

In 2014, Haiti made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Anti-Trafficking in Persons Law, which criminalizes all forms of human trafficking and contains provisions to prevent child trafficking and other worst forms of child labor. The law also creates a National Committee for the Fight Against Trafficking in Persons that provides legal protection and social assistance to victims of human trafficking. The Government also created the Child Protection Working Group to coordinate efforts on child protection, specifically for children in domestic work. Moreover, Haiti ratified UN CRC Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography, and Children in Armed Conflict. However, children in Haiti are engaged in child labor, including in domestic work and agriculture. Haiti lacks a clear, easily applicable minimum age for domestic work. Limited resources for the systematic enforcement of child labor laws impede government efforts to protect children from the worst forms of child labor. Social programs to combat child labor are also insufficient to adequately address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Haiti are engaged in child labor, including in domestic work and agriculture. (1-5) Child labor in agriculture occurs throughout the country but is most prevalent in the South and Artibonite regions. (3, 4, 6, 7) Table 1 provides key indicators on children's work and education in Haiti. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	34.4 (815,993)
Attending School (%)	5-14 yrs.	92.4
Combining Work and School (%)	7-14 yrs.	34.9
Primary Completion Rate (%)		Unavailable

Primary Completion Rate was unavailable from UNESCO Institute for Statistics, 2015.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-V), 2012.(9)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Preparing land for planting,* fertilizing fields,* sowing,* pruning,* weeding,* thinning,* and guarding in relation to the production of bananas,* beans,* corn,* peanuts,* peas,* rice,* cassava,* and yams* (3)
	Harvesting sugarcane,* collecting cut cane,* grinding sugarcane,* and clearing land for sugarcane production*(10-12)
	Raising cows,* donkeys,* goats,* pigs,* sheep,* and poultry* (3)
	Capturing and processing fish* (6, 13)
	Processing produce,* including removing shells and husks,* removing stones,* winnowing,* and drying* (3)
Industry	Construction,* activities unknown (4, 6, 14)
	Domestic work (1, 2, 4, 7)
Services	Street work,* including vending,* begging,* shining shoes,* and carrying* goods and luggage in public markets and bus stations (6, 7, 15, 16)

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Services	Working in food kiosks* (6)
	Washing and guarding cars* (6, 7, 15)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work,* agriculture,* and as street vendors,* shoe shiners,* window washers,* and beggars,* each sometimes as a result of human trafficking* (2, 4, 6, 7, 14-17)
	Used in illicit activities, including by criminal groups as messengers and to carry weapons* or transport drugs* (7, 17, 18)
	Commercial sexual exploitation,* sometimes as a result of human trafficking* (4, 6, 14, 19)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

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

Some parents unable to care for their children send them to residential care centers (orphanages), or to relatives or strangers expected to provide food, shelter, and schooling to the children in exchange for housework.(1, 2, 4, 7) In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse.(2, 4, 7, 17)

Children are trafficked both internally and to the Dominican Republic.(7, 20) NGOs have reported that children crossing the Haiti-Dominican Republic border illegally are often accompanied by adults who are paid to pretend to be the children’s parents or guardians until they reach the Dominican Republic.(16, 21) Some of these children are reunited with relatives in the Dominican Republic, whereas others are illegally recruited by employers to engage in child labor, including in domestic work, agriculture or to work on the streets shining shoes, washing windows, and begging.(4, 22, 23) Many Haitian children’s births are not registered; the 2010 earthquake and ensuing infrastructure and paperwork destruction further exacerbated the lack of identity documentation.(4, 7, 16, 18) In Haiti, personal identification papers are required to enter into an employment contract, gain access to the justice system, and receive social protection services. The lack of personal identification papers makes it more difficult to protect children against Labor Code or Criminal Code violations, and for children to access social assistance services and educational programs from the Government.(24, 25)

The Constitution guarantees free primary education but, in practice, public schools charge fees for books, uniforms, and enrollment. There are also not enough public schools, and many teachers lack official teaching credentials.(1, 5, 26) As a result, most Haitian children who attend school go to private schools that charge tuition.(1, 18) Many others simply do not attend school, especially in rural areas.(1, 21) Out-of-school children are at increased risk of engaging in child labor or of becoming victims of human trafficking.(1, 4, 7, 18)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Haiti has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

