

Honduras

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In 2013, Honduras made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Honduras passed a Legislative Decree harmonizing legal protections for children and trained labor inspectors on child labor issues. It strengthened the role of the seven regional sub-committees against child labor, and provided training to staff and community members on topics such as prevention, withdrawal, and social protection for child workers. The Government also continued to implement the Voucher 10,000 program, which provides cash transfers to families, and added child labor as a target issue under the program.

However, children continue to engage in child labor in agriculture and in the worst forms of child labor in commercial sexual exploitation. The inspections process does not sufficiently deter employers from using child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Honduras are engaged in child labor in agriculture and in the worst forms of child labor in commercial sexual exploitation. (1-10) Table 1 provides key indicators on children's work and education in Honduras.

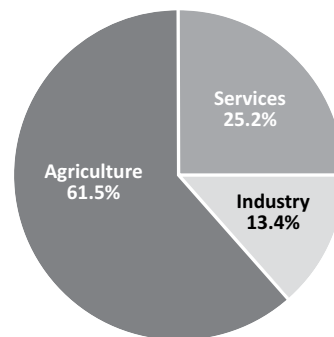
Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|-----------|---------------|
| Working (% and population) | 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 (%) | | 101.1 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(11)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta Permanente de Hogares de Propósitos, 2007.(12)

Figure 1. Working Children by Sector, Ages 5-14



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 | Production of melon,† coffee,† and sugarcane*† (1, 13-20) |
| | Fishing,* including working as divers' assistants,† and diving for lobster† (3, 4, 6, 13, 20, 21) |
| Industry | Production of limestone,*† and lime*† (22) |
| | Artisanal mining*† (1, 4, 8, 19, 21) |
| | Sale and production of fireworks*† (4, 8, 23, 24) |
| | Construction, activities unknown† (4, 9) |
| Services | Street begging† (1, 21, 22, 25, 26) |
| | Scavenging in garbage dumps*† (1, 4, 19-22, 25, 27) |
| | Washing car windows at traffic lights*† (28) |
| Categorical Worst Forms of Child Labor‡ | Domestic service† (1, 4, 9, 17, 19, 26, 29-32) |
| | Commercial sexual exploitation as a result of human trafficking* (9, 10, 26, 28) |
| | Use of children by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs* (26, 28, 33) |

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

† 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.

Recent data indicate that 60 percent of working children work in agriculture.(3, 8, 9, 34) Children are sometimes trafficked from rural areas into commercial sexual exploitation in urban and tourist destinations such as the Bay Islands, La Ceiba, San Pedro Sula, and Tegucigalpa.(26, 30, 35, 36) In addition, reports indicate that Honduran children are trafficked to Central and North America for commercial sexual exploitation. Limited evidence suggests that girls from neighboring countries, including Guatemala and Mexico, are subjected to sexual servitude in Honduras.(26, 35, 36) Additionally, reports indicate that children are used by organized crime to commit illicit activities.(33)

II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Honduras 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 | ✓ |

The Government has established relevant 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 | 14 | Constitution; Labor Code (7, 28, 37-41) |
| Minimum Age for Hazardous Work | Yes | 18 | Executive Agreement STSS-211-01; Executive Agreement STSS-097-2008 (28, 30, 42, 43) |
| List of Hazardous Occupations Prohibited for Children | Yes | | Executive Agreement STSS-211-01 (28, 30, 42) |
| Prohibition of Forced Labor | Yes | | The Penal Code; Labor Code, Decree 59-2012 (42, 44, 45) |
| Prohibition of Child Trafficking | Yes | | Decree 59-2012 (7, 45-47) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | The Penal Code; Decree 59-2012 (7, 45, 46) |
| Prohibition of Using Children in Illicit Activities | Yes | | Code on Childhood and Adolescence (48) |
| Minimum Age for Compulsory Military Recruitment | Yes | 18 | Constitution; Article 12 of Code on Childhood and Adolescence Labor (9, 41, 49) |
| Minimum Age for Voluntary Military Service | Yes | 18 | Constitution (41, 49) |
| Compulsory Education Age | Yes | 17 | Fundamental Law of Education (7, 50, 51) |
| Free Public Education | Yes | | Constitution (41) |

