

## Save the Children in Haiti Spotlight - Priority campaign: 2016-2018

### “Every Last Child”-Tout Timoun Iadann!

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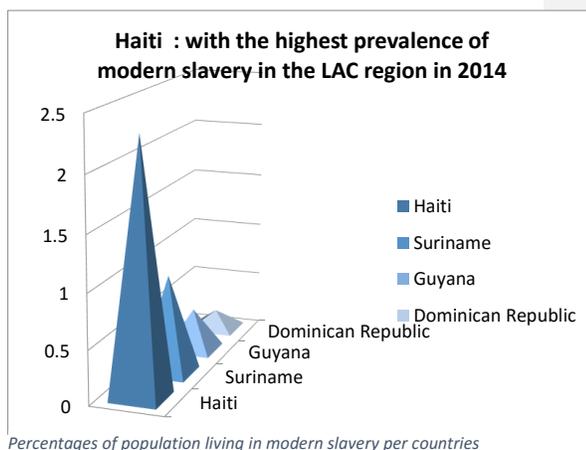
# Haiti

## Background of the issue outlining aims and focus of the national campaign

In Haiti, to entrust or to send children away to live with relatives has been a culturally accepted practice for a number of generations. Initially conceived as a way to improve the life opportunities of children through increased access to education and employment opportunities, this practice, in which “Child domestic servants” are called “restavek” (a term literally meaning ‘to stay with,’ but now synonymous with child domestic servant) has since led to severe child exploitation including violent treatment, isolation, sexual abuse, the denial of the right to education, and deprivation of food. In the global Slavery index (2014) Haiti is ranked 3rd out of 167 countries by prevalence with an estimated 200,000-225,000 living in modern slavery.

The campaign should provide opportunities to raise awareness on the factors linked to this situation which needs to be addressed in a multi-sectorial way, since it is not only a protection issue and is constantly expanding and becoming more complex.

## Brief overview of country situation



## The situation of vulnerable children in Haiti is dire according to a whole range of measures and indicators

- 76 out of 1,000 children die before their 5th birthday;
- 81% of children 2-14 years old have been subjected to corporal punishment;
- 25,000 children are still living in camps following the deadly earthquake in 2010;
- Approximately 22% of children suffer from severe malnutrition.
- The country ranks 40th on infant mortality and an even poorer 31st on mortality of under 5. Infant mortality rate is 59/1,000 live births.
- Education 77 % of primary school age, children attend school, 25 % of secondary school age children attend school

Haiti is the poorest country in the Western hemisphere with an estimated population of 10,911,819 inhabitants, spread over an area of 27 000 km<sup>2</sup>. The country has been subject to years of political turmoil, recurrent and major disasters such as Hurricanes Jeanne 2004, Hurricanes Gustav/Hannah/Ike 2008, and the January 12, 2010 earthquake.

Haiti is urbanizing, with a concentration of the migration flux towards the metropolitan area of Port-au-Prince. 49.5% of the population reside in urban areas, and 50.5% in rural areas, within the urban population, 30% live in the capital, Port-au-Prince. This implies an increase in the demand for access to quality services in the urban areas.

Children are directly and indirectly affected by many issues in Haiti, including: Extreme poverty and unemployment are amongst the biggest challenges many Haitians are facing. 54.9% of population live on less than \$1.25. The country, despite some progress, is still facing high child mortality and high malnutrition rates amongst children. Infant mortality rate is 59/ 1,000 live births, and approximately 22% of children suffer from chronic malnutrition.

Violence against children remains a very common practice. 20% of girls and 25% of boys are a victim of a form of sexual abuse before reaching the age of 18, and 81% of children aged from 2-14 years have been subject to corporal punishment. The issue of children in domestic servitude is also very worrying.

### The scale of the Problem

According to a research undertaken in Port-au-Prince by Pan American Development foundation in 2009, it has been identified that in some localities of the capital city, up to 44% of children are Child domestic servant<sup>1</sup>. The same study also clearly shows that the movement of children is occurring not only from rural to urban settings but also increasingly within urban environments.

If in 2002, a study conducted by FAFO showed that 173,000<sup>2</sup> children were in domesticity, in 2010 the Special Rapporteur on contemporary forms of slavery, Gulnara Shahinian, reported a number oscillating between 150 000 and 500 000<sup>3</sup> children in this situation.

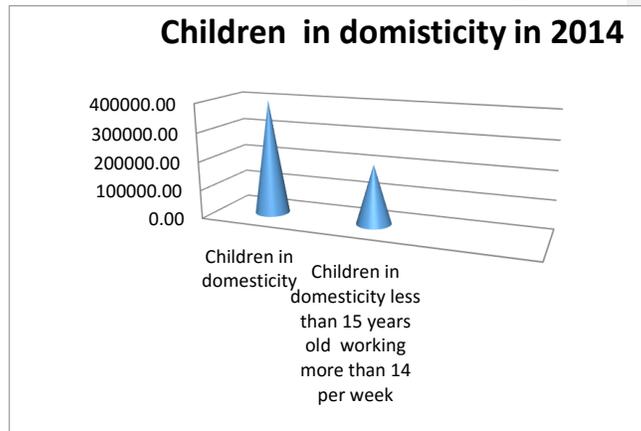
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<sup>1</sup> Lost Childhoods in Haiti, Quantifying child trafficking, restavèks & victims of violence, Pan American Development Foundation and USAID, 2009.

