

# Honduras

## Incidence and Nature of Child Labor

An estimated 9.2 percent of children ages 5 to 14 years were counted as working in Honduras in 2002. Approximately 13.3 percent of all boys ages 5 to 14 years were working compared to 5.0 percent of girls in the same age group. The majority of working children were found in the agricultural sector (59.1 percent), followed by services (28.5 percent), and manufacturing (10.9 percent).<sup>2259</sup> Children also work as domestic servants.<sup>2260</sup> Many children work for their own families out of economic necessity in the informal sector and in rural areas.<sup>2261</sup> Child labor is one of many problems associated with poverty. In 1999, the most recent year for which data are available, 20.7 percent of the population in Honduras were living on less than USD 1 a day.<sup>2262</sup>

According to the Government of Honduras, the worst forms of child labor that exist in the country include: commercial sexual exploitation (particularly in major cities and the tourist sector along the North Coast); fireworks manufacturing (in Copán); work in garbage dumps (in the two large cities of Tegucigalpa and San Pedro Sula); mining and dirt extraction (South and East regions); the sale and handling of pesticides (Copán, La Ceiba, and Choluteca); construction; and some forms of agricultural work.<sup>2263</sup> Children are also involved in the harvesting of sugar cane,<sup>2264</sup> and have been involved in the sale of drugs in Olancho and Comayagua.<sup>2265</sup>

There is evidence of child prostitution in Honduras, particularly in tourist and border areas.<sup>2266</sup> Honduras is a source and transit country for girls trafficked for commercial sexual exploitation. Honduran girls are trafficked internally and to Belize, Guatemala, Mexico, and the United States for the purpose of prostitution. Children are trafficked to Canada for prostitution and reportedly for the sale of drugs.<sup>2267</sup>

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<sup>2259</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. 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, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

<sup>2260</sup> FUNPADEM, *Pobreza y Subsistencia: Trabajo Infantil y Adolescente en los Departamentos de Cortes, Copan, y Santa Barbara*, San José, Costa Rica, 2001, 56-60. In June 2004, ILO-IPEC and the National Institute of Statistics estimated that there are more than 20,000 girls employed as domestic servants in Honduras. See U.S. Embassy- Tegucigalpa, *reporting*, August 25, 2004.

<sup>2261</sup> Many children working for their families do not receive compensation. See U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Honduras*, Washington, DC, February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41765.htm>.

<sup>2262</sup> World Bank, *World Development Indicators 2005* [CD-ROM], Washington, DC, 2005.

<sup>2263</sup> National Commission for the Eradication of Child Labor, *Plan de Acción Nacional Para la Erradicación Gradual y Progresiva del Trabajo Infantil en Honduras*, Tegucigalpa, December 2001, 97-98.

<sup>2264</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 6d.

<sup>2265</sup> National Commission for the Eradication of Child Labor, *Plan de Acción Nacional*, 97. See also National Commission for the Eradication of Child Labor, *Diagnóstico y Plan Nacional Para La Erradicación Gradual y Progresiva del Trabajo Infantil*, Tegucigalpa, 2000, 17.

<sup>2266</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 5. See also National Commission for the Eradication of Child Labor, *Diagnóstico y Plan Nacional Para La Erradicación de Trabajo Infantil*, 17.

<sup>2267</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 5.

Education is free and compulsory in Honduras until the age of 13.<sup>2268</sup> In 2001, the gross primary enrollment rate was 105.8 percent, and the net primary enrollment rate was 87.5 percent.<sup>2269</sup> Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2002, 80.1 percent of children ages 5 to 14 years were attending school.<sup>2270</sup> In May 2004, the Honduran National Institute of Statistics household survey showed that the average number of years of schooling in Honduras was 5.6 years for women, and 5.3 years for men.<sup>2271</sup> The May 2004 survey also estimated that 125,000 children ages 7 to 12 years did not receive an education.<sup>2272</sup> Obstacles such as poor school infrastructure, enrollment fees, school uniform costs, transportation costs, poor quality of education, teacher absenteeism, and lack of vocational education prevent some children from obtaining educational services.<sup>2273</sup>