In 2013, the National Congress passed Legislative Decree No. 35-2013, which reformed legal protections for children, including those contained in the Code on Childhood and Adolescence, Family Code, Civil and Criminal Codes, Criminal Process Code, and Domestic Violence Code.(9, 52) Article 128 of Legislative Decree No. 35-2013 mandates that the Secretariat of Labor and Social Security (STSS) inspect and regulate businesses, workplaces, and residential homes to verify whether children are working and ensure that their rights are being protected. If a residential home is the workplace, the STSS must obtain judicial authorization before the inspection.(52) Legislative Decree No. 35-2013 also establishes sanctions consisting of a fine of five to 15 times the minimum wage for those found in violation of the law. Fines for repeat offenders are double the amount of the previous fine.(52) If the violations endanger the life of a

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child or have caused physical, mental, or intellectual harm to the child, civil and criminal penalties may be applied in addition to the fine.(52)

The Constitution states that no one under the age of 16 may work unless it is necessary to sustain their family and if the work does not interfere with their schooling. Honduran statutes build upon the protections in the Constitution.(41) The Labor Code and the Code on Childhood and Adolescence prohibit children under age 14 from working under any circumstances, and allows children ages 14 to 17 to work only with written parental consent and authorization from the STSS.(38, 48) Children ages 14 to 15 may work no more than four hours per day; children between the ages of 16 and 18 may work no more than 6 hours per day and can be granted special permission by the STSS to work in the evening if it does not affect their schooling.(7, 38, 48) However, children working in agricultural and stock-raising undertakings that do not permanently employ more than ten workers are not covered by the Labor Code's minimum age protections because these sectors are excluded from the scope of the Labor Code.(6, 10, 38) Although Article 8 of Executive Agreement STSS-211-01 states that minors may not perform dangerous activities even as part of a vocational training program, under Article 122 of the Children's Code minors ages 16 and 17 may receive authorization from the STSS to perform dangerous labor if they have completed technical training approved by the STSS.(6, 7, 28, 42, 48) The STSS has indicated that requests for authorizations for minors to work have decreased; however, it has also acknowledged that this decrease does not mean that the number of children working has actually declined, including those working in hazardous activities.(39)

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 |
|---|--|
| Secretariat of Labor and Social Security (STSS) | Inspect labor conditions and enforces child labor laws.(30) Responsible for national policy on child labor and the Roadmap for the Prevention and Eradication of the Worst Forms of Child Labor.(10) |
| Honduran Institute for Children and the Family (INHFA) | Supervise and provide technical assistance to private and public institutions that work to protect the well-being of children, including victims of child labor and their families.(7, 30, 53) |
| The Ministry of Development and Social Inclusion | Coordinate social protection policy and provide services to vulnerable populations, including victims of violence, trafficking, and sexual and economic exploitation.(10) |
| The Public Ministry's Office of the Special Prosecutor for Children | Prosecute crimes against children, including those involving children in trafficking, hazardous labor, forced labor, or commercial sexual exploitation.(7, 10, 54) It also works together with the police and INHFA to rescue and protect victims.(10) |

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

Labor Law Enforcement

In 2013, the STSS employed 141 inspectors who were all trained to enforce child labor laws, an increase of 20 from 2012.(9) During the reporting period, 60 inspectors participated in a program on strengthening labor inspections that was financed by the government of Canada; the program included child labor components, and the STSS worked with the ILO to develop programs focused on strengthening child labor inspections.(9) The ILO and the Government of Canada also financed regional trainings and helped support the Second National Congress of Inspectors, which provided general labor training to 97 percent of STSS inspectors.(9) The STSS reported that it had a budget of approximately \$2.1 million in 2013 for salaries, fixed organizational costs, and materials required for investigations.(9)

In 2013, the STSS conducted 6,037 comprehensive labor inspections and 11,506 complaint-driven inspections.(9, 55) The STSS reported that 795 children were removed from work as a result of its labor inspections in the cities of El Progreso Yoro, Tegucigalpa, and San Pedro Sula; none were removed in 2012.(9) However, none of the children removed from work subsequently received assistance.(9) The STSS reported that the Inspector General of Labor registered 16,018 citations and 43 infractions, but no sanctions or fines were administered during the reporting period.(9) The Inspector General does not disaggregate statistics on labor violations; so it is not possible to determine

how many of these were child labor violations.(9) Most of the inspections take place in the urban areas of San Pedro Sula and Tegucigalpa, 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 or diving are concentrated.(7, 9, 56)

