

<http://www.state.gov/g/drl/rls/hrrpt/2007/>.

¹⁵⁶⁰ Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01)*, article 2-7, and Parts I and II. See also Government of Guyana, *Education Act (Chapter 39:01)*, article 17-24. See also Clive Pegus, *A Review of Child Labour Laws of Guyana - A Guide to Legislative Reform*, ILO Subregional Office for the Caribbean, June 2005, 23.

¹⁵⁶¹ Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01)*, article 2-7, and Parts I and II. See also Government of Guyana, *Education Act (Chapter 39:01)*, article 17-24. See also Clive Pegus, *A Review of Child Labour Laws of Guyana*, 23.

¹⁵⁶² Government of Guyana, *Employment of Young Persons and Children Act (Chapter 99:01)*, articles 3 and 5. See also Government of Guyana, *Education Act (Chapter 39:01)*, article 20-21.

¹⁵⁶³ Government of Guyana, *Constitution of Guyana*, article 140.

¹⁵⁶⁴ Coalition to Stop the Use of Child Soldiers, "Guyana," in *Global Report 2004*; available from http://www.child-soldiers.org/document_get.php?id=828.

¹⁵⁶⁵ Clive Pegus, *A Review of Child Labour Laws of Guyana*, 26-27.

¹⁵⁶⁶ U.S. Department of State, "Country Reports- 2007: Guyana."

¹⁵⁶⁷ Government of Guyana, *Criminal Law (Offences) Act* articles 69, 70, 73, and 351; available from http://www.gina.gov.gy/gina_pub/laws/Laws/cap801.pdf.

¹⁵⁶⁸ *Ibid.*, articles 86-88.

¹⁵⁶⁹ Clive Pegus, *A Review of Child Labour Laws of Guyana*, 31.

¹⁵⁷⁰ U.S. Embassy- Georgetown, *reporting*, December 20, 2006.

¹⁵⁷¹ Guyana Government Information Agency, *TIP seminar opens at GWLI*, [online] April 20, 2005 [cited December 14, 2007]; available from <http://www.gina.gov.gy/archive/daily/b050420.html>.

¹⁵⁷² Government of Guyana, *Education Act (Chapter 39:01)*, articles 11 and 12.

¹⁵⁷³ U.S. Department of State, "Country Reports- 2007: Guyana," Section 6d.

¹⁵⁷⁴ Partners of the Americas, *Educare-Guyana, technical progress report*, 2, 12-14, 44.

¹⁵⁷⁵ ILO-IPEC Geneva official, Electronic communication to USDOL official, December 12, 2007.

Haiti

Incidence and Nature of Child Labor

Children in Haiti work on family farms and in the informal sector, such as street vending. In general, because of high unemployment and job competition, few children work in the industrial sector or on commercial farms.¹⁵⁷⁶

The most common form of work for children in Haiti is domestic service.¹⁵⁷⁷ 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 victims of trafficking. Such children receive no schooling; are sexually exploited and physically abused; and are unpaid, undocumented, and unprotected.¹⁵⁷⁸ It is estimated that up to 300,000 children work under the restavek system in Haiti.¹⁵⁷⁹ A requirement to pay a salary to

domestic workers of 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.¹⁵⁸⁰ Many children who live on the streets in Haiti are former domestic servants. Children on the streets work as vendors, beggars, and also in prostitution.¹⁵⁸¹

In addition to internal trafficking, children are also trafficked from Haiti to the Dominican Republic.¹⁵⁸² An IOM/UNICEF study in 2002 found that more than 2,000 Haitian children are victims of such trafficking each year.¹⁵⁸³ Haitian children trafficked to the Dominican Republic work in domestic service, agriculture, and construction, and they often live in miserable conditions.¹⁵⁸⁴ There have been conflicting reports as to whether the transport of undocumented Haitians for work on Dominican sugarcane plantations has lessened.¹⁵⁸⁵ Girls are also trafficked from the Dominican Republic to

Haiti for commercial sexual exploitation.¹⁵⁸⁶ In 2003, ILO-IPEC published a rapid assessment on the commercial sexual exploitation of children in Haiti, which found that the majority of the child commercial sex workers surveyed were street children in the age range of 13 to 17 years, with some as young as 9 and 10 years old.¹⁵⁸⁷

<i>Selected Statistics and Indicators on Child Labor</i> ¹⁵⁸⁸	
Working children, 5-14 years (%), 2005:	29
Working boys, 5-14 years (%), 2005:	32.2
Working girls, 5-14 years (%), 2005:	26
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-IPEC participating country:	Yes
* Must pay for miscellaneous school expenses.	

