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Child Domestic Workers in Haiti 2014: Analytical Report

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Acronyms

	English	French/Creole
ACNVH	Christian Action for a New Life in Haiti	Action Chrétienne pour une Nouvelle Vie en Haïti
AED	Save the Children in Domesticity	Aide à l'Enfance en Domesticité
AKSE		Koletktif Aksyon pou kont Sekirite Eksplwatasyon
ASEC	Assembly of the Communal Section	Assemblée de la Section Communale
ASR		Aba Sistem Restavek-Haiti
ATM		Association Timoun Mirebalais
AVSI	The Association of Volunteers in International Services	Associazione per il Servizio Internazionale Volontari (<i>IT</i>)
BIT	International Labour Organization (ILO)	Bureau International de Travail
BPM	Brigade of the Protection of Minors	Brigade de la Protection des Mineurs
CAD	Action Centre for Development	Centre d'Action pour le Développement
CARE	CARE International	
CASEC	Board of Directors of the Communal Section	Conseil d'Administration de la Section Communale
CDW	Child Domestic Worker/Child Domestic Work	
CECODE	Compassion Centre for Deprived Children	Centre de Compassion pour les Enfants Démunis
CEMEAH	Combite to the Supervision of Abandoned Children Morne Hospital	Combite vers l'Encadrement des Enfants Abandonnés de Morne l'Hôpital
CI	Confidence Interval	
CPE	Child Protection Code	Code de Protection de l'Enfant
CRS	Catholic Relief Services	
CWS	Church World Service	
ECVMAS	Households living condition survey after the earthquake	Enquête sur les conditions de vie des ménages après le séisme
EEDH	Haiti Living Condition Survey (HLCS)	Enfants en domesticité en Haïti
ERIC	Ethical Research Involving Children	
ESK	Popular education modules on child rights and child protection	Edikasyon yon konvesasyon
FEDDEH	Emmaus Foundation for the Defence of Children's Rights and Human Development	Emmaüs Fondation pour la Défense des Droits d'Enfants et du Développement Humain
FLSC	Ecumenical Foundation for Peace and Justice	Fondation Œcuménique pour la Paix et la Justice (FOPJ)
FMAS		Fondation Maurice Sixto
FMS		Foyer Maurice Sixto
FOPJ	Ecumenical Foundation for Peace and Justice (FLSC)	Fondation Œcuménique pour la Paix et la Justice
FZT		Fondation Zanmi Timoun
GHRAP	Haitian Group for Research and Educational Events	Groupe Haïtien de Recherches et d'Actions Pédagogiques
GTPE	Working Group on Child Protection	Groupe de Travail sur la Protection de l'Enfant
HCDH	Office of the United Nations High Commissioner for Human Rights (OHCHR)	Haut Commissariat des Nations Unies aux Droits de l'Homme
HH	Household	Ménage

HLCS	Haiti Living Condition Survey	Enfants en domesticité en Haïti (EEDH)
IBESR	The Haitian Institute of Social Welfare and Research	Institut du Bien-Etre Social et de Recherches
ICEDNO	Initiative Citizens for the Northwest Child Development	Initiative des Citoyens pour le Développement des Enfants du Nord-Ouest
IDB	Inter-American Development Bank	
IHE		Institut Haïtien de l'Enfance
IHSI	Haitian Statistical and information Institute	Institut Haïtien de Statistique et d'Informatique
ILO	International Labour Organization	Bureau International de Travail (BIT)
IOM	International Organization for Migration	Organisation Internationale pour les Migrations (OIM)
IPEC	International Programme on the Elimination of Child Labour	Programme international pour l'abolition du travail des enfants
IPSOFA	Psycho-Social Institute of the Family	Institut Psycho-Social de la Famille
IRC	International Rescue Committee	
J / TIP	US Department of State's Office to Monitor and Combat Trafficking in Persons	
KNF	Kindernothilfe (<i>GE</i>)	
LACEEED	Collective Action League for the Training and Education of Deprived Children	Ligue d'Action Collective pour l'Encadrement et l'Education des Enfants Démunis
LATI		Lavi Timoun
MADEGAN	Love Movement Toward Deprived Children of Ganthier	Mouvement d'Amour vers les Enfants Démunis de Ganthier
MAST	Ministry of Social Affairs and Labour	Ministère des Affaires Sociales et du Travail
MBESH	Evangelical Baptist Mission of South Haiti	Mission Baptiste Evangélique du Sud d'Haïti
MCC	Mennonite Central Committee	
MCFDF	Ministry of Women and Women's Rights	Ministère à la Condition Féminine et aux Droits des Femmes
MDG	Millennium Development Goals	
MINUSTAH	United Nations Mission for Stabilization in Haiti	Mission des Nations Unies pour la Stabilisation en Haïti
MJSAC	Ministry of Youth, Sports and Civic Action	Ministère de la Jeunesse, des Sports et de l'Action Civique
MJSP	Ministry of Justice and Public Safety	Ministère de la Justice et de la Sécurité Publique
MOCOSAD	Community Movement for the Rescue of the Deprived	Mouvement Communautaire pour le Sauvetage des Démunis
MSIPACS	Special Mission of Intellectual Progressives in Action for Combating Underdevelopment	Mission Spéciale des Intellectuelles Progressistes en Action pour Combattre le Sous-Développement
MVM		Mouvman Wine Folds Moun
NGO	Non-governmental Organizations	ONG
OHCHR	Office of the United Nations High Commissioner for Human Rights	Haut-Commissariat des Nations Unies aux Droits de l'Homme (HCDH)
OIM	International Organization for Migration (IOM)	Organisation Internationale pour les Migrations
OJFA	Organization of Girls in Action	Organisation des Jeunes Filles en Action
ONEF	National Organization for Children's Education	Organisation Nationale pour l'Education des Enfants
OPC	Office of Citizen Protection	Office de la Protection du Citoyen
PADF	Pan American Development Foundation	
PNH	National Police of Haiti	Police Nationale d'Haïti
PSUGO	Free and compulsory universal education	Programme de scolarisation universelle

	program	gratuite et obligatoire
RNDDH	National Human Rights Defence Network	Réseau National de la Défense des Droits de l'Homme
RSI	Randomly Selected Individual	
SIMPOC	ILO's Statistical Information and Monitoring Program on Child Labour	
SODIH	Solidarity for Integrated Development of Haiti	Solidarité pour le Développement Intégré d'Haïti
SOFALAM		Solidarité Fanm pou Lavi Myò, Solidarité avec des Femmes pour un vies Meilleure
TdH-L		Terre des Hommes - Lausanne
UNDP	United Nations Population Division	PNUD
UNHCR	Office of the United Nations High Commissioner for Refugees	Haut-Commissariat des Nations Unies pour les Réfugiés
UNICEF	United Nations Children's Fund	Fonds des Nations Unies pour l'Enfance
UNPOL	United Nations Police	
USAID	U.S. Agency for International Development	
WPB	Working Group on Child Protection	

Preface

This report presents the overall findings from the research component on the Haiti Child Domestic Worker Project. The research was commissioned in 2013 by UNICEF, ILO, IOM, IRC and the Terre des Hommes Lausanne Foundation, in cooperation with the Haitian state. It was carried out with the support of 28 Haitian organisations that have served in a reference group for the research project, providing feedback, advice, and assistance throughout the research period.

The findings in this report are based on quantitative data from a household survey conducted in cooperation with Institut Haïtien de l'Enfance (IHE), carried out in September 2014. Fafo has been responsible for the design of the survey questionnaires, sampling and analysis of statistical data, whereas implementation in the field was done by IHE. In addition, the report draws on insights from an institutional study carried out by consultant Helen Spraos, a qualitative fieldwork carried out in Haiti in September 2014 by Tone Sommerfelt and Helen Spraos, and a survey of recent academic and policy-related works on child domestic work in Haiti (by Henriette Lunde and Tone Sommerfelt). The synthesis and analysis of this data has been completed by Anne Hatløy, Henriette Lunde, Jon Pedersen, Helen Spraos and Tone Sommerfelt.

Fafo takes the opportunity to express its sincere gratitude to all those who have participated in the undertaking and contributed to the success of the Haiti Child Domestic Workers Survey. In particular we are grateful to Institut Haïtien de l'Enfance (IHE) for conducting the fieldwork for the survey with a high level of commitment and professionalism. IHE's team of around 80 people was headed by General Director, Dr. Michel Caymittes and assistant General Director Valery Blot, assisted by technical coordinator Canez Alexandre, and field coordinators Michaud Jouse and Héloïne Gérard. Many thanks also to Pierre Anthony Garraud, who was responsible for setting up and programming the tablets used during the survey.

Fafo also wishes to thank UNICEF, ILO, IOM, the IRC, Terre des Hommes Lausanne Foundation and the Haitian state for initiating this important research, and all the members of the Technical Committee for generously funding and supporting the research and facilitating fieldwork. Special thanks go to UNICEF and Kristine Peduto, Flore Rossi and Pierre Ferry for coordination efforts, and in ILO to José M. Ramirez for input during the analytical phase.

Most importantly we wish to thank people in local Haitian communities for their kind cooperation in responding to the study. It is our hope that the results of the research will inspire national planners and international donors to meet future challenges.

Much of the vocabulary in this report is taken from general social science. Some of our uses of specific terms may deviate from the usage in legal texts and international conventions. It goes without saying that any errors, ambiguities or misunderstanding in this report is the sole responsibility of Fafo.

Executive summary

Introduction

This report is an analysis of the overall findings from the research project on Haitian child domestic workers. The research was initiated by UNICEF, the Haitian Ministère des Affaires Sociales et du Travail (MAST), the Institut du Bien-Etre Social et de Recherches (IBESR), ILO, IOM, the IRC and the Terre des Hommes Lausanne Foundation. Additional organisations joined during the course of research, and eventually a group of 28 different organisations supported the research and made up a Technical Committee.¹

Representations of child domestic work in Haiti seem to fall into two camps. On the one hand, a rights-based media discourse tends to homogenize different practices under a stigmatizing label of slavery, and focus on curtailments of children’s freedoms. On the other hand, academic literature draws attention to the logic of child rearrangement solutions that grow out of rural poverty, high fertility, and parenting stress and weakening of the caretaking structures in the larger *lakou* residential units. In the latter context, children’s agency is also emphasized. In the latter context, however, the specificities of the conditions faced by many children in domestic work arrangements in Haiti in the bad end of the continuum are not made subject of further elaboration.

Aiming to move beyond a narrow conception of “agency”, and the concomitant distinction between children’s agency and victimisation, we approach child domestic work by putting agency in relational perspective. We explore the many social connections and movements that define working childhood and the specificities of Haitian children’s volatility. We argue that the nature of children’s social relationships and exclusion better convey the particularities of Haitian child domestic work, in contrast to lack of independence or free will. “Agency” in this Haitian setting, rather than constituted by the degree of freedom to act independently, is the relational dynamics of the multiple social attachments that define children’s living conditions. By the same token, local perceptions of agency and action are defined by the nature of social connectedness, and caretaking, loyalty, collaboration and/or resistance to domination in each of these relationships. Our approach also results from a local emphasis on social mobility in these networks that appeared in our conversations with children and youth, child domestic workers, and rural parents. Moreover, we show some ways in which mobility exposes children to risk, focusing on

¹ Following the announcement of research, the original members of the Technical committee – the International Labour Organization (ILO), the United Nations Children’s Fund (UNICEF), the International Organization for Migration (IOM), the International Rescue Committee (IRC) and Terre des Hommes, IBESR and MAST – were joined by several other organisations. The Technical Committee is composed of 28 organisations, with MAST and IBESR in leading roles. Organisations that joined were Aba Sistem Restavek-Haiti, Ambassade de France, AVSI, Care International, Catholic Relief Services (CRS), Church World Services (CWS), Enpak, Foyer Maurice Sixto (FMS), Free the Slaves, The French Government, Handicap International, Institut Haitien de l’Enfance (IHE), Kinder not Hilfe, Office of the High Commissioner for Human Rights (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR), Plan International, Réseau National de Défense des Droits Humain (RNDDH), Restavek Freedom Foundation, Save the Children, UN Women, The United Nations Stabilisation Mission in Haiti (MINUSTAH) and World Vision.

how children in new homes are treated in relation to other children and how these particular social placements give intakes to children's experiences.

Objective and methodology

The main objective of the research component of the Haiti Child Domestic Worker Project is to establish a better understanding of the child domestic work phenomena in Haiti, as well mapping the existing institutional responses.

Findings in this report are based on statistical data from a nation-wide household survey carried out in September 2014. The report also draws on insights from a qualitative fieldwork carried out in Haiti in September 2014, and an institutional study that included fieldwork in Haiti from May to September 2014. In addition, we have reviewed recent academic literature and policy-related works on child domestic workers in Haiti. Insights from this desk study appear in comparative perspective throughout the chapters, as statistical data from the survey and material from the qualitative fieldwork and the institutional study are analysed in relation to existing literature in the field. Needless to say, the institutional analysis also relies on document reviews.

Numbers and distributions of child domestic workers in Haiti

One of the main objectives of the current research is to establish a better understanding of phenomena involving children's domestic work in Haiti. In this chapter, we start by estimating the percentages of child domestic workers in the child population based on delineations provided by the Technical Committee to this study. In turn, the report estimates the number of child domestic workers based on a definition that takes into account the fact that all children in Haiti, regardless of whether they live with parents or not, are morally and socially obliged to perform some domestic chores.

First, if we define "child domestic workers" as people under the age of 18 years, that perform domestic work in the home of a third party, either paid or unpaid, most of the persons below 18 years who live away from parents fall into this category. This category includes both permissible and non-permissible situations. Among the non-permissible, "child labour in domestic work" defines 15 years of age as an absolute boundary – all work performed in the household of a third party qualifies as child labour in domestic work as long as the child is under the age of 15. With the figures we have in Haiti, this would include 80 percent of children below the age of 15 who live away from parents. However, with the high workloads specified as permissible for the children 15 years and older (arrangements not qualifying as child labour until the workload reaches 6 hours per day for those in the age group 15 and eight hours per day for those in the age group 16-17), very few children fall in the category of non-permissible situations. Put differently, according to this understanding, the numbers on child labour in domestic work drops drastically at 15 years.

Second, a definition based on relative workload, educational performance and parent-child separation gives a different picture. According to these criteria, the age distribution of child domestic workers is different, and numbers increase with age. This definition also leads to considerable numbers of child domestic workers below 15 years of age, but it is not as all-inclusive of the below 15-year-olds as is the first definition.

According to the latter definition based on relative workload, education and parent-child separation (which was also used in the analysis of the survey data from 2001, cf. Sommerfelt, ed., 2002), both the absolute number and the percentage of child domestic workers in Haiti have increased during the last fifteen years. This is true regardless of age limits and whether we base estimates on the upper two or upper three quintiles of work. The highest estimate of 407 000 child domestic workers, obtained by including those over 15 years of age, is probably too high, because of the difficulty in applying standards for schooling and work for that group. Thus, a more reasonable figure is the 286 000 we find when we restrict the age to five to fourteen years.

Partly, the increase in numbers compared to 2001 stems from increases in the child population size due to population growth. Another reason for the increase in numbers compared to previous estimates is that the earlier assumptions about the population size in 2001 were too low. That, of course, is a technicality rather than a substantive issue. Finally, and most importantly, the prevalence of child domestic work has increased.

Contexts of children's work and education in contemporary Haiti

Twenty five percent of Haitian children 5-17 years of age live separately from their parents (with a "third party"). This is an increase compared to 2001. Most of these children (21 percent) live together with relatives, while the remaining four percent live with "strangers" (non-relatives). Fewer of the children living with strangers are currently attending school, and they perform more domestic work than children living with parents or relatives. However, within each group of children there is a large variation in both school attendance and workload. In this respect, there is a small group of children who are worse off than others. Their life situations should not be understood as typical of larger groups of children. The children who have considerable higher workloads and poorer educational performance are found among children who live with parents as well as those who live with a third party. However, an additional strain for child domestic workers in the bad end of this spectrum is the feeling of separateness.

Living and working conditions, and experiences of separateness

Consistent with the 2001 findings, and contrary to common stereotypes, there are no differences in the proportions of child domestic workers of the child population between urban and rural areas. The proportion of boys among the child domestic workers is higher in rural than urban areas, which is related to their participation in agricultural work, a point to take account of given the urban focus of many project activities.

Haitian children perform a large number of household tasks in the households where they live. More child domestic workers than non-child domestic workers do household tasks. It is not possible to point out clear differences in the workload by children's living-arrangement. Fifteen percent of all Haitian children work after 8 pm in the evening and before 6 pm in the morning. Twenty-seven percent of the child domestic workers work during night-time. This is more than twice as many as the non-child domestic workers. Domestic tasks do not seem to influence on school work to the extent that it shows in statistical terms. The survey material neither reflects differences between child domestic workers and other children in terms of exposure to illness and injuries. The factor that has the highest impact on the children's descriptions of their well-being is whether the child is enrolled in school or not, regardless of whether they are domestic workers or not.

Child domestic workers are vulnerable to exploitation. At the same time, they actively try to improve their opportunities, some successfully, others not. Living and working conditions of child domestic workers, and their different experiences, convey that inclusion and exclusion in family life in their current home better portrays the specific nature of individual child domestic work arrangements. Differential treatment and exclusion from educational opportunities affect children's opportunity situations and their feelings of self-worth. Verbal reprimand from their employers is a source of denigration for child domestic workers, and they feel this as more denigrating than many forms of corporal punishment.

Profiles of original homes and employment households – and paths in-between

Boys more often than girls move shorter distance to or within the rural areas. This reflects the difference in tasks undertaken by boys and girls: girls move to urban areas to take up domestic work in houses there whereas boys (also) take part in agricultural labour in rural areas.

If children's own reports of the use of middlemen better reflect the use of middlemen than the statements among the receiving households (household heads) that pay for the services of middlemen (*kouyte*), it means that the use of a third party that receives payment for placing children in a work relationship is not uncommon (10 percent). For the most part, however, parents, children and receiving (employing) households arrange children's movements through informal networks and without compensation. This should be kept in mind when discussing child domestic work in terms of conscious processes of "recruitment". By the same token, distinctions drawn between different categories of children (child domestic workers, child labourers in domestic work, etc), for instance on the basis of workload, age and education, are constructive for building up an understanding of child domestic work, but must not be understood categorically: These are not different children, but different situations that many children slip in and out of during their life course.

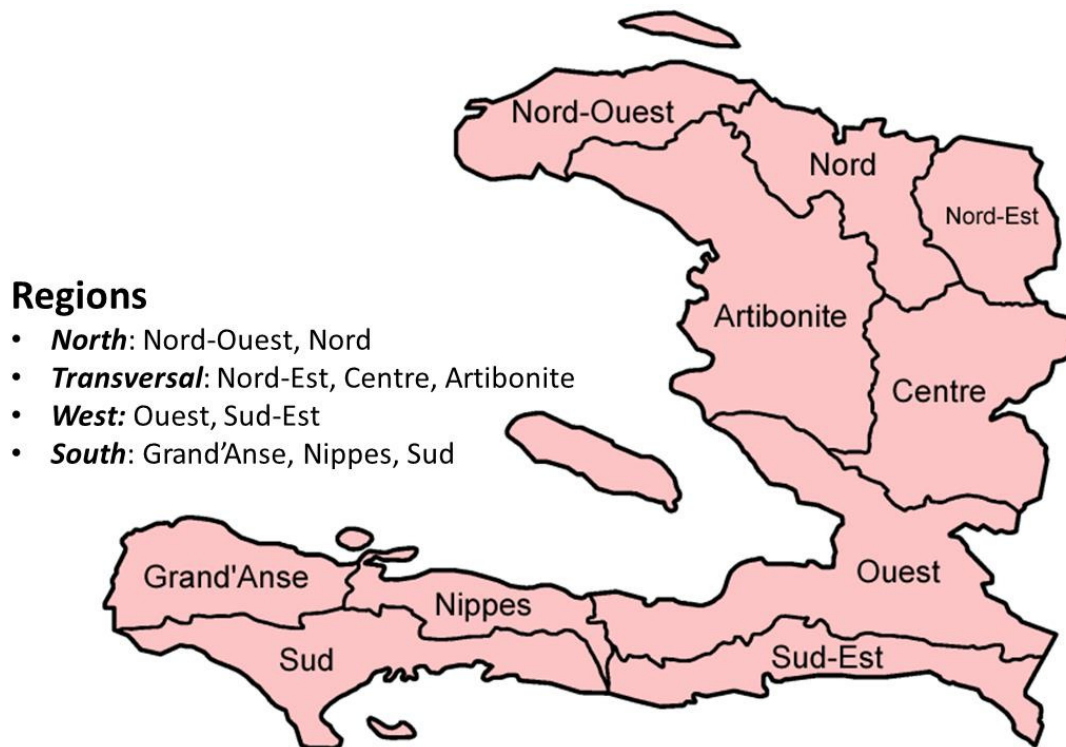
Households that contain child domestic workers score higher on the wealth index than do households that have sent children away during the past five years. Generally speaking, child domestic work is a "solution" for household that are in need of helping hands, but also appears as a way to help out relatives who are in trouble and cannot provide proper care for their children at a certain point in time. With the unpredictability of rainfall and income, many people rely on these kinds of informal help networks: They know that in ten years' time, the ones in need of relief from upkeep of children may be themselves. This does feed children into the domestic work-"market". It also means that sending versus receiving children in arrangements of domestic work is not necessarily a matter of attitude, but rather an adaption to difficult phases that parents and households go through.

In addition to informal risk management strategies in a context of poverty, children themselves in the slightly higher age categories (10 upward) often seek employment in order to pay for their own schooling. In this sense, the quest for education is contributing to the supply side of child domestic work.

Moreover, child domestic work in Haiti covers multiple needs and reflects many motivations: The need for relief of upkeep of children among parents, for labour in receiving households, for investment in future security for receiving households (given that they too may need relief of child care at a later stage), and children's need and wish for an education and better lives. This

stands as a contrast to economies in which children's work covers primarily one need, for instance in a strictly plantation based setting where children work the fields but do not contribute significantly in other sectors. In consequence, several methods must be employed to counter the negative effects of children's labour.

Map of Haiti with departments and regions



1 Introduction

Tone Sommerfelt and Henriette Lunde

This report is an analysis of the overall findings from the research project on Haitian child domestic workers. The research was initiated by UNICEF, the Haitian Ministère des Affaires Sociales et du Travail (MAST), the Institut du Bien-Etre Social et de Recherches (IBESR), ILO, IOM, the IRC and the Terre des Hommes Lausanne Foundation. Additional organisations joined during the course of research, and eventually a group of 28 different organisations supported the research and made up a Technical Committee.² The Technical Committee has acted as a reference group for the study and is chaired by MAST and IBESR.

The research follows up insights from a study that Fafo conducted in Haiti in 2001. The 2001-study resulted in a report entitled “Les fondements de la pratique de la domesticité des enfants en Haïti” (Sommerfelt, ed. 2002).³ In basing information on a representative sample of the population, it was the first of its kind on this topic in Haiti, and warranted much attention. The aim on this occasion has been to examine the developments of the living conditions and situations of children in domestic work arrangements in Haiti, from 2001 and until 2014, the devastating earthquake in 2010 also raising new questions about recruitment procedures of children to domestic work, motivations among children, parents and caretakers regarding children’s relocation, and incentives connected with aid and disaster relief efforts in the cities. The study also offers opportunities to reflect on Haitian children’s experiences, and to discuss child domestic work in Haiti in light of developments in international legislation.

Among the funders’ stated interests at the time of announcement of this research, were information that could enable a better understanding of child domestic work in Haiti within a broader framework of children’s mobility and vernacular practices of child care (cf. BIT et al 2013,

² Following the announcement of research, the original members of the Technical committee – the International Labour Organization (ILO), the United Nations Children’s Fund (UNICEF), the International Organization for Migration (IOM), the International Rescue Committee (IRC) and Terre des Hommes, IBESR and MAST – were joined by several other organisations. The Technical Committee is composed of 28 organisations, with MAST and IBESR in leading roles. Organisations that joined were Aba Sistem Restavek-Haiti, Ambassade de France, AVSI, Care International, Catholic Relief Services (CRS), Church World Services (CWS), Enpak, Foyer Maurice Sixto (FMS), Free the Slaves, The French Government, Handicap International, Institut Haitien de l’Enfance (IHE), Kinder not Hilfe, Office of the High Commissioner for Human Rights (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR), Plan International, Réseau National de Défense des Droits Humain (RNDDH), Restavek Freedom Foundation, Save the Children, UN Women, The United Nations Stabilisation Mission in Haiti (MINUSTAH) and World Vision.

³ In the web and in published literature, this report is variously referred to as «Fafo 2002», «Ministère des Affaires Sociales et du Travail 2002» and «Sommerfelt 2002». We use the latter version of the reference. The report can be found on http://www.faforkiv.no/ais/other/haiti/childlabour/EEDH_Report_final_french.pdf (in French) and http://www.faforkiv.no/ais/other/haiti/childlabour/EEDH_Report_draft_english.pdf (English).

and Annex 5). This perspective was motivated by the fact that child work in the domestic sphere in Haiti partly unfolds in relationships that simultaneously can be described as fostering arrangements. The fact that most arrangements in Haiti are unpaid contributes to blurring any distinction between socialisation and work.

We have followed the initial call for research and concentrated on children's domestic work as it takes place in settings of relocation, i.e. in households different from children's original homes. We shaped research tools and data collection procedures accordingly, in order to enable broader comparisons of children's workloads and schooling in Haiti, and in order to portray children's experiences in different household settings. This seems particularly pertinent when considering that many arrangements that lead into child domestic work come about following children's self-initiated migration to urban areas

International discourses on child labour, child domestic labour and slavery

The 1990s saw a renewed interest in child labour. In reports and rights-based work, the scope widened. Attention was no longer limited to children's work in industry and manufacture, and was increasingly directed towards children's work in the household sphere, in households different from their own, standardized under the label "child domestic labour" (see for instance Black 1997; UNICEF 1999). At the same time, child domestic work was often equated with "child servitude" and "child slavery" (cf. Blagbrough & Glynn 1999). The ILO Convention on "the worst forms of child labour" from 1999 includes "all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour" (ILO C182, article 3). Arbitrary references to this convention in many reports automatically classify child domestic work as slavery. In this usage, the distinction between children's work in the domestic sphere and child slavery remains unclear, but tends to be related to the degree of restraint that children experience, and the degree of exploitation they are subjected to. For instance, whereas children's work in industrial settings is negatively evaluated because it makes part of a commercial wage labour relationship, children's work in domestic settings is typically considered similar to slavery precisely because it is *not* paid.⁴ Without considerations of a child's workload, as recent initiatives attempt to do (Edmonds 2008), this effectively includes many forms of child fosterage and caretaking in the category of slavery. Though the equation of children's domestic work with servitude or slavery is appropriate in some cases, it is problematic in cases where children's work input is typical of household production and child rearing more generally.