The process for inspections includes a preliminary visit, during which inspectors inform companies of violations but do not issue fines or citations nor do they provide assistance to children who are found working.(7, 57) Employers have 3 days to address violations and make corrections.(7, 58) Inspectors then conduct a reinspection to determine whether the violations have been rectified. If violations are found during reinspection, inspectors recommend that the Inspector General issue penalties.(58) Reports indicate that if serious violations involving underage children or children working in hazardous conditions are found during the preliminary visits, they are immediately reported by the inspectors to their supervisors, but are not necessarily corrected.(59, 60) This two-tiered inspection process does not automatically penalize violators on their first offense, puts a strain on the limited human and financial resources of the inspectorate, and may not sufficiently deter employers from exploiting children in the workplace, particularly in remote rural areas. Furthermore, the lack of publicly available information on the results of inspections prevents an adequate understanding of how effective this inspection system is in practice.(9)

Criminal Law Enforcement

In 2013, the Public Ministry's Office of the Special Prosecutor for Children (OSPC) in Tegucigalpa reported having 38 trafficking investigations, most of which involved the sex trafficking of children. The OSPC reported no labor trafficking prosecutions or convictions.(7, 10, 35, 60, 61) The OSPC is staffed by two prosecutors and eight research analysts who investigate and prosecute cases of child labor.(7, 9, 54)

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 on Child Labor

| Coordinating Body | Role & Description |
|--|---|
| National Commission for the Gradual and Progressive Eradication of Child Labor | Coordinate all matters related to child labor and includes members of the STSS, INHFA, the Supreme Court, the Social Security Administration, the Public Ministry, and other government entities.(30, 53) |
| The Inter-Institutional Commission Against Exploitation and Commercial Sex Trafficking (CICESCT) | Coordinate the efforts of government institutions and civil society groups to combat commercial sexual exploitation and trafficking.(28, 30) CICESCT consists of representatives from 52 organizations, including several government ministries and various NGOs.(28, 30) |

During the reporting period, the Inter-Institutional Commission Against Exploitation and Commercial Sex Trafficking (CICESCT) incorporated Decree 59-2012, the Anti-Trafficking law passed in 2012, as part of its mandate.(62)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

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

Table 7. Policies Related to Child Labor

| Policy | Description |
|--|--|
| Second National Plan of Action to Prevent and Eradicate Child Labor (NPAPECL II) (2008–2015) | 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.(30, 53, 63) The Government has established regional subcommittees in Choluteca, Comayagua, Danlí, El Progreso, Juticalpa, La Ceiba, and San Pedro Sula to oversee local implementation of NPAPECL II.(25) |
| Roadmap for the Eradication of Child Labor (the Roadmap) in Honduras | Aims to improve coordination of the Government's responses to child labor issues.(30) The Roadmap works at the national, regional, and subregional levels and incorporates issues related to poverty, education, health, and social mobilization.(10, 30) |

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Table 7. Policies Related to Child Labor (cont)

| Policy | Description |
|---|---|
| Executive Decree PCM-011-2011, Article 2* | Mandates that all Secretariats and their dependencies must incorporate the issue of child labor elimination and prevention into their institutional strategic planning in accordance with the framework of the National Plan.(3, 4, 64, 65) |
| Country Vision (2010-2038) and National Plan (2010–2022)* | Guides national policy to reduce extreme poverty by addressing education, and social protection systems. Both the Country Vision and the National Plan incorporate child labor issues.(7, 30, 66) |

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

In 2013, the Government of Honduras strengthened the capacity of the regional subcommittees against child labor in Choluteca, Comayagua, Danlí, El Progreso, Juticalpa, La Ceiba, and San Pedro Sula.(8) Training was provided to staff on topics such as prevention, withdrawal, and protection for child workers. The Government also carried out workshops for the development of action plans for each of the regional subcommittees to incorporate institutional and sector strategies to combat child labor.(8)