Haiti continues to experience a lack of public safety.¹⁵⁸⁹ Children are involved with armed groups in the country; they work as porters, spies, messengers, and combatants.¹⁵⁹⁰

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.¹⁵⁹¹ However, there are no legal penalties for employing children in domestic labor as *restaveks*.¹⁵⁹² The minimum age for work as an apprentice is 14 and a medical exam of the child is required.¹⁵⁹³ Minors ages 15 to 18 years old must obtain a work authorization from the Ministry of Labor. Employing a child without a work

authorization is punishable by fines.¹⁵⁹⁴ Children less than 18 years of age are prohibited from night work in industrial jobs, and minors (of undefined age) are prohibited from hazardous work.¹⁵⁹⁵

The law prohibits the forced labor of adults and children.¹⁵⁹⁶ The law also prohibits the corruption of youth below the age of 21, including by prostitution, with penalties ranging from 6 months to 3 years imprisonment.¹⁵⁹⁷ Child trafficking is illegal, as is recruiting children for sexual exploitation, pornography, and illicit activities.¹⁵⁹⁸ There are no penalties for trafficking, although there are laws prohibiting and penalizing slavery and kidnapping.¹⁵⁹⁹ The law obligates Haitians over the age of 18 to perform military service, but the military forces have been disbanded by presidential order.¹⁶⁰⁰

The Ministry of Social Affairs and Labor, through the Institute of Social Welfare and Research (IBESR), is responsible for enforcing child labor laws.¹⁶⁰¹ IBESR often takes the lead on anti-child trafficking efforts.¹⁶⁰² The Haitian National Police's Brigade for the Protection of Minors (BPM) is responsible for investigating crimes against children, which include trafficking. The BPM monitors the movement of children crossing into the Dominican Republic.¹⁶⁰³ However, due to a lack of regulations and penalties, the BPM does not investigate *restavek* cases.¹⁶⁰⁴ In August 2007, authorities working with two NGOs released 47 children from a fake orphanage. Nonetheless, USDOS reports that a lack of resources, training, and established procedures hamper the work of the BPM.¹⁶⁰⁵ 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.¹⁶⁰⁶

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. The Government also provides a small sum to repatriated persons, who may be victims of trafficking, to aid in their return

to their communities of origin.¹⁶⁰⁷ The Government of Haiti participated in a USD 400,000 regional project that ended in June 2007 to eradicate the worst forms of child labor, funded by the Government of Canada and implemented by ILO-IPEC.¹⁶⁰⁸ The Government is also participating in a USD 1 million project funded by USAID and implemented by the Pan American Development Foundation to strengthen legislation and law enforcement associated with trafficking.¹⁶⁰⁹

¹⁵⁷⁶ U.S. Department of State, "Country Reports- 2007: Haiti," section 6d.

¹⁵⁷⁷ ILO-IPEC, "Haiti escenario de moderna esclavitud," *Boletín Encuentros* (August 2005); available from <http://www.oit.or.cr/ippec/encuentros/noticia.php?notCodigo=469>. See also U.S. Department of State, "Country Reports- 2007: Haiti," section 6d.

¹⁵⁷⁸ U.S. Department of State, "Country Reports- 2007: Haiti," section 5. See also U.S. Department of State, "Haiti," in *Trafficking in Persons Report- 2007*, Washington, DC, June 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/86204.htm>. See also ILO, *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 December 15, 2007]; 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," *Relief Web* (2008); available from <http://www.reliefweb.int/rw/RWB.NSF/db900SID/E GUA-7BJN9W?OpenDocument>.

¹⁵⁷⁹ 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: South-South cooperation against child labour." See also ILO, *Report of the Committee of Experts*.

¹⁵⁸⁰ ILO, *Report of the Committee of Experts*. See also Government of Haiti, *Code du travail*, article 350.

¹⁵⁸¹ U.S. Department of State, "Country Reports- 2007:

Haiti," sections 5 and 6d.

¹⁵⁸² U.S. Department of State, "Trafficking in Persons Report- 2007: 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>.

¹⁵⁸³ UNICEF, *At a Glance: Haiti: Background*, [online] [cited December 15, 2007]; available from <http://www.unicef.org/infobycountry/haiti.html>. See also IOM, *Americas: Assistance for Children Victims*.

¹⁵⁸⁴ U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also U.S. Department of State, "Dominican Republic (Tier 2 Watch)," in *Trafficking in Persons Report*, Washington, DC, June 2007; available from

<http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm>. See also IOM, *Americas: Assistance for Children Victims*.

