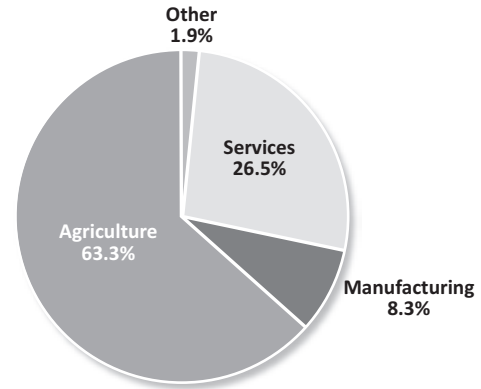


Honduras

The Government of Honduras has a national plan of action to combat the worst forms of child labor. However, children continue to work in agriculture. The level of inspection and enforcement activity against the worst forms of child labor is unknown, and there are conflicts in laws regarding the minimum age for work.

Statistics on Working Children and School Attendance

Children	Age	Percent
Working	5-14 yrs.	5.4%
Attending School	5-14 yrs.	84.7%
Combining Work and School	7-14 yrs.	3.5%



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Honduras are exploited in the worst forms of child labor, many of them in agriculture.²³⁰² A majority of children working in Honduras are boys, generally working in rural areas.²³⁰³ Children work in melon, coffee fields. Although evidence is limited, there is reason to believe that the worst forms of child labor are used in the production of sugarcane.²³⁰⁴ Children working in agriculture may be exposed to the use of dangerous machinery and tools, carrying of heavy loads, and the application of harmful pesticides. Children also work in the fishing industry, including as deckhands and as divers in the lobster industry.²³⁰⁵ Children working in fishing are exposed to risks, such as severe weather conditions and drowning. Indigenous children are especially vulnerable to exploitation in agriculture and fishing.²³⁰⁶

Children also work in limestone and lime production, begging on the streets, and scavenging in garbage dumps.²³⁰⁷ Children working on the streets are exposed to severe weather, accidents caused by proximity to vehicles, and vulnerability to crimes. In addition, children, predominantly girls, work as domestic servants.²³⁰⁸ Child domestic labor commonly

involves long hours of work, while often exposing children to physical and sexual exploitation by their employer. Children are also reported to work as drug mules in urban areas.²³⁰⁹

Honduras is principally a source and transit country for children subjected to trafficking in persons, including for the purpose of forced prostitution.²³¹⁰ Women and children are generally trafficked from rural areas into commercial sexual exploitation in urban and tourist spots, such as Tegucigalpa, San Pedro Sula, and the Bay Islands.²³¹¹

The Honduran Institute for Children and the Family (IHNFA) estimates that more than 10,000 children are at risk for sexual exploitation and that several hundred children are victims of commercial sexual exploitation.²³¹²

Laws and Regulations on the Worst Forms of Child Labor




Honduran legislation conflicts regarding the legal age for work as it applies to children age 14. The Constitution and Labor Code prohibit the employment of persons under age 16, with the exception that children age 14 to 15 may be permitted to work

with written parental consent and permission from the Ministry of Labor (MOL). However, the Children’s Code prohibits a person age 14 and under from working, even with parental permission, and establishes prison sentences of 3 to 5 years for individuals who allow children to work illegally.

²³¹³ Notwithstanding, a 2007 government analysis of the legal minimum age for employment placed the minimum age at 14.²³¹⁴ An employer who legally hires a person age 14 or 15 must certify that the young person has finished or is finishing compulsory schooling.²³¹⁵

All persons under age 18 are prohibited from night work, dangerous work, and full-time work.

Executive Accord STSS-211-01, prohibits all forms of forced or bonded labor.²³¹⁶ The Penal Code criminalizes procuring, recruiting, or submitting children to commercial sexual exploitation. Executive Accords prohibit the use of children in illegal activities such as drug trafficking, and they protect children from being trafficked.²³¹⁷ Honduras has no compulsory military service in peacetime. However, during times of conflict military service is compulsory for Hondurans ages 18 to 30.²³¹⁸

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

A national commission created under the National Action Plan to Prevent and Eradicate Child Labor II (NPAPECL II) coordinates all matters related to child labor. Members of the national commission include MOL, IHNFA, the Supreme Court, the Social Security Administration, the Public Ministry, and other government entities.²³¹⁹

MOL is the primary government agency responsible for inspecting labor conditions and enforcing child labor laws.²³²⁰ IHNFA is charged with supervising and providing technical assistance to private and public institutions that work to protect the well-being of children and their families.²³²¹

During the reporting period, MOL received 24 complaints of companies violating child labor laws.²³²² It is unknown if these complaints have been resolved. The Workers’ Commission for the Prevention and Eradication of Child Labor and Commercial Sexual Exploitation, created by ILO and six unions, assists in filing complaints of child labor violations with the Government.²³²³

