



HAITI

MINIMAL ADVANCEMENT

In 2023, Haiti made minimal advancement in efforts to eliminate the worst forms of child labor. The government, in partnership with Better Work Haiti, provided multiple trainings on forced labor and human trafficking for labor inspectors, and continued investigating child commercial sexual exploitation cases throughout the reporting period. However, despite these efforts, minimum age protections only apply to children with a formal employment contract, which does not comply with international standards that require all children to be protected. In addition, Haiti lacks a clear minimum age for domestic work and a list of hazardous occupations and activities prohibited to children. Furthermore, social programs to address child labor are insufficient to adequately address the extent of the problem, particularly in domestic work, agriculture, and child trafficking.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	34.4% (815,993)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	5 to 14	92.4%
Combining Work and School	7 to 14	34.9%

Children in Haiti are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children also perform dangerous tasks in agriculture and domestic work.

Overview of Children’s Work by Sector and Activity



Agriculture

Working in agriculture. Raising livestock. Fishing.



Industry

Construction.



Services

Domestic work and street work as vendors, beggars, and car washers. Selling alcohol† and tobacco.



Categorical Worst Forms of Child Labor‡

Forced labor in domestic work, agriculture, street vending, and begging. Commercial sexual exploitation, sometimes as a result of human trafficking. Use in illicit activities, including by criminal groups in drug trafficking, sometimes as a result of human trafficking.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)-(c) of ILO C. 182.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Haiti's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ensure that minimum age for work protections apply to all children, including those without formal employment contracts.

Clarify the minimum age for work, including for domestic work.

Adopt a list of hazardous occupations and activities and ensure that the hazardous occupations and activities prohibited for children are comprehensive and include work in hazardous agricultural environments.

Criminally prohibit slavery.

Establish a minimum age for voluntary recruitment by the state military, at age 18 or at age 16, with safeguards for voluntariness.

Criminally prohibit the recruitment of children under age 18 by non-state armed groups.

Raise the compulsory education age from age 15 to age 16 so that it aligns with the minimum age for work.

Enforcement

Collect and publish information on labor law enforcement efforts, including on labor inspectorate funding, the number of labor inspectors, the number of labor inspections conducted, the number of violations found and total penalties imposed and collected, and whether unannounced inspections were carried out.

Ensure that the number of labor and criminal law enforcement agents, training, and material and financial resources for labor and criminal law enforcement agencies are sufficient to adequately enforce laws related to child labor, including its worst forms throughout the country, including in orphanages.

Expand the reach of hotlines operated by the Brigade for the Protection of Minors and the Institute of Social Welfare and Research to facilitate reporting of child exploitation cases in areas beyond Port-au-Prince, including in rural areas.

Collect and publish complete information on the number of investigations undertaken, convictions achieved, and penalties imposed related to worst forms of child labor crimes.

Employ at least 129 labor inspectors to ensure adequate coverage of the labor force of approximately 5.2 million people.

Government Policies

Ensure that the National Social Protection and Promotion Policy is implemented.

Social Programs

Collect and publish data on the extent and nature of child labor to inform policies and programs.

Ensure that all children are able to obtain birth registration documents, and expand access to identity documents to ensure that children have access to education and other social protection mechanisms.

Enhance efforts to eliminate barriers to education and increase accessibility for all children by increasing the number of public schools and teachers, especially in rural areas; improving school infrastructure and safety; ensuring that public schools address language barriers; and ensuring that schools meet the specific educational needs of vulnerable populations, including unregistered children and children with disabilities.

Expand existing social programs to address the scope of the child labor problem, particularly in domestic work, agriculture, and child trafficking.

Ensure that all social programs designed to address child labor are active and fulfilling their mandates as intended.