⁴ The first legal tools regulating child labour were developed in order to protect children from exploitation in the industrial sector. The commercial element inferred by remuneration is one of the underlying assumptions that distinguish "child labour" from "work", "socialisation" or "duty" in much social science literature. See Nieuwenhuys (1994, 1996) and Zelizer (1994) for discussions of moralities of childhood.

Odd equations of children's domestic work with servitude or slavery are particularly striking in the case of Haiti. In this introductory chapter we address overall tendencies in the international discourses on child domestic work, as these play out with respect to Haiti, as well as main issues in the scholarly literature. This is of relevance to the present study, as different approaches shape agendas for knowledge production and focus attention to very different aspects of children's experiences.

Media and the rights-based discourse on 'restavek'

Only a few days after January 12th 2010, news stories reported that children orphaned by the earthquake were targeted by human trafficking. In one article published by the TIME magazine, the journalists quote American-Haitian emergency worker, Mia Pean, saying that "I really fear ... that most of the kids you see being picked up on the streets in Haiti right now are going to become *restaveks* or victims of sexual trafficking" (Padgett & Gosh 2010). The early stories on trafficking were never verified (cf. Schwartz 2014), but they continued to circulate in the media and many NGO webpages referred to an increase in "child trafficking" and connected it with the earthquake, earthquake orphans and Haiti's history of child work and labour. The linking of child labour with trafficking, as was done in these representations, effectively re-associated child domestic work in Haiti with slavery and "the worst forms" of child labour. The representations also cemented the common stereotype that children in domestic work, including those who work in servant-like situations, live with unrelated strangers.

The equation of child labour in domestic work with slavery was common before the 2010 earthquake too (see Schwartz 2011: 230ff). In rights-based reports and in media-coverage on children's life situations in Haiti, there has been a broad tendency to link children's domestic work in households other than their own, with slavery, without qualifications. Haitian children have become a symbol of exploitation of children in general, and no international report of child domestic work can avoid mention of Haiti (cf. ILO 2002, ILO 2004; UNICEF, 1999). Haitian *restavek* created headlines in media around the world following a seminar organised in Port-au-Prince in 1984 (see e.g. Anderson et al., 1990: iv; UNICEF 1993: 34) and especially following the publication of Cadet's book entitled *Restavec: From Haitian Slave Child to Middle-Class American* (1998)⁵ In 2000, Cincinnati Post wrote that "Hundreds of thousands of children are living in slavery in Haiti". In the following years, Haitian "child slaves" appeared in headlines and articles in TIME Magazine, CNN, BBC, and elsewhere (see also Schwartz 2011: 230-233).

A consequence of this surge of public attention to the issue both nationally and internationally is that the *restavek* notion has become increasingly negatively charged, also in Haitian usage. Connotations to exploitation, abuse and slavery trickle down and contribute to increased stigmatization (Moncrieffe 2006). Consequently, many Haitians have become reluctant

⁵ The spelling of "restavec" with a 'c' is French, whereas "restavek" is Haitian Creole and is more commonly used in English texts. We use Creole spelling of Haitian terms in this article.

to using the term.⁶ It also seems that inferring a *restavek* narrative occasionally is done opportunistically in order to attract money and attention to different aid projects (cf. Schwartz 2011).

The equation of child labour in domestic work with slavery intensified following a fact-finding visit in 2009 by the UN Special Rapporteur on Contemporary Forms of Slavery that conducted interviews with aid organisations and community leaders (United Nations 2009). The report concluded, “The Special Rapporteur considers the *restavek* system a contemporary form of slavery” (2009: 2). Notwithstanding the varied usages in Haiti over the term *restavek* – and its multifaceted meanings in Creole – distorted images arise when journal articles refer to “*restavek*” as slavery and follow up by presenting estimates of how widespread “this practice” is – reciting, however, estimates of the extent of *child domestic work* or *child labour in domestic work*. The sub-text thus conveys that all children who can be seen as child domestic workers in a legal perspective live under conditions of slavery. This is evident, for instance, in an article on CNN in 2010, where the number 300,000 is supplied, in combination with a reference to the UN labelling of *restavek* as slavery (Cohen 2010), thus indicating that 10 percent of the child population lives in slavery.

A similar process – associating from child domestic work to slavery – appears in newspaper articles that report on individual stories of children who live in horrible conditions (Cohen 2010 is an example, another is BBC article by Thomson 2009). Taking such stories as illustrative starting points, articles usually go on to quote one of the estimates of child domestic workers in Haiti – thus associating, again, the nature of the suffering in the one described case with the experience of the many children who live away from their original parents and work for their upkeep. Inflated numbers of “child slavery” tallies poorly with the experiences of most children we have encountered that live as “child domestic workers”, quite simply because a high workload and delays in schooling is commonplace for children regardless of whether they live with their parents or not. Many of the children that “qualify” as child domestic workers attend school – which they did not while living with parents. Moreover, inflated numbers of “child slavery” seems like an exercise in misplaced blame to the majority of Haitian that live in poverty and lack educational opportunities. Child work and labour is an obvious part of the household production system in many parts of Haiti, but labels of “slavery” to all of the practices that can be defined in terms of child work are simply out-of-place.

When the international discourse on *restavek* obscures the differences in arrangements and rearrangements of child rearing, caring, labour and exploitation, it is partly due to lacking contextualisation of children’s workloads in more general terms. Also, with a few noteworthy examples (Smucker and Murray 2004; Pierre et al. 2009; Sommerfelt ed., 2002), publications on

⁶ Haitians reluctance to using the term is evident in the very low self-reporting on *restaveks* in households in the HLCS and HYS. In the HLCS from 2001, only 179 children in the age group 5 to 18, or 1.4 percent, were recorded as “*restaveks*”. In the HYS from 2009, only 10 “*restaveks*” were reported in the same age group, i.e. 0.3 percent.

children's domestic work and child domestic workers based on field research in Haitian households are few, and estimates on the number of child domestic workers are seldom grounded in empirical research (see further discussion in Chapter 3 in this report).

The production of biased reports about Haiti and Haitians seems to be a continuous process (Lawless, 1992; Farmer, 2006: 188ff.), and extrapolations of "slavery" to all child relocation practices appear as new contributions to this process. Several scholarly writers have criticized the international discourse on *restavek* on these grounds (e.g. Hoffman, 2012a, 2012b; Schwartz, 2011). Additionally, the media-discourse tends to demonize all the new caretakers of children, and portrays all relocated children as passive victims of abuse.

A summary of Fafo's 2001-study

In 2001, the Fafo-study combined statistical data from the extensive Haiti Living conditions Survey, and qualitative data produced by a separate anthropological fieldwork. We based quantitative estimates of the number of child domestic workers on legal frameworks that were operative at the time, and defined child domestic work in terms of parent-child separation, high workload of the child, and lack of or delays in schooling. In addition to assessing the extent of child domestic work in Haiti, the 2001-study described how arrangements of child domestic work ordinarily come about, assessed the economic and social contexts in which child domestic work takes place, and analysed how the practices, relations and processes involved are generated and reproduced.

We found that child domestic workers made up 8.2 percent of the child population aged five to 17 years. The population estimates that were available at the time numbered the child population in this age group to approximately 2.1 million. This gave a figure of 173,000 child domestic workers in 2001. According to counts since then, the 2004 census in particular, the population estimate in 2001 was significantly underestimated. With a child population of 2.9 million in 2001, which is a more probable estimate, child domestic workers would have counted 239,000 in 2001, rather than 173,000.

Not regarding urban-rural status, our data showed that overall, 59 percent of the child domestic workers were girls, whereas 41 percent were boys. In absolute numbers, most of the child domestic workers were found in rural areas. When we considered the *proportion* of child domestic workers of the total child population in urban and rural areas, however, the percentages of child domestic workers were about the same. The 2001-study also identified a tendency that more of the boy child domestic workers originated from rural areas, whereas girls to a larger extent than boys came from urban areas. We also found that urban girls made up a large proportion of the child domestic workers, and among these girls, fewer had kinship relationships to their new guardians.

Based on both qualitative and quantitative findings in 2001, we emphasised that Haitian children's recruitment into child domestic work in households different from their original homes arise from needs related to poverty (parents' low incomes), from parents' hopes of giving their

children a better future, the fact that formal education is a highly treasured value, and from priorities among “employing” households in terms of labour needs and their children’s schooling. With respect to the latter, we found that households that included child domestic workers had higher incomes than sending households.

The devastating earthquake that struck Haiti in 2010, the flooding and droughts following hurricanes Isaac and Sandy in 2012, and late and poor rainfall in 2013 to 2014 has made life increasingly difficult for many parents and children. These dramatic events, and especially the earthquake, has reinvigorated international media attention to child “servitude” in Haiti, as rumours about urbanites taking orphaned children into domestic servitude has abounded, and made international headlines.

Scholarly literature on fosterage, family and poverty mitigation

Literally meaning “a person who lives with someone else”, the Creole term *restavek* conveys that a child’s co-residence is transferred to new caretakers. In this sense, the term illustrates that work arrangements and “fostering” may overlap. In Haiti, however, the term *restavek* carries other connotations than to fosterage. A *restavek* first and foremost denotes a “child domestic servant” or “maid”. The “restavek” child performs household tasks like carrying water, washing, cleaning, and also services for other household members, petty trading, running errands, etc.⁷ The term carries many negative connotations, and often evokes the image of an underprivileged child, that in many practical, social and emotional regards is set apart from the rest of the children and does not become part of the family. In this way, a person who identifies a child as a *restavek* simultaneously describes the child’s assumed living conditions, as different from, and worse than, those of other children of a house. The term may also be used derogatory, as an offence, implying that children so defined should answer to the needs of anyone who calls him or her.

However, the meanings and uses of the concept of *restavek* are not universally shared by Haitians, which makes it unfit for purposes of estimating extent in research. Different Creole terms also blur arrangements of child relocation and child work and labour, and especially concepts denoting “servant”-like positions (*domestik*, *restavek*, *tiomoun*, *pitit kay*) and arrangements of “paid board” (*a pensyon*) for the purpose of children’s education (see Sommerfelt, ed. 2002). “Paid board” is sought when there is no school nearby, children thus being placed in homes in order to attend school, their upkeep compensated for by cash and kind transfers from parents. A range of intermediary arrangements – between “paid board” and

⁷ We retain a general social science vocabulary when using the concept of «household task». This may differ from usage in international legislative frameworks, and from ILO usage, the latter which seems to use «household tasks” to describe domestic activities performed by children in their own homes and by children in foster situations, while “domestic work” is used to describe domestic activities performed by children in an employment situation. Categorical distinctions between fosterage situations and employment are highly problematic in the Haitian cultural context. For comparative reasons also, and in to investigate which children do what and in which living arrangements, we use the concept of «domestic tasks» with reference to all categories of children.

servant positions – exist, in which parents or kin agree with new caretakers about the terms for a child’s stay, parents paying for the child’s schooling, for instance, but the child compensating for upkeep partly by contributing with work.

Early scholarly literature that addressed issues of children’s domestic work input and phenomena referred to in Creole as “restavek” has described them as forms of fosterage, and emphasised that delegation of tasks of child raising (“parental roles”) to other adults than a child’s parents is, or was, widespread. For instance, Mackenzie (1971 [1830]: 273), Herskovits (1964 [1937]: 103-104) and Simpson (1941: 648 ff.; 1942: 666-667) have described Haitian arrangements in this regard.

A high level of child relocation is a longstanding feature of Haitian sociality and should not come as a surprise (as expressed in Pierre et al. 2009: 9). In both 2001 and 2009, we found that around one in five Haitian children are not living with any of their parents (Pedersen & Hatløy 2002: 38; Lunde 2009: 45). As we will show, frequencies of parent-child separations are higher in the 2014 data. As we outline in Chapter 4, the current data shows that one in four children live in households without a parent present. In Haiti, child mobility is an integral part of child rearing. Social networks, including extended kin, are crucial channels for social risk management, and mitigation of poverty and hardship for Haitian parents. Raising children in rural areas of Haiti have typically been a shared responsibility of the *lakou*, a cluster of households that include a multi-generational family and relatives. Mothers have received support in the care and supervision of their children within the *lakou*, while children have benefitted from multiple caregivers (Edmond et al. 2007). In contrast to Euro-American ideals of the nuclear family, children belong to this wider community and it is a moral obligation to care for children whose parents are unable. Another aspect of moral obligations among kin beyond the nuclear family is that children will be offered in placement to households in need of domestic work or the company of a child. Moreover, high levels of child relocation imply that parent-child separation is no way a sufficient criterion for a work arrangement. It also implies that households that include relocated children cannot automatically be defined as “employers”. Thus, in order to quantify child domestic workers in a survey, methodology must employ techniques other than self-identification or direct social labelling.

Fluidity in child raising practices is partly related to obligations of kinship and ways that new ties of kinship can be forged. Haitian kinship is constituted through consanguineal ties (“blood kin”), and through marriage and various social contracts and guardianships. Godparenthood is important in this context: A child’s *marenn* (godmother) and *parenn* (godfather) are typically of a higher social standing and they obtain rights in the child’s labour on equal terms with its birthparents, but also accept a social responsibility for the child. The naming of godparents creates morally obligating kinship ties between families and is also a strategic decision that works as a social safety net for vulnerable families (Schwartz 2011). As early as in 1830, Mackenzie described godparenthood as a means used by Haitian landowners to “procure labourers” in agricultural fields (1971 [1830]: 273).

Edmond et al. (2007) argue that the traditional *lakou* system has changed. Land fragmentation and increased poverty has intensified the pressure on Haitian mothers – transforming the model of “multiple” mothering in the *lakou* to a pattern of single mothers becoming the sole caretakers (2007: 20ff.). For some mothers, inability to provide proper care – as they experience difficulties in paying for their children’s food, education and medical care – leads to increased parenting stress. This may affect the levels of out-fostering of children, and the “supply” of children into domestic work. At the same time, it should be mentioned that many of the cases of physical absence of a father in a household is not permanent: Many fathers live and work away from their children but return and contribute economically for periods of time. Many women also link sexual relations to financial contributions from men and thus entertain several sexual relationships at the same time (cf. Schwartz 2011). This does not contradict the fact that the burden of care on Haitian parents is high. Even so, high fertility remains, and is not necessarily a result of the lack of access to contraception. The tendency among many wealthier urbanites in Haiti to argue that the presence of *restavek* and child domestic workers in urban areas can be blamed on failing family planning policies – does not harmonize well with the view of children as a resource among many poorer families. Many parents know that they cannot care for their children for periods of time – but they seek assistance from others and hope their children will be successful elsewhere, and take in the children of others in later phases, when the most resource demanding phase is past (see Chapter 6). As Schwartz has shown, adults are explicit about the economic utility of their children (2011: 135ff.). Many adults also hope to promote their children’s chances of obtaining an education while living with caretakers who are more resourceful than themselves at any given time.

Connected with the significance of extensive networks of kin and the moral obligation of relatives, and opposed to the common stereotype in sensationalist newspaper articles about children in Haiti, most of the relocated children reside with kin and only few with unrelated strangers (see Chapter 4). In some reports, relocated children who are not (previously) related to persons in their current home are described as more vulnerable than other children (Smucker and Murray 2004: 23; Pierre et al. 2009: 10). Consequently, perhaps, some authors have made unsubstantiated claims that the statements of family ties are often false (Suarez 2005), and as such rendered the motives of families both sending and receiving children suspect. These claims rest on a weak understanding of Haitian kinship, and neglect the fact that most parent-child relationships are bonds of mutual assistance and work.

Child agency

Education has a strong position in Haitian society. Despite structural disincentives for enrolment and success within the Haitian education system (Lunde 2008), parents go a long way to ensure their children an education. In addition to providing opportunities for employment, the socialising effect of education on children is also regarded as important. It is striking that children who regularly sleep in the streets define themselves as *timoun lari* (children of the street) in contrast to *timoun lekòl* (children in school), rather than in contrast to *timoun lakay* (children in homes) (Kovats-Bernat 2006, see also Lunde 2008). Putting such a strong stigma on not being in school is

likely to provide parents with a strong incentive towards enrolling their children when the possibility is there (Lunde 2008), also when it entails that children move to new homes. This is also related to informal status hierarchies of schools in Haiti, many adults as well as children regarding urban schools as of better quality than in rural areas. Children in Haiti are strikingly concerned with obtaining formal education, and many work to pay for their own schooling.

In much of the scholarly literature, attention is thus paid to the logic of child rearrangement solutions as it grow out of rural poverty, high fertility (Sommerfelt, ed., 2002; Schwartz, 2011), parenting stress and weakening of the caretaking structures in the larger *lakou* residential units, as well as parents' educational aspirations for their children. In recent years, this image has been complemented by literature that shows children's own initiatives with respect to mobility and relocation. Many Haitian children initiate their own migration and are active in seeking better opportunities away from their natal household. Educational aspirations are a motive behind children's voluntary migration in many developing countries (cf. Boyden 2013), and in Haiti, this is tied to notions of learning the ways of urban life (cf. Sommerfelt et al., 2002a: 66ff.). Hoffman (2011) points out that many children who are recognised in Haiti as "restavek" see this as an opportunity to "become someone" (2012a: 160). Schwartz' recent accounts of how Haitian children "want out", and often prefer an urban life to co-habitation with a rural parent (2014). Moreover, Hoffman asserts that:

This theme of child agency has been echoed in an extensive ethnographic literature on street children and child laborers around the world that illustrates the large gaps between the subjective realities of child laborers and representations of them that emphasize their victimization at the hands of adults (2012a: 160).

Attention to children's own initiatives in migration and relocation is important and remains a gap in the literature on Haiti. At the same time, a danger of the attention to child "agency" in the current context is that it may privilege the voices of the children whose "manoeuvring" the streets and homes is the most striking, and does not bring to the fore the "bad end" of the spectrum of child relocation arrangements in which the nature of relationships produce experiences of isolation. It also fails to address the slow response by Haitian politicians to address children's fates in "the bad end" of the continuum of living conditions. There *is* an element of class to child domestic work and labour in Haiti – and it relates not only to the economic differences between homes that send and receive children in domestic service – but also to the lacking will to address these issues systematically.

Beyond a dichotomy of victimhood and agency

As reflected in the discussion above, a cleavage has been produced in representations of Haitian child domestic work, between a rights-based media discourse, on the one hand, and an academic discourse on the other. In the first, where different practices tend to be homogenized under a stigmatizing label of slavery, descriptions centre on curtailments of children's freedoms (as outlined above, see e.g. Pierre et al. 2009). In the second, scholars draw attention to the logic of child rearrangement solutions that grow out of rural poverty, high fertility (Sommerfelt, ed.,

2002; Schwartz 2011), and parenting stress and weakening of the caretaking structures in the larger *lakou* residential units (Edmond et al. 2007). In the latter context, children's agency is emphasized (Hoffman 2012a, 2012b). However, the specificities of the conditions faced by many children in domestic work arrangements in Haiti in the bad end of the continuum are not made subject of further elaboration.

The divide between the two discourses is based on different views regarding whether, or the extent to which, children in work arrangements have room to act voluntarily, i.e. the agency of child domestic workers. However, the underlying notion of "agency" is understood in the same manner across the divide, and it characterises discourses on children's domestic work, child labour and mobility beyond Haiti. This notion of agency is perceived in terms of the opportunity to make independent choices, i.e., degree of "free will". As agency is presumed as residing in the individual child's range of choices, it is defined as a matter of quantity: a person may or may not have agency (cf. Ahearn 2001: 114), or agency is described in terms of its erosion from "thick" to "thin" (Klocker 2007: 85).

Aiming to move beyond a narrow conception of "agency", and the concomitant distinction between children's agency and victimisation (cf. Honwana 2005: 47ff.; Leifsen 2013), we approach child domestic work by putting agency in relational perspective. As noted, this approach rests on an analytical framework that perceives of relation-making as a basis of personhood (Carsten 2000). In extension, we see the nature of relatedness, in this case in children's various and relative social inclusion in households, as sources of being. We explore the many social connections and movements that define working childhood and the specificities of Haitian children's volatility. We argue that the nature of children's social relationships and exclusion better convey the constitutive essence of Haitian child domestic work, in contrast to lack of independence or free will. "Agency" in this Haitian setting, rather than constituted by the degree of freedom to act independently, is the relational dynamics of the multiple social attachments that define children's living conditions. By the same token, local perceptions of agency and action are defined by the nature of social connectedness, and caretaking, loyalty, collaboration and/or resistance to domination in each of these relationships. Our approach also results from a local emphasis on social mobility in these networks that appeared in our conversations with children and youth, child domestic workers, and rural parents. Moreover, we show some ways in which mobility exposes children to risk, focusing on how children in new homes are treated in relation to other children and how these particular social placements give intakes to children's experiences.

2 Objective and methodology

Tone Sommerfelt, Helen Spraos, Anne Hatløy and Henriette Lunde

The main objective of the research component of the Haiti Child Domestic Worker Project is to establish a better understanding of phenomena involving children's domestic work in Haiti, as well mapping the existing institutional responses. The new knowledge deriving from the research will make national and international actors, both on political levels and in local communities, better able to develop a common program and policy response, in line with socioeconomic realities, the institutional environment, and national and international legal frameworks.

The terms of reference for the current research are attached in Annex 5. The research seeks to answer the following overarching questions:

- a) How many child domestic workers are there currently in Haiti? How can their demographic distribution be described?
- b) What are their working and living conditions?
- c) Which factors make children more or less vulnerable to recruitment into domestic work and related arrangements? Which factors make children and child domestic workers more or less vulnerable to exploitation and abuse?
- d) What are the characteristics of the children's original households and the households where they live and work? What are Haitian household heads' perceptions about child relocation and children's domestic work?
- e) What is currently being done to prevent children from entering into domestic work and to protect children already living as domestic workers? What should be done at present?

In addition to broadening the scope of research compared to the 2001-study, the current research thus also includes an institutional study (cf. point e above). The aims of the latter component include:

- identifying and mapping the organisations and institutions working in the field of protection of child domestic workers in Haiti. These include, for instance, services of the State, NGOs, social partners and community organisations
- analysing the methods used by these organisations/institutions; determine the types of services offered and reference mechanisms proposed. Methods, services and mechanisms used are for instance immediate care/removal of children from their current location, family reunification, reinsertion, and prevention
- assessing the financial and human resources available for the protection of child domestic workers.

The institutional study is the first of its kind in Haiti. It is a tremendously diverse and complex sector to analyse. The findings we present in the current study represent a comprehensive look at

the work done by all stakeholders currently involved in programming and activities aimed at prevention and elimination of child labour in domestic work and and/or improvement of the conditions of child domestic workers in legal working age in Haiti, highlighting the legal tools, policies, activities by formal institutions and non-governmental organisations. The aim of this comprehensive look is thus to identify and address overarching patterns, diversity, strengths and weaknesses of intervention strategies.

In order to delineate child domestic work in the Haitian context we combine criteria defined by international legislation with factors related to Haitian social and cultural practices and realities.

Defining concepts according to international legislation

Haiti has signed a number of international conventions. Currently, instruments of international law relevant to child domestic workers in Haiti are:

- **Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery** (1956), ratified in 1957, which covers

Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour (United Nations 1956, Art. 1, paragraph d).

- **The Convention on the Rights of the Child** (United Nations 1989), ratified by Haiti in 1994, which requires States to take

all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child (Article 19).

Article 32 recognises "the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development" (UN 1989).

- **ILO Convention 138** (International Labour Organization 1973) which sets the minimum age for work at 15 years, ratified by Haiti in 2009. However, the Convention opens for a minimum age of 14 for developing countries (cf. Article 2), and Haiti ratified the convention with this specification, thus setting the minimum age to 14. Importantly, ILO C138 permits children (as from the age of 12 or 13, depending on the general minimum age declared) to perform "light work" (Article 7) but requires national authorities to

determine the kinds of activities that should be permitted and prescribe the number of hours and the conditions under which such light work can be undertaken.

- **ILO Convention 182** (International Labour Organization 1999) on the Worst Forms of Child Labour, ratified by Haiti in 2007, which, among other, prohibits all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, forced or compulsory labour, and work likely to harm the health, safety or morals of children. Member states are required to take measures to secure the prohibition and elimination of the worst forms of child labour. A list of hazardous work developed in accordance with this agreement will be an integral part of the new Child Protection Code which is waiting to be approved by the Haitian Parliament (see below).
- **The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol, United Nations 2000), ratified by Haiti in 2009. The Palermo Protocol, article 3a, states that:

‘Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (UN 2000, Article 3a).

In article 3c, it further states that: «The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article». Finally, in article 3d: «‘Child’ shall mean any person under eighteen years of age» United Nations (2000).

- **The International Covenant on Social, Economic and Cultural Rights** (United Nations 1966), ratified by Haiti by decree in 2012. Among its provisions, Article 10 states that “The widest possible protection and assistance should be accorded to the family ... while it is responsible for the care and education of dependent children " (Art. 10.1) and that

Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health

or dangerous to life or likely to hamper their normal development should be punishable by law (article 10.3).

This treaty from 1966 also states that “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions” (Article 11.1), and that “primary education shall be compulsory and available free to all; secondary education ... including technical and vocational secondary education, shall be made generally available and accessible to all” (Article 13.2).

On the other hand, Haiti has not yet ratified the ILO Convention 189 on Domestic Workers (ILO 2011).

The various legal instruments listed above do not outlaw the performance of household tasks by children in their own homes, which is considered an aspect of children’s socialisation to adulthood. As noted above, with reference to ILO C138, “light work” for children aged 12 to 14 is also allowed, as long as it does not impact negatively on the child’s health, development and education (Article 7). The age normally allowed by Convention 138 for light work is 13 to 15 years. However, given that Haiti took advantage of the provision that allows 14 as a minimum age for work (Article 2) upon ratification, the stipulated age for light work is affected accordingly (Article 7.4). Thus, from the age of 14, children are allowed to work in a household or elsewhere unless conditions fall under those defined as worst forms of child labour (slavery alike situations and work that by its nature of the conditions in which it is carried out is likely to harm the health, safety or morals of children).⁸

The ILO’s Statistical Information and Monitoring Program on Child Labour (SIMPOC) has attempted to develop criteria for measuring “light work”. Edmonds reviews the different criteria, and refers to 14 hours of work per week in order to define child labour globally for children below the age of 14 (Edmonds 2008: 19). Thus, more than 14 hours of work per week is considered “child labour” for this age group and less than 14 hours per week considered “light work.” For a child under the age of 12, however, one hour or more of similar economic activity is considered child labour.