<sup>2</sup> Les fondements de la pratique de la domesticité des enfants en Haïti », Décembre 2002, FAFO/MAST.

<sup>3</sup> [http://www.ohchr.org/Documents/Issues/Slavery/SR/A.HRC.15.20\\_en.pdf](http://www.ohchr.org/Documents/Issues/Slavery/SR/A.HRC.15.20_en.pdf): Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian.

The Pan American Foundation have reported in 2013, a number of 225 000 children at risk of being trapped in this situation. As for Maurice A. Sixto Foundation, a local Haitian organization working on the issue, 300,000 children in Haiti are child servants.



According to a recent study conducted in 2014, by UNICEF, the Ministry of Social Affairs and their partners including Save the Children, in Haiti, 400,000 children aged from 5 to 17 are involved in domestic work, amongst which 207 000 under 15 and works more than 14 hours per week.

As a result of malnourishment, the average 15-year-old child domestic servant (or Child domestic servant) in Haiti is 4 cm shorter and weighs 20 kg less than the average Haitian child <sup>4</sup>. **The average workday of a child domestic servant lasts between 10-14 hours**<sup>5</sup>. Child domestic servant suffer severe stigma and discrimination in their host communities, including amongst other children.

### Drivers and dynamics

Based on 2014 USDOL report, 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. In practice, some of these children receive care and an education, while many become domestic workers and are victims of labor exploitation and abuse.<sup>6</sup>

The majority of children come from very poor families from the rural areas, the data available from geographic differences in severe deprivation and absolute poverty (2005), describe that

<sup>4</sup> Slavery in a free land (Restaveks: Facts and figures). International Labour Organization. [http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS\\_187879/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_187879/lang-en/index.htm) . August 29, 2012.

<sup>5</sup> Slavery in a free land (Restaveks: Facts and figures). International Labour Organization. [http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS\\_187879/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_187879/lang-en/index.htm) . August 29, 2012.

<sup>6</sup> 2014 Findings on the Worst Forms of Child Labor, United States Department of Labor, [https://www.dol.gov/agencies/ilab/resources/reports/child-labor/haiti#\\_ENREF\\_1](https://www.dol.gov/agencies/ilab/resources/reports/child-labor/haiti#_ENREF_1)

while 15% of urban children lived in absolute poverty, in rural areas the rate was much higher at 58%. Whilst nearly half of all urban children suffered severe deprivation, in rural areas the rate was 84%.<sup>7</sup>

The situation of child domestic workers in Haiti is very complex and affects thousands of children who are living with families in which their protection is not considered as their responsibility, therefore they may be exposed to physical, sexual, emotional and/or psychological abuse.

The testimonies from children involved in domestic work shows that the precariousness of children in domesticity's situation.

My name is Moni\* I am 13 years old I lived in Fontamara. I was in first fundamental year<sup>8</sup>. This year I did not have the opportunity to attend the school. I have 3 brothers and 6 sisters. I do not know their age. The lady with whom I lived the lady doesn't have a job or way to make money and her husband is the only one bringing cash into the household.

In the morning I get up at 6 am. Sometimes I find time to play in the street with my friends especially in the afternoon. At the house I take I take care of the wash and sweep the floor but I don't like sweeping. I don't have a specific hour in which I go to bed. I sleep

on the ground. I have sick people at present at the house my heart tears. I suffer most of the time from fever, from headaches and from abdominal pains. I take tablets sometimes to relieve my pains. There are health centers very close to the house. I have access to latrines. I have no birth certificates it is misled but I have a vaccination card.

I would like that I am not any more in situation of domestic servitude and to see a change in the situation of the family in which I live. I would like that the children of Haiti are more protected. I dream to become an agronomist.

Because it links with numerous other protection issues, tackling the specific issue of exploitation of children in domesticity in Haiti enables engagement with widespread protection concerns such as child sexual abuse (25.7% of females and 21.2% of males, aged 18-24 years, experienced sexual abuse prior to age 18 ) and early pregnancy (which is also a critical maternal health issue), corporal punishment (60.5% of females and 57.2% of males, aged 18-24 years, experienced physical violence prior to age 18 ), unsafe migration, children living on the street (there are 2,850 children living in the street, most of them are children who escaped from domestic work ), and HIV infection.

The campaign will provide opportunities to visualize these group of vulnerable children, and also raise awareness based on evidence and research on the factors linked to this situation, to contribute with the promotion of children's rights.

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<sup>7</sup> Absolute Child Poverty in Haiti in the 21st Century Report for UNICEF Haiti, Professor David Gordon Shailen Nandy, University of Bristol, September 2007

<sup>8</sup> In Haiti's current education system, pre-school ages go to 3-5 years old. The 1<sup>st</sup> cycle of fundamental and elementary school starts at 6 years old: <http://unesdoc.unesco.org/EDUCATION FOR ALL IN THE CARIBBEAN: ASSESSMENT 2000>.