## Child Labor Laws and Enforcement

The Labor Code and the Constitution set the minimum age for employment at 16 years.<sup>2274</sup> According to the Labor Code and the Children's Code, children ages 14 to 15 years are permitted to work with parental consent and Ministry of Labor permission.<sup>2275</sup> The Children's Code prohibits a child younger than 14 years of age from working, even with parental permission.<sup>2276</sup> If a child 14 to 15 years is hired, an employer must certify that he or she has finished, or is finishing, compulsory schooling.<sup>2277</sup> The Children's Code establishes fines as well as prison sentences of 3 to 5 years for individuals who allow or oblige children to work illegally. Fines double if the firm is a repeat offender.<sup>2278</sup> Children under the age of 16 are prohibited from working at night and in clubs, theaters, circuses, cafes, bars, in establishments that serve alcoholic beverages, or in jobs that have been determined to be unhealthy or dangerous.<sup>2279</sup> Hazardous work as defined by Honduran law includes standing on high scaffolding, exposure to toxic substances, diving underwater, working in tunnels or underground, working with wood cutting machines, ovens, smelters,

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<sup>2268</sup> *Constitución de la República de Honduras, 1982*, Capítulo 8, Artículo 171; available from <http://www.georgetown.edu/pdba/Constitutions/Honduras/hond82.html>. See also U.S. Department of State, *Country Reports-2004: Honduras*, Section 5. The average age for finishing primary school is 14 years. See also Government of Honduras, *Temas e Indicadores Sobre Trabajo Infantil en Honduras*, September 2001, 8.

<sup>2269</sup> UNESCO Institute for Statistics, <http://wtats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrollment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

<sup>2270</sup> UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

<sup>2271</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 5.

<sup>2272</sup> *Ibid.*

<sup>2273</sup> ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations in Honduras*, project document, October 2000, 2. See also U.S. Department of State, *Country Reports- 2004: Honduras*, Section 5.

<sup>2274</sup> *Código de Trabajo de la República de Honduras y sus reformas, 1959*, Decreto No. 189, Artículos 128-129; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/S59HND01.htm>. See also *Constitución de la República de Honduras, 1982*, Capítulo 5, Artículo 128, Número 7.

<sup>2275</sup> *Código de Trabajo*, Artículos 133 and 128. See also Government of Honduras, *Código de la Niñez y de la Adolescencia, 1996*, Artículo 119. See also *Constitución de la República de Honduras, 1982*, Capítulo 5, Artículo 128, Número 7. See also U.S. Embassy-Tegucigalpa, *reporting*, August 25, 2004.

<sup>2276</sup> *Código de la Niñez y de la Adolescencia, 1996*, Artículos 119 and 120.

<sup>2277</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 6d. See *Código de Trabajo*, Artículo 133.

<sup>2278</sup> U.S. Embassy-Tegucigalpa, *reporting*, August 27, 2003. See also U.S. Department of State, *Country Reports- 2004: Honduras*, Section 6d.

<sup>2279</sup> *Código de Trabajo*, Artículo 129.

or heavy presses, and exposure to vehicular traffic, high voltage electrical currents, and garbage.<sup>2280</sup> Children less than 17 years of age may only work 6 hours per day and for a total of 30 hours per week.<sup>2281</sup>

The worst forms of child labor may be prosecuted under different statutes in Honduras. The Constitution prohibits forced labor, including by children.<sup>2282</sup> Honduran law requires recruits to be 18 years old in order to voluntarily enlist in the armed forces. There is no compulsory conscription, nor are there reports of minors under 18 years of age enlisting in the military.<sup>2283</sup> The Children's Code protects children 18 years and younger against sexual exploitation, child prostitution, and child pornography, and mandates 3 to 5 years of imprisonment for violators.<sup>2284</sup> The Penal Code punishes those who promote or facilitate child prostitution with 5 to 8 years of imprisonment and fines.<sup>2285</sup> Honduran law also includes provisions that prohibit trafficking in persons, which may be punished by 6 to 9 years of imprisonment.<sup>2286</sup> However, according to the U.S. Department of State, prosecution and law enforcement efforts are weak due to inadequate police and court systems, corruption, and lack of resources.<sup>2287</sup> Since 1999, the Government of Honduras has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.<sup>2288</sup>