However, “child labour” in this context is understood as “market work” (and less preferably as “non-economic work”) that does not automatically include domestic work. With reference to unpaid domestic work, Edmonds writes that “*non-economic work* is sometimes used to denote participation in the provision of goods and services to family members or other members of the community that fall outside of the scope of the official definition of economic goods and services” (2008: 8, emphasis in original). *Domestic work*, he continues, “includes *domestic chores* such as

⁸ Cf. article 3 of ILO Convention 182 and Article 333 of the Haitian Labour Code, the latter which is available at http://www.crijhaiti.com/fr/?page=loi_interdiction.

caring for family members, cooking, cleaning, or shopping” and “is used in reference to non-economic work exclusive of community service and volunteer work” (2008: 8). Edmonds emphasises that the term “non-economic” with respect to domestic work is unfortunate, considering the importance of these activities. With respect to children performing domestic work outside of their own households, he concludes that “child domestic servants working outside of their family will be grouped with market work and domestic work will be used to reference non-economic work exclusive of community service and volunteer work” (Edmonds 2008: 9). In turn, arrangements are distinguished on the basis of whether they are paid and unpaid.

In a report on children’s work in the agricultural sector in Haiti’s Department du Sud, Howell points out the process underway to include domestic work in child labour (2012). He refers in particular to UNICEF’s use of 28 hours of domestic work as defining child labour (Howell 2012: 9n54). In consequence – in the current study, we make a point out of analysing children’s activities and domestic workloads with reference to both the 14 hour and the 28 hour per week criterion. Note that work should not harm children’s health, safety or morals and no work should be forced or compulsory. The latter constitutes worst forms of child labour and is prohibited for all children under the age of 18.

In accordance with ILO C182 (and on an ILO mandate), and in order to operationalize the ban of forms of labour to be considered “worst forms” in Haiti, a list of work prohibited for children was developed by a Tripartite Committee that brought together representatives of the Government, unions and employers. The list was approved by the Ministry of Social Affairs and Labour (MAST) and incorporated into the text of the new Child Protection Code. In order to support its implementation, the content of this list should be popularized and developed into a work plan. If the working conditions of a child domestic worker do not meet the requirements stipulated here, the case is to be considered as illegal child labour and will be penalized by law.

We discuss the instruments for children’s protection in Haitian law in further detail in Chapter 7. At this point, we want to make a brief note on regulations that has implications for our delineations of child domestic labour for purposes of estimating extent. The Haitian Labour Code of 1961, amended in 1984, defines and prohibits forced labour in general (art. 4) and sets the minimum age for employment at 15 years for industrial, agricultural and commercial work and 14 for entry into apprenticeships (see e.g. ILO n.d.).⁹ Until it was repealed by a law of June 3rd 2003, Chapter 9 of the Labour Code defined the legal conditions for the employment of children in domestic work. The minimum age at the time was 12 years. In 2003, however, this article on minimum age was revoked, but was not replaced by a new minimum age (cf. University of Toronto 2008: 17, further discussed in Chapter 7). Today, facing this void concerning minimum age for domestic work in national legislation, it is the ILO Convention 138 which provides the legal standard. The ambiguity of the minimum age-limits of 14 and 15 thus not only derive from details

⁹ The law is also available at : http://www.crijhaiti.com/fr/?page=loi_interdiction.

of Haiti's ratification of ILO C138, but also from the fact that child domestic work is not currently regulated by the National Labour Code. A factor which further contributes to this ambiguity is that ILO C138 establishes that the minimum age for admission to employment should not be inferior to the age at which compulsory education stops. In Haiti, primary schooling starts when children are six years old, lasts for nine school years, and thus ends after children's 14th year of life.

Delineations drawn by the Technical Committee of the current study

UNICEF and ILO, in collaboration with the other organisations in the Technical Committee of the current study, have prepared the following diagram in order to portray different legal distinctions.

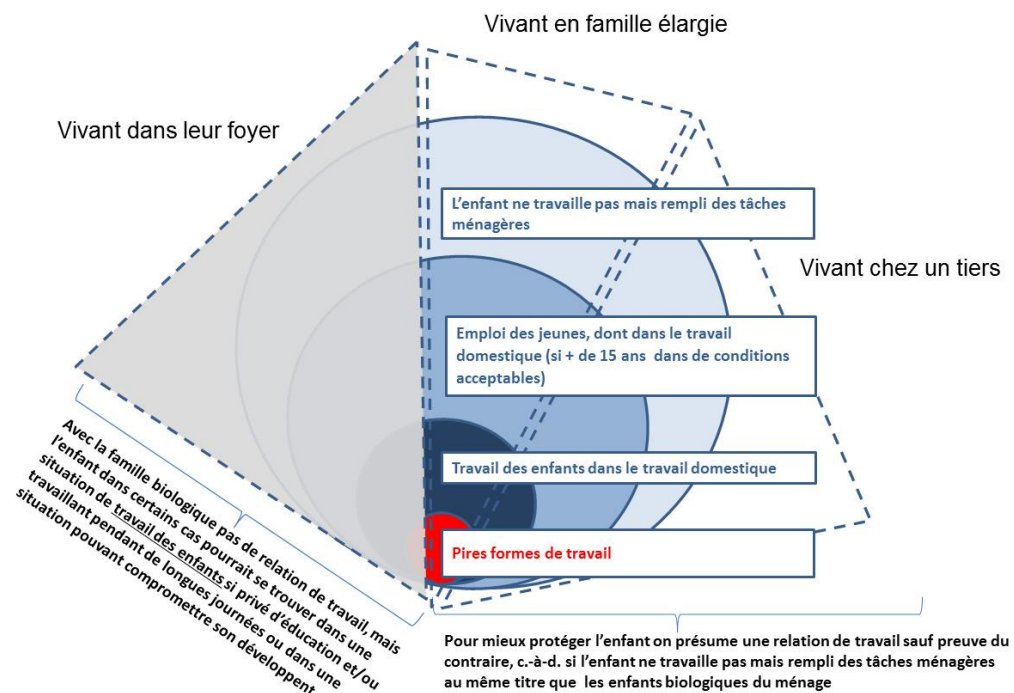


Figure 1 Framework UNICEF/ILO 2014

The different definitions and delineations that are built into the figure are listed below. They can be read as ways to further operationalize terms along the lines of ILO's Statistical Information and

Monitoring Program on Child Labour (SIMPOC), as described above (cf. Edmonds 2008, see also ILO 2013: 20).

Table 1 Definitions of concepts regarding child domestic work according to ILO-framework

Child living in own home	Child living with at least one of his/her biological parents
Child living with the extended family	Child living with members of his/her family other than the biological parents up to the third degree
Child living with a third party	Child living with people other than the biological family or the extended family
Domestic work	Work performed in or for a household or households. It refers to work such as cook, waiter, chauffeur, housekeeper, child care home, gardener, washer person, guardian, etc. The tasks and services vary from country to country and may be different depending on age, gender, ethnicity and immigration status of the workers concerned, and according to the cultural and economic context in which the work is performed ¹⁰ .
Domestic worker	Means any person engaged in domestic work within an employment relationship. Domestic workers are employed by private households for which they provide services ¹¹ .
Household services	Production of domestic and personal services by a household member for consumption within their own household
Child domestic work	Refers to the situation where children, that is to say, people under 18 years of age, perform domestic work performed in the home of a third party or employer, with or without pay. In some situations the term employer may include the extended family, particularly when this family treats the child as if he/she was an employee (domestic worker). This general concept encapsulates both permissible as well as non-permissible situations ¹² .
Child labour in domestic work	Means domestic work performed by children: <ul style="list-style-type: none"> - below the relevant minimum age applicable in Haiti for the non-hazardous forms domestic work: 15 years; for the hazardous forms of domestic work: more than 6 hours per day between 15 and 16 years of age or more than 8 hours per day between 16 and 18 years of age; or - in a slavery-like situation (all persons below 18 years of age).
Child in a worst form of child labour	It is an aggravated form of child labour, in domestic work, includes de following: <ul style="list-style-type: none"> - all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or - compulsory recruitment of children for use [as domestic workers] in armed conflict; - work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children¹³
Hazardous child domestic work	Domestic work that by its nature or the circumstances, in which it is carried out, is likely to harm the health, safety or morals of children. In Haiti, according to the draft "Order Establishing dangerous and prohibited forms of child labour" (MAST - 2013), it is prohibited to employ children under 15 years in domestic work, in addition, child domestic work is considered dangerous by the conditions under which it is exercised if realized: <ul style="list-style-type: none"> - For more than 6 hours a day for those in the age group 15 to 16 years - For more than 8 hours a day for those in the age group 16 to 18 years - If the work is performed between 18:00 and 6:00 or - If the work is excessively demanding, physically or psychologically

¹⁰ http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_159558.pdf
<http://www.ilo.org/ipecc/areas/Childdomesticlabour/lang--fr/index.htm>

¹¹ OIT C.189 et R.201 concernant le travail décent pour les travailleuses et travailleurs domestiques.

¹² <http://www.ilo.org/ipecc/areas/Childdomesticlabour/lang--fr/index.htm>

¹³ OIT C.182, R 201

Youth employment in domestic work	Means the professional activities, as part of domestic work, carried out in Haiti by a young person of 15 years of age or more, in decent work employment conditions.
Children carrying out household services (in own home)	Household chores performed by children in their own homes, on reasonable terms and under close monitoring of adult members of the family, are an integral part of family life and personal development, that is to say something positive. However, when the workload interferes with children's education or is excessive, in such cases, these situations should be considered equivalent to a child labour situation, that is to say, these are situations to be eliminated. Children performing household chores in their own homes, and children involved in domestic work (in the home of a third party) can perform similar tasks. However, in the first case, the element of the employment relationship does not exist, and so we should not refer to these situations as child domestic work.

In this research, we relate as much as possible to the clarifications outlined above. At the same time, the definition of “Child labour in domestic work” is difficult to operationalise, and becomes all-inclusive for children below 15 years (if we attempt to operationalise it in clear statistical terms): No domestic work in the house of a third party (even if it is a relative) is permissible. In this perspective, even half an hour of domestic work per day qualifies a child below the age of 15 years as a child labourer. As we show in Chapter 3, this is problematic in the Haitian context, as it entails that almost all children living in the home of a third party will be included in a label of “child labour in domestic work”, regardless of whether they combine this work with schooling. Children who live with a parent, on the other hand, do not, even if they have heavier workloads (e.g. three hours per day) and do not go to school. Conversely, for the above 15 year-olds, the hours of work specified are high comparatively speaking: six hours a day permissible for 15 year olds and eight hours per day for 16 and 17-year olds. This workload is difficult to combine with schooling.

Moreover, this discussion illustrates a complicating factor in delineating and estimating child labour, namely that universal criteria of workload that do *not* take into account the general workloads of children in a given context may easily lead to far too all-inclusive estimates. Such all-inclusive estimates run the risk of missing out on significant differences in processes pertaining to the exploitation of children. This is the background for our own approach that combines legal criteria of child domestic work and labour with country-specific considerations. To underline the point: This is not incompatible with ILO’s approach (2013b), in which it is acknowledged that children (also children below 15 year) often engage in household work that does not impact negatively on their education or health. Thus, our approach and emphasis is made with particular reference to problems of operationalisation in research.

Two final points should be made with reference to method in this context. Firstly, with regard to ILO’s global estimate classifications, child labour in domestic work statistically includes:

- (i) all children aged 5-11 years engaged in domestic work; (ii) all children aged 12-14 years engaged in domestic work for more than 14 hours per week; and (iii) all children aged 15-17 years engaged in hazardous domestic work which includes “for long hours” defined for purposes of these estimates as “43 and more hours per week”. (ILO 2013b: 20).

Specific criteria and considerations of workload are shown in Table 10 and Figure 20 in this report. Secondly, with respect to hazardous child domestic work, as defined above (Table 1) one of the criteria specifies that work is hazardous if “excessively demanding, physically or psychologically”. It is challenging to find good operationalisations of hazardous work in Haiti, for statistical purposes. We return to this issue in Chapter 3 and consider working conditions in Chapter 5.

Keeping with the focus of the current study, and taking into account the discussion above, we concentrate on children’s domestic work and labour in households different from their original homes. At the same time, we enable comparisons between children’s workloads and education in different household settings. It should also be noted that, in research terms, we do not “presume” that relationships should be defined as labour arrangements until the opposite is proven (as indicated in the lower right corner of Figure 1, but set out, precisely, to document workloads empirically. However, the criteria for a non-labour relationship defined in Figure 1 – specifying that a child is in school and does not work, but performs housework in the same way and under similar, acceptable conditions as other children in the household in which he/she lives – overlap with the criteria employed for the current study.

Approach

In the following we avoid the *restavek* term and focus our analysis on child domestic work in more general terms, as this is defined in different international legal frameworks above. Our approach takes the cultural context of child mobility and workload into account. In order to estimate the extent of child domestic work in Haiti, we have defined a child domestic worker according to the following four criteria: the child is living without parents; has a high domestic workload, defined as in the upper three quintiles of weekly work hours for children’s age (see Chapter 4); has insufficient education, i.e. never enrolled, not currently enrolled or enrolled in a lower level than expected for his or her age, and finally; is aged 5 to 17 years (below 18). The lower age limit of five years does not imply that younger children are regarded as not exposed to exploitation, but rather reflects estimation purposes and possibilities, delays in education not making sense for children below five years of age. Furthermore, we calculate living and working conditions based on data for all children aged 5 through 17 years. With reference to the estimate of child domestic workers – we provide figures for the number of child domestic workers based on workload, inferior or no education, and separation from both parents, for the age groups 5 throughout 14; 5 throughout 15, and finally 5 throughout 17 (see Chapter 3). We also make calculations based on the distinction of domestic workload that exceeds 14 hours and 28 hours per week for the different age groups, and discuss what kind of figures and estimates of the extent of child domestic work and labour we produce when the criteria in are used. The aim of all of these calculations is to enable a discussion of who projects should reach: The many children that are aged 15 and who have heavy workloads, or the children who are below 15 years and live with a third party but do not (we show) have heavy burdens of work.

In theoretical terms, the aim of this approach is to depict patterns of interaction. Hence, we approach child domestic work as a social system, and seek to understand why original families, children themselves, and the people who “employ” them, act and react the ways they do, given the opportunities they are faced with. This analysis enables an understanding of how practices and relations are generated, and thus, an understanding of the effects of intervening in these practices, and how such interventions should be directed. Furthermore, and as discussed in Chapter 1, we aim to move beyond a narrow conception of children’s “agency”, and the concomitant distinction between children’s agency and victimisation (cf. Honwana 2005: 47ff.; Leifsen, 2013). Thus, we approach child domestic labour by putting agency in relational perspective. This approach rests on an analytical framework that perceives of relation-making as a basis of personhood (Carsten, 2000). In extension, we see the nature of relatedness, in this case in children’s various and relative social inclusion in households, as sources of being. We explore the many social connections and movements that define working childhood and the specificities of Haitian children’s volatility.

Methodology, fieldworks and sources of data

Findings in this report are based on statistical data from a nation-wide household survey carried out in September 2014 (see Lunde, Liu and Pedersen 2014). The report also draws on insights from a qualitative fieldwork carried out in Haiti in September 2014, and an institutional study that included fieldwork in Haiti from May to September 2014. Below, we supply more specific information on the different methods employed for producing data.

In addition, we have reviewed recent academic literature and policy-related works on child domestic work and labour in Haiti. Insights from this desk study appear in comparative perspective throughout the chapters, as statistical data from the survey and material from the qualitative fieldwork and the institutional study are analysed in relation to existing literature in the field. Needless to say, the institutional analysis also relies on document reviews (see especially Chapter 7).

The survey: Questionnaires and sample

The survey was developed to generate updated estimates on the number of child domestic workers in Haiti. We have also wanted to identify characteristics of households that are prone to send and receive children in domestic work arrangements (e.g. in terms of household size and economy), and to characterize the profile of child domestic workers in terms of age, gender, labour tasks, workload, education, health, punishment and abuse, sleep and sleeping arrangements, clothing, and parental contact. Extending the survey tool from 2001 in order to better capture migration pattern of child domestic workers, we added questions on children’s number of moves, reasons for moving, and the social circumstances around children’s mobility (in line with the Haiti Youth Survey from 2009, see e.g. Lunde 2010). As a result of this, and following input from the IHE, the Technical Committee and Fafo’s desk review, the quantitative survey questionnaire used for the current research has thus been extended, and is far more detailed on issues relevant to children compared to the 2001 questionnaire.

Two main questionnaires were used: a household questionnaire and a questionnaire for a randomly selected child. The *household questionnaire* contained three rosters and a set of questions about the household. A household roster collected basic information about all household members, while a child roster collected more detailed information on children in the household aged 5-17. Main topics in the child roster were education, domestic work, social conditions, health status and parental contact. In addition, a roster for children who had left the household the last five years prior to the survey was included. The household questionnaire also contained questions on household level on topics such as household economy, dwelling and infrastructure, as well as a module on perceptions of child relocation.

In each surveyed household a child responded to the *randomly selected child questionnaire*. Households without a member in the age range 5-17 were not found eligible for interview. In households with children living without their parents, the child respondent was randomly selected within this group of children. In households without children separated from their parents, the respondent was randomly selected from all children within the age range. The child questionnaire included questions on the same topics as addressed in the household questionnaire, but they were directed to the individual respondent. In addition the child questionnaire included questions on relocation, treatment in the household and a short psychological mood and feelings self-assessment. The self-assessment questionnaire is designed to screen for depression in general populations of children and adolescents from the age of eight (Angold et al. 1995). The depression index is reported on in the current synthesis report. The tabulation report includes some of the individual questions that make up the index (see tables 6.9 to 6.14 in Lunde, Liu and Pedersen 2014). Both the household and the child questionnaires are to be found at www.fafo.no.

The survey sample included 2,160 households, distributed in 80 randomly selected clusters, stratified according to an urban/rural distinction (see the Tabulation report for details: Lunde, Liu and Pedersen 2014). The national sample was stratified into four regions: North, South, Transversale and West (the latter including the metropolitan region). At the first stage of sampling, the 80 clusters were selected based on a probability proportionate to the number of households in each cluster. Prior to the second stage of sampling, each cluster was mapped and all households were listed and screened for the presence of children not living together with their parents. In total, 13,402 households were visited as part of the screening exercise. Two lists were made in each cluster: one for the households hosting children separated from their parents and one for households not hosting children separated from their parents. For each cluster, a total of 27 households were selected. Out of these, 20 households were randomly chosen from the list of households with children separated from their parents and 7 households were chosen from the list of households without separated children. In clusters where there were less than 20 households hosting separated children, all were selected for interview and additional households were selected from the other list, giving a total of 27 households in each cluster (Lunde, Liu and Pedersen 2014: 12). In each eligible household two respondents were interviewed: 1) the head of household. If the household head was not available, another adult, informed household member was interviewed. 2) A randomly selected child in the household. In the households hosting

separated children, the child was selected from this group of children. If there were no children aged 5-17 living in the household, the household was not found eligible for interview. In total, 2,078 households and 1,617 randomly selected children were interviewed. Out of the children, 959 were separated children and 658 were children living with their biological parents. The response rate was 98.7 percent on the household level and 97 percent on the child level.

Qualitative fieldwork

The qualitative fieldwork aspired to a methodology that was as close to an ethnographic fieldwork as possible. This is to say that field research attempts to document human practices through participatory observation rather than simply interviewing (thus grasping what people do as well as what they say that they do). At the same time, with the given time frame, fieldwork was bound to become reliant on extensive interviewing. Fieldwork was carried out by Tone Sommerfelt (PhD of anthropology, who also conducted fieldwork for the 2001-study) and Helen Spraos. Helen Spraos has carried out the institutional analysis for the current research, and Fafo wanted to benefit from her insights from that study as well as from her long-term engagement with work in Haiti, her Creole language skills and wide, informal, network of people and families independently of NGO and GO-networks.

Respondents, interviewees and participants were recruited partly by the assistance of the Technical Committee, via UNICEF, and partly through the independent and personal networks of Helen Spraos and Tone Sommerfelt. In addition, we also recruited respondents “sur site”: People who heard that we were in a settlement volunteered to tell us about their own experiences, views, and histories relating to sending or receiving children. Recruitment of research participants through NGO networks carries with it advantages as relates to access to the field and relevant information. At the same time, there are obvious disadvantages associated with relief organisations being involved in information gathering. A main point of the qualitative fieldwork is to disconnect information gathering from directly related project work, in order to avoid that respondents adjust their explanations to the hope of obtaining direct assistance or benefit as a result. This was also one of the reasons why we tried to recruit as many respondents possible independently of NGO-networks. On at least three occasions, recruitment of interviewees through NGOs did not work according to our intention, in the sense that we were clearly associated with the NGOs in question in a manner which shaped people’s accounts.

The overall aim of the supplementary qualitative fieldwork was to provide independent findings that cannot be obtained by a pre-defined questionnaire design, as well as to provide input on the analysis of the quantitative material by identifying relevant connections to explore statistically. The design of the qualitative methodology was thus made open-ended and flexible. The topics covered in interviews, informal conversations and group discussions with people included especially:

- the different mechanisms of recruitment of child domestic workers, including initiatives among caretakers, employers and children and the use middlemen or recruiters (a topic that arose during the 2001-study but that could not be pursued in detail)

- motivations, life and work experiences of children in domestic service and among former domestics in the areas of origin and of destination.
- Reasoning over child placement among the original caretakers of children in domestic service, including parents' views on children's education
- perceptions among employers with regard to the use of children as domestics and the treatment of children taken in

Our conversations with adults and children additionally pursued issues we could not have foreseen, especially relating to the details of the difficult economic situation following the last drought in 2013/2014, and individual life histories in the aftermath of the 2010 earthquake. The different categories of respondents included current and former child domestic workers, and other children living away from original family (in different forms of living arrangements); receivers/guardians/employers of child domestic workers; parents and/or family members of children sent into domestic work or into a new home; middlemen, formal and informal, in the recruitment process of child domestic workers (no formal recruiters, *koutiyè*, were identified); Resource personnel/other key informants (religious leaders, school teachers and headmasters, local community leaders, NGO-representatives, etc; and other adults and children not directly or personally involved in child placement.

Fieldwork and interviews were carried out in September 2014, and took place in in different areas of Carrefour Feuilles, also in also camp settings; in different neighbourhoods of Port-au-Prince (including Cité Soleil) in camp and non-camp settings; in different areas of Petionville, Jacmel, Marigot (Plateau Desira, Seguin and Cassé Dent) and in Grand Goave. In addition to a series of informal conversations, this fieldwork included individual interviews and group discussions with approximately 110 people (see table in Annex 1 for details). Transcription of these interviews was done at nighttime during fieldwork and in the weeks following fieldwork. All transcriptions were double checked by both fieldworkers.

Institutional study

Helen Spraos, an international consultant who is Creole-speaking and has 15 years' of experience in programming activities and research in Haiti, conducted the institutional study. The techniques used to collect the data in this report were essentially:

- Document reviews, with a particular focus on the material produced by organisations and institutions active in the field of child protection in Haiti, and in particular, of children in domestic service (publications, reports, leaflets, DVDs, etc.). Reviews included internet sources and written information from organisations that participated in the study.
- Semi-structured interviews, lasting from 20 minutes to three hours, conducted with resource persons belonging to the organisations that are the subject of institutional analysis (the guide is to be found in Annex 3). A total of 123 people representing 58 institutions participated in the interviews over a period of six weeks, from 6th of May to 20th of June 2014, and during the period from September 12th to 21st (cf. list of participants in Annex 2). Most interviews were conducted face to face, but three were

conducted over telephone. Much of the interviews were conducted in Port-au-Prince because of the concentration of offices in the metropolitan area.

- In addition to interviews carried out in the metropolitan area, field visits were conducted in Jacmel in the Southeast department, the city of Les Cayes in the South and in Grand Goave in the west, in Mirebalais in the Central Plateau, and Gonaives in the department of Artibonite. This enabled us to become familiar with initiatives that take place outside of the capital and to get insights into the perspectives of persons involved in these decentralized activities.

Though insights from the institutional study appear throughout the chapters, the main findings are gathered in Chapter 7. The institutional study is the first attempt to map the stakeholders and the methods they use in the sector in Haiti. Therefore, we sought to identify and make contact with as many stakeholders as possible instead of proceeding on the basis of a sampling according to criteria of randomisation. We used a 'snowball' approach, taking the members of the Technical Committee as a starting point and following up with the organisations mentioned in these interviews. In view of the short time available and the many organisations of civil society that seek to address the issue of child domestic work in Haiti, we were unable to meet all stakeholders. However, we were able to make contact with the majority of the actors playing a key role in the sector and, in addition, keep a balance between the different types of institutions (public, private, non-governmental, community) and include several geographical regions. For the same reason, we were not able to visit all the departments of the country, and chose to prioritise the relatively accessible major towns where it has been reported that the mechanisms for the protection of children has had some momentum.

Our interview notes were analysed according to our main themes of interest, particularly regarding mandate, mission statements, strategies adopted, partnerships, achievements and constraints, resources and financing. Detailed data were registered in a separate database. The database includes data on 31 organisations. The data is incomplete (due to difficulties in obtaining data), but provided a basis for drawing a picture of the scale of the interventions of organisations in the sector rather than details of each actor.

Aiming to highlight general tendencies, especially with respect to the organisations' methodologies, the institutional study in this report cannot deal with all aspects of the work of institutions. As it is also different from an evaluation – it does not set out to measure the impact of various approaches and intuitions. Furthermore, we could not force institutions to participate. This has consequences for the current study. However, information does enable us to portray main actors in the sector as well as trends in the efforts made in the sector.

Some particularities of the methodological challenges we faced during the institutional study should be mentioned. Several organizations target vulnerable or abused children – or child protection generally – without distinction and without explicit definitions of child domestic work and labour. Children included in such programming activities are, for example, street children, orphans and abused children, as well as children in domestic service. Therefore, it is often difficult

to quantify organisations' input, e.g. the number of child domestic workers included in programming activities or the scale of resources intended for them.

Also, much information provided by the organisations we contacted is inaccurate and not suitable for further comparisons, either because time periods for which data is reported do not match, or the bases of data compilation differs (e.g. the budget figures may include salaries in some cases, but not in others). Data on children reported by the organisations are often disaggregated by children's gender, but when they are, they rarely report on age groups. Furthermore, there is a risk of double counting because donors provide figures in order to cover activities implemented by partners that have reported separately.

With few exceptions, relatively little additional information was made available by organisations that participated in the institutional study in written form. Most information was presented in the form of verbal shared data during interviews of limited duration. This may lead to inaccuracies. In addition, some people were unable to respond to our request for an appointment during fieldwork due to illness, extended travel etc, leaving gaps in information. In other cases, interviewees were unable to provide the requested information. Some information was also received at a very late stage of the research process, and was difficult to include in the main analysis.