CHILDREN AT HIGHER RISK

Many children in Haiti are not registered at birth, and unregistered children are not able to access social services and educational programs provided by the government, making them particularly vulnerable to human trafficking. According to reports, approximately 30 percent of children ages 1 to 5 lack birth certificates or any other official documentation. Children born in rural communities are less likely to be documented than children in urban areas. Due to poverty, some parents who are unable to care for their children send them to residential care centers or to relatives or strangers who are expected to provide the children with food, shelter, and schooling in exchange for household work. In practice, some of these children receive care and access to education, while many others become victims of labor exploitation and abuse. In addition, Haiti has more than 750 orphanages that house more than 30,000 children who may be vulnerable to human trafficking and child labor. Research indicates that some children in orphanages engage in child labor as domestic workers and are prevented from attending school. Due to the security situation of the country, children are at an increased risk of child labor, especially in areas under gang control. According to reports, all gangs in Haiti have children in their ranks and exploit them for use in armed violence, including to carry out attacks, as well as for labor.



BARRIERS TO EDUCATION ACCESS

There are significant barriers to education in Haiti, especially in rural areas, including extreme poverty, security risks, language barriers, access to transportation, limited availability of teachers, dilapidated school premises, and overall lack of school infrastructure. Moreover, because approximately 80 percent of all existing schools are private, most Haitian children are enrolled in private schools that charge tuition and other fees, making education prohibitively expensive for many families. In addition, estimates show that approximately 10 percent of students drop out of school before grade six and 40 percent before the end of grade nine, making these children more vulnerable to child labor, including its worst forms. Research also indicates that less than 14 percent of children with disabilities attend school, with only 3.5 percent of an estimated 120,000 children with disabilities attending school in the capital Port-au-Prince.









LEGAL FRAMEWORK FOR CHILD LABOR

Haiti has ratified all key international conventions concerning child labor. However, Haiti's laws do not meet international standards on the minimum age for work because the law applies only to workers with a formal employment agreement; or on the prohibition of slavery, debt bondage, and forced labor because Haiti's laws do not criminally prohibit slavery.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 16 Years		Articles 2, 340, 513, and 515 of the Labor Code; Article 10 of the Law Organizing and Regulating Labor
Minimum Age for Hazardous Work, 18 Years		Articles 10, 333–335, 513, and 515 of the Labor Code; Article 2 of the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children (Act of 2003)
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 333–336 of the Labor Code
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 4, 513, and 515 of the Labor Code; Article 2 of the Act of 2003; Articles 1.1, 11, 15, and 21 of the Anti-Trafficking in Persons Law
Prohibition of Child Trafficking		Article 2 of the Act of 2003; Articles 1.1, 11, 12, 15, and 21 of the Anti-Trafficking in Persons Law

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Prohibition of Commercial Sexual Exploitation of Children		Article 2 of the Act of 2003; Article 281 of the Penal Code; Articles 1.1, 11, 12, and 21 of the Anti-Trafficking in Persons Law
Prohibition of Using Children in Illicit Activities		Articles 47–51 and 72 of the Law on the Control and Suppression of Illicit Drug Trafficking; Article 2 of the Act of 2003
Minimum Age for Voluntary State Military Recruitment		
Prohibition of Compulsory Recruitment of Children by (State) Military		Article 268 of the Constitution
Prohibition of Military Recruitment by Non-state Armed Groups		Article 70 of the Penal Code; Article 2 of the Act of 2003
Compulsory Education Age, 15 Years		Article 23 of the Decree on the Reorganization of the Haitian Education System
Free Public Education		Articles 32.1 and 33 of the Constitution

The Labor Code, which establishes the penalty for violations of the minimum age for work, applies only to workers with a formal employment agreement, a stipulation that does not conform to international standards that require all children to be protected under the law establishing a minimum age for work. Furthermore, as the minimum age for work is 16, children aged 15 are vulnerable to exploitative child labor because they are not required to attend school but also are not yet legally permitted to work. It is also unclear whether there is a minimum age for domestic work because the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment, or Inhumane Treatment Against Children of 2003 (Act of 2003) annulled Chapter 9 of the Labor Code, which set the minimum age for domestic work at age 12. The Labor Code prohibits children under age 18 from working in establishments that sell alcohol and from working at night in industrial enterprises. However, the types of hazardous work prohibited for children do not cover agriculture, an economic sector in which children are exposed to hazardous substances and to temperatures that can damage their health. Furthermore, although the Anti-Trafficking in Persons Law criminalizes trafficking for forced labor, servitude, and debt bondage, slavery is not criminally prohibited. Research could not find evidence of any other legal provision criminally prohibiting slavery. Moreover, while Haiti's Constitution establishes the age for compulsory military recruitment at age 18 and sources suggest that recruitment materials set the minimum age for voluntary recruitment at that age, research could not find evidence of a law that establishes the age for voluntary recruitment.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Haiti took actions to address child labor. However, insufficient human and financial resource allocation hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Social Affairs and Labor (MAST): Enforces laws related to child labor by receiving complaints, conducting investigations, referring cases to juvenile courts, and issuing employment permits to approve certain forms of labor for children between ages 15 and 18. Develops and implements programs to raise awareness of child labor and provide social services to child survivors of labor exploitation. Its agents at the Institute of Social Welfare and Research (IBESR) perform child protection inspections, including following up on reported