## Policy analysis

Haiti has ratified all key international conventions concerning child labor and the Convention on the Rights of Child, but still exist a lack of harmonize at national framework level, and a social polices framework with child rights approach.

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.<sup>9</sup>

Moreover, a law prohibiting corporal punishment was adopted in 2001. In 2003, a law on the prohibition and elimination of all forms of abuse, discrimination, maltreatment or inhumane treatment of children was adopted. The 2003 law mentioned above prohibits and eliminates all forms of abuse, inhuman treatment, discrimination against children. Haiti has ratified ILO's Conventions 138 on the Minimum Age for Admission to Employment and the convention on the Worst form of labors 182. Currently the minimum working age in Haiti is 14 years. The government has recently ratified an anti-trafficking law in 2014. The anti-trafficking law, penalizes all parties involved in "the recruitment, transportation, transfer, harboring or receipt of a child.

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms, but technical and financial capacities still create gaps in the implementation of the legal framework.

The Ministry of Labor and Social Affairs (MAST), is responsible for defining and executing the government social policy and plays a key role in regard to child domestic labor. But need to improve an operational model, because, doesn't exist a protocol, a database, and record to report inspections to detect child labor.

The institute of well-being and Research (IBESR) is the main state actor responsible for the implementation of policies on child protection. 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. 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.<sup>10</sup>

The National Office of Migration (ONM), the national Office of Migration is a state agency under the supervision of MAST created to ensure the reception and reintegration of returnees and deportees and oversees internal migration. This second aspect of his mission has not been developed in the past by lack of resources. Local authorities, According to the decree of December 3, 1973, the mayor of each municipality is the legal representative of all the abandoned minors. Mayors are important in the case of child domestic workers, who may have lost contact with their biological families. They can issue birth certificates to these children in order for them

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<sup>9</sup> 2014 Findings on the Worst Forms of Child Labor, United States Department of Labor, [https://www.dol.gov/agencies/ilab/resources/reports/child-labor/haiti#\\_ENREF\\_1](https://www.dol.gov/agencies/ilab/resources/reports/child-labor/haiti#_ENREF_1)

<sup>10</sup> 2014 Findings on the Worst Forms of Child Labor, United States Department of Labor, [https://www.dol.gov/agencies/ilab/resources/reports/child-labor/haiti#\\_ENREF\\_1](https://www.dol.gov/agencies/ilab/resources/reports/child-labor/haiti#_ENREF_1)

to assert their citizenship. However, there are very few examples of the involvement of municipalities in the issue of child domestic workers, despite the creation of a Unit of Social affairs in the municipalities.

Also exist policies related child labor inside the National Strategic Development Plan (PSDH), National Action Strategy for Education for All, 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, but all these efforts and plans depend on external funding pending to international cooperation.

Moreover, the anti-trafficking law does not refer directly to domestic service employment but instead the term 'slavery' defined as "the state of submission or condition of dependency of a person unlawfully forced or coerced by a person to provide a service".

Besides this context, there are some recommendations: on legal framework to clarify the minimum age for domestic work and include meaningful penalties, also in the other laws to assure the protection and accomplishment of children's rights. Also, it is necessary to enforce, the mechanisms and institutions part of government response on child labor with operational protocols, and database, to report cases of children's victims of laboral exploitation.

Based on previous recommendations, the framework of Haiti's campaign will be: promote a multisector approach and coordination and support mechanisms in the field of Education, Health, and Social Protection at central and local level especially for the most disadvantaged children and their families.

If a multi-sectorial coordination mechanism is in place and operational at central and at community level it will contribute to removing financial barriers that prevent the most marginalized children having access to free basic essential quality education, as well as health and social protection services in their communities, in order to be able survive and thrive.

As part of this campaign, Save the Children works focus on children's rights approach, to contribute to achieve the best interest of children involved in domestic labor, with this different strategies:

**Advocacy component:** Promote the implementation and address gaps of the existing legal framework related to child trafficking and child labor. Ensure a multi-sectorial coordination of governmental social protection programs increasing, to assure public spending for the most vulnerable children and their families. Provide technical assistance to develop trainings and entrepreneurship programs for children of legal working age, especially girls.

**Public Engagement component:** Campaigning with children's committees to raise public awareness, to support children at risk and their families for a social inclusion. Promote the involvement and strength technical skills of local authorities, mainly through the social affairs unit from the municipalities in the oversight, monitoring and follow up of cases of children involved or at risk of being involved in domestic work.

In order to contribute to eradicate domestic child labor and give all children equal chances, the advocacy asks are:

1. To address the gap for proper legislation implementation to prevent and protect children involved in child domestic labor.
2. To change social and cultural acceptance about children involved in domestic labor, that cause gender inequalities, social marginalization, stigma and discrimination.
3. To raise public awareness to design, finance and implement an integral public policy on health, education, and protection, including components on social protection, to support marginalized families and children at risk to be involved in child domestic labor.