Finally, the absence of a definition of a "child domestic worker" in the organisational sector and a clearly defined framework has made discussions with partners difficult. Some ambiguities arise from the legal framework itself (see discussion above). Furthermore, the use of the term "trafficking" (as defined in Article 3a of the Palermo Protocol, as discussed above) and "slavery" complicates debates, as they exclude forms of child labour that cannot be captured by concepts included in the "worst forms" (as entailed in trafficking and slavery).¹⁴ In addition, the Creole term "restavek" is occasionally used to translate the term "child domestic worker", or is used in English or French sentences. As this notion carries negative connotation and is often experienced as stigmatizing, this usage too has occasionally made discussions unclear. What is more, the notion of *restavek* does not encompass all forms of child domestic work in the legal sense.

Despite these challenges, the institutional analysis presented in this report provides the opportunity to discuss priorities and the philosophies and assumptions on which organisations base their work. The aim is to relate this discussion to the empirical findings from the qualitative study and the survey data. In turn, the objective is to make recommendation about priorities as well as possible consequences – and unintended consequences – of initiatives aimed to improve the lives of children in Haiti, and children in domestic work. We hope to provide new insights regarding the actions taken by various actors so far and contribute to advancing efforts to enable children to fully enjoy their rights.

¹⁴ The use of these terms tend to convey that all children in domestic service are subjected to trafficking or live, or have lived, in conditions similar to slavery, which gives a rather sensationalist image of the subject. See Smucker and Murray (2004: 155ff) for a discussion of approaches in this respect.

Ethical considerations

Participation of children in research requires particular attention to ethical guidelines. The Fafo research team has extensive experience from research with children in developing countries, also from research collaboration with UNICEF and the ILO, on issues pertaining to vulnerable children in particularly difficult life situations. During the development of the methodology for the current study, the guidelines of the international “Ethical Research Involving Children (ERIC)” project were consulted (cf. Childethics.com). We paid particular attention to the ethical challenges that arise in relation to the roles and responsibilities of researchers and sponsoring institutions, achieving meaningful informed consent, maintaining confidentiality and privacy, assessing the representativeness of “local authorities” in facilitating research on behalf of vulnerable populations, and finally, ethical issues that arise in the publication or dissemination of research findings. It is important to emphasise that participants to this study (as well as names of villages or local communities) will remain anonymous. Participants were also made aware of the fact that the research will not lead to immediate or direct intervention from FAFO, though NGO’s or governmental organisations may use the information to organise activities. This unless there were children in need of immediate assistance, in which case the reference system put up by the Technical Committee was referred to, an arrangement we describe below.

The research project set-up with a Technical Committee improved the opportunities for doing ethically sound research with follow-up from organizations after interviewing. Ahead of the fieldwork for the survey, interviewers received two weeks of training. The supervisors participated during the interviewer training and received an additional two weeks of specialised training. All participants in the survey signed a code of conduct developed by UNICEF. Some of the topics asked about in the interviews with the children were of a sensitive nature, for instance their treatment relative to other children in the household and their feeling of self-worth. Only female interviewers were used during the survey. The training was conducted by IHE staff, supervised by Fafo and following a field manual developed by Fafo. The technical committee was represented by staff from World Vision, and the International Rescue Committee (IRC), who held lectures in child sensitive interviewing. UNICEF trained the field staff on how to identify potential cases of abuse, based on observations during the interviews. If the interviewers or supervisors suspected that a child was subject of abuse or maltreatment in the household, they were instructed to report to their field coordinator. The field coordination would then refer the case to UNICEF, who would be responsible for investigation and follow-up. No suspected cases of child abuse were reported during the quantitative fieldwork.

All qualitative interviews were conducted with informed consent: information about the purpose of the conversations was given at the beginning of each interview and group discussion. During the qualitative fieldwork, we came across several accounts of abuse from children during fieldwork. All of these accounts were retold in centres where the children were already taken into care precisely because of this abuse. In addition, we forwarded several children who were not in school to different educational facilities. Between 10 and 15 of these children were later assisted by community workers into educational arrangements.

Chapter outline

Chapter 3 makes estimates of the number child domestic workers based on different criteria, and presents some general demographic characteristics. Chapter 4 describes some overall characteristics of children's living arrangements, workloads and educational levels, in order to provide a broader perspective for comparisons of child domestic work and labour with situations defined in different terms. Chapter 5 focuses on the children's working and living conditions, and on experiences of the conditions under which child domestic workers live. In Chapter 6, we analyse the broader socio-economic relations of which child domestic workers make part, by way of assessments of the children's backgrounds; the households that employ children for domestic work; and the relationship between them in term of social inequality. Chapter 7 presents the institutional study and Chapter 8 sums up research findings, discusses how methodologies in the policy field match the empirical realities on the ground, and present recommendations.

3 Numbers and distributions of child domestic workers in Haiti

Jon Pedersen and Anne Hatløy

One of the main objectives of the current research is to establish a better understanding of phenomena involving children’s domestic work in Haiti. In this chapter, we start by estimating the percentages of child domestic workers in the child population based on delineations provided by the Technical Committee to this study (cf. Figure 1). In turn estimate the number of child domestic workers based on a less inclusive definition.

Different definitions produce different numbers

In Table 1, a series of definitions were listed. If we employ the different definitions used in the list, we find the following percentages in Haiti:

Child living in own home: In Haiti, three out of four children (74 percent), aged five to 18 years live with one or both parents. 44 percent of all children live with both parents, while 31 live with only one parent.

Children living with the extended family: Seven percent of Haitian children live in the household that they were born into, but where parents have moved out or have died. These children most often live with grandparents or their parents’ siblings. Another 11 percent of children in Haiti tell that they live with what they refer to as “well-knowns” – which mainly are relatives. In total, then, 18 percent of children aged five to 18 in Haiti are living with their extended family.

Children living with third party: The remaining seven percent of Haitian children are living with what they characterize as people they did not know prior to the move into their present home, or who they only knew a little before they moved.

Furthermore, it is a clear tendency that it is the older children that move to extended family, whereas movements to a third part is not related to the age of the children (Figure 2).

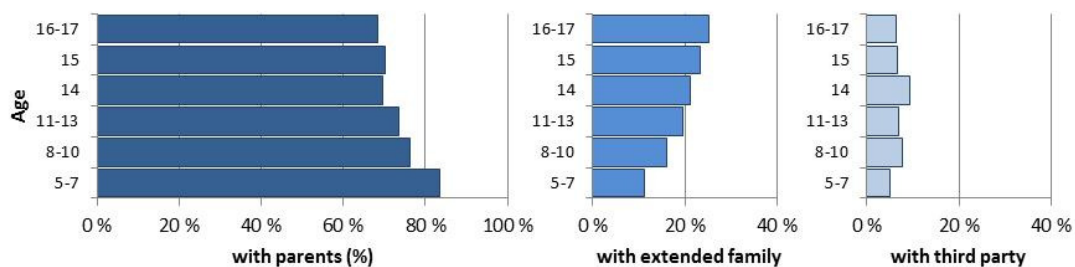


Figure 2 Living arrangement by age-groups

Domestic work: Only two percent of all children in the age group five to 18 report that they never do any domestic tasks. It is only children below eight years of age that say they never carry out any domestic work. Among the latter, 11 percent say they never take part in any domestic work. Another 24 percent of all children (regardless of age) did not perform any work the day before the interview (“yesterday”, or if the last day was a weekend, last weekday), but report to do such work on a regularly basis. Six out of ten children (57 percent) carried out less than 4 hours of work the last workday. More than 8 hours of work was carried out by two percent of the children, and three percent worked between six and eight hours. As Figure 3 shows, around four out of five children eight years of age or older did some form of work the previous weekday.

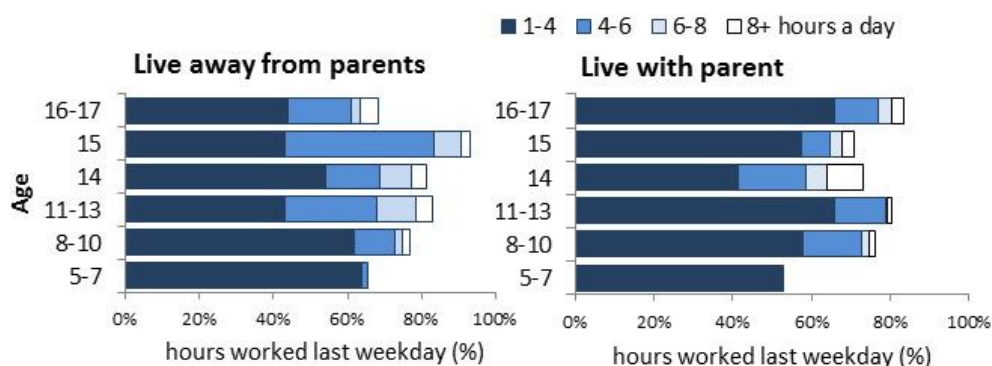


Figure 3 Hours of work spent on household chores yesterday by age. The length of each bar shows the percentage of children in each age-group that worked yesterday

Child domestic work: We have seen that most children in Haiti do some sort of household chores. According to the framework provided by ILO and the Technical Committee to this study, how such work should be defined depends on whether or not a child lives with a third party. In this framework, child domestic work refers to a situation where children perform domestic work in the home of a third party or employer with or without pay. Out of the children in Haiti that live separated from their parents, only one percent says that they never perform domestic work, and another 21 percent had not performed any domestic work the previous weekday. Put differently, in this framework, nearly all of the children who live away from parents perform child domestic work.

Child labour in domestic work: Child domestic work encompasses both permissible and non-permissible conditions. “Child labour” in child domestic work makes up the non-permissible situations. This framework further follows specific minimum ages. In Haiti, the minimum age for non-hazardous forms of domestic work is 15 years. Thus, strictly speaking (and related to problems of operationalisation, as pointed out in Chapter 2), all the work that younger children perform is defined as non-permissible, in this framework. According to this, 80 percent of all

children below 15 years who live away from parents live in situations of child labour in domestic work.

Children 15 years old may work up to six hours a day, and children aged 16 and 17, up to eight hours a day. Very few children work so many hours. In Haiti, our figures show that in Haiti, among the 15-year olds who live away from parents, a total of nine percent work hours or more per day. In comparison, among the 15 year olds who live with parents, the figure is six percent. Among the 16 and 17 year olds who live away from parents, five percent work eight hours or more. In comparison, three percent among the 16 and 17 year-olds who live with parents work eight hours or more per day. It should be noted, that many children aged 15 to 18 work from one to six hours per day. A workload of 4 to six hours per day is difficult to combine with education.

In Figure 4, all the non-permissible situations – ‘**Child Labour in Domestic Work**’ – are put against a red background. As is evident, it is only the children that live separately from their parents that fall into the non-permissible situations, according to this understanding. In line with our comment above, special attention should be made to the children younger than 14 years of age that work more than four hours a day. As many as 40 percent of the children who live away from parents aged 11-13 years work more than four hours a day, and 15 percent work more than six hours/day. Very few the children living with their parents have such a workload in that age group.

Another group of children that requires scrutiny is the children living with their parents, and have a high workload, as shown to the right in Figure 4. Most children of this category do perform work. Even though this is considered “permissible” in the given framework, a workload of more than four hours a day is difficult to combine with schooling.

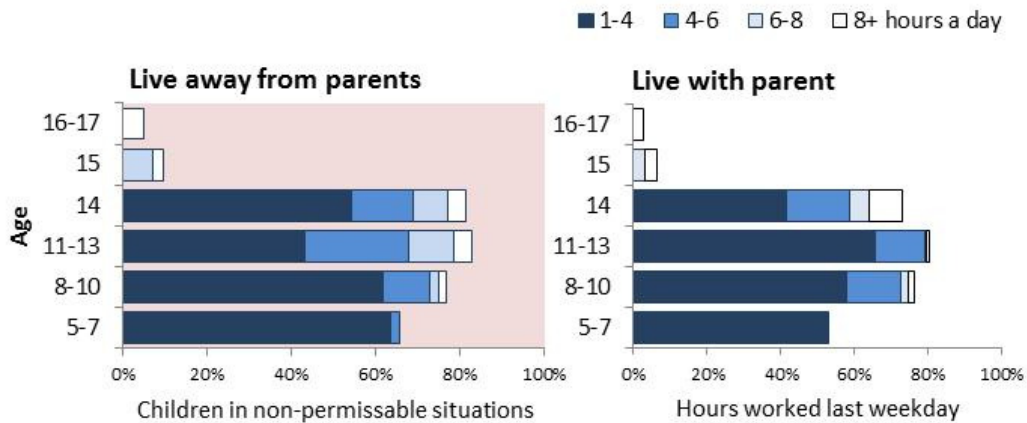


Figure 4 Child labour in Domestic Work (left) compared to children living with parents with same workload (right)

As specified above, according to this framework, nearly 80 percent of the children below 15 years of age living separately from their parents will belong to the category “Child Labour in Domestic Work” (but recall comments on criteria of operationalisation in the previous chapter). In contrast,

only nine percent of the 15 years-olds and five percent of the 16-17 years old children living without parents will be defined in this group.

In the Haitian context, to single out child domestic workers in **the worst forms of child labour** is particularly difficult. This applies equally to children below 15 years as well 15 to 17 year-olds. As will become evident from the analysis that follows, this is related to the fact that all Haitian children work (whether domestic workers or not, see Table 10 and Table 11). Also, children perform the same types of tasks, rather than child domestic workers engaging in different forms of work from other children. Usually, children perform domestic tasks without being paid, which complicates the application of terms such as "exploitation" and "slavery" to describe (some) child domestic workers specifically. Furthermore, and as mentioned in the previous chapter, one of the criteria used to define **hazardous child domestic work** in the ILO framework (Table 1) specifies that work is hazardous if "excessively demanding, physically or psychologically". Other criteria include children's work with dangerous object and hazardous substances. Again, considering that most Haitian children engage in the same types of tasks that also involve the use of sharp object or proximity to open fire (see Figure 23), singling out child domestic workers in the "worst forms" of child labour is challenging. We return to working conditions in Chapter 5, but emphasise that these considerations should inform future debates and project work on child domestic workers in Haiti.

Relative workload, educational performance and parent-child separation

As shown in Figure 3, most children in all age groups do some kind of domestic tasks, whether they live with parents or not. This definition is based on a fixed cut-off for hours of domestic work for specific age-groups.

In the study of child domestic workers from 2001, age-adjusted cut off points for domestic work were used. However, these were relative and not fixed. In brief, this means that the children working most compared to the other children in the age-group were considered to be at risk (see Pedersen and Hatløy 2002). In addition, education was taken into account in the 2001 study: In order to be characterized as a child domestic worker, the child living away from parents should have a relatively high workload and be delayed in his or her education. This definition captured a much higher proportion of the children aged 15 and above, but left out a larger part of the children under the age of 15 that have done some household tasks. This difference will be considered in further detail later in this chapter.

Figure 5 shows that if we apply the 2001 definition on the current data, a larger proportion of the children between 15 and 17 are defined as Child Domestic Workers. All other studies have also found a relatively large proportion of child domestic workers in the older age-groups. According to the framework of the Technical Committee, most children aged 15 and above fall outside of the child domestic worker category.

In order to capture the details of workload and educational performance of children in different age groups, we use the 2001 definition in the calculation of child domestic workers in Haiti, and base comparisons of their working and living conditions on this delineation.

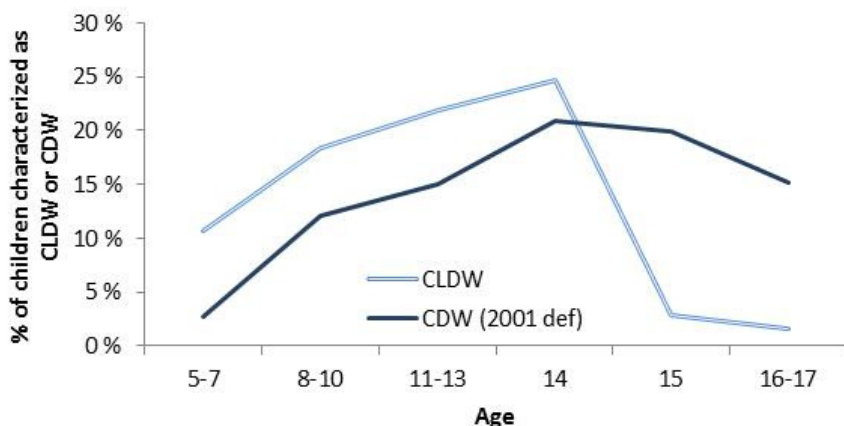


Figure 5 Proportion of all children that are defined as either in Child Labour in Domestic Work or as Child Domestic Workers (based on 2001 definition) by age groups

Below, we employ the latter definition to estimate the total number of child domestic workers in Haiti.

Estimations based on workload, education and separateness from parents

Based on the discussion in the previous section, we have chosen to include three factors in the estimation of child domestic workers in Haiti, namely that the child is living away from its parents; that the child is not following normal progression in education; and that the child is working more than other children. In order to operationalize the workload criterion we have chosen that the child is among those in the upper three quintiles in the workload distribution. Since the acceptable workload varies with age, the quintiles have been calculated separately for six different age groups between five and seventeen (see Table 11, Chapter 4).

The second step, given this definition, is the actual proportion of child domestic workers aged five to seventeen as recorded by the survey. This proportion is 13.1 percent, with a 95 percent confidence interval of 10.8 percent to 15.9 percent.

The third step is translating this proportion to a number. In principle this can be done using the so-called expansion weights from the survey, i.e. adding together how many children in the population each selected child represents. However, since the sample is relatively small, the estimate is subject to large variability. It is therefore prudent to adjust the estimate to the actual size of the child population, as far as this is known.

Unfortunately, the last census of Haiti was in 2004, and current population figures are projections based on assumptions about the development of fertility, mortality and migration. Of these, the migration figures are the most uncertain, but as these affect the number of children of child bearing age, they also affect the number of children being born, and therefore the number and age distribution of the child population.

Regrettably, the various recent surveys, and the population projection of the United Nations Population Division (UNPD) return relatively different age structures of children. The 2012 Demographic and Health Survey is relatively similar to the present survey for the under eighteens, but different to the population projection. In contrast the ECVMAS¹⁵ of 2012 differs significantly from the two other surveys, as well as the UNPD projection. Therefore, we have elected to simply use the projected population count from the projection as basis for the number estimate, without correcting for the rather uncertain internal structure of the child population. Or, put in another way, we accept the age and gender structure of the current survey, while using the total number from the projection. The projection arrives at a population count of 3,105,000 children aged from five to seventeen years in 2014. It is possible that this number is somewhat over stated because the projection does not take migration sufficiently into account.

Four hundred thousand: The maximum estimate based on workload and education

Based on the definition of child domestic workers in terms parent-child separation, higher workload and lower educational performance, as well as the assumptions and estimates above, there were 407,000 child domestic workers in Haiti in 2014, with a 95 percent confidence interval ranging from 335,000 to 494,000. The confidence interval is approximate because the unknown uncertainty of the population numbers has not been considered.

We estimated that there were 173,000 child domestic workers in 2001 with a similar definition to the one used here. The huge increase in the estimated number of child domestic workers is related to three factors: increase in the proportion of child domestic workers; change of population estimates; and increase of the child population.

The first aspect is the fact that the proportion of child domestic workers out of the total child population has increased. In 2001 we found the proportion to be 8.2 percent. Thus, the increase is nearly five percentage points. This is contrary to what we predicted in 2001. In 2001 we considered that because of the fertility decline, which indeed has continued since 2001, there would be a smaller number of children available for fostering because parents would be inclined to keep all their few children. That assumption appears wrong, or other factors have increased the supply and demand for children.

¹⁵ ECVMAS = Enquete sur les conditions de vie des menages apres le seisme, carried out by the IHSI (The Haitian Statistical Bureau with support from the World Bank and the DIAL joint research unit of France.

The second factor of the increase is a more technical issue of estimation: the results of the census in 2004 implied that we probably had underestimated the size of the child population in 2001. While we had used the figure of 2.1 million children between ages five to seventeen, there were probably 2.9 million children. The 2.9 million-figure in turn implies that there in fact were 239,000 child domestic workers in Haiti in 2001, rather than 173,000.

Regarding the estimate of the child population one should note that currently the situation is only slightly better than in 2001. In 2001 the population estimates were based on projection from the 1982 census and therefore rather uncertain. The 2004 census on which the current projection is based is now 11 years old. Given the poor migration data; uncertainties about exact fertility levels and age patterns of fertility; and mortality patterns; one must be clear that the estimate of the size of the child population is uncertain.

Third, and finally, regardless of the various demographic data and assumptions, the child population has grown since 2011. Based on the projection the growth has been about 200,000 children between 2001 and 2014. The relatively small increase of 0.5 percent per year is partly because of the fertility decline that Haiti has experienced. If the proportion of children living as domestics had been constant at the 2001 level, with current population projections, there would have been 257,000 child domestic workers today, i.e. 152,000 less than what is found.

The proportion of child domestic workers is lowest for young children. Of the children aged five to nine, 7 percent (95% CI 5.3-9.2%) are child domestic workers, in the age group ten to fourteen 16.3 percent (95% CI 12.5-21.1) are child domestic workers, and of those aged fifteen to seventeen 17 percent (95% CI 12.4-22.9%) are child domestic workers.

Girls are more often child domestic workers than boys. Of the girls, 15.9 (95% CI 12.9-19.5%) are child domestic workers, while 10.6 percent (95% CI 7.9-14%) of the boys are. The percentages correspond to 236,000 girls and 171,000 boys.

One should keep in mind here that the relocation itself is gender neutral, so that the child labour arises from work load and education performance. As noted in Chapter 4, the child domestic workers make up only a part of the children that do not live with their parents. Of the children aged between five and seventeen 25.7 percent, or 797,000 (95% CI 719,000- 876,000) are living without both parents. Multivariate analysis of the propensity to be a relocated child, depending on the age, gender, if residence is urban or rural and the location in Haiti only yields age as a statistically significant explanatory variable, and the model fit in general is very poor¹⁶. Thus, there is little evidence that being relocated is determined by gender, location or residence. Relocation is necessarily related to age as the decisions to relocate a child does all take place at the same age, thus there is a natural tendency that the relocation prevalence increases with age, if we assume that once relocated a child generally stays relocated.

¹⁶ The multivariate analysis in question was a design corrected logistic regression, Nagelkerke's pseudo r-square was 0.032.

Stricter definitions of age result in lower numbers

The child domestic workers are a relatively diverse group along several dimensions. One such dimension is age, and reducing the top of the age range reduces the number of child domestic workers significantly using the same definition as above. This is because the highest percentages of child domestic workers are found among the older children and because the number of old children is large.

Accordingly, the number of child domestic workers aged five to fourteen years is 286,000 (95 % confidence interval 233,000 – 350,000). One may argue that children aged fifteen and above should not be considered child domestic workers, because their schooling is not mandatory and few have an observed work load that surpass legal limits.

The present estimate is more than a doubling of the number compared with our 2001 estimate for the five to fourteen age group, which was 134,000. As was the case for the whole five to seventeen age group, the increase stems from an increase in the percentage, an increase in the estimated population base; and population growth.

The number of child domestic workers aged five to thirteen years is 229,000 (95 % confidence interval 184,000 – 283,000). Again, and for the same reasons as those stated above, the estimate about twice as high as the similarly constructed estimate from 2001 (115,000).

So far, we have considered estimates based on the three factors of living away from parents, delay or absence of education and working in one of the three highest quintiles. It may be argued that including the three highest quintiles result in an over estimate, since the work load is not higher than two hours a day for any age group in the third quintile except for the 15 to 17 one (where the limit on hours is not so relevant in any case).

Two approaches to restricting the definition have been tested. The first is loosening the work criteria to the two highest quintiles (Restricting the definition to only the highest quintile appears unreasonable, since it would imply that it is acceptable for all age group except for the very youngest to work more than 18 hours per week).

The second is to restrict the work criteria to an absolute number of hours allowable for each age group. This definition would nearly make child domestic workers non-existent above 15 years, since very few have a workload that it is in itself completely unacceptable.

Restricting the estimate of the number of child domestic workers through relaxing the to only the two highest quintiles results in a total estimate of 9.1 percent or a total 284,000 (95% CI 233,000 –334,000) for the five to seventeen age group, that is, a reduction of about 122,000 compared to the estimate that uses the three highest quintiles. In workload terms it means an unchanged workload for the youngest group, and an increase of the minimum to be considered as child domestic of four to seven hours per day for the other age groups (see Table 11 in Chapter 4 for precise changes).

As was seen for the wider definition, restricting the age range to five to fourteen years results in a smaller estimate, both as a percentage (8.6 percent) and as absolute numbers: 207,000 children (95% CI 166,000 – 248,000). Restricting the age range even further has similar consequences (see Table 2).

Table 2: Numerical consequences of different restrictions on the definition of child domestic workers

Age range	Child population	Upper three quintiles of work		Upper two quintiles of work	
		Percentage	Number ('000)	Percentage	Number ('000)
5-17	3 103 007	13.1	407	9.1	284
5-14	2 407 627	11.9	286	8.6	207
5-13	2 173 187	10.5	229	7.9	171

The majority of children living away from their parents live together with relatives, as noted in Chapter 4. However, the percentage child domestic workers among those living without relatives are strikingly different from that among those living with relatives. Thus, 60 percent (95% CI 44-75%) of children aged five to seventeen years living without relatives can be classed as child domestic workers, while 10.6 (95% CI 8.5-13.2%) of those living with relatives can. The huge difference in the width of the confidence intervals for the two estimates stems from the fact that only 180 children was observed as living without relatives, while 1409 lived with relatives. The estimates are practically the same for those aged five to fifteen years.

Table 3: Number of domestic child workers in Haiti, various estimates

PADF 2009	225	5-14 years	1458 interviews in "troubled urban areas" in some Haitian cities/towns	Pierre, Y.-F., et al. 2009
HLCS 2001 High	173	5 - 17 years	National sample: residence, workload and education	Pedersen & Hatløy 2002
HLCS 2001 Low	124	5 - 17 years	National sample: residence, workload and education	Pedersen & Hatløy 2002
HLCS 2001 High	134	5 - 14 years	National sample: residence, workload and education	Pedersen & Hatløy 2002
HLCS 2001 High	115	5 - 13 years	National sample: residence, workload and education	Pedersen & Hatløy 2002
Emmus III 2000	87		Asked household heads if unrelated children in their households were <i>restaveks</i>	Cayemittes, M., et al. 2001
IPSOFA/UNICEF 1998	300		Not specified	IPSOFA 1998
UNICEF 1997	250		Not specified	UNICEF 1997
UNICEF 1993	130	0 - 15 years	Sample of 1117 children in 3 towns adjusted to whole population	UNICEF 1993
IHSI/IBESR 1982	109	5 - 17 years	Estimated from self-reporting of household composition in 1982 Census of Haiti	Dorélien 1984
Clesca 1982- II	240	6 - 15 years	Doubling of Clesca 1982 - I based on inclusion of relatives and lodgers/tenants.	Clesca 1984

The present estimate is not the only one of the number of domestic child workers in Haiti. Several publications report estimated numbers of domestic child workers (Table 3, see reference list for bibliographical details).

