰⁰⁴ Secretary of Labor and Social Security, *Informe Trabajo Infantil en Honduras*, 2000.

²⁰⁰⁵ See U.S. Department of State official, electronic correspondence to USDOL official, May 20, 2005.

²⁰⁰⁶ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*.

²⁰⁰⁷ U.S. Department of State, *Country Reports- 2003: Honduras*, Section 6d.

²⁰⁰⁸ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 2025*.

²⁰⁰⁹ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*.

²⁰¹⁰ The National Commission was created in 1998. See Presidencia de la Republica de Honduras, *Decreto Ejecutivo Numero PCM-017-98*, Articulos 1-4. The Commission published the Honduran National Plan of Action for the Gradual and Progressive Eradication of Child Labor in 2001. See National Commission for the Eradication of Child Labor, *Plan de Acción Nacional*.

²⁰¹¹ This project ended in September 2004. See ILO-IPEC, *Prevention and Progressive Elimination of Child Labor in the Coffee Industry in Honduras*, technical progress report, HON/99/05/050, Geneva, February 26, 2004.

commercial agriculture²⁰¹² and the commercial sexual exploitation of children.²⁰¹³ Also with technical assistance from ILO-IPEC and funding from USDOL, the Honduras National Institute of Statistics is working in consultation with the MOLSS to conduct a national child labor survey.²⁰¹⁴ With funding from donors such as Spain, Canada, and Italy, ILO-IPEC is carrying out projects aimed at raising awareness, collecting information, and providing direct services to children involved in domestic work in the homes of third parties,²⁰¹⁵ in the lobster diving industry, and in garbage dump scavenging.²⁰¹⁶ In addition, the Government of Honduras is participating in a USD 5.5 million USDOL-funded regional project implemented by CARE to combat child labor through education.²⁰¹⁷

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	6/9/1980	✓
Ratified Convention 182	10/25/2001	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		✓
Sector Action Plan		

In March 2004, a National Commission against Commercial Sexual Exploitation of Children was officially established.²⁰¹⁸ In conjunction with UNICEF, the Government of Honduras has begun a public information campaign against trafficking and commercial sexual exploitation, and has tried to raise awareness of children and women’s rights and risks associated with illegal migration.²⁰¹⁹

The government has initiated several programs in order to improve children’s access to quality basic education. Since 1995, USAID has funded the Ministry of Education’s *Educadores* program, which aims to provide quality education and literacy programs for children and young adults who are excluded from or have dropped out of formal school.²⁰²⁰ The Ministry of Education makes available radio and long distance learning for children in rural areas with few schools and provides disadvantaged families with stipends for school supplies. Regional committees of child defense volunteers also try to encourage parents to send their children to school.²⁰²¹ The Ministry of Education has developed an Education for All plan to increase

²⁰¹² The first phase of this project aims to combat child labor in the melon sector. See ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations*, project document. See also ILO-IPEC, *Prevention and progressive elimination of child labor in agriculture in Central America, Panama and the Dominican Republic (Phase II)*, project document, September 30, 2003.

²⁰¹³ In Honduras, this project focuses primarily on regional collaboration, awareness raising, institutional capacity building, and coordination. See 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, pages 26-28.

²⁰¹⁴ ILO-IPEC, *SIMPOC Central America*, technical progress report, CAM/99/05/050, Geneva, March 26, 2004.

²⁰¹⁵ ILO official, electronic correspondence to USDOL official, September 16, 2002. See also ILO-IPEC, *Trabajo infantil domestico en Honduras*, San Jose, 2003, 13.

²⁰¹⁶ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*. See also ILO-IPEC, *IPEC en la región: Honduras*, [online] 2004 [cited September 7, 2004]; available from <http://www.ipec.oit.or.cr/ipec/region/paises/honduras.shtml>.

²⁰¹⁷ U.S. Department of Labor, *United States Provides over \$110 Million in Grants to Fight Exploitive Child Labor Around the World*, [online] October 1, 2004 [cited October 21, 2004]; available from <http://www.dol.gov/opa/media/press/ilab/ILAB20041715.htm>. See also CARE, *CARE’s Work: Project Information*, [online] 2004 [cited October 21, 2004]; available from <http://www.careusa.org/careswork/projects/SLV041.asp>.

²⁰¹⁸ ILO-IPEC, *Stop the Exploitation: Contribution to the prevention and elimination of commercial sexual exploitation of children in Central America, Panama and the Dominican Republic*, technical progress report, September 2004, 2,4.

²⁰¹⁹ U.S. Embassy- Tegucigalpa Labor Attaché, electronic communication to USDOL official, February 19, 2004.

²⁰²⁰ USAID, *Quality Education for all: EDUCATODOS*, brochure.

²⁰²¹ U.S. Embassy- Tegucigalpa, *unclassified telegram no. 1913*.

access to primary education; improve the quality of pre-school and primary education by encouraging new teaching methods, improving curriculum, and reducing dropout rates, repetition, and desertion; reduce illiteracy; and expand basic education services and training in essential skills for youth.²⁰²² By January 2004, Honduras was formally endorsed for financial support through the Education for All Fast Track Initiative process.²⁰²³ In June 2004, the World Bank announced its Poverty Reduction Support Credit in Honduras, which supports community-based school management, including local education development associations.²⁰²⁴

²⁰²² 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, para. 2, [cited June 3, 2004]; available from http://www2.unesco.org/wef/countryreports/honduras/rapport_1.html.

²⁰²³ The Government of Honduras has been leading planning and coordination with key stakeholders, and has developed Memoranda of Understanding with development partners. See World Bank, *Education For All (EFA) - Fast Track Initiative*, progress report, DC2004-0002/1, March 26, 2004, 2, 4; available from [http://siteresources.worldbank.org/DEVCOMMINT/Documentation/20190709/DC2004-0002\(E\)-EFA.pdf](http://siteresources.worldbank.org/DEVCOMMINT/Documentation/20190709/DC2004-0002(E)-EFA.pdf).

²⁰²⁴ World Bank, *The World Bank Approves \$87 Million For Poverty Reduction In Honduras*, [online] June 24, 2004 [cited October 26, 2004]; available from <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20218161~isCURL:Y~menuPK:34467~pagePK:64003015~piPK:64003012~theSitePK:4607,00.html>. See also World Bank, *Poverty Reduction Support Technical Assistance Project*, project appraisal document, June 3, 2004, 44; available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/06/04/000160016_20040604170713/Rendered/PDF/290650HN.pdf.