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Honduras funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|--|---|
| Voucher 10,000*‡ | Government conditional cash transfer program that aims to reduce poverty by providing financial assistance to the head of household, provided that children meet educational and health requirements.(30, 67) Aims to ensure that indigenous and Afro-Honduran households have access to the Program.(67) The total number of beneficiaries reached by the Program during the reporting period was 285,000.(7, 68) During the reporting period, the Voucher 10,000 program added child labor to its specific objectives.(9) |
| My First Job Program*‡ | STSS program that connects disadvantaged youth with vocational opportunities.(28, 30, 69) The program includes job skills and vocational training, internships, job placement, and public-private partnerships to support on-the-job training.(7, 28) |
| Program to prevent sex tourism involving children and adolescents‡ | Aims to raise awareness and provides information, training, and a code of conduct for the tourism industry.(10, 70) The Honduran Tourist Board, the Ministry of Tourism, and the Tourism Institute are responsible for project implementation. |
| Promotion of respect of rights and social integration of children working in garbage dumps | Government program implemented by local organizations that targets children working in garbage dumps in Tegucigalpa and San Pedro Sula. The program targets approximately 600 children and provides them with educational services.(8, 71) |
| Program for working children | Network of Institutions for Children's Rights program that targets 2,500 children working in the streets by providing rehabilitation programs for child workers and to child victims of commercial exploitation.(8, 72) |
| The Friendly Hand Program‡ | Secretariat of Development and Social Inclusion program that targets young people working in garbage dumps in San Pedro Sula and Tegucigalpa by offering a holistic approach to removing these young people from the worst forms of child labor. The program offers training for the entire family.(32, 73-75) |
| Civic Saturdays*†‡ | Secretariat of Education program to reintroduce a Saturday school day in 2013, in part to help reduce child labor. Topics covered during Saturday classes are Honduran culture, laws pertaining to children, and recreational activities.(9, 76) |
| 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. Aims to improve the evidence base on child labor and forced labor through data collection and research in Honduras.(77) |
| Education and Monitoring Program for the Eradication of Child Labor | Government of Spain-funded \$1.3 million 2-year multicountry education and monitoring program for the eradication of child labor.(78) |

Table 8. Social Programs to Address Child Labor (cont)

| Program | Description |
|---|--|
| Eradication of child labor in Latin America | Government of Spain-funded \$4.5 million 3-year multicountry project for the eradication of child labor.(78) |

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

† Program was launched during the reporting period.

‡ Program is funded by the Government of Honduras.

In 2013, the Government of Honduras carried out awareness-raising campaigns on hazardous child labor in mining in the Municipality of El Corpus, Choluteca.(8) Additionally, it carried out 19 training sessions with children, parents, and community members on child labor eradication and prevention in the cities of, Choluteca, El Paraíso, Islas de la Bahía, Intibucá, La Ceiba, La Paz, Olancho, Santa Bárbara, and Tegucigalpa.(8)

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 Honduras (Table 9).

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

| Area | Suggested Action | Year(s) Suggested |
|-----------------|---|-------------------|
| Laws | Ensure that minimum age protections are extended to apply to children in agricultural and stock-raising undertakings that do not permanently employ more than 10 workers. | 2013 |
| Enforcement | Ensure adequate funding is provided to the STSS, including resources for inspections in areas where child labor is prevalent, such as rural areas and indigenous communities, where children engage in hazardous activities in agriculture and fishing or diving. | 2010 – 2013 |
| | Ensure that minors that work have authorization from the STSS. | 2011 – 2013 |
| | Ensure that the two-tiered inspection system does not create an incentive to employ children and consider how the system may affect the limited resources of the labor inspectorate. | 2011 – 2013 |
| | Make information publicly available on the sectors in which inspections were carried out and sanctions imposed for child labor violations. | 2012 – 2013 |
| Social Programs | Assess the impact of social programs, such as Civic Saturdays and My First Job, on reducing child labor. | 2010 – 2013 |
| | Continue targeted programs to address the worst forms of child labor in agriculture, fishing, and commercial sexual exploitation. | 2009 – 2013 |

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