Given the small size of many of the surveys, and the rather variable definitions, both in terms of age ranges and definition of what constitutes domestic child work, the numbers are surprisingly consistent.

Age, gender and geography

As noted above, child domestic work is related to age and gender: the older children are nearly three times as likely to be child domestic workers as the younger ones, and girls are more likely to be than boys. This holds true regardless of whether we change criteria of workload or age.

The difference between boys and girls does not stem from the boys working, on average, less than the girls, or the boys being less retarded at school than girls on the average. Rather it is the fact that girls score more poorly than boys in being *both* delayed at school, *and* working more at the same time. Thus, for girls work and lack of education are a double whammy, while for boys the two are independent disadvantages.

The percentage of child domestic workers (regardless of workload or age in our definition) does not show much difference according to the geographic region in Haiti. While Transversale have higher percentages than others, the differences can easily be due to chance. In contrast to what is often believed (see e.g. Pierre et al. 2009), but consistent with the 2001 findings, there are no differences between urban and rural areas. A similar logistic regression model as the one carried out for whether or not the child is relocated shows that age and gender are significant variables as predictors of child domestic work, but again overall model fit is poor.

Conclusion

If we define “child domestic workers” as people under the age of 18 years, that perform domestic work in the home of a third party, either paid or unpaid (in accordance with the framework in Figure 1), most of the persons below 18 years who live away from parents fall into this category. This category includes both permissible and non-permissible situations. Among the non-permissible, “child labour in domestic work” defines 15 as an absolute boundary – all work performed in the household of a third party qualifies as child domestic labour as long as the child is under the age of 15. With the figures we have in Haiti, this would include 80 percent of children below the age of 15 who live away from parents. However, with the high workloads specified as permissible for the children 15 years and older, very few children fall in the category of non-permissible situations. Put differently, according to this understanding, the numbers on child labour in domestic work drops drastically at 15 years (Figure 5).

A definition based on relative workload, educational performance and parent-child separation gives a different picture. According to these criteria, the age distribution of child domestic workers is different, and numbers increase with age. This definition also leads to considerable numbers of child domestic workers below 15 years of age, but it is not as all-inclusive of the below 15-year-olds as is the previous definition.

According to the definition based on relative workload, education and parents-child separation, both the absolute number and the percentage of child domestic workers in Haiti have increased during the last fifteen years. This is true regardless of age limits and whether we base estimates on the upper two or upper three quintiles of work. The highest estimate of 407 000 child domestic workers, obtained by including those over 15 years of age, is probably on the high side, because of the difficulty in applying standards for schooling and work for that group. Thus, a more reasonable figure is perhaps the 286 000 found restricting the age to five to fourteen years.

As we have seen, part of the increase in numbers stem from increases in child population size due to population growth, albeit this increase is comparatively small. Another reason for the increase in numbers compared to previous estimates is that the earlier assumptions about the population size in 2001 were too low. That, of course, is a technicality rather than a substantive issue. Finally, and most importantly, the prevalence of child domestic labour has increased.

4 Contexts of children’s work and education in contemporary Haiti

Anne Hatløy

In this chapter we describe overall patterns of children’s living arrangements in Haiti, i.e. who children live with, as well as their educational level and workload.¹⁷ The purpose of this contextualisation is to provide a broader perspective for comparisons of child domestic work with situations defined in different terms. Another purpose is to identify three vulnerabilities that can be employed as criteria for the delineation and definition of child domestic workers for the purpose of statistical study. These vulnerabilities include parent-child separation, i.e. whether children live away from their parents; delayed education, and; high domestic work load.

Children and living arrangements

In 2001, one out of five Haitian children (19 percent) aged 5 to 17 lived separately from their biological parents (HLCS 2001, see Sommerfelt, ed., 2002). This number has increased to one out of four (26 percent) in the present 2014-survey. Among all the children in this age group, 8 percent no longer have a living mother, and 12 percent do not have their father alive. As shown in Table 4, only half of the children live together with their biological father (51 percent), and 69 percent live together with their mother. Less than half of Haitian children, 44 percent, live together with both their biological parents (Table 4).

Table 4 Percentage of all children with mothers and fathers alive, and percentage who live in the same household as their mother and father (all children UnWn=3525)

	Yes	No
Mother alive	92%	8%
Mother in same household	69%	31%
Father alive	87%	13%
Father in same household	51%	49%
Living with one or both biological parents	74%	26%
Living with both biological parents	44%	56%

¹⁷ The quantitative analyses in this chapter are, when nothing else is mentioned, based on the information from the household roster files in ‘Child Domestic Survey 2014’.

Among the 26 percent of the children that live away from their biological parents, most live with other relatives (Figure 6). Living with grandparents is the most frequent living arrangement for these children. However, 17 percent of children who live away from parents do not have any prior relation to their current household head. 13 percent of these children are characterized as ‘Other non-relatives’, while 4 percent are characterized as “Restavèk” by respondents.¹⁸

In the figure below, we distinguish between children who live away from their parents, according to the following criterion: 1) Children living with “other relatives” (as grandchild, sister’s or brother’s child, cousin, other relative of spouse, sibling, other relative, adopted or fostered child, sibling of spouse, Godchild or son/daughter-in-law); and 2) Children living with non-relatives – registered by respondents as “other non-relative” or “restavèk”.

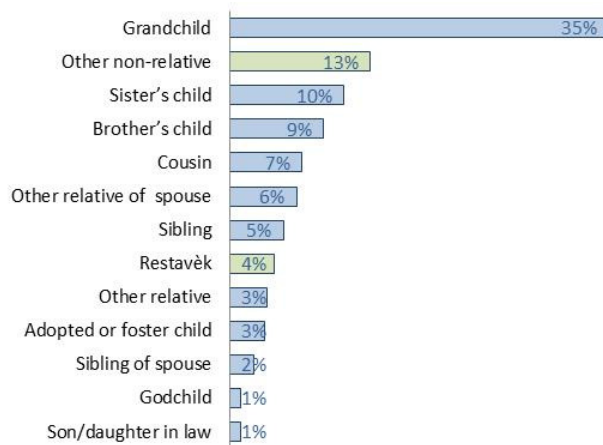


Figure 6 Relation to Household head for children living without their biological parents in the household (blue lives together with relatives, green with none-relatives) (UnW n=1467)

In sum, three out of four Haitian children (74 percent) live with one or two parents, one of five live with extended family (22 percent) and one of twenty-five live with a third party (4 percent) (Figure 7).

In the assessments of children’s education and workloads later in this chapter, we make a point of this distinction among children who live away from their parents – between children living with and without relatives. As we will show, we find clear differences in educational level as well as in workload with reference to this distinction.

¹⁸ The term “Restavèk” was used as a code in the questionnaire with respect to the relation between household members and the household head. This alternative was not probed, and was only noted if the respondent used the term him/her-self. The term CDW – child domestic worker – will be defined for statistical purposes in chapter 3, and is not based on the respondents’ own uses of the term.

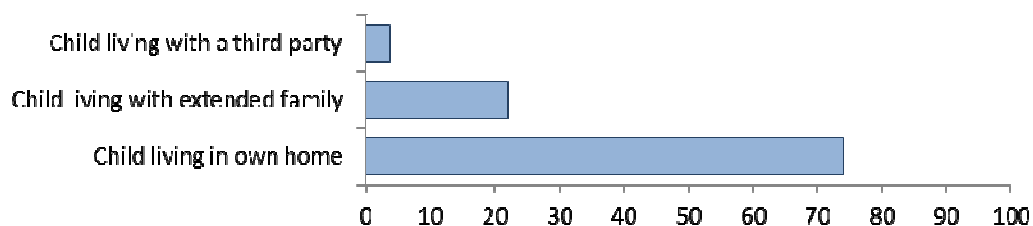


Figure 7 Living arrangements for Haitian children under age 18

Regional differences in living arrangements

As shown in Table 5, 74 percent of children live together with either one or both parents. With respect to the ways in which children are related to other household members, there are no large differences between the regions. However, there is a tendency that fewer children in the North live together with non-relatives than in the West (2 versus 6 percent).

However, there are differences in living arrangements between children living in urban and rural areas. In urban areas, fewer children live with both parents (31 percent versus 51 in rural), and more live with relatives or non-relatives. In rural areas, half of both the boys and the girls live in the same households as both of their parents, while this is only the case for one out of three children in urban areas (Table 5). The rural boys are those who most rarely live with non-relatives (3 percent), while the urban girls are those who most frequently live with non-relatives (6 percent).

Table 5 Percentage of children age 5 to 17 living together with both parents, one parent, other relatives and non-relatives by region and area

	Region				Area				Total
					Male		Female		
	North	South	Transversale	West	Urban	Rural	Urban	Rural	
Both parents	44%	52%	46%	41%	32%	51%	30%	52%	44%
Only mother	23%	22%	22%	28%	29%	22%	32%	21%	24%
Only father	7%	3%	6%	6%	8%	6%	7%	4%	6%
Other relatives	23%	19%	23%	20%	28%	19%	25%	17%	21%
Non-relatives	2%	4%	4%	6%	4%	3%	6%	5%	4%
<i>UnWN</i>	<i>470</i>	<i>492</i>	<i>1102</i>	<i>1461</i>	<i>581</i>	<i>1167</i>	<i>674</i>	<i>1103</i>	<i>3525</i>

Living arrangement and household characteristics

The highest proportion of children living with biological parents live in a household where the household head is in the age-span 35-49, which correspond to the age of their parents. There is

no difference in the age of the household head for the children living with other relatives and the children living with non-relatives (Figure 8).

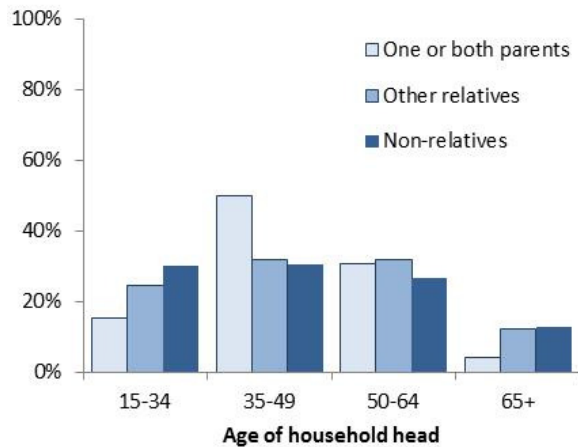


Figure 8 Age of household head by living arrangement

With respect to the number of household members in the households in which children live, there is no evidence in the data that children living separated from their biological parents live in different households than the other children. As shown in Table 6, mean number of household members is between 6 and 7 for all groups, with the exception of urban children living with only fathers that are somewhat lower, and children living with both parents in rural area that is somewhat higher.

Table 6 Mean number of household-members in households where children aged 5 to 17 lives by living arrangement and area

	Urban	Rural	All
Both parents	6.1	7.2	6.9
Only mother	6.4	6.4	6.4
Only father	5.4	6.6	6.1
Other relatives	6.2	6.3	6.2
Non-relatives	6.0	6.8	6.5
All	6.2	6.8	6.6

Living arrangements from 2001 to 2014

The rural children tend to live more frequently together with one or both of their parents than the urban children. This is the same tendency that surveys conducted in 2001 and 2009 have found (see Figure 9). However, it seems to be a trend that children not living with their parents increasingly live together with other relatives, and fewer live with non-relatives.

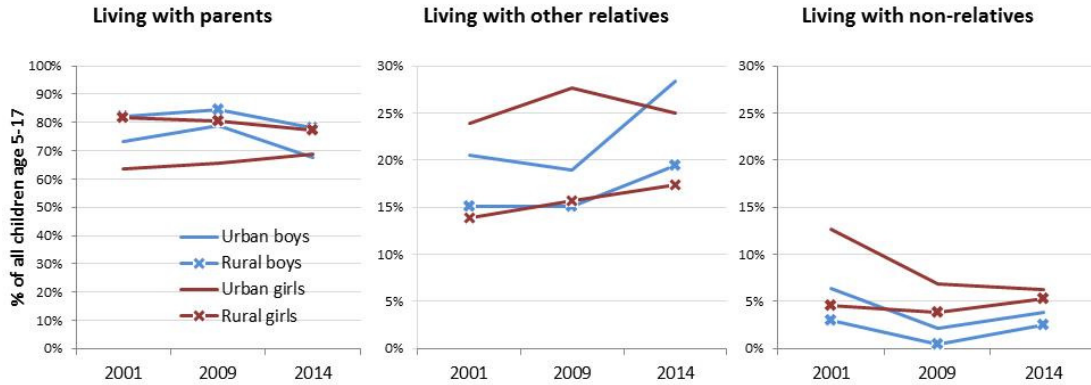


Figure 9 Percent of children 5-17 years of age living biological parents (one or both), other relatives and non-relatives by gender and area. Comparison between the surveys in Haiti Living Condition Survey 2001, Haiti Youth Survey 2009 and Haiti Child Domestic Workers in Haiti 2014

Education

Below, we look at the educational levels of Haitian children, and make a preliminary analysis of these in relation to the living arrangements described above.

Enrolment

Nearly all children above 12 years of age have been enrolled, either previously or currently (Table 7). Only 1-2 percent of the children in this age-group that live with their biological parents or other relatives have never attended school, while this is the case for 4-6 percent of those living with non-relatives. For the children younger than 12 years of age less than 90 percent have ever attended school no matter their living arrangements.

Regarding the children that are currently enrolled to school, the children living with non-relatives have a lower enrolment rate than the others – in all age-groups. For children aged 15-17, however, the ones living with other relatives have a higher enrolment rate than their peers (Table 7). This can indicate that some children move from their parents to relatives in order to attend school.

Table 7 Percentage of children ever enrolled and children currently enrolled by age group and who they are living together with (percent =‘yes’)

	One or both parents	Other relatives	Non-relatives	Total
Ever enrolled				
6-11 years	82%	78%	86%	81%
12-14 years	98%	99%	96%	98%
15-17 years	99%	98%	94%	99%
All	89%	89%	92%	89%
Currently enrolled				
5-11 years	71%	68%	62%	70%
12-14 years	87%	80%	76%	85%
15-17 years	73%	77%	58%	73%
All	75%	73%	67%	74%

Below, we investigate enrolment among children according to whether they have a birth certificate or not. In Haiti nearly all children (95 percent) have birth certificates (Table 8). However, children living without parents and relatives more often do not have a birth certificate than other children (14 percent). Among the children who have a birth certificate, 90 percent have been enrolled (i.e. “ever enrolled”), while for those who do not have such a certificate 70 percent have been enrolled.¹⁹

Table 8 Percentage of children with birth certificate by whom they are living with

	One or both parents	Other relatives	Non-relatives	Total
Birth certificate available	71%	52%	40%	66%
Birth certificate not available	24%	43%	46%	29%
No Certificate	4%	5%	14%	5%
Total	100%	100%	100%	100%

Completion of primary school

One of the Millennium Development Goals (MDG) is completion of primary school. If children follow the educational schedule, they should finish their primary education when they are 12 years old. Among children aged 12-17, only 40 percent had obtained that goal countrywide. Only 27 percent of Haitian children in the age group 12-14 have completed primary education. It is less likely that children living with non-parents finish primary school. However, children aged 15-17 years, no matter who they live with, have a higher likelihood for having completed primary school

¹⁹ The sample size is too small to make any analyses on the school attendance among children with no birth certificate living with non-relatives.

than their younger peers. This indicates that a large amount of Haitian children either have started school late, or have failed repeatedly. Only 54 percent of all Haitian children aged 15 to 17 have completed primary education. As shown in Figure 10, somewhat fewer children living with non-parents also in this age-group have completed primary education.

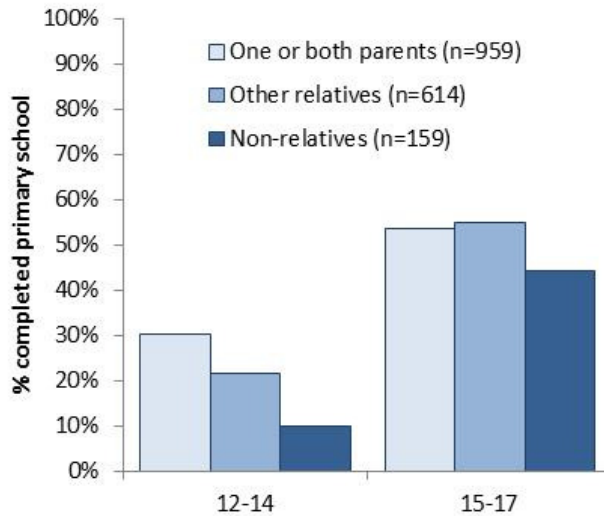


Figure 10 Percentage of children age 12 to 17 who have completed primary education by their living arrangement

School delay

As indicated above, many Haitian children seem to be delayed in their schooling. When we take into account which level they should have obtained according to their age, as many as 77 percent of the children is delayed in their education (Table 9). Even though it is high for all, it is highest for the children above 10 years of age, and highest for children living with non-relatives. For the children 15-17 years of age, there is no significant difference in delays between the children living with their parents, and those living with their relatives, another indication that children might move to relatives in order to attend school.

Table 9 Delayed schooling by age and living arrangements. Percentage that are delayed or have never attended school according to the school norm

	One or both parents	Other relatives	Non-relatives	Total
6-9 years	55%	61%	77%	61%
10-14 years	84%	93%	96%	86%
15-17 years	84%	86%	97%	85%
All 5-17 years	73%	81%	92%	77%

Workload

With reference to the legal frameworks discussed in Chapter 1, and enabling analysis according to different criteria for defining child domestic work and labour, we analyse children’s workloads with particular reference to the distinction of 14 hour per week for children aged less than 14 years (given that the work is carried out under acceptable conditions). We include domestic work in work hours in this case, and also include assessments of domestic workloads with respect to the 28-hour-per-week criterion.

In the following, we present data on children’s domestic workloads. Working conditions will be considered in Chapter 5.

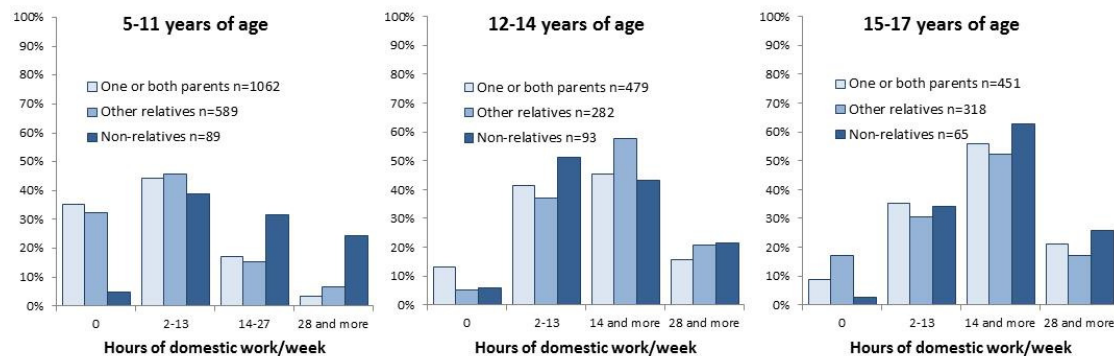


Figure 11 Hours of domestic work/week for children living with parents, other relatives and non-relatives by age-groups

Nearly all Haitian children take part in domestic tasks in the household, no matter whether they live with parents, relatives or non-relatives. The one exception is children below 11 years of age: one third of these young children are not reported as performing domestic work if they live with their parents or with relatives. It is a relatively small share of the children in this age-group that live with non-relatives, however more than half of them do domestic work for more than 14 hours per week, and as many as 24 percent of them do domestic work for more than 28 hours per week (Table 10 and Figure 11).

For the children aged 12 years and above, there are no remarkable differences between children living with parents, other relatives and non-relatives in the number of hours they do domestic work. However, approximately half of the children aged 12-17 work more than 14 hours a week with domestic tasks, and one out five have more than 28 weekly hours of domestic work.

Table 10 Hours of domestic work/week for children living with parents, other relatives and non-relatives by age.

	One or both parents <i>n</i> =1062	Other relatives <i>n</i> =589	Non-relatives <i>n</i> =89	All <i>n</i> =1740
Age 5-11				
0 hrs/week	35%	32%	5%	34%
2-13 hrs/week	44%	46%	39%	44%
14-27 hrs/week	17%	15%	32%	17%
28 and more hrs/week	3%	7%	24%	5%
	One or both parents <i>n</i> =479	Other relatives <i>n</i> =282	Non-relatives <i>n</i> =93	All <i>n</i> =854
Age 12-14				
0 hrs/week	13%	5%	6%	11%
2-13 hrs/week	41%	37%	51%	41%
14-27 hrs/week	30%	37%	22%	31%
28 and more hrs/week	16%	21%	22%	17%
	One or both parents <i>n</i> =451	Other relatives <i>n</i> =318	Non-relatives <i>n</i> =65	All <i>n</i> =834
Age 15-17				
0 hrs/week	9%	17%	3%	11%
2-13 hrs/week	35%	30%	34%	34%
14-27 hrs/week	35%	35%	37%	35%
28 and more hrs/week	21%	17%	26%	20%

Work quintiles

As we have seen above, most children in Haiti do domestic work. We have ranked their weekly workload into five approximately equally sized groups (quintiles) within age groups. Table 11 gives an overview of the number of working hours in each quintile in each age-group.

Table 11 Children's weekly domestic workload, in approximate quintiles of hours worked by age

Age group	Approximate quintile					Median
	Lower 1	Lower 2	Upper 3	Upper 4	Upper 5	
5 - 7	0	0	0	0	7 +	0
8 - 9	0	1 - 4	5 - 8	9 - 17	18 +	7
10 - 11	0 - 1	2 - 7	8 - 13	14 - 20	21 +	9
12 - 13	0 - 4	5 - 10	11 - 15	16 - 23	24 +	13
14 - 15	0 - 3	4 - 10	11 - 17	18 - 26	27 +	14
16 - 17	0 - 2	3 - 11	12 - 18	19 - 28	29 +	16

For children aged 15 and above, there are no differences in their workload according to who they live with. For the children aged 5 to 14, the highest share of the children that work in the upper 5 quintile, are from the children living with non-relatives (Figure 12).

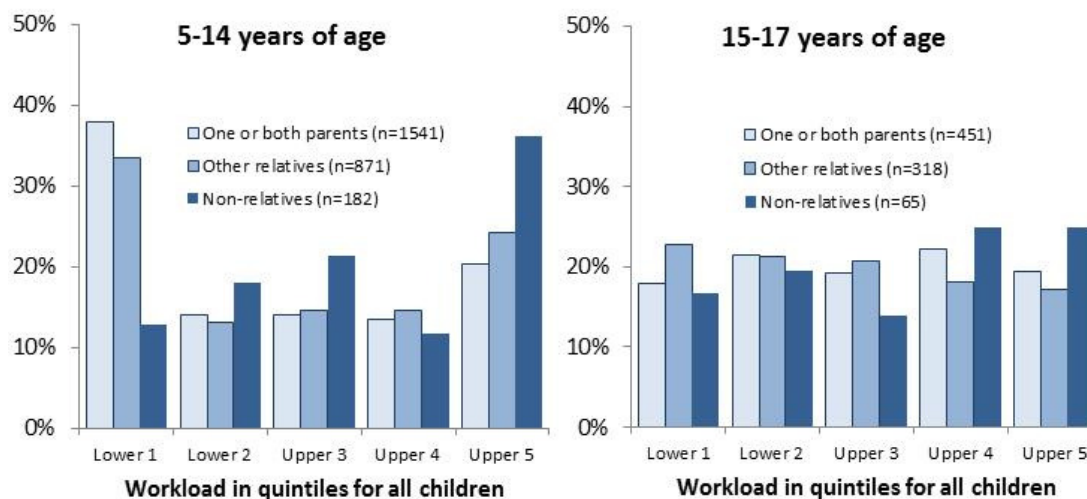


Figure 12 Workload in quintiles by living arrangement and age

Concluding remarks

Twenty five percent of Haitian children 5-17 years of age live separated from their parents. Most of these children live together with relatives, 21 percent, while the remaining four percent live with “strangers” (non-relatives). Fewer of the children living with strangers are currently attending school, and they have in general more domestic work than children living with parents or relatives. However, within each group of children there is a large variation in both school attendance and workload. In Chapter 3, this information was used to define which children can be considered as child domestic workers (CDW). In turn, a more thorough analysis of the living conditions of CDWs, non-CDWs and children living with parents will be presented in Chapter 5. Chapter 5 also re-examines the details on enrolment and workloads for these different categories of children.

5 Living and working conditions, and experiences of separateness

Anne Hatløy and Tone Sommerfelt

In chapter 4, we assessed some main features of children's living arrangements, educational levels and workloads. The analysis was based on information provided by the heads of households (or another responsible adult in the households). In this chapter, we explore working and living conditions and education in greater detail, and base our analyses on information that the children themselves provide. If nothing else is stated, all the statistical information in this chapter is thus based on interviews with children in the child questionnaire-part of the survey. We use the definition, or delineation, of child domestic workers that is described in the last section of chapter 3, and compare child domestic workers with other children who live away from their parents (non-child domestic workers), and with children who live with one or both parents. The aim of these analyses is to draw portraits of child domestic workers and describe common features as well as variations among them. Another aim is to show what children themselves describe as particular difficulties. In order to explore the latter topic, we complement data from the survey with information obtained in conversations with children during the qualitative fieldwork.

We start by a more detailed assessment of the living arrangements of children according to some basic demographic variables.

Gender and area: Recent changes among relocated children and child domestic workers

As pointed out in chapter 3, child domestic work is related to age and gender: the older children are nearly three times more likely to be child domestic workers than the younger ones, and girls are more likely to be child domestic workers than boys. Consistent with the 2001 findings, there are no differences in the proportions of child domestic workers of the child population between urban and rural areas.

In the survey in 2001, we found that overall, 59 percent of the children classified as domestic child workers were girls and 41 percent boys. The data from the current survey shows that the share of male and female domestic workers has remained unchanged (Table 12). Another continuity is the gender distribution in rural areas, which should be noted especially: Just as in 2001, the proportion of boys in rural areas is higher than in urban areas. This is most likely related to the differences in labour tasks in urban and rural areas: Tending animals is almost entirely a male task, and taking part in agricultural work is far more common for boys than girls (cf. Sommerfelt, ed., 2002: Chapter 4). A household need for the labour force of boys in agriculture may thus partly account for the higher proportion of boys in rural areas. The rural boy domestic

remains hidden in much public debate that paints a picture of the urban girl as the stereotypical child domestic worker in Haiti.