On June 4, 2014, the Government of Haiti ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the UN CRC Optional Protocol on Armed Conflict.(27)

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Article 335 of the Labor Code (28)
Minimum Age for Hazardous Work	Yes	18	Article 334 of the Labor Code (28)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 333-336 of the Labor Code (28)
Prohibition of Forced Labor	Yes		Article 2 of 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) (29)
Prohibition of Child Trafficking	Yes		Article 2 of the Act of 2003; Article 1.1.1 of the Anti-Trafficking in Persons Law of 2014 (29, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2 of the Act of 2003; Articles 279-280 of the Penal Code (29, 31)
Prohibition of Using Children in Illicit Activities	Yes		Article 2 of the Act of 2003 (29)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	N/A†		
Compulsory Education Age	Yes	15	Article 23 of the Decree on the Reorganization of the Haitian Education System of 1982 (32, 33)
Free Public Education	Yes		Article 32.1 and 33 of the 1987 Constitution (34)

* No conscription (35)

† No standing military (35)

Article 335 of the Labor Code sets the minimum age for contractual work at 15 in industrial, agricultural, and commercial establishments. The Labor Code does not apply to workers in non-contractual employment.(28) In addition, as the Labor Code does not include a definition of establishments, it is unclear whether family farms, where child labor is prevalent, are covered. Article 73 allows children age 14 to be contracted apprentices, although children ages 14 to 16 may not work as apprentices more than 25 hours a week.(28, 36) Article 340 provides penalties for employers who do not obtain work permits to employ children ages 15 to 18. However, the limited penalties, usually between \$68 and \$111, are not sufficient deterrents to protect children against labor exploitation.(6, 28, 29). Although there is not a specific penalty for employing underage children, article 513 of the Labor Code notes that a \$105 fine may be applied to any violations without specific fines, which is not adequate to prevent violations.(28)

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) effectively annulled Chapter 9 of the Labor Code that had set a minimum age for domestic work at age 12 and had provided for protections for domestic workers and fines in cases of violations.(28, 29) Although in its ratification of ILO C. 138 Haiti specified the minimum age of work to be 14, the Labor Code sets the minimum age for work at 15. Since the Act of 2003 annulled the minimum age provisions for domestic child workers, it is presently unclear whether the minimum age for domestic work is 14 or 15 years.(29, 36) The Government has drafted legislation that includes a provision that sets the minimum age for domestic work at 15 years, but that legislation has not been enacted.(37-39)

The Labor Code prohibits children ages 15 to 18 from working at night in industrial jobs and in establishments where alcohol is served. The Labor Code also contains prohibitions against minors performing work that is dangerous or harmful to their physical or moral health.(28) However, prohibitions related to hazardous work omit most sectors, including agriculture. A specific list of hazardous child labor activities covering sectors where children work has been developed but was not approved by Parliament during the reporting period.(33, 37) Even though the Act of 2003 also contains a general prohibition against work that harms the health, security, or morality of a child, it establishes no penalties for employing children in these activities.(29)

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Articles 278–282 of the Penal Code prohibit prostitution and the corruption of minors. Research was inconclusive about whether this includes the use of children in pornographic performances. Research found no penalties in Haitian law for the use of children in other illicit activities, although such conduct is prohibited by the Act of 2003.(28, 29)

In June 2014, the Government adopted the Anti-Trafficking in Persons Law, which criminalizes all forms of human trafficking, including the trafficking of children.(4, 5, 30, 40) The law prescribes penalties for those convicted of human trafficking of up to 15 years' imprisonment and a fine up to \$33,000, a punishment commensurate with the penalties prescribed for other serious crimes, such as rape.(4, 30, 40)The law also provides for legal protection and social assistance to victims of human trafficking. Under the law, children identified as victims of human trafficking are to receive specialized assistance that addresses the particular needs of minors, including educational support and family reintegration services.(5, 30, 40)