incidents of child labor, and are responsible for accrediting residential care centers. However, reports indicate that a lack of personnel and financial resources for things like transportation, fuel, and appropriately equipped workplaces, as well as insecurity, severely impact enforcement efforts in the country.

Haitian National Police: Investigates crimes involving the worst forms of child labor, including child trafficking and commercial sexual exploitation through its Brigade for the Protection of Minors (BPM), which submits investigations to judicial authorities for criminal prosecution and refers child survivors to IBESR. BPM maintains 22 offices around the country, including 2 offices along the Haiti-Dominican Republic border. Through its Border Police Unit, POLIFRONT, it enforces Haiti's Customs Code and investigates transnational crimes, including child trafficking. POLIFRONT is also responsible for referring cases of vulnerable migrants, including minors, to IBESR and operates at the border crossings of Ouanaminthe, Anse-à-Pitres, and Malpasse. Law enforcement agencies lack human and financial resources, such as agents, equipment, transportation, and training to carry out their mandates.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Unknown
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, an **unknown** number of labor inspectors conducted routine labor inspections, however the total number of worksite inspections or whether child labor violations were found is **unknown**. It is also **unknown** how many investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Haiti established a mechanism to coordinate its efforts to address child labor.</p>	<p>National Tripartite Committee for the Elimination of the Worst Forms of Child Labor: Develops policies, approves programs, and coordinates, monitors, and evaluates efforts to address child labor in Haiti. Chaired by MAST and receives technical support from ILO. Reports indicate that it was active in 2023.</p>
<p>Key Policies Related to Child Labor</p> <p>Haiti established a policy related to child labor. However, it is uncertain if the National Social Protection and Promotion Policy implemented activities addressing child labor during the reporting period.</p>	<p>National Social Protection and Promotion Policy: Aims to build institutional resilience for social protection and promotion in response to economic shocks and health crises. Consists of four major pillars, including childhood social care and efforts to support employment and employability. Lines of effort under these two pillars include the identification and removal of children from work and vocational training for youth, among other activities. Past efforts include the World Bank partnering with MAST and the UN World Food Programme (WFP) to deliver cash transfers to targeted households, and the Inter-American Development Bank partnering with WFP and the Economic and Social Assistance Fund to deliver food and cash to vulnerable households in several departments of the country. Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.</p>

Coordination, Policies, and Programs (Cont.)

Key Social Programs to Address Child Labor

In 2023, Haiti funded and participated in a program that includes the goal of eliminating or preventing child labor. However, this social program is inadequate because it does not address the problem of child labor in all sectors.

† Program is funded by the Government of the Republic of Haiti.

Special Program of Free Education (PROSGATE):† Replaced the National Free Education Program and aims to increase poor children’s access to education. Includes school grants intended to eliminate school fees and for accelerated learning programs for students who are behind in school. Research was unable to determine whether activities addressing child labor were undertaken in 2023, but reports indicate that this program is still active.

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects



WORKER RIGHTS SPOTLIGHT

In Haiti, the law set very low fines for dismissing trade union members despite legal protections and did not explicitly provide for reinstatement as a remedy. To establish a union, MAST must provide prior approval and approve the union’s constitution. In addition, workers cannot choose which trade union they would like to join, and children who are at or above the minimum age for work cannot join a union without parental permission. As labor unions are integral to reporting and advocacy on the identification and prevention of child labor, violations of child labor laws and other labor abuses in the agriculture sector may go undetected.

For references, please visit dol.gov/ChildLaborReports