In urban areas, there are changes in the gender distributions of child domestic workers as compared to results of 2001. While in 2001 we found 72 percent girls among the urban CDWs, this share is reduced to 65 percent in 2014. The proportion of boy CDWs in the urban areas has increased accordingly, and the gender distribution of CDWs are thus becoming more equal in urban areas too.

Table 12 Distribution of child domestic workers according to gender, place of residence and year

Area	Year of survey	Male	Female	Total
Urban	2001	28 %	72 %	100 %
	2014	35 %	65 %	100 %
Rural	2001	47 %	53 %	100 %
	2014	46 %	54 %	100 %
All	2001	41 %	59 %	100 %
	2014	42 %	58 %	100 %

Concentrating on the 2014-figures, we have stated earlier that 25 percent of children in the age-group 5-17 live separately from their parents. These 25 percent include *all* children who live separately from their parents, also children who cannot be considered as child domestic workers. Among these “separated” children, there are differences between CDWs and non-CDWs in urban and rural areas and with respect to gender and age. As shown in Figure 13, more children live separately from their parents in urban than in rural areas (30 vs 23 percent). In rural areas there is not a big difference between the genders in this respect. However, 12 percent of the rural boys are *not* CDWs even though they live separated from their parents, which is higher than for girls. Put differently, in the rural areas, girls who live away from their parents more often are CDWs than boys. The highest share of child domestic workers is found among urban girls: Nearly one in five urban girls can be classified as a CDW.

Looking into distributions according to gender and age, the highest share of child domestic workers is found among girls in the age-group 10-14 (see the second part of Figure 13). In this group too, nearly one out of five girls can be classified as a CDW. In the youngest age-group, 5-9 years of age, 20 percent of children live separately from their parents – but the proportion of CDWs among them is different for girls and boys. It is important to pay attention to the girls in this group, as half of them are characterised as CDW. The figure also brings out that the majority of CDWs are found in the highest age group, 15-17 years of age, where the gender distribution is pretty similar.

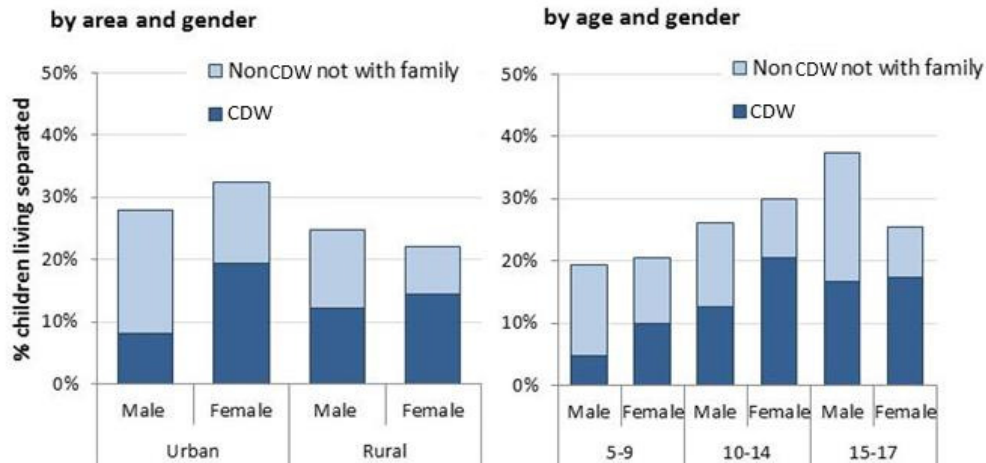


Figure 13 Percentage of children living separated from their parents by whether they work as child domestic worker or not

One of the reasons to include all children separated from their parents in the assessment above is to illuminate gender differences among children living away from parents more generally. Overall, girls who live away from their parents are more often than boys CDWs. This is particularly pronounced in the oldest age group, where many boys live away from parents but are not to be considered CDWs. This may mean that boys either live away from parents in order to attend school, in arrangements of “paid board” (cf Sommerfelt, ed. 2002), or they do not pursue an education but do not have heavy domestic workloads either.

Left behind or travelled? Child domestic work and the nature of connections to new homes

As we have pointed out, 75 percent of children live with either one (31 percent) or both (44 percent) of their parents (cf. Chapter 4). In the table below, we describe in further detail the distribution of the remaining 25 percent of children who live in households without a parent present. As many as seven percent are born in their current household, and they are thus left behind as parents migrate or they stay on in their parental household they when orphaned (often with grandparents, cf. Figure 6). Of the remaining 18 percent of the children who do not live with a parent, 11 percent say that they live with relatives or someone they know well, while seven percent say that they live with strangers or people they only knew “a little” before their move.

Table 13 Living-arrangements for Haitian children aged 5-17 by gender and area

	Male		Female		All
	Urban	Rural	Urban	Rural	
Live with both parents	36 %	47 %	27 %	55 %	44 %
Live with one parent	37 %	28 %	42 %	23 %	31 %
Born in HH, no parents present	7 %	11 %	4 %	4 %	7 %
Not born in HH, live with well-known	11 %	10 %	16 %	12 %	11 %
Not born in HH, live with little- or un-known	9 %	4 %	11 %	7 %	7 %
Total	100 %	100 %	100 %	100 %	100 %
<i>UnWn</i>	285	492	335	479	1591

Interestingly, among the children who remain living in their original household without parents present, there is a gender bias: Girls are underrepresented in the rural areas, whereas boys are not. This indicates that boys are left behind when parents move away from their children’s households in the rural areas, whereas girls to a greater extent are brought along. This may well reflect that boys’ labour input in agricultural work is highly valued and that boys more often than girls participate in farm work (cf. Sommerfelt, ed, 2002: Chapter 4). In the urban areas, more girls than boys live in households they were *not* born into.

In Chapter 3, we outline that the focus of the current study is child domestic labour in children’s non-parental households, and delineated child domestic labour in accordance with this – defining CDWs for the purpose of the current study as children living in non-parental households and with higher workloads and delays in schooling. Below, we explore patterns of co-habitation further in order to portray the living arrangements of child domestic workers. Here, it becomes evident that the lowest proportion of child domestic workers is found among the children who are living in their original household without parents present (and who have thus been left behind). Furthermore – and opposed to the common stereotype that child domestic workers live with unrelated strangers – the table below shows that the highest proportion is found in the households of relatives or with people the children knew well prior to their move (58 percent).

Table 14 Distribution of child domestic workers by living arrangements for Haitian children aged 5-17

	Child domestic worker	Non-CDW	Total	UnWn
Live with both parents	-	100 %	100 %	352
Live with one parent	-	100 %	100 %	305
Born in HH, no parents present	43 %	57 %	100 %	232
Not born in HH, live with well-known	58 %	42 %	100 %	444
Not born in HH, live with little- or un-known	50 %	50 %	100 %	241
Total	13 %	87 %	100 %	1574

In other words, among the children who move, about half can be defined as child domestic workers in their new homes – regardless of whether they live with people they know well or not. This should modify the stereotype that child domestic workers most commonly live in the homes of strangers.

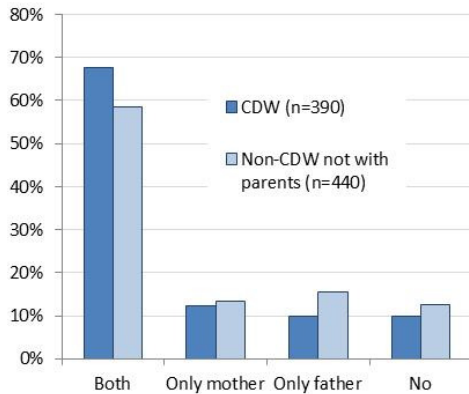


Figure 14 Percentage of children with parents alive among the children living separately from parents

Among the children who live away from their parents, two thirds have both parents alive, whereas 11 percent have lost both parents. This pattern is similar for the child domestic workers and the non-CDWs. Most of the children, 85 percent, with at least one parent still alive, stay in touch with their parent(s) (Figure 15). Child domestic workers and non-CDWs thus report to have relatively similar frequency of contact with parents.

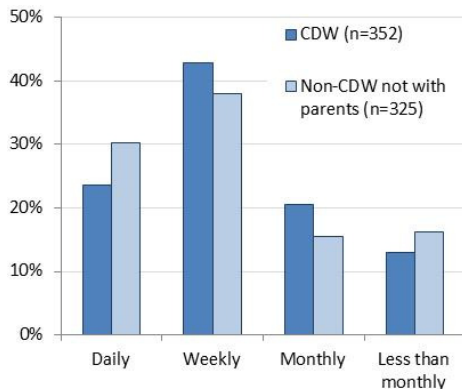


Figure 15 Contact with parents among the 85 percent of the children with at least one parent alive

Education

As we employ educational level as one of the criteria for delineating child domestic labour, child domestic workers by definition have lower enrolment rates than non-child domestic workers. However, a further elaboration of the figures brings out how educational performance varies with age, and in different living arrangements. Also, education is one of the most important factors

children themselves bring forth in conversations about aims in life, and feelings of inclusion and exclusion in family life.

School enrolment, attendance and access to school material

As noted, CDWs by definition have delayed schooling compared to the norm. Compared to both children living with parents and non-CDWs living away from parents, the CDWs have a lower enrolment-rate (Figure 16). However, whereas the enrolment-rate for the children living with their parents drops from age 10-14 to 15-17, the same is not the case for the two groups living away from their parents.

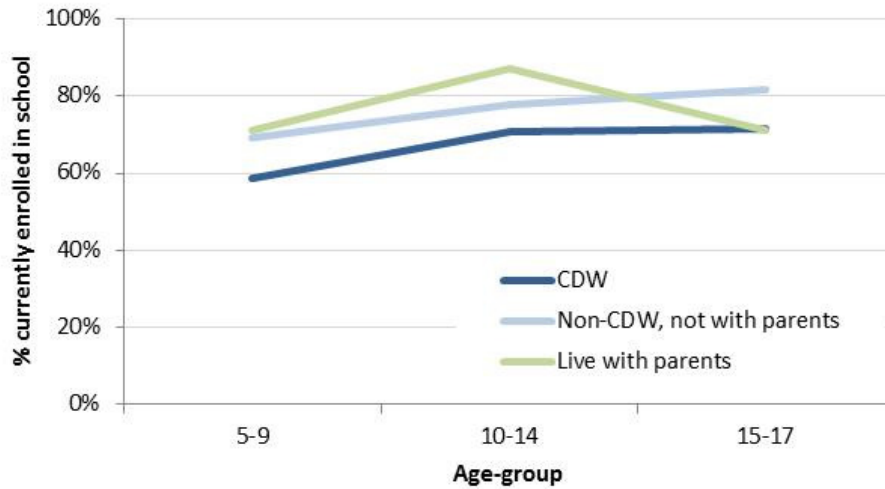


Figure 16 Percentage of children currently enrolled in school by age and child-status

This figure shows that non-CDWs who live away from their parents have better school attendance than children who live with their parents in age group 15 to 17 years. As noted earlier too, this category of children include those who live in arrangements of “paid board” (*a pensyon* in Creole), where they pursue an education and thus get better schooling than many kids who live with parents. In this sense, child placement for the purpose of education works for the older children. However, as compared with 2001, the difference in this regard between children living with parents and non-CDWs who live away from parents is not as pronounced: In 2001 it was found that more non-CDWs were currently enrolled than those living together with their parents - in 2014 this difference only applies to older children (Table 15).

A moderate improvement in school enrolment applies to child domestic workers too – whose current enrolment increase with age. However, child domestic workers have low enrolment rates in their early age. On a positive note, their enrolment rates have improved in 2014, as compared to 2001, the percentage of child domestic who have never attended school falling from 29 percent to 7 percent, for instance. These and other details are provided in Table 15.

Table 15 School enrolment by child status, comparing survey data from 2001 and 2014

		Never attended	Not currently enrolled	Currently enrolled	Total	UnWn
CDW	2001	29%	11%	60%	100%	1 160
	2014	7%	25%	68%	100%	494
Non-CDW not with parents	2001	10%	4%	86%	100%	862
	2014	11%	13%	76%	100%	457
With parents	2001	16%	5%	79%	100%	8 444
	2014	8%	15%	77%	100%	1607
All Children	2001	16%	6%	78%	100%	10 466
	2014	8%	16%	76%	100%	1 607

The table above shows that overall; three out of four Haitian children are currently attending school. This is similar to the level found in the 2001 survey. However, while in 2001 it was found that 16 percent of the children never had attended school; in 2014 this was reduced to 6 percent that never had attended school (Table 15). Most remarkable is the reduction among the child domestic workers that we mentioned above: While in 2001 29 percent of them had never attended school, in 2014, it was only 7 percent of the CDW that never had attended school.

What school attendance is concerned, the absolute majority of children go to morning school. The percentage of children attending day school is higher among the child domestic workers, but the difference is not remarkable (Table 16). It is assumed that Child domestic Workers attend evening schools – however, none of the children in our survey attended evening schools.

Table 16 Percentage of the enrolled children attending morning or day-school

	CDW	Non-CDW, not with parents	Live with parents	Total
Attending morning school	88%	92%	93%	92%
Attending day school	12%	8%	7%	8%
Attending evening school	0%	0%	0%	0%
<i>UnWn</i>	341	346	498	1185

Differences in access to schooling material are not systematic to the extent that they are visible in the survey material. As is demonstrated below, most children struggle with access to textbooks, and some of the other material that they need for school.

Table 17 Access to text books for enrolled children

	CDW	Non-CDW not with parents	Live with parents	Total
Access to text books for classes				
Not access to any book	11%	17%	13%	13%
Access to some books	63%	47%	60%	59%
Access to all books	26%	36%	27%	28%
<i>UnWn</i>	341	346	498	1185

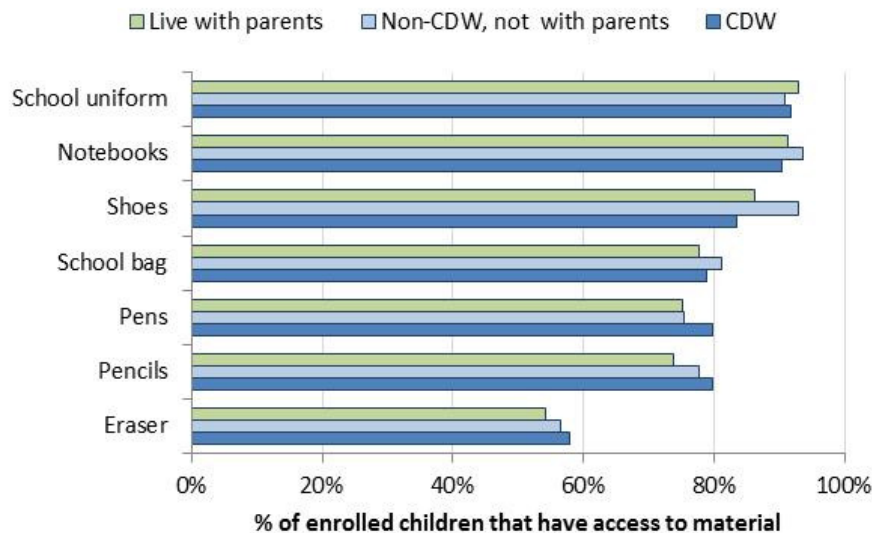


Figure 17 Access to school material for enrolled children

Education and identity

In spite of rising enrolment and attendance rates, the largest proportion of children who are not currently enrolled (or have never been enrolled) are found among child domestic workers. As shown in Table 16, these figures are 32 percent (seven plus 25 percent) for child domestic workers (as against 40 in 2001), 24 percent for non-child domestic workers living away from their parents (as against 14 percent in 2001) and 23 percent for children living with their parents (as against 21 percent in 2001). It is important to underline the importance that adults and children assign to formal education, and thus, the emotional aspects of these numbers. As we discussed in the 2001-report, success stories of children who have been given an opportunity to go to school, or to a “better school” in urban areas while living away from parents figure prominently when children talk about their wish to migrate to towns and live in new homes, and informal hierarchies of presumed school quality is often given as a reason why children move. Moreover, educational aspirations are a motive behind children’s voluntary migration in many developing countries (cf. Boyden 2013). In this sense, children’s search for education is a volatile state, and the drive for social mobility exposes children to risks of high workloads and inferior educational opportunities as compared with other children in the homes they are placed in, and whose chores they take over.

Despite structural disincentives for enrolment and success within the Haitian education system (Lunde 2008), parents go a long way to ensure their children an education. In addition to providing opportunities for employment, the socialising effect of education on children is also regarded as important. “*Children out of school are lost in a jungle*”, one of Lunde’s respondents told her in 2008, and continued to say that: “*They are a menace to society*”. Thus, schooling provides children with knowledge, and also integrates children among a group of “school children”, rather than among the “drifting” children, or the “vagabonds”, who are not in school. A

father of three school children in Jacmel summarised what he thought was the generally held opinion by arguing that “*if you can’t read you are less than dirt. You are garbage*”. Putting such a strong stigma on not being in school is likely to provide parents with a strong incentive towards enrolling their children when the possibility is there (Lunde 2008). At the same time, many adults and children alike regard migration, even without prospects of schooling, as a better option than “drifting” and “vagabondisme” in rural communities. This applies to boys especially, for whom working in households away from home, it is hoped, may provide informal training (*formasyon*) in a craft, and experience with the ways of the urban world (cf. Sommerfelt et al. 2002a: 66ff.).

Younger children too are remarkably concerned with education; they portray it as an aspect of personal fortune and sense of self and they go to much trouble in order to cover educational expenses. During fieldwork in 2001, many children as well as adults portrayed informal learning of life skills (*formasyon*) as important (cf. Sommerfelt, ed, 2002: 60ff). During fieldwork in 2014, the emphasis had shifted: though informal training is still described as a resource, adults as well as children underlined that formal education is a prerequisite for success (albeit an insufficient one), and this emphasis was more striking than in 2001. Conversely, children express that not going to school is denigrating, and especially when it reflects differential treatment from other children in a new household.

These views were expressed in many of our conversations with children. In Carrefour Feuilles near Port-au-Prince, we met Maria in September 2014, whose story is recounted below:

Maria

Maria is a girl of 15 who has lived with an aunt since the earthquake in 2010. She was ten years old when the earthquake hit. At that point, she was living in Cap Haitien with an older cousin, whom she had lived with since her mother died. However, she tells that she wasn’t comfortable with her cousin: she was insulted, told her she was too slow, and when her head was injured (*tet pete*), she left with a long-distance trading woman in order to come to live with her aunt in Carrefour Feuilles, where she is now. Maria says her father has nothing to do with her. “It’s as if I didn’t have a father. He doesn’t know whether I eat or if I’m well. He’s got other children to look after.”

Maria is currently not in school. In the house of her aunt, Maria does the washing up, dusts, and washes clothes for her aunt. Maria says her aunt treats her badly: “She hits me and I can’t hit her back. She is more affectionate towards her own children,” Maria says. Her aunt has two small children, one of whom was in school but will not be going this year as there is no money. There is just enough to eat, but they do not eat well in the house, Maria says. The aunt does not work. Her partner sells water or juice in the streets.

Maria has done two years of schooling earlier. However, there is no money to pay for her school now, she says. Her aunt wants to go back to live in a rural area (*an provens*) but Maria does not want to go with her because she would not be able to go to school there. Maria hopes a local NGO will help her go to school. If she cannot go to school, she says, she will try

to get an income. She tells that she once had a job where she was paid 2,000 Gourdes per month.

Maria speaks as if her aunt's home is not "her home", and says that she has to relate to her aunt's wish to move out of Port-au-Prince, and adds that, "wherever I can go to school, that's my home". Yet, she repeats that she does not want to go outside of Port-au-Prince, even if it has a school, as the water there will give her "spots" on my skin", is a commonly held view.

Later, Maria says she wants to carry on living in Port-au-Prince, if she could choose. She would like to live with her younger sister (aged 10) who is currently living in the Delmas area. Her sister is attending school, and Maria conveys that she is more fortunate than herself. Maria does not want to go to live with the family of her sister, though, so this is a problem. She sees her sister once a month. Maria finds money to pay the bus fare, five Gourdes each way. She manages to find the money to go, gets it from her aunt or from others she knows.

Near Jacmel, we met a 17-year-old boy whose account exposes child labour outside of the domestic sphere more than anything, and before then, a case of delayed schooling. His story gives a better idea about the efforts children go to in order to secure an education.

Joseph

Joseph comes from Belle Anse, a town in a very arid part of the South East which often suffers from food insecurity. His father died when he was young and his mother went to the Dominican Republic in 2010. He is one of five children. One of his sisters (of the same mother) lives in Cayes Jacmel with her father. Another sibling lives in Port-au-Prince with an aunt, and two are with his mother in the Dominican Republic.

Joseph lives with his father's brother, who came to fetch him when his mother left. He has been living with him in Jacmel since then. The uncle has one son who is currently in the final year (Philo) at the Lycee in Jacmel. The uncle's wife had left him before Joseph came to live there.

Joseph has not gone back to school yet this year. He was in the third year of primary school last year, a class supposed to be for eight to nine-year-olds. He has been paying his own school fees, helped by his mother who sends some money from time to time. When he left Belle Anse, he had only completed his first school year, and was thus seriously delayed. In the four years that had passed since then, he has completed two years of schooling.

"When there's food, we eat," (*le gen manje, nou manje*) he says to illustrate the situation of scarcity in his uncle's house. He struggles to cover his school expenses: "I have a problem of things to wear to go to school", he says. He needs to buy trousers for 400 Gourdes, 1 000 Gourdes for the material for two shirts plus 300 Gourdes to get them made, as well as the cost of shoes. His school costs 3 000 Gourdes, of which he only has to pay half at the beginning.

He has been working doing daily labour on building sites since 2013, as does his cousin (the uncle's son). He manages to work once or twice in a month and earns 250 Gourdes a day from this.

His uncle sells in the streets. He has asked for his uncle to help him pay for his schooling, to which his uncle has answered that everyone has to look after their own business, or literally in a Creole saying: "glow-worms give off their own light" (*tout koukwouj klere je l*), and that "I'm not your father". His uncle sometimes insults him, he says. How do you answer to that, we ask, and he answers that "I accept it" (*m pran l*, literally "I [simply] take it"). At home, his cousin sleeps in a bed but Joseph and the uncle sleep on the floor. Joseph explains that he does some of the housework "because I'm younger".

"I think about my future", says Joseph, and adds that "I would like my children to live well" (*m panse pou avni m. M ta renmen pitit mwèn viv byen*). He also says that "I've always been told that my Mum was going to come to take me to live with her but she's ill. I don't really believe it."

In spite of very difficult circumstances, Joseph does not give up the idea of school. The chance of a public school accepting him at the level of Lycee (high school) is meagre given that he is so delayed, but this is still Joseph's goal.

Enterprising, education-seeking children

In many of the conversations we had with children who live in servant-like positions, both children going to school and not, a recurrent theme was the ways in which children search for tiny incomes in order to improve their opportunities. They also do so in order to cover small needs in daily life. A common expense is travel cost, as was reflected in Maria's story above. When we talked with her, Maria added that if she could not go to school, she would continue to visit the NGO resource centre where we met her, in order to continue learning crochet. She believed that she would eventually be able to sell the crocheted items she makes, for instance bikinis. At the moment, she added, she did not have the money she needed, but when in need she will ask a friend.

We met with another young man of 20 years in Jacmel who had been more successful in staying in school than Joseph, thanks to his own work input and personal connections.

Gregory

Gregory has not lived with his mother since he was two months old. Since his father died in 1999 he has lived in five different households, until now, when he rents his own room. He was first living comfortably with his grandmother, who was caring and protective, and stopped people "talking harshly" to him. But when she died, life became tough for Gregory. In addition to doing a lot of housework in his different homes, he has tried to earn money all along. When he saw kids doing construction work, he joined them, and he has also sold phone cards in the streets. He has also asked for help from relatives and especially from

relatives abroad. Now, he has managed to build up a small pot of money from the help from relatives abroad, and has bought a motor cycle. This gives him the opportunity to transport kids to and from school, and he gets paid for this transport service.

All along, he has used his incomes and personal networks in order to pay school fees and expenses. Throughout the years, he says has missed out on two years of schooling only: in 2007 to 2008 when he did not manage to pass his exams, and when one of the relatives who used to help him went abroad, in 2012 to 2013. In 2013, he could not pass his ninth and final year of basic education (the “Brevet”), as the Ministry of education ended up not recognising (accepting) the school that Gregory had paid so much to go to. Now, at the age of 20, he will sit for the Brevet and thus complete his basic cycle (the ninth year). The plan is to further his education.

Gregory’s relative success is a result of assistance – his social network materialising in the form of economic support. Volatility is a fact of life for all of these children, opportunities changing rapidly when caretakers fall ill or another crisis hits. In these situations, children work hard to change their opportunities for the better. Education looms large in children’s motivations for working as hard as they do, almost surprisingly large given the meagre chances of formal academic education paying off as long-term employment.

Given the cultural importance of formal education, not being able to go to school in a home where other children do, is experienced by children as a form of exclusion in broader terms – emotionally and socially. Children also worry that it causes longer-term problems, as they may not be able to secure the life that they dream of if they are unable to go to school. This aspect of the educational complex is significant regardless of whether child domestic workers’ access to education is improving or not – in statistical terms. Interestingly, however, and as is shown in Chapter Six of the tabulation report, the

factor that has the highest [reported] impact on the children’s [emotional] well-being in the ... [survey] is whether the child is enrolled in school or not. Children who are not enrolled in school generally feel more lonely, unhappy and unloved than enrolled children, regardless of domesticity status (Lunde et al 2014: 178).

Working conditions

Haitian children perform a large number of household chores in the households where they live. As shown in Figure 18, more child domestic workers than non-CDWs do household tasks. It is important to remark, however, that overall, there are no activities that are performed exclusively by child domestic workers.

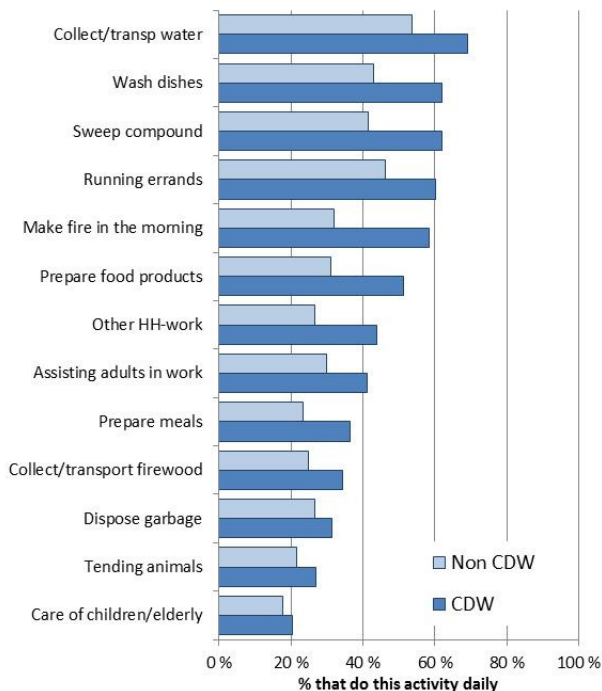


Figure 18 Household tasks done daily, child domestic workers compared to other children, age 5 to 17

Even though no activities are performed exclusively by child domestic workers, the distribution of tasks individual households may give a different perspective. Many children explain that they take over some tasks when they move to a new household, and become the only ones to perform them. They associate this with their servant position, especially the task of throwing out the contents of the night buckets when the morning comes.