In June 2014, the Government adopted the Responsible Parenthood Act, which establishes equal rights and access to protection services for all children, regardless of their parentage, thereby reducing the vulnerability of children born outside of legally recognized unions to the worst forms of child labor.(41-43)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Social Affairs and Labor (MAST)	Enforce child protection and child labor laws. MAST labor inspectors investigate Labor Code infractions in the formal sector, including those regarding child labor. MAST's Institute of Social Welfare and Research (IBESR) agents perform inspections in compliance with the Child Protection Law of 2012, with a focus on child protection, and help enforce the Act of 2003.(36, 44-46) In cases of potential criminal violations, MAST labor inspectors and IBESR agents refer cases to juvenile courts for prosecution, while children receive services from IBESR.(6, 7, 14) Collaborate with the Brigade for the Protection of Minors (BPM) to investigate cases of crimes against children and apply the Penal Code to punish those responsible.(6, 14, 44)
Haitian National Police's (PNH) BPM	Lead anti-child trafficking efforts and investigate Penal Code infractions against children.(14, 16) Investigate reports of criminal child or forced labor, in conjunction with routine police patrols in public places where children can be in physical or moral danger and become victims of crime.(6, 44) BPM agents gather and submit information to judicial and/or social protection authorities to allow criminal prosecution of crimes against minors or to provide social protection and placement services for victims (as needed).(46)

Law enforcement agencies in Haiti took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2014, MAST employed a total of 50 labor inspectors, 11 of which specialize in child labor. MAST also employed 100 child labor technicians to conduct child labor inspections. Although the child labor technicians have similar responsibilities as labor inspectors, resource constraints prevent them from being permanent employees.(5) During the reporting period, some labor inspectors received training on the worst forms of child labor.(47) However, MAST inspectors generally lack sufficient resources, such as means of transportation, fuel, and appropriately equipped workplaces, to enforce the law adequately.(5, 6)

All MAST labor inspectors are required to monitor and ensure compliance with all Labor Code provisions during their inspections, including on child labor.(14, 16) Information is unavailable, however, on the number and quality of inspections, and on whether inspections are unannounced or announced. Additionally, when labor inspectors find cases of child labor, there is no formal referral mechanism to refer these children to the appropriate social services.(45) There have also been delays in issuing penalties for Labor Code violations, because labor inspectorates cannot directly fine employers and must transfer cases of violations to labor tribunals for review. The labor courts are often slow to act and delay the imposition and collection of fines.(45)

In 2014, IBESR had 150 employees working in all of Haiti's geographic departments; they included 48 child protection agents and approximately 20 social workers to handle protection cases, including those involving child labor.(6, 38) Each IBESR regional bureau includes a child protection section that employs five to seven agents.(6) Given the prevalence of child labor in the country, the number of child protection agents is insufficient. The Government budgeted approximately \$1.1 million to IBESR for child protection activities. In 2014, approximately 60 IBESR agents received training on child protection issues, including child labor.(38, 47) The remaining agents were not trained, in large part due to lack of funding.(4-6, 38, 44)

The number of child abuse violations reported in 2014 was 173, but it is unclear how many were child labor violations; information was not available on the number of those cases that were transferred to judicial authorities and ultimately punished with fines.(38) IBESR does not have a system with sufficient reach or standard protocols to conduct targeted inspections based on analysis of compliance data or patterns of complaints.(38, 46) Information is unavailable on the number and frequency of IBESR protection inspections, the number of working children identified as a result of those inspections, the cases transferred to judicial authorities, and the fines ultimately assessed. IBESR also manages the "133" hotline to receive complaints of situations requiring child protection.(4, 14, 16) However, the hotline functions exclusively in Port-au-Prince, which makes reporting cases to IBESR involving child exploitation more difficult in rural areas.(14) In addition, the number of calls related to child labor that were received during 2014 is unknown.