The Ministry of Labor and Social Security (MOLSS) is responsible for conducting child labor inspections.<sup>2289</sup> The country's 119 labor inspectors report violations for administrative action.<sup>2290</sup> The Labor Code is more effectively enforced in urban areas and large-scale manufacturing and services,<sup>2291</sup> although violations occur often in rural areas or at small companies.<sup>2292</sup> The ministry operates a regional office and conducts inspections on lobster boats in the Mosquitia area, where boat captains illegally employ boy divers. The MOLSS conducts special inspections in the melon and sugar cane sectors to uncover incidences of child labor.<sup>2293</sup>

## **Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

The Government of Honduras is implementing a National Plan of Action to Eradicate Child Labor.<sup>2294</sup> The issue of child labor has also been incorporated into the country's Poverty Eradication Plan.<sup>2295</sup>

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<sup>2280</sup> U.S. Embassy- Tegucigalpa, *reporting*, August 25, 2004.

<sup>2281</sup> *Constitución de la República de Honduras, 1982*, Capítulo 5, Artículo 128, Numero 7.

<sup>2282</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 6c.

<sup>2283</sup> Coalition to Stop the Use of Child Soldiers, "Honduras," in *Global Report 2004*; available from [http://www.child-soldiers.org/document\\_get.php?id=830](http://www.child-soldiers.org/document_get.php?id=830).

<sup>2284</sup> *Código de la Niñez y de la Adolescencia, 1996*, Artículos 134 and 141.

<sup>2285</sup> Interpol, *Legislation of Interpol member states on sexual offences against children: Honduras*, [database online] 2004 [cited June 22, 2005]; available from <http://www.interpol.int/Public/Children/SexualAbuse/NationalLaws/csaHonduras.asp>.

<sup>2286</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 5. See also U.S. Embassy- Tegucigalpa, *reporting*, August 27, 2003.

<sup>2287</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 5. See also U.S. Embassy- Tegucigalpa, *reporting*, August 25, 2004.

<sup>2288</sup> ILO-IPEC official, e-mail communication to USDOL official, November 14, 2005.

<sup>2289</sup> Secretary of Labor and Social Security, *Informe Trabajo Infantil en Honduras*, June 2000.

<sup>2290</sup> U.S. Department of State official, electronic correspondence to USDOL official, May 20, 2005.

<sup>2291</sup> U.S. Embassy- Tegucigalpa, *reporting*, August 25, 2004.

<sup>2292</sup> U.S. Department of State, *Country Reports- 2004: Honduras*, Section 6d.

<sup>2293</sup> U.S. Embassy- Tegucigalpa, *reporting*, August 25, 2004.

<sup>2294</sup> The first phase of the plan (2001-2006) is focusing on the worst forms of child labor. See National Commission for the Eradication of Child Labor, *Plan de Acción Nacional*.

<sup>2295</sup> ILO-IPEC, *Prevention and Elimination of Child Labor in the Melon Plantations in Honduras*, technical progress report, March 2005, 3.

The Government of Honduras, through its National Commission for the Gradual and Progressive Eradication of Child Labor, is currently participating in a number of ILO-IPEC implemented projects. These include two USDOL-funded regional projects aimed at combating child labor in commercial agriculture<sup>2296</sup> and the commercial sexual exploitation of children.<sup>2297</sup> With funding from donors including Spain, the Netherlands, and Italy, ILO-IPEC is carrying out projects to combat child labor in various sectors, including exploitative domestic work and garbage dump scavenging.<sup>2298</sup> In addition, the Government of Honduras is participating in a USD 5.5 million USDOL-funded regional project implemented by CARE to combat child labor through education.<sup>2299</sup>

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	6/9/1980	✓
Ratified Convention 182	10/25/2001	✓
ILO-IPEC Member		✓
National Plan for Children		
National Child Labor Action Plan		✓
Sector Action Plan		

The National Commission against Commercial Sexual Exploitation of Children is responsible for institutional coordination of the issue.<sup>2300</sup> In conjunction with UNICEF, the Government of Honduras is implementing a public information campaign against trafficking and commercial sexual exploitation, and has worked to raise awareness of children's rights and risks associated with illegal migration.<sup>2301</sup>