As can be seen in Chapter 3 of the Tabulation Report (Lunde et al 2014), more than half of child domestic workers are daily involved in collecting and transporting water, washing dishes, sweeping the compound, running errands and making fire in the morning. If we control for children’s age, as is done in Figure 19, we see that even in the same age group, it is a higher proportion of child domestic workers that perform domestic tasks. It is worth pointing out that the two groups of children that live separately from their parents have a very different workload, and child domestic workers do considerably more of all tasks than other children. Male child domestic workers do more of the outdoor activities, such as carrying firewood, tending animals and agricultural activities. The tasks of female child domestic workers are to a higher degree tied to the house, typically involves preparing food products and meals, washing dishes and sweeping the compound (Lunde et al 2014: Chapter 3).

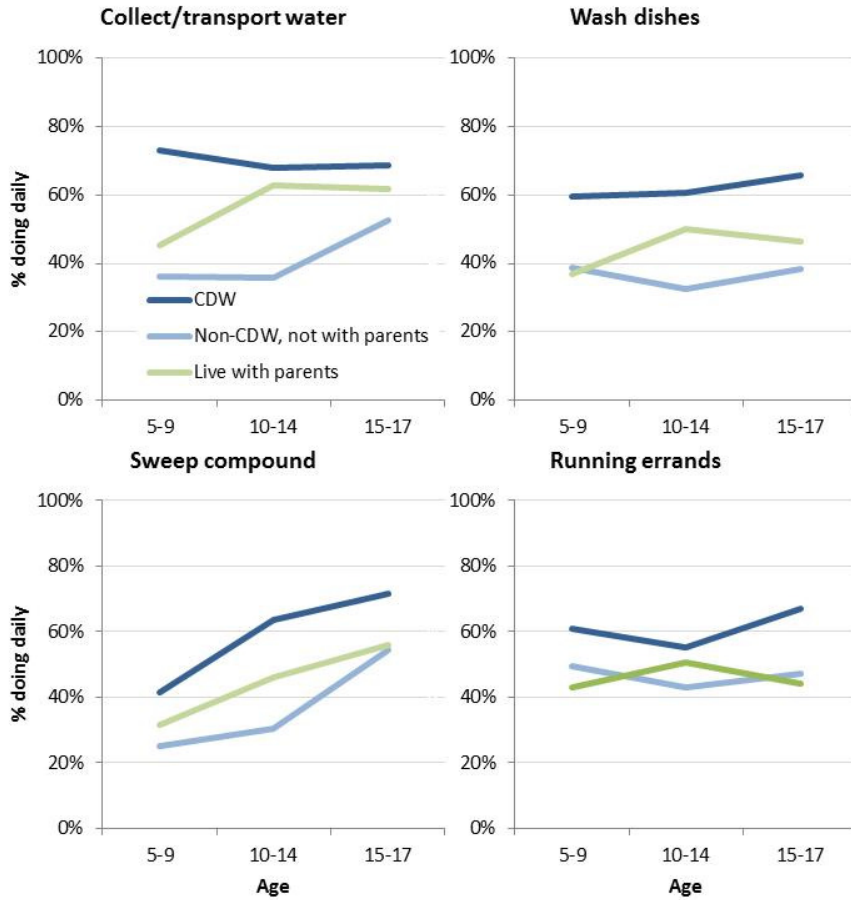


Figure 19 Domestic tasks performed daily by domestic-and non-CDW not living with parents and children living with parents by age

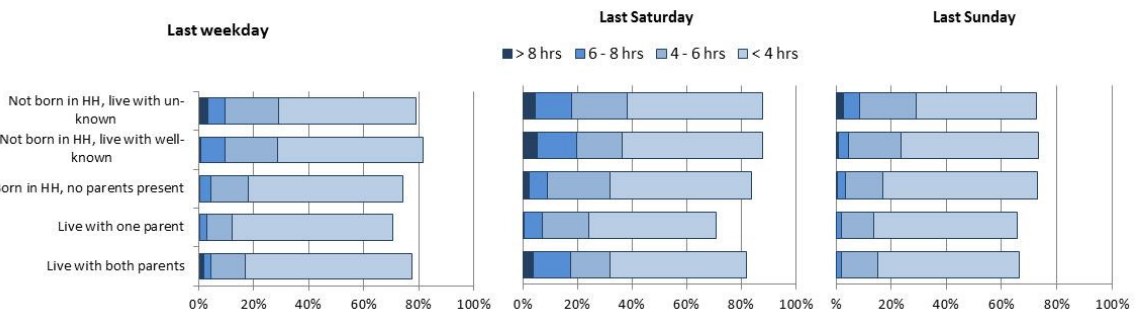


Figure 20 Percent of children that have worked on weekdays and weekends by living status, divided in numbers of hours worked

Most children do some kind of domestic tasks, no matter with whom they live. As Figure 20 shows, around 80 percent of children aged 5 to 17 do domestic tasks both on weekdays and in weekends. There is a tendency that children do some more work on Saturdays than on the other

weekdays. On Saturdays there is also a higher share that works many hours: 14 percent of all the children worked more than 6 hours the last Saturday, while only 5 percent had such a large workload last weekday, and 3 percent last Sunday. It is not possible to point out clear differences in the workload by the living-arrangement for children. However, a somewhat higher share of the children living away from the household they were born into, work more hours during weekdays than the other children: 25 percent versus 18 percent.

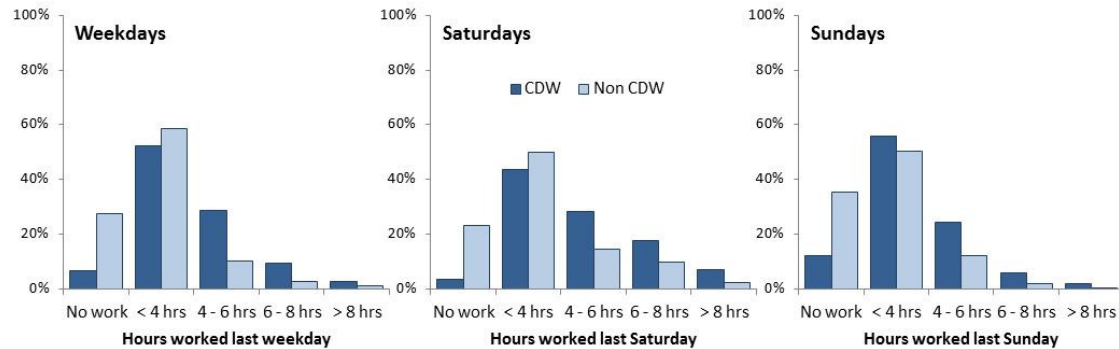


Figure 21 Work-load on weekdays and weekends for child domestic workers and non-CDWs

It is not only the total number of hours that are important in assessing the working conditions for children. Another aspect is working hours. Fifteen percent of all Haitian children work after 8 pm in the evening and before 6 pm in the morning (14 percent “sometimes” and 1 percent “always”). There is a small tendency that children living together with one or both parents work somewhat less during the night-time than children living together in a non-parental household (Table 18). Note that twenty-seven percent of the child domestic workers work during night-time. This is more than twice as many as the non-CDWs.

Table 18 Percentage of children that always, sometimes or never work after 8 pm and before 6 am by living status and CDW status

	Child living status					Child domestic status		Total
	Live with both parents	Live with one parent	Born in HH, no parents present	Not born in HH, live with well-known	Not born in HH, live with unknown	CDW	Non-CDW	
Always	0 %	2 %	3 %	2 %	2 %	2 %	1 %	1 %
Sometimes	13 %	12 %	15 %	17 %	16 %	24 %	12 %	14 %
Never	86 %	86 %	82 %	81 %	82 %	73 %	87 %	85 %
<i>UnWn</i>	352	305	236	452	245	494	1104	1598

Very few children (4 percent) are given compensation in form of money for their work. As shown in Figure 22, an equal amount of the child domestic workers (3.3 percent) and the non-CDWs (2.5 percent) get compensation, as the children living with their parents (3.9 percent). Thus, the living arrangement does not seem to influence whether or not children receive payment.

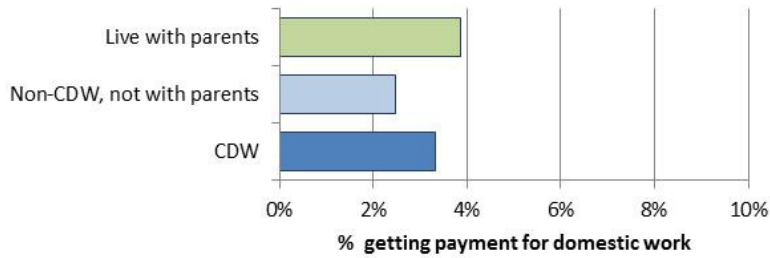


Figure 22 Percentage of children that are given payment for their domestic work

As regards hazardous work, our statistical material does not show systematic differences between different categories of children (see figure below).

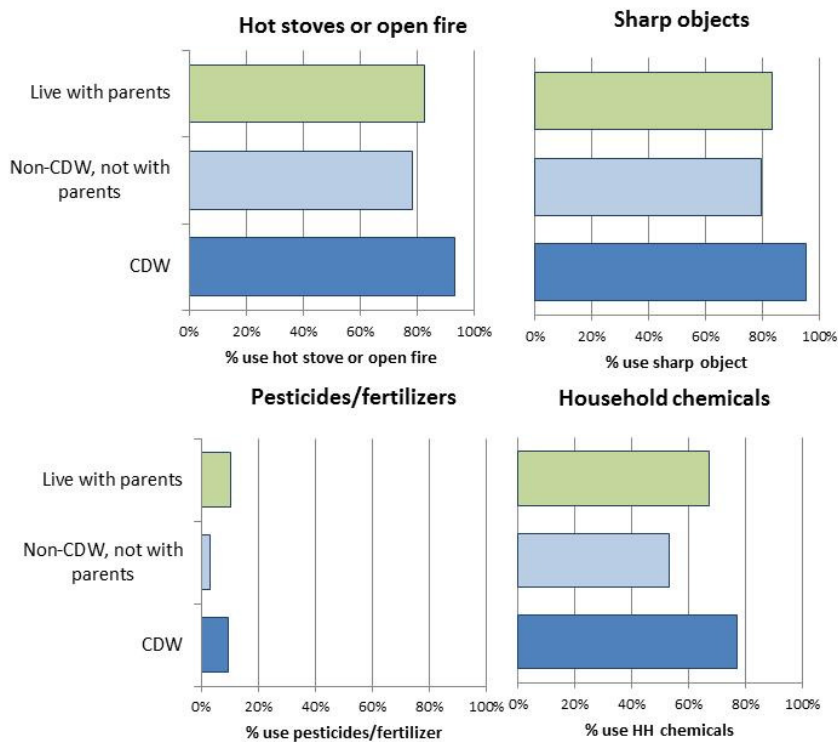


Figure 23 Percentage of the children that use dangerous objects and hazardous substances during their work in the house

With respect to work-related injuries, half of all children report that they have experienced injuries while doing domestic work. The two main injuries reported are cut-injuries and having been burnt. As indicated in Figure 24, the child domestic workers and the non-CDWs follow the same pattern in this respect, but with a tendency that there are some more child domestic workers who have experienced any injury (57 versus 50 percent) and have received cuts during work (50 versus 41 percent).

In addition, some rare cases of broken limbs, eye injuries, infected wounds, head injuries and other injuries are reported. However, our sample is too small to give any indication of how frequent these injuries are, as only 1 to 5 individuals out of all child respondents have reported any of these kinds of injuries.

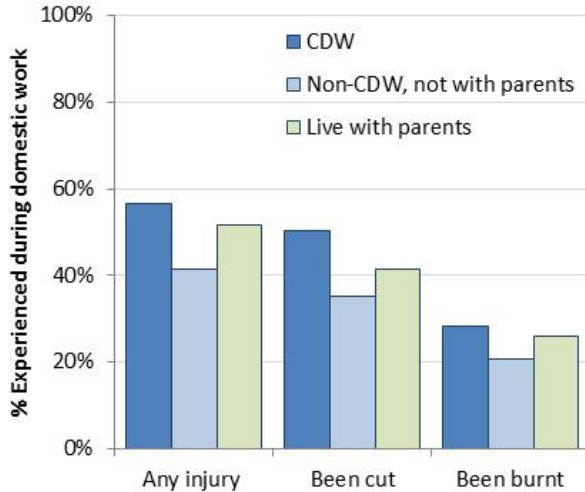


Figure 24 Percent of children that have experienced injuries during domestic works

Domestic tasks do not seem to influence on school work to the extent that it shows in statistical terms. The only exception is late-coming to class, where child domestic workers are slightly over-represented.

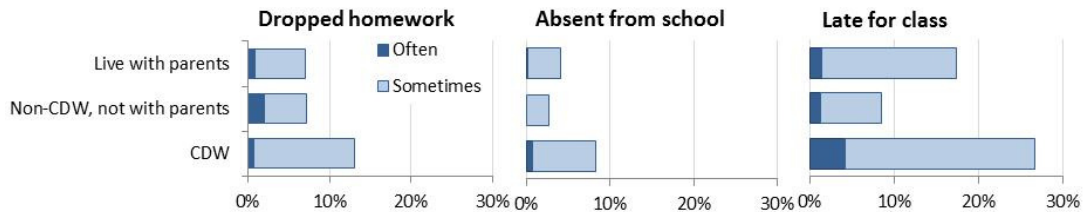


Figure 25 Percentage of enrolled children that have dropped homework, been absent from school or been late for class due to work to do at home

In terms of being too tired to follow instructions in class, no significant differences can be registered (note however that this only regards children who are enrolled to school).

Table 19 Being too tired to follow classes due to work at home for enrolled children

	CDW	Non-CDW not with parents	Live with parents	Total
Being too tired to follow instructions in class				
Always	3%	3%	2%	2%
Often	19%	17%	19%	19%
Sometimes	78%	80%	79%	79%
<i>UnWn</i>	341	346	498	1185

Health

The survey material does not reflect differences between child domestic workers and other children in terms of exposure to illness and injuries (Figure 26).

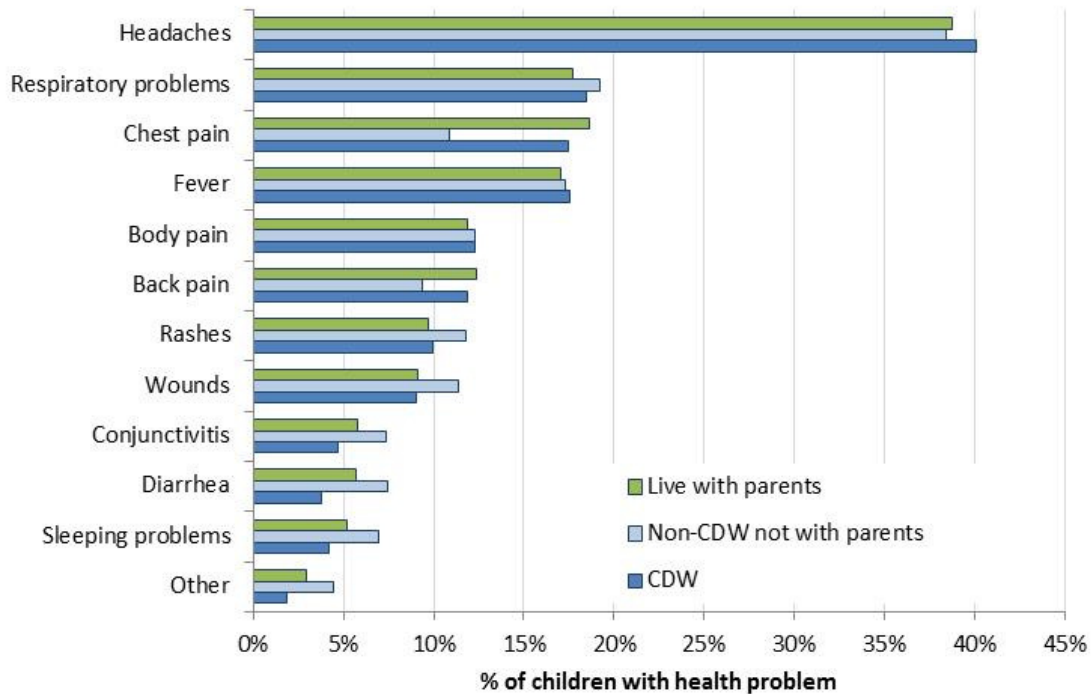


Figure 26 Percent of children suffering from different health problems

Differences in medical treatment are so marginal that it is difficult to draw definitive conclusions (Table 20).

Table 20 Been to hospital or seen a health worker past 12 months

	CDW	Non-CDW not with parents	Live with parents	All
Yes	19%	25%	22%	22%
No	81%	75%	78%	78%
UnWn	494	447	657	1598

In the child questionnaire for the survey, we also included a psychological mood and feelings self-assessment. The self-assessment screened for depression among children and adolescents from the age of eight (along the lines of Angold et al. 1995). The tabulation report includes some selected tables on mental health (see tables 6.9 to 6.14 in Lunde et al 2014). The tables are a part of a larger set of questions that together make up a depression index.

What is evident from the individual tables in the tabulation report is that there are no large differences in the reported moods and feelings the last two weeks before the survey between child domestic workers and other children. As noted, the factor that has the highest impact on the children’s well-being in the selected tables is whether the child is enrolled in school or not. There is also a tendency that girls are more troubled with difficult moods and feelings than boys, and older children more than younger children.

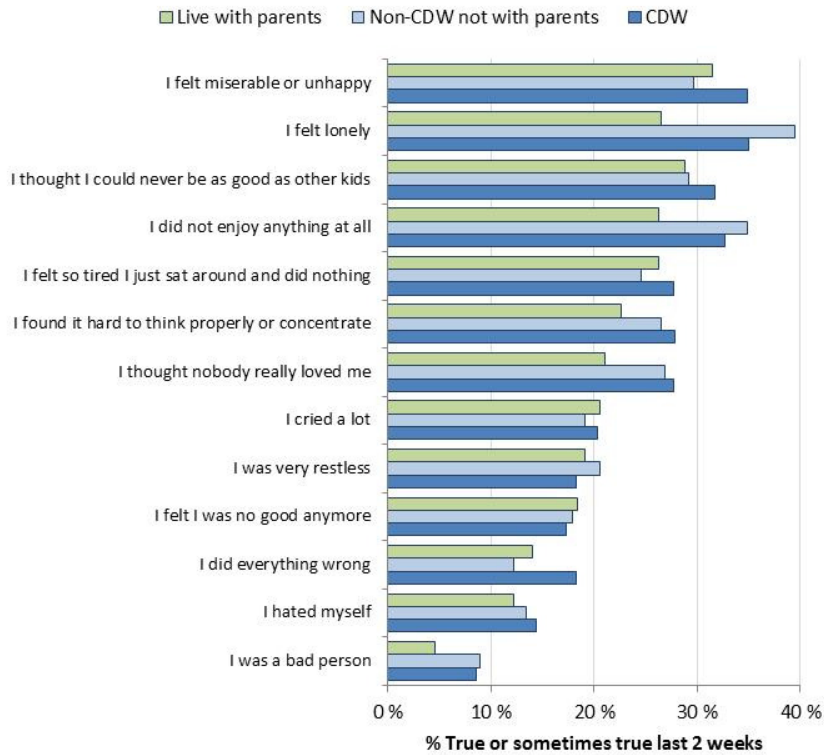


Figure 27 Depression index: Percentage of children 8-17 years of age that said it was true or sometimes true that they had these feelings last two weeks

As Figure 28 shows, distributions of children on the different levels of the depression index, from high to low, is not significantly different between children who live with parents, child domestic workers and non-CDWs who live away from parents.

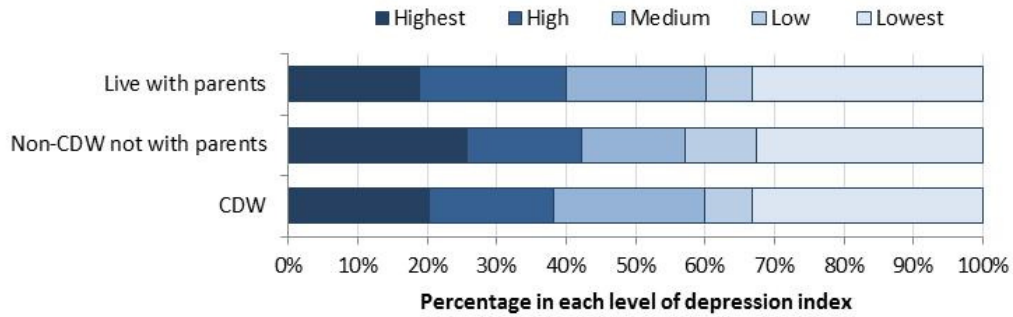


Figure 28 Percentage on each level of the depression index

If we disregard the distinction between child domestic workers and non-CDWs, and focus on children’s living arrangements, we find that one out of twenty children (five percent) in the age-group five to 18 has a handicap²⁰ (see Table 21). The most frequent handicap is intellectual. There is a tendency that parents to a very little extent will send their handicapped children to other relatives. Relatively few children with an intellectual handicap are found among the children living with other relatives. As we will come back to later, many of the children living with other relatives do that for educational purposes.

Table 21 Prevalence of handicap among children under 18 years of age by living status

	One or both parents	Other relatives	Non-relatives	All
Psychological	0.3%	0.5%	0.8%	0.4%
Visual	0.5%	0.3%	1.5%	0.5%
Auditory	0.9%	0.3%	0.0%	0.8%
Physical	1.1%	0.3%	0.8%	0.9%
Intellectual	3.5%	1.2%	5.4%	3.1%
Any handicap	5.7%	2.3%	6.9%	5.0%

²⁰ All the handicaps are as reported by the household head – no medical examinations have been carried out during this survey. As it appears from this, the data on this variable are based on the roster data and not on direct response from children.

Social conditions

In the child questionnaire of the survey, a range of questions intended to uncover children's different limitations, privileges, resources and treatment in households were included. We explore some of the data that these generated in the following. For the most part, no marked differences between the different categories of children can be drawn based on this data. Therefore, the discussion is complemented by qualitative data.

Privileges and restrictions: Media access, clothing and freedom to leave the house

Nearly none of the children that were included in the survey sample reported to have access to internet. Roughly one third have regular access to radio, TV and telephone. There is no particular difference between children living with their parents, child domestic workers and non-CDWs living separately from parents in this respect.

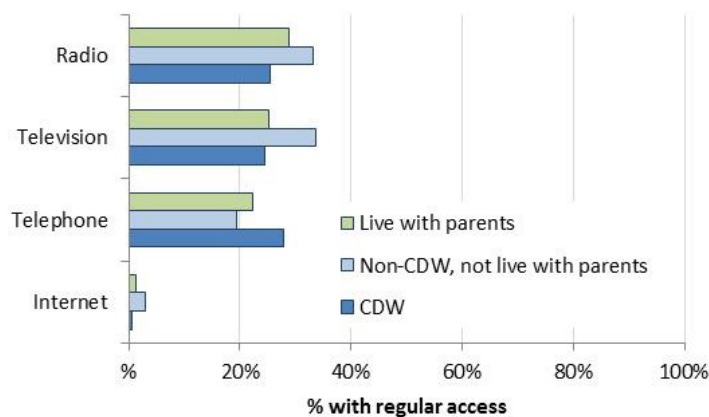


Figure 29 Access to media by living status

Compared to what we witnessed during ethnographic fieldwork in Haiti in 2001, many children living in new homes stayed in regular contact with their parents via mobile phones.

Child domestic workers are slightly less likely to go to church with other family members. When they go, they are slightly less likely to wear special clothes, but the differences are so minimal that it is not possible to draw dramatic conclusions based on the survey data.

Table 22 Percentage of children going to church

	CDW	Non CDW not with parents	Live with parents	All
Always	34 %	38 %	42 %	41 %
Sometimes	39 %	36 %	37 %	37 %
Never	27 %	27 %	20 %	22 %
UnWn	494	446	657	1597

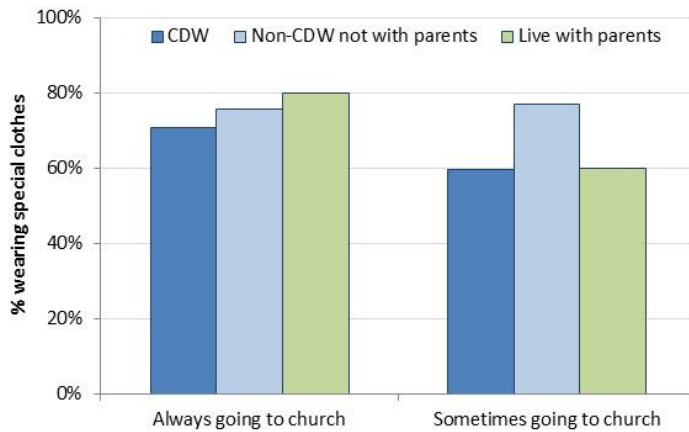


Figure 30 Percentage of the children wearing special clothes when they go to church

As Lunde et al point out in the tabulation report (2014: Chapter 5), data show that overall, child domestic workers are more frequently allowed to leave the house alone, both for duties and for own purposes, than other children. Much of the explanation for this is, however, is that the child domestic workers on average are older than other children. In Figure 31, numbers are divided by children’s age.