By the end of 2009, there were 120 inspectors on the payroll. During the year, they carried out about 15,000 labor inspections.²³²⁴ Information about how many of these inspections were related to child labor was not obtained. Because of the inspections, MOL sanctioned six companies. ILO estimates that on average these cases took 9 months to resolve.²³²⁵

The Public Ministry’s Office of the Special Prosecutor for Children (OSPC) prosecutes criminal cases against those alleged to have involved children in trafficking and hazardous/forced child labor, as well as those involving the sexual exploitation of children.²³²⁶ OSPC is staffed by three district attorneys, two lawyers, four public ministry investigators, and two agents to address trafficking in the country.²³²⁷

During the reporting period, there were 83 pending investigations into allegations of human trafficking and commercial sexual exploitation of children.²³²⁸ OSCP reported that, during 2009, 26 cases went to trial. Of these, 10 cases were closed (three for commercial sexual exploitation of children, three for trafficking of minors, and four for child pornography) and eight of them resulted in convictions ranging from 3 to 18 years

of imprisonment. It took an average of 1 to 2 years to close these cases.²³²⁹

Government Policies on the Worst Forms of Child Labor

In 2008, the Government of Honduras launched the 7-year National Action Plan to Prevent and Eradicate Child Labor II (NPAPECL II). The goals of NPAPECL II are to prevent children from dropping out of school before they can legally work, withdraw children who are currently engaged in the worst forms of child labor, and ensure that the laws that protect children are enforced.²³³⁰

A joint effort by ILO and the Government, called the “Road Map for the Eradication of Child Labor in Honduras” (RECL) aims to improve coordination of the Government’s responses to child labor issues.²³³¹ After being on hold for a year due to the removal of President Zelaya in 2009, RECL is operational again.²³³²

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

Since 2000, the Government of Honduras has participated in a number of initiatives to combat child labor. One USDOL-funded initiative enrolled children in school and prevented them from working on a melon plantation.²³³³ Because of this project, the Government of Honduras took a leading role in the monitoring of the children who benefit from the project.²³³⁴

Between 2000 and 2009, Honduras also participated in three Central America regional projects funded by USDOL. The projects, totaling \$15.6 million, reduced child labor in the commercial agricultural sector; strengthened the capacity of the Government and civil society organizations to combat the commercial sexual exploitation of children and child trafficking; and enhanced regional cooperation, legislation, policies, and institutions to reduce child labor through the provision of educational services.²³³⁵ Because of one of the regional projects, the Ministry of Education adopted the project’s pilot educational model called *Niño Tutor* (“Child Tutor”) in every school with the purpose of eliminating child labor and improving the educational attainment of children who have worked or are at risk of working.²³³⁶ However, the Ministry of Education’s focus on regular teacher strikes and negotiations with teachers unions over salary disputes may dilute the efficacy of public school-based programs. From 2008 to 2009, the Government participated in a program financed by the Government of Spain to prevent and eradicate child labor among indigenous Lencas.²³³⁷ Even though the Government of Honduras has participated in several programs to eradicate child labor, additional efforts are needed to reach all of the children in agriculture and fishing.

During the reporting period, government agencies participated in anti-trafficking training and awareness-raising activities.²³³⁸ The Government, through the Ministries of Governance and Security, signed MOUs with an NGO to offer workshops and share information to combat child labor and child trafficking.²³³⁹

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Honduras:

IN THE AREA OF LAWS AND REGULATIONS:

- Harmonize legislation addressing the minimum age for work to protect children age 14 from involvement in the worst forms of child labor.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Collect and publish data on the number of child labor inspections and violations.

IN THE AREA OF POLICIES:

- Continue implementation of the National Plan of Action for the Eradication of Child Labor II and document its progress.

IN THE AREA OF PROGRAMS:

- Implement programs to address the worst forms of child labor in agriculture and fishing.

²³⁰² Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Data provided are from 2004. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

²³⁰³ UCW and ILO-IPEC, *Child Labour in the Latin America and Caribbean Region: A Gender Based Analysis*, ILO, Geneva, April 2006, 90.

²³⁰⁴ ILO-IPEC, *Good Practices for the Prevention and Progressive Eradication of Child Labor in Agriculture in Central American and the Dominican Republic*, Managua, 2006, 7; available from http://www.oit.org.pe/ipecc/documentos/good_practices_agri.pdf. See also U.S. Embassy- Tegucigalpa, *reporting*, January 20, 2009.

²³⁰⁵ ILO-IPEC, *Good Practices for the Prevention and Progressive Eradication of Child Labor in Agriculture*. See also U.S. Embassy- Tegucigalpa, *reporting*, January 20, 2009.