The government has initiated several programs in order to improve children's access to quality basic education. The Ministry of Education makes available radio and long distance learning for children in rural areas with few schools and provides disadvantaged families with stipends for school supplies. Regional committees of child defense volunteers encourage parents to send children to school.<sup>2302</sup> With support from the Education for All Fast Track Initiative, the Government of Honduras created an Education Development Plan with strategies to improve the quality of primary education, teaching skills, pre-primary education, bilingual education, and rural school networks.<sup>2303</sup> In 2005, Honduras was the first country in the Latin America and Caribbean region to sign a compact with the Millennium Challenge Corporation.<sup>2304</sup> The World Bank is providing Poverty Reduction Technical Support in Honduras through

<sup>2296</sup> The first phase of this project aims to combat child labor in the melon sector. See ILO-IPEC, *Prevention and Elimination of Child Labor in Melons*, project document. See also ILO-IPEC, *Prevention and progressive elimination of child labor in agriculture in Central America, Panama and the Dominican Republic (Phase II)*, project document, September 30, 2003.

<sup>2297</sup> In Honduras, this project focuses primarily on regional collaboration, awareness raising, institutional capacity building, and coordination. See ILO-IPEC, *Contribution to the Prevention and Elimination of Commercial Sexual Exploitation of Children in Central America, Panama and the Dominican Republic*, project document, RLA/02/P51/USA, Geneva, 2002, 26-28.

<sup>2298</sup> U.S. Embassy- Tegucigalpa, *reporting*, August 25, 2004. See also ILO-IPEC Sub-regional Office for Latin America and the Caribbean, *Ficha Pais: Honduras*, May 2005; available from [http://www.oit.org.pe/ipec/documentos/ficha\\_pais\\_mayo\\_2005\\_honduras.doc](http://www.oit.org.pe/ipec/documentos/ficha_pais_mayo_2005_honduras.doc). See also ILO-IPEC, *IPEC Projects - Child Domestic Labour*, [online]; available from [http://www.ilo.org/public/english/standards/ipec/themes/domestic/download/cdl\\_project\\_0504.pdf](http://www.ilo.org/public/english/standards/ipec/themes/domestic/download/cdl_project_0504.pdf).

<sup>2299</sup> CARE, *APRENDO Project: Combating Exploitive Child Labor Through Education in Central America and the Dominican Republic*, Project Document, 2004.

<sup>2300</sup> ILO-IPEC, *Stop the Exploitation: Contribution to the prevention and elimination of commercial sexual exploitation of children in Central America, Panama and the Dominican Republic*, technical progress report, March 2005, 17.

<sup>2301</sup> U.S. Embassy- Tegucigalpa Labor Attaché, electronic communication to USDOL official, February 19, 2004.

<sup>2302</sup> U.S. Embassy- Tegucigalpa, *reporting*, August 25, 2004.

<sup>2303</sup> World Bank, *Education for All - Fast Track Initiative Status Report*, FTI Secretariat, November 10-12, 2004, 10; available from [http://www1.worldbank.org/education/efaiti/documents/Brasilia/status\\_report\\_dec6.pdf](http://www1.worldbank.org/education/efaiti/documents/Brasilia/status_report_dec6.pdf).

<sup>2304</sup> Millenium Challenge Corporation, *Millenium Challenge Corporation Signs \$215 Million Compact with Honduras*, [online press release] June 13, 2005 [cited November 3, 2005]; available from [http://www.mca.gov/public\\_affairs/press\\_releases/pr\\_061305.shtml](http://www.mca.gov/public_affairs/press_releases/pr_061305.shtml).

2008.<sup>2305</sup> The project supports community-based school management, including local education development associations.<sup>2306</sup>

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<sup>2305</sup> World Bank, *Poverty Reduction Support Technical Assistance*, [online] June 22, 2005 [cited June 22, 2005]; available from <http://web.worldbank.org/external/default/main?pagePK=64027221&piPK=64027220&theSitePK=295071&menuPK=295103&Projectid=P083851>.

<sup>2306</sup> World Bank, *Poverty Reduction Support Technical Assistance Project*, project appraisal document, June 3, 2004, 44; available from [http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/06/04/000160016\\_20040604170713/Rendered/PDF/290650HN.pdf](http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/06/04/000160016_20040604170713/Rendered/PDF/290650HN.pdf).