Criminal Law Enforcement

In 2014, the Haitian National Police's Brigade for the Protection of Minors (BPM) maintained a staff of 80 agents in 19 offices around the country, including four offices along the border with the Dominican Republic. Information on the training of BPM agents on child labor during 2014 is unavailable.(5, 48) Given the prevalence of child labor in the country, the number of BPM agents is inadequate. Reports also indicate there is a lack of trained staff, equipment, transportation, and funding to effectively conduct criminal law enforcement efforts related to the worst forms of child labor.(5)

During 2014, BPM handled 953 criminal cases related to child abuse, although it is unclear how many involved child labor. BPM arrested and transferred a total of 600 suspected offenders to prosecutors.(49) Information about the results of those criminal investigations and about any possible convictions and sentences imposed on the perpetrators of these crimes, which are related to the worst forms of child labor, is unavailable.(49) In addition, BPM assisted a total of 542 children in 2014, of whom 474 were transferred to IBESR and 68 were returned to their parents; although information is not available on the number of those cases involving child labor.(49) BPM manages the "188" hotline to receive complaints of situations requiring child protection.(14) However, like the IBESR hotline, this hotline functions exclusively in Port-au-Prince, which makes reporting cases involving child exploitation more difficult in rural areas.(13, 44) In addition, the number of calls related to child exploitation that were received during 2014 is unknown.

Prosecutions of crimes related the worst forms of child labor are rare.(50) Local judges are not trained on Haitian criminal laws protecting children. Although some efforts were made during the reporting period to train law enforcement and judiciary officials in human trafficking, not all of them were trained.(6, 16, 44)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts to Eliminate Child Labor

Coordinating Body	Role & Description
National Tripartite Commission for the Elimination of the Worst Forms of Child Labor	Elaborate policies; approve programs; and coordinate, supervise, monitor, and evaluate efforts to combat child labor in Haiti.(17, 51, 52) Chaired by MAST and comprises officials from BPM, Citizen Protection Bureau, and the Ministries of Women's Affairs, Interior, Agriculture, Health, Justice, and Education. Also includes nongovernmental stakeholders such as NGOs, labor unions, international organizations, and social partners. (14, 52)
National Committee for the Fight Against Trafficking in Persons*	Coordinate actions against trafficking in persons and guarantee the protection and rehabilitation of victims at the national level.(4, 30) Committee representatives for member ministries are appointed by presidential order. Chaired by IBESR and includes MAST, BPM, Citizen Protection Bureau, and the Ministries of Women's Affairs, Interior, Health, Foreign Affairs, Justice, and Education.(30, 40)

Table 6. Mechanisms to Coordinate Government Efforts to Eliminate Child Labor (cont)

Coordinating Body	Role & Description
Child Protection Working Group*	Implement; coordinate; and monitor government efforts on child protection, including protection of child domestic workers. Chaired by IBESR and comprising officials from the Citizen Protection Bureau; BPM; MAST; and the Ministries of Justice, Women’s Affairs, Health, Youth, and Education. (53, 54) Also includes nongovernmental stakeholders such as NGOs, international organizations, and social partners. In 2014, the Working Group conducted a comprehensive study on the prevalence of children in domestic work.(5, 54)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2014, the National Commission for the Elimination of the Worst Forms of Child Labor met regularly to revise the draft List of Hazardous Occupations Prohibited for Children and the draft National Action Plan to Combat Child Labor.(5, 52, 55) The National Committee for the Fight Against Trafficking in Persons was created as a result of the Anti-Trafficking in Persons Law.(30, 40) However, the President did not appoint specific representatives from the various ministries represented in the Committee during the reporting period. Moreover, it is unclear how the Committee will provide rehabilitation services to victims of human trafficking.(40, 54)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Haiti has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
National Strategic Development Plan (PSDH)	Articulates four pillars—economic, social, territorial, and institutional—for sustained economic growth in Haiti, which includes the goal to end child labor. Built on the 2010 Action Plan for National Recovery and Development, which outlined key initiatives to address the structural causes of Haiti’s underdevelopment in order to make Haiti an “emerging country” by 2030.(56-58) The 2010 Action Plan outlined plans to rebuild the country’s infrastructure, economy, and state institutions. The Action Plan also mapped plans to improve the country’s living standards by increasing employment; providing housing; addressing food insecurity; and providing access to basic services such as health care, education, water, and sanitation. The PSDH expands and provides further detail on these plans.(56, 58)
National Action Strategy for Education for All*	Aims to enroll 1.5 million students in school by 2016.(59) The Strategy is overseen by the Ministry of Education and supported by international donors. Subsidizes school fees for both public and private schools, provides school feeding programs, and offers teacher training to increase the number of qualified teachers.(59, 60)
ILO’s 18th American Regional Meeting in Lima, Peru/Declaration of the Establishment of the Regional Initiative: Latin America and the Caribbean Free of Child Labor†	In October 2014, Haiti participated in the ILO’s 18th American Regional Meeting in Lima, Peru, and signed the Declaration of the “Establishment of the Regional Initiative: Latin America and the Caribbean Free of Child Labor.” The Regional Initiative was launched in 2013 at the Third Global Conference on Child Labor; the Declaration reemphasizes signatories’ commitments to eradicate all child labor by 2020 as well as their recognition that child labor contributes to social and economic inequality.(61, 62)