²³⁰⁶ ILO-IPEC, *Trabajo infantil y pueblos indígenas: El caso Honduras*, 2007, 42.

²³⁰⁷ U.S. Department of State, "Honduras," in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136117.htm>.

²³⁰⁸ ILO Committee of Experts, *Observation, Worst Forms of Child Labor Convention, 1999 (No. 182) Honduras (ratification: 2001)*, [online] 2009 [cited February 24, 2010]; available from <http://www.ilo.org/ilolex/>.

²³⁰⁹ U.S. Embassy- Tegucigalpa, *reporting*, February 4, 2010.

²³¹⁰ U.S. Department of State, "Honduras (Tier 2)," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2009; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142760.htm>.

²³¹¹ Ibid.

²³¹² U.S. Department of State, "Country Reports- 2009: Honduras."

²³¹³ U.S. Department of State, *Investment Climate Report - Honduras*, June 2010; available from <http://www.state.gov/e/eeb/rls/othr/ics/2010/138079.htm>.

²³¹⁴ Office of Labor and Social Security official, Letter to Primero Aprendo Project Coordinator, July 25, 2007.

²³¹⁵ U.S. Department of State, *Investment Climate Report*.

²³¹⁶ U.S. Embassy- Tegucigalpa, *reporting*, February 4, 2010. See also Government of Honduras, *Reglamento sobre Trabajo Infantil en Honduras*, Acuerdo Ejecutivo No. STSS-211-01, (October 10, 2001); available from <http://www.glin.gov/search.action>.

²³¹⁷ Government of Honduras, *Reglamento sobre Trabajo Infantil*. See also Government of Honduras, *Acuerdo Ejecutivo No. STSS-097-2008, Reforma por adición artículo 8 del Reglamento sobre Trabajo Infantil en Honduras*, Acuerdo Ejecutivo No. STSS-097-2008, (May 12, 2008); available from http://white.oit.org.pe/ipecc/documentos/listados_tip_honduras.pdf.

²³¹⁸ Coalition to Stop the Use of Child Soldiers, "Honduras," in *Child Soldiers Global Report 2008*, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

²³¹⁹ National Commission to Eradicate Child Labor, *II Plan de Acción Nacional para la Prevención y Erradicación del Trabajo Infantil en Honduras 2008-2015*, Tegucigalpa, 2009; available from <http://white.oit.org.pe/ipecc/pagina.php?pagina=102>.

²³²⁰ U.S. Embassy- Tegucigalpa, *reporting*, February 4, 2010.

²³²¹ National Commission to Eradicate Child Labor, *II Plan de Acción Nacional*.

²³²² U.S. Embassy- Tegucigalpa, *reporting*, February 4, 2010.

²³²³ Ibid.

²³²⁴ Ibid. In 2008, the Government carried out about 17,000 inspections.

²³²⁵ Ibid.

²³²⁶ Ibid.

²³²⁷ U.S. Department of State, "Country Reports- 2009: Honduras," section 6.

²³²⁸ U.S. Department of State, "Trafficking in Persons Report- 2010: Honduras."

²³²⁹ U.S. Embassy- Tegucigalpa, *reporting*, February 4, 2010.

²³³⁰ National Commission to Eradicate Child Labor, *II Plan de Acción Nacional*.

²³³¹ U.S. Embassy- Tegucigalpa, *reporting, February 4, 2010*.

²³³² U.S. Embassy- Tegucigalpa official, E-mail communication to USDOL official, September 16, 2010.

²³³³ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations of Honduras*, Project Document, July 2005.

²³³⁴ ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations in Honduras*, Technical Progress Report, March 2005.

²³³⁵ ILO-IPEC, *Combating Child Labor Through Education in Central America and the Dominican Republic (“Primero Aprendo”)*, Project Document, 2009. See also ILO-IPEC, *Combating Child Labor in the Commercial Agricultural Sector*, Project Document,

2005. See also ILO-IPEC, *“Stop the Exploitation” (“Alto a la explotación”)* *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, Project Document, San Jose, 2005.

²³³⁶ CARE, *Primero Aprendo Project: Combating Exploitive Child Labor through Education in Central America and the Dominican Republic*, Technical Progress Report, September 19, 2008, table IIC, annex K.

²³³⁷ ILO-IPEC, *Ficha Pais: Honduras*, 2010; available from <http://white.oit.org.pe/ipec/documentos/fichahonduras.pdf>.

²³³⁸ U.S. Embassy- Tegucigalpa, *reporting, February 18, 2010*.

²³³⁹ U.S. Embassy- Tegucigalpa, *reporting, February 4, 2010*.

* In practice students pay for some expenses.