¹⁵⁸⁵ U.S. Department of State, "Dominican Republic," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from

<http://www.state.gov/g/drl/rls/hrrpt/2007/100637.htm>. See also IOM, *Americas: Assistance for Children Victims*. See also U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti."

¹⁵⁸⁶ U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti."

¹⁵⁸⁷ ILO-IPEC, *Etude exploratoire sur l'exploitation sexuelle des mineurs à des fins commerciales*, Port-au-Prince, 2003, 50, 52. See also Ministry of the Feminine Condition and Women's Rights official, Interview with USDOL consultant, July 14, 2006.

¹⁵⁸⁸ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Haiti, *Code du travail*, (1984), article 335; available

from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/135/64790/F61HTI01.htm>. See also 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. See also 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- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100643.htm>.

¹⁵⁸⁹ U.S. Department of State, "Haiti," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78895.htm>. See also UNICEF, *At a Glance: Haiti: Background*. See also Louis Joinet, *Situation of Human Rights in Haiti*, UN Economic and Social Council, January 24, 2006, 2.

¹⁵⁹⁰ UNICEF, *At a Glance: Haiti: Background*. See also Child Protection Unit official, UN Mission for the Stabilization of Haiti, Interview with USDOL consultant, July 25, 2006.

¹⁵⁹¹ Government of Haiti, *Code du travail*, articles 335 and 341.

¹⁵⁹² U.S. Department of State, "Country Reports- 2007: Haiti," section 6d.

¹⁵⁹³ Government of Haiti, *Code du travail*, article 73.

¹⁵⁹⁴ *Ibid.*, articles 337 and 340.

¹⁵⁹⁵ *Ibid.*, articles 333 and 334.

¹⁵⁹⁶ *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.

¹⁵⁹⁷ Government of Haiti, *Código penal de Haiti*, article 282; available from http://www.unifr.ch/ddp1/derechopenal/legislacion/ht/cp_haiti.htm.

¹⁵⁹⁸ Government of Haiti, *Loi relative à l'interdiction et à l'élimination de toutes formes d'abus*, article 2.

¹⁵⁹⁹ U.S. Department of State, "Country Reports- 2007: Haiti," section 5.

¹⁶⁰⁰ Coalition to Stop the Use of Child Soldiers, "Haiti," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=829.

¹⁶⁰¹ Ministry of Social Affairs and Labor official, Interview with USDOL consultant, July 17, 2006. See also U.S. Embassy- Port-au-Prince, *reporting*, February 28, 2008.

¹⁶⁰² U.S. Embassy - Port-au-Prince, *reporting*, February 28, 2008.

¹⁶⁰³ U.S. Department of State, "Country Reports- 2007: Haiti," section 5.

¹⁶⁰⁴ U.S. Embassy - Port-au-Prince, *reporting*, February 28, 2008.

¹⁶⁰⁵ U.S. Department of State, "Country Reports- 2007: Haiti," section 5.

¹⁶⁰⁶ U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also U.S. Embassy - Port-au-Prince, *reporting*, February 28, 2008.

¹⁶⁰⁷ U.S. Department of State, "Trafficking in Persons Report- 2007: Haiti." See also U.S. Embassy - Port-au-Prince, *reporting*, March 6, 2007.

¹⁶⁰⁸ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

¹⁶⁰⁹ U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, accessed March 11, 2008; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

Honduras

Incidence and Nature of Child Labor

A September 2007 census by the National Statistics Institute of Honduras reported that the majority of working children in Honduras work in agriculture. Children work in melon, coffee, and sugarcane production, at garbage dumps, and in the forestry, hunting, and fishing sectors, including as deckhands and divers in the lobster industry. Children also work selling goods such as fruit, begging, washing cars, and hauling loads. Some work in limestone and lime production.¹⁶¹⁰ Children, predominantly girls, also work as

domestic servants, where they are sometimes subject to abuse by third-party employers.¹⁶¹¹

Commercial sexual exploitation of children is especially problematic in tourist areas, border areas between neighboring countries, and in big cities such as Tegucigalpa, San Pedro Sula, La Ceiba and the Bay Islands.¹⁶¹² Honduras is a transit and source country for children trafficked for commercial sexual exploitation. Honduran children are trafficked internally, usually from rural to urban settings. Children, most of whom are girls, are also trafficked internationally to neighboring countries, often en route to the United States.¹⁶¹³