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

During 2014, the Government of Haiti drafted a National Action Plan to Combat Child Labor; however, it is still awaiting promulgation by Presidential Decree.(52, 55)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Haiti funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8). The Government has other programs that may have an impact on child labor, including its worst forms.

Table 8. Social Programs to Address Child Labor

Program	Description
Government Child Shelter Census and National Child Protection Database*	Government programs to support child protection. IBESR implements the Government's regulatory framework for residential care centers (orphanages), collects information on vulnerable children, and tracks them through the National Child Protection Database.(6, 44)
Protecting the Rights of Children, Women, and Youth in Haiti (AKSE) (2012-2017)	\$22.5 million USAID-funded, 5-year project that supports a partnership between the Government and the private sector to promote children's rights and child protection services. Supports efforts by governmental organizations; NGOs; and community-based organizations to assist victims of gender-based violence, human trafficking, commercial sexual exploitation, forced domestic work, and recruitment into criminal activity. Strengthens institutional capacity to prevent abuse and address challenges that at-risk children, youth, and women face.(63, 64)
Global Action Program on Child Labor Issues	USDOL-funded project implemented by the ILO in approximately 40 countries to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016, established by the Hague Global Child Labor Conference in 2010. In Haiti, project aims to build the capacity of MAST and works to develop strategic policies to eliminate child labor and forced labor, as well as strengthen legal protections and social service delivery for child domestic workers.(65)
Protecting Children from Child Labor during the Early Recovery Phase (2011-2014)	\$1 million USDOS and Government of Brazil-funded, 4-year project implemented by ILO-IPEC to protect children from child labor during Haiti's earthquake recovery and reconstruction phases.(66) Part of a larger recovery program developed by the Government of Haiti, and supported by the UNDP and other UN and NGO partners to protect children, including by combating the worst forms of child labor and protecting the rights of adolescents to safe and decent work.(39)
Help People (Ede Pèp) Program*‡	Government social program that assists poor families through 16 government- implemented projects, with a focus on improving children's well-being.(44) Projects include the Ti Manman Cheri project, the Kore Etidyan project, and the Aba Grangou project, among others. Ti Manman Cheri project has provided 105,704 low-income mothers with monthly cash transfers for their children's tuition.(6) Kore Etidyan project provided financial assistance to students in 2013–2014.(44) Aba Grangou project, financed with \$30 million from the Government of Venezuela, with additional financial support from the Government of Haiti, aims to cut the number of people suffering from hunger by reaching 2.2 million children through a school food program.(6, 67)
National Free Education Program*‡	Government program that aims to increase poor children's access to education by expanding free public school education. Includes school grants intended to eliminate school fees and accelerated learning programs for students who are behind in school.(64) In the 2013-2014 school year, the Government enrolled more than 1 million school-age children, a significant increase from the 200,000 children enrolled through this program in 2012-2013.(7, 13, 68)
Children's Summer Enrichment Program*	Office of the Citizen Protector program provided training and ran summer programs for children, with the support of the AKSE program. Assists approximately 100 children from Cité Soleil in Port-au-Prince by raising their awareness of Haiti's child protection institutional framework and mechanisms.(6, 13)
IBESR's National Week of the Child*	IBESR awareness-raising campaign funded by international NGOs to increase public understanding of children's rights and the barriers children face to claiming those rights. Engaged local and international NGOs on issues of forced child labor, child trafficking, and commercial sexual exploitation.(44, 69)
Elimination of Child Labor in Latin America (Phase 4) 2011-2015)	\$4.5 million Government of Spain-funded, 3-year project implemented by ILO-IPEC to combat child labor in 19 countries, including Haiti.(39)
Education and Monitoring Program for the Eradication of Child Labor (2012-2014)	\$1.3 million Government of Spain-funded, 3-year project implemented by ILO-IPEC that aims to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Haiti. Includes the objective of developing information systems on the worst forms of child labor.(39)

* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Haiti.

Despite IBESR's efforts to collect information in the National Child Protection Database, it does not fully capture relevant information, including on the number of displaced street children and of children in domestic work.(14) Although Haiti has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in domestic work.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Haiti (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify the minimum age for domestic work and include meaningful penalties for employing children younger than the minimum age.	2009 – 2014
	Ensure that the Labor Code applies to children working in all sectors and in non-contractual employment. In the interim, include a definition of “commercial establishments” in Labor Code article 335.	2014
	Create meaningful penalties for employing children in contravention of the Labor Code.	2009 – 2014
	Ensure the law prohibits hazardous occupations and activities in all sectors, including agriculture.	2009 - 2014
	Ensure the Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Ill Treatment or Inhumane Treatment Against Children of 2003 includes meaningful civil and criminal penalties for all violations of the Act.	2011 – 2014
	Ensure that the Penal Code’s prohibition on corruption of minors includes a prohibition on child pornography.	2009 – 2014
	Create meaningful criminal penalties against the use of children in illicit activities.	2011 – 2014
Enforcement	Collect and make publicly available information on MAST labor inspections, in particular; the number, type, and quality of labor and protection inspections; the number of working children identified as a result of such inspections; the number of child labor law violations identified and citations and penalties assessed during those inspections; the number of cases transferred to judicial authorities related to child labor; and the number of those cases that were ultimately sanctioned.	2013 – 2014
	Expedite review of child labor violations in labor tribunals.	2013 – 2014
	Ensure that children engaged in child labor found during labor inspections receive appropriate social services.	2013 – 2014
	Strengthen IBESR by initiating routine or targeted child protection inspections, rather than performing inspections solely based on complaints received.	2013 – 2014
	Provide sufficient training and resources to increase the capacity of MAST, IBESR, BPM, and judiciary officials to effectively enforce child labor laws.	2013 – 2014
	Collect and make publicly available information on the number of criminal investigations, convictions, and sentences for crimes related to the worst forms of child labor.	2009 – 2014
	Expand hotlines operated by BPM and IBESR to facilitate reporting of child exploitation cases in areas beyond Port-au-Prince, including in rural areas; disaggregate complaints by number of children in child labor.	2013 – 2014
Coordination	Ensure that representatives from the various ministries represented in the National Committee for the Fight Against Trafficking in Persons are appointed by the President, and clarify how the Committee will provide rehabilitation services to victims of human trafficking.	2014
Government Policies	Integrate child labor elimination and prevention strategies into existing education and child protection policies.	2009 – 2014
Social Programs	Ensure that all children have access to free quality education by registering children at birth and allocating additional resources for education, including for building additional schools, subsidizing or defraying the cost of school, and providing teacher training, with a focus on educational opportunities in rural areas, where children are particularly vulnerable to trafficking and domestic work.	2009 – 2014
	Expand the National Child Protection Database, including by identifying displaced street children and children in domestic work.	2010 – 2014
	Assess the potential impact of existing social protection programs on child labor.	2010 – 2014
	Expand existing social programs to address the scope of the child labor problem, particularly in domestic work.	2010 – 2014

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