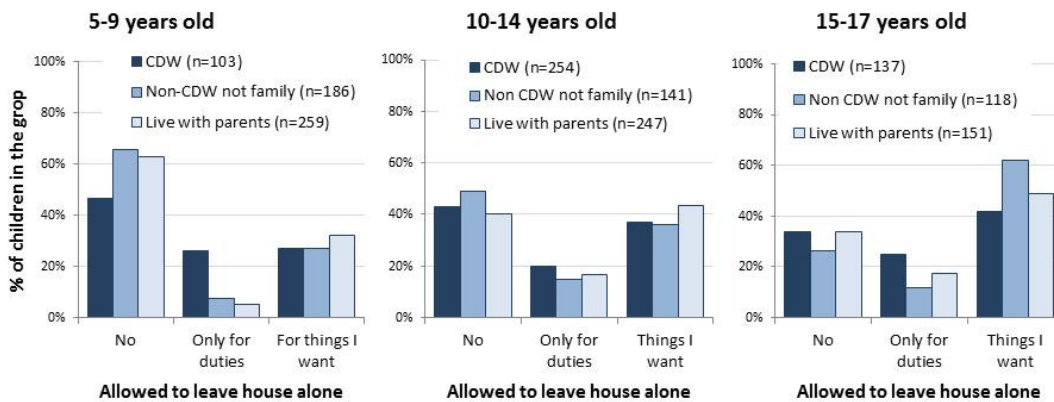


Figure 31 Children allowed leaving the house alone by living status and age

Our own choice of term “freedom” in this context of whether children are allowed to leave the house or not is debatable, as this is also an aspect of the protection of children by adults. What gender is concerned, girl child domestic workers are less likely to be allowed to leave the house for own purposes than child domestic workers who are boys.

Experiences of care: Punishment, commensality and social inclusion

In the survey data, there are no marked differences in the frequency of punishment. The difference that is there, though small, indicates that child domestic workers receive less punishment than do other children. According to household respondents, child domestic workers

are considerably less likely to be hit with an object or whipped, which is the most common form of punishment of children generally speaking.

Table 23 Percentage of children that have ever been punished by members of the household

	CDW	Non-CDW not with parents	Live with parents	Total
Often	9 %	8 %	11 %	10 %
Sometimes	55 %	56 %	65 %	63 %
Never	36 %	36 %	24 %	27 %
<i>UnWn</i>	494	444	657	1595

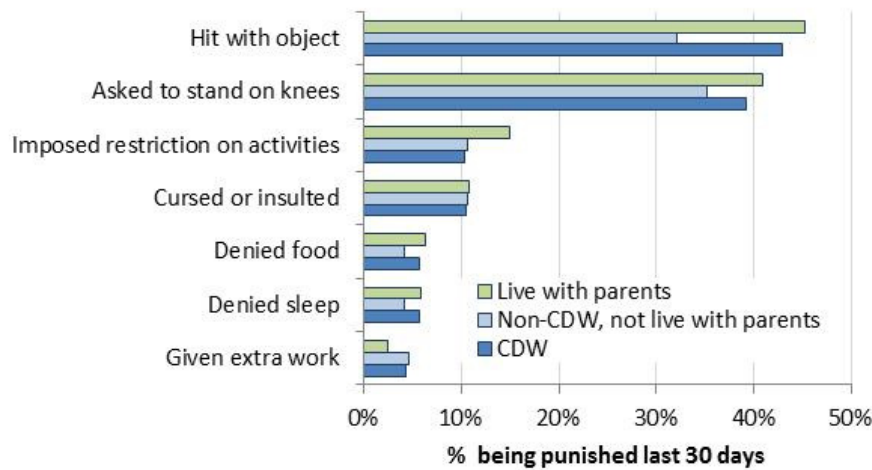


Figure 32 Percentage of all children that have been punished in different ways last 30 days

Approximately 10 percent of all children, child domestic workers included, report to have received verbal reprimand. Interestingly, verbal reprimand is the type of punishment that parents who want to send their children to live in another household find *least* acceptable. According to these parents, verbal reprimand and/or insulting is unacceptable, while 81 percent accept that members of the new household whip their children (see tabulation report, Lunde et al 2014: Chapter 7). We return to this issue in Chapter 6.

In spite of small or no significant differences between child domestic workers and non-child domestic workers with respect to punishment, also reflected in the findings from 2001 (Sommerfelt et al. 2002), children’s statements during our informal conversations with them indicate that punishment reproduces child domestic workers’ feeling of being outsiders. In informal interviews, children who talked about difficult circumstances during stays as domestic workers often focused on the issue of being beaten and punished. By punishment in this context, they also referred to scolding, being put to tasks they did not want to perform or that they found disgusting.

The feeling of not being included in the daily life and emotional community of a household is expressed by many child domestic workers. This feeling of separateness is a vague notion in the sense that it is practically impossible to capture by way of asking questions in a standardised interview. However, notions of separateness come out clearly in conversations with child domestic workers, and especially clearly in the context of meals, and how and by whom they are served meals. Some child domestic workers are not allowed to eat at the same table as other people of the house they live in, or they have to eat after the other residents have finished their meal.

Nathalie

We meet Nathalie in Port-au-Prince, where she attends a day centre for children who live under difficult circumstances. She is 15 years old. Nathalie is originally from Grand'Anse. Her mother died when she was three years old and her father was killed in the 2010 earthquake. Until that time, Nathalie had been living with her father and going to school. When her father died, Nathalie went to live with her Godmother (i.e. the daughter of her Godfather). The Godmother works in the informal sector selling second-hand clothes. The sister's partner, who is employed by the state, also lives in the same house.

There are three other children (aged nine, five and two years) in the house. Only the oldest is in school but the five-year-old will start next year, on time, tells Nathalie. Nathalie stopped going to school when she came to live here.

Nathalie tells she is suffering (*map pase mizè*) in the house of her Godmother. She says that her Godmother "doesn't give me anything". Nathalie sweeps the floors and does the washing up. The Godmother gives clothes to her children but not to her, in spite of her selling second hand clothing, Nathalie remarks. When her Godmother cooks meals, and Nathalie is at home, she is usually given food. However, she is often in the day centre, and takes classes there, and when she returns home, food is not put aside to her. When the Godmother is out doing her commerce, and no food is cooked at home, the Godmother gives money to her children to buy food "in the streets" i.e. snack), but she does not leave money for Nathalie to do the same. Nathalie comments that they do not care about her, and do not mind that she is hungry.

In the same day centre, we met another girl, aged 12 years, whose remarks on meals resonated with Nathalie's. She tells that when she returns from the day centre, where she too attends classes, food is not set aside for her. A man next door sometimes gives her food when he has cooked, she tells us.

In Maria's account (above), similar notions about being cared for, and sentiments about lack of care, were articulated. She remarked that "it's as if I didn't have a father. He doesn't know whether I eat or if I'm well". Moreover, a feeling expressed by many child domestic workers is that their employers, or caretakers, do not worry about their well-being and do not care about their material survival.

Differences in commensality are significant in the statistical material, and the sharing of meals comes across as an important measure of integration in the household. Nearly four out of five Haitian children (78 percent) do eat together with other members of the households they live in. However, there is a remarkable difference between the children living with their parents, and the other children. As shown in Figure 33 children living with their parents eat more frequently together with the rest of the household than the other children do. Only half of the female child domestic workers in urban areas (53 percent) eat with the rest of the households. The mean number of meals does however not vary between the groups, the mean number of meals for all the groups were 2.

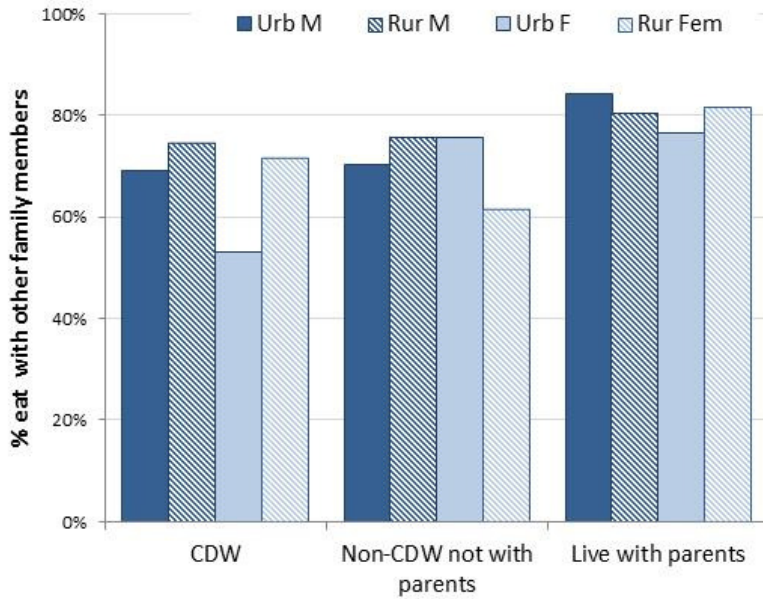


Figure 33 Percent of the children that usually eat together with other members of the household by living status, area and gender

Another aspect of treatment on households is children’s sleep and sleeping facilities. However, the survey results show only small differences, too small to be significant (Figure 34 and Figure 35), between child domestic workers and other children.

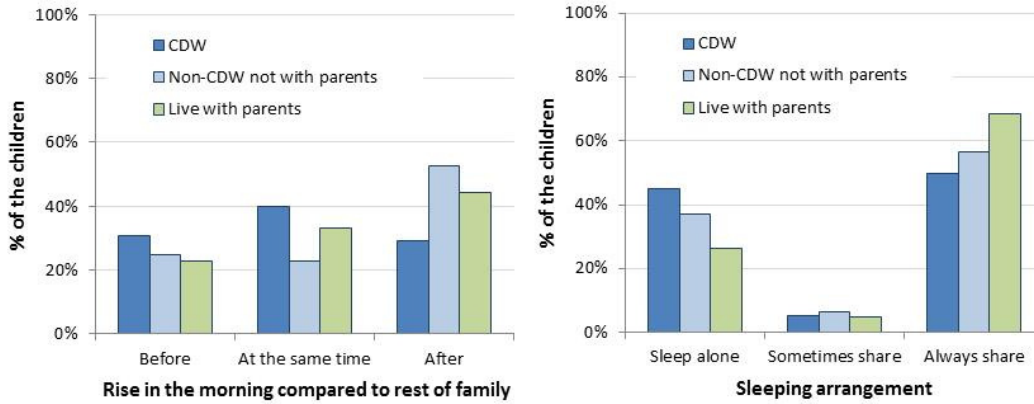


Figure 34 When children rise in the morning and where they sleep

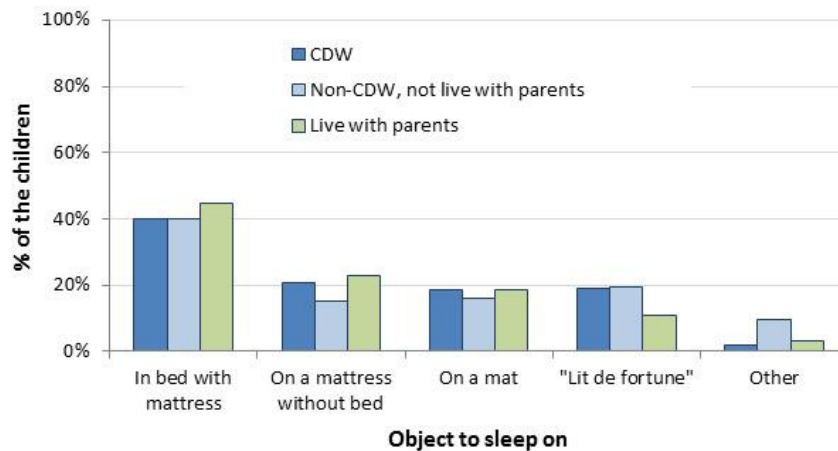


Figure 35 Kind of bed children sleep on

The bad end: Being set aside

Among the children that do not live together with their original parents, 10 percent think they are worse treated than the other children in the household (12 percent of the child domestic workers and 8 percent among the others). This question is only answered by the children that live separated from their parents.

For the children not defined as child domestic workers, 17 percent feel they are better treated than other children in the household, while this is the case for six percent of the child domestic workers (Table 24).

Table 24 Perception of treatment compared to other children in household among relocated children

	CDW	Non-CDW not with parents	All
Better	6 %	17 %	11 %
Same	59 %	57 %	58 %
Worse	12 %	8 %	10 %
No other children in household	24 %	18 %	21 %
<i>UnWn</i>	488	440	928

Though there are a difference among child domestic workers and non-child domestic workers who live away from parents with respect to the feeling of being treated better, then, we cannot say that a majority of child domestic workers feel that they are treated worse. What we *can* say with reference to qualitative data is that among children who do describe their life as child domestic workers as especially difficult, descriptions centre on experiences of exclusion and separateness. This is, moreover, an aspect the constitution of the “bad end” of the continuum of cases of child domestic labour, and these cases differ from those situations in which children experience the stay or employment in a new home as an acceptable way to improve their opportunities. Thus, this is not an issue of describing the majority situation, but rather, how worst cases are experienced. In this context, the account given by one of the urban girls we talked with is illustrative.

Joane

Joane is 14 years old. Her mother lives in a rural area. Three years ago, she sent Joane to live with a woman in Port-au-Prince. “She sent me to get a better life, but that didn’t happen” (*I al chache yon vi miyò pou mwen, m pa jwenn*). Joane no longer has any contact with her mother and she has no father. She went to school from the age of six to eight and she reached the third year of primary school. She thus started school on time but dropped out before coming to Port-au-Prince. “I’d like to go to school”, she says, ‘but [if I don’t] when I’m bigger I’ll sell things in the market”.

The woman she is living with is elderly. She sells food in the morning but for the past week she hasn’t done this. She tells Joane that she has no money to sell food, but Joane says that “it’s just for me that there’s no money”. There are two other children in the household, who are older than Joane, and one of them is in university, according to Joane.

Before Joane came to live with this elderly woman, she lived with another family in Carrefour Feuilles, but they “couldn’t cope” [having Joane there].

In her current home, Joane says, “I do a lot of work: I wash up, and wash clothes, I cook”. Sometimes she is allowed to play with other children, but not when she has got work to do. “I cry when I see them go to school because I can’t go”, she says.

She tells that sometimes, she is beaten for a long time (*san rete*). “She treats me badly” (*mizè l fe m pase*). When we ask why she is beaten, Joane answers, “because I’m not her

child”. And to illustrate, she adds: “I’m hungry and they don’t give me food”. The family eats, she says, but they do not give her proper meals. In the morning they have coffee and bread, and later they buy *fritay* (street food) to eat. “If I ask for five Gourdes, she [the old woman] says she hasn’t got it. It’s when I do the washing up that I will find something to eat from what they leave behind. She mentions that she sleeps on a sheet on the floor and that the others have beds.

Child domestic workers own comparisons convey that the source of suffering is not necessarily workload, but often derives from the feeling of separateness from other household residents and of being treated differently from other children of a house.

A continuum of domestic work arrangements, and children’s movements along it

Children’s experiences of being treated differently are also shaped by their own comparisons with their opportunities back in their original homes. Some children express that a difference of privilege *in degree* between children in a house – for instance a child domestic going to a school of assumed poorer quality than other children of the house – can be bearable if it entails that they get opportunities they otherwise would not have had, had they remained living with their original parents. This contributes to diversifying the image of how children experience their lives as child domestic workers.

One of the cases that leads us to this description of the diversity of child domestic worker arrangements includes a boy we call Joel (below). We met him in his home in one of the refugee camps that still existed in Port-au-Prince in September 2014. We also met the couple who was his caretaker. They all lived in a small house (so-called “T-shelter”). Joel is a nephew of the wife of the family.

Joel

Joel is 10 years old, and attends school. He is currently in the 5th year of primary school, and is on track with his education. He lives in the house of his aunt and her husband, a couple in their forties. They have two children of their own, the youngest a boy of 10 years who is also in his fifth year.

Joel has been with the couple for three years. Before joining the family he had reached the third year of primary school. According to the aunt, the boy’s father never took responsibility for him and his mother is not working. He could not continue schooling, which was partly the reason why he came to live with them. He now goes to a community school in the mornings (in the camp). The couple’s own children go to a different school, regarded as of better quality. The aunt says that Joel participates in housework, and that all the members of the house do the same.

It was difficult for us to check Joel’s workload, but his situation came across as a regular case of informal fostering. Regardless, had Joel not come to stay with his aunt, he said, he would not

have been able to continue schooling, and would have dropped out or become delayed in his education. He cherished the opportunity he had now, to go to school.

Many children we met had experienced the kind of delay that was threatening Joel, due to parents' inability to pay school fees. In some of these cases, their taking up domestic duties in a new home did not entail denigration as in the bad cases accounted for above, but enabled them to take up schooling again, although they were now delayed in their education.

In the steep hills above Port-au-Prince, in an area called Phillipeau, we visit the house of Marjorie.

Marjorie, Lisa and Immacula

Marjorie has four adult children who all live with her – three boys and a girl (26-year old Immacula). Additionally, Marjorie's Goddaughter, Lisa, moved to Marjorie three years ago, from Jeremie, and is now 18 years old. She is the niece of Marjorie's late husband. Lisa's own father died three months ago. Her mother is alive, but has had 10 children, out of whom two have died.

Lisa goes to school. Marjorie also paid for her schooling when she lived in Jeremie with her parents and went to a private school there. When Lisa first arrived to Phillippeau she attended a local private school, for two years. Marjorie then found a place for her in a state secondary school (lycee), where she has done three years now. She is in the 10th grade, and as an 18-year-old, this implies that she is two years behind in her education. This is less of a delay in schooling than Immacula, her 26-year-old daughter, who is nine years behind at present. Immacula has recently taken her exam for "Rheto" again (the second of three years of the Baccalaureat), for the second time. When Immacula was 18 years old, she was in the ninth grade, thus delayed in schooling with three years.

However, Lisa was behind in her schooling when she arrived. Life was hard for her parents in Jeremie, and now her mother is alone with the burden of supporting her many children.

For Marjorie, who also helps her sons in establishing small-scale business-ventures, the expenses for the schooling of Lisa and her own daughter are heavy. Marjorie has had a relatively steady income, which, she explains, has enabled her cover costs and pay for her children's schooling for all of these years, and for Lisa's schooling now.

Marjorie works as a maid. Consequently, she is away at work most days, and many nights too. In effect, there is a heavy workload falling on Lisa, Immacula and the three sons. All children in the house participate in the housework, says Marjorie, with no distinctions. Wilbert fetches water, a heavy job considering the distance from the pump and up the hillside. If Immacula doesn't do the cooking, then Lisa does it, then the youngest of the sons. The other two are never at home for meals as they do commerce. All participate in laundry.

Immacula and Lisa explain that they are the ones to put aside food for Marjorie, so that she can eat on the days she comes back home from work.

The workloads of both Lisa and Immacula when they return from school are rather high – as no other adult is present in the daytime. They have to do housework for several hours a day, and turn to homework when the housework is done.

When Immacula was younger, she and her three brothers all lived in Jeremie. In fact, Marjorie placed them in the house of Lisa’s mother and father. They stayed there for four years, while Marjorie was working to pay for the plot of land she now owns, and to build the house she currently lives in. The fact that Marjorie does not have to pay rent, but owns her own house, is the reason why she can afford to pay for the kids schooling, she explains. This was when Immacula was 10 to 13 years old.

When Immacula was in Jeremie, she went to poorer schools, she says. Also, at one point, a relative of Lisa’s father (Immacula’s caretaker at the time), claimed that Immacula was too young to go into the class she was supposed to enter. He made her repeat a class: he “held her back”. This was when Immacula’s delays in schooling started. The man who “held her back” wanted his own children to advance ahead of relative’s daughter. This was not about money, according to Immacula, Lisa and Marjorie, but about envy. Marjorie adds that, “he also tried to hold back my oldest son, but he didn’t succeed, as he finished Philo ahead of the relative’s children - who never finished!”.

Marjorie says, in her presence, that while she was living away from her in Jeremie, Immacula used to complain that she was the only one in the house who used to do the laundry. They laugh about this when we talk – and Immacula says that there was work to do, but they had a water pump in the yard so the load was not too heavy.

The example of Lisa and Immacula exposes some of the experiences behind cases that would most likely be considered child domestic service, especially in Lisa’s case during the last three years: She is delayed in schooling and has a considerable workload. However, her current living arrangement has helped her back on an educational track. Moreover, the case shows the way in which domestic labour is a process of transitions for many children, a matter of slipping in and slipping out of work and education. In this regard, the case of Immacula and Lisa resembles the stories of Gregory and Joseph presented earlier in this chapter, who slipped in and out of education in a similar manner, the difference being that they had to pay for their own schooling and that their interruptions were caused by their own income-generating activities.

The point to make in this context thus goes beyond an illustration of the variation in condition and experiences on the spectrum of child domestic labour arrangements. The processes that many children go through, slipping in and out of child domestic work arrangements, entail that “recruitment patterns” of child domestic labourers are often informal. This thus distinguishes

these processes from recruitment processes that can be described in terms of the conscious trafficking in children, and it entails that different preventive measures are required.

Conclusions

Child domestic workers are vulnerable to exploitation. At the same time, they actively try to improve their opportunities, some successfully, others not. The different patterns in the living and working conditions of child domestic workers depicted in this chapter, and their different experiences, convey a point we have emphasised earlier: rather than a lack of personal independence, the nature of children's social relationships, inclusion and exclusion better portrays the specific nature of individual child domestic labour arrangements. "Agency" in this setting is defined by the relational dynamics of children's multiple social attachments, rather than the degree of freedom to act independently. The extent and limitations of children's social networks affect their opportunity situations and shape feelings of self-worth. In the next chapter, we turn to explorations of the households that send and receive child domestic workers, and the processes by which arrangements of domestic service come about.

6 Profiles of original homes and employment households – and paths in-between

Tone Sommerfelt and Anne Hatløy

In chapter 5, we focused on living conditions of child domestic workers, in comparison to other children. In this chapter we direct attention to households that children come from and go to. We compare households that have sent children away to live elsewhere, households that are the homes of non-biological children and homes that only include children born into the household. In addition to exploring the demographic characteristics of these households, we assess attitudes towards child relocation and child domestic work. In the last part of the chapter, we explore the paths between households that send and receive children in relocation and work arrangements, by focusing on the circumstances around children’s movements and the processes by which children change homes.

In order to analyse the living conditions of children who have moved into new households, the survey methodology for this study was designed to obtain as many “receiving” households as possible (cf. section on research methodology). There are also households in the sample that has sent their children away to live elsewhere. However, the research design does not allow us to quantify how many receiving and how many sending households there are, as the number of sending households is too low. Even so, the sample enables us to look into some different characteristics of these households.²¹ In addition, we complement the quantitative survey material with information from parents as well as former and present caretakers, and thus employers, of children who can be considered child domestic workers.

Sending and receiving households: Some general characteristics

According to our figures, the average household size in Haiti is 4.9 persons. In households that have received children in different relocation arrangements, the mean household size is nearly one member more, 5.8. As shown in Figure 36, these households have a much higher proportion of eight or more household members than any of the other households. These households are larger, obviously, as a result of children having moved to them, but they are larger than the increase of children to them can account for. This may indicate a higher demand for household work in receiving households

²¹ Among the responding households, 40 were both senders and receivers of children as they had both received children and some of their own children have left the household. These 40 households have been excluded from the analyses of the quantitative material that follow because they are too few to generalise from. We do discuss this situation based on qualitative material, however.

Household members:

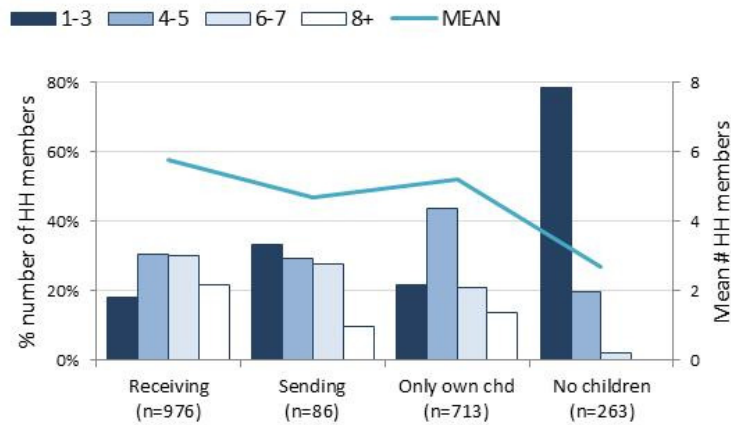


Figure 36 Household size by children under 18 that have moved into the HH (receiving) or left the HH (sending)

Households that do not contain children are by far the smallest. The households where children have left to live elsewhere have a mean size of 4.7 persons. It seems to be a commonly held view in Haiti (also among NGO representatives) that households that send children away to live elsewhere are generally larger than other households. In our material, however, there is nothing that indicates that it is the larger households that send some of their children away. This does not mean that they are not poor or face challenges in meeting the needs of care for their children, however, a point to which we shall return below.

Based on information from children in the child questionnaire, however, the households of child domestic workers and non-child domestic workers (who live separately from parents) have some different characteristics. The child domestic workers come from households with more children than the non-CDWs (living away from parents). This supports the interpretation that kids are sent into child domestic work in order to relieve the household heavy burdens of upkeep and care. Once again, this shows that children who are sent away for the primary purpose of pursuing their education, but also may conduct household work within the limits of the “permissible”, come from smaller households than the children that live as child domestic workers.

Also, the non-CDWs (living away from parents) come from households with higher education among the household heads than the child domestic workers. There is a small difference between children living in new households in whether the household head in their original household was suffering from a handicap, but the difference is too small to be statistically significant.

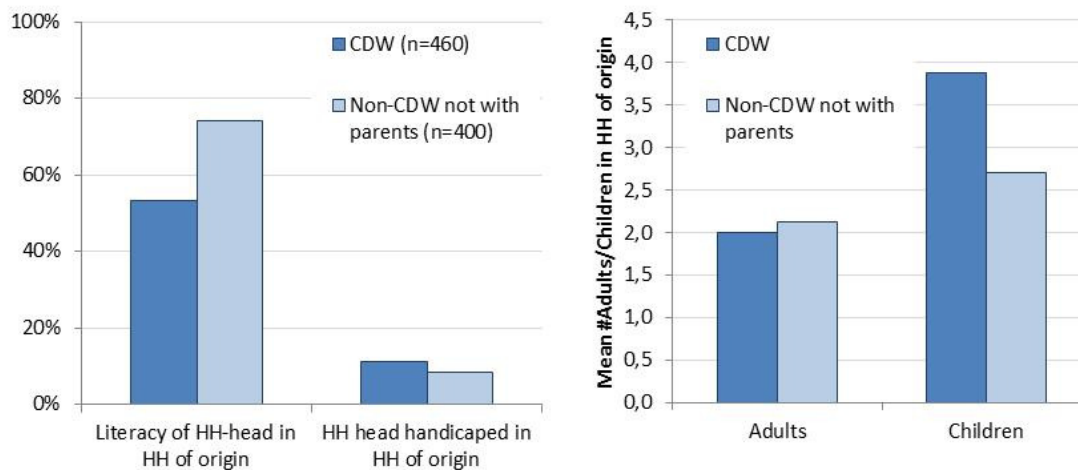


Figure 37 Situation in household where children were born. Left: percentage of household heads that were literate and percent hindered in their work due to handicap. Right: number of adults and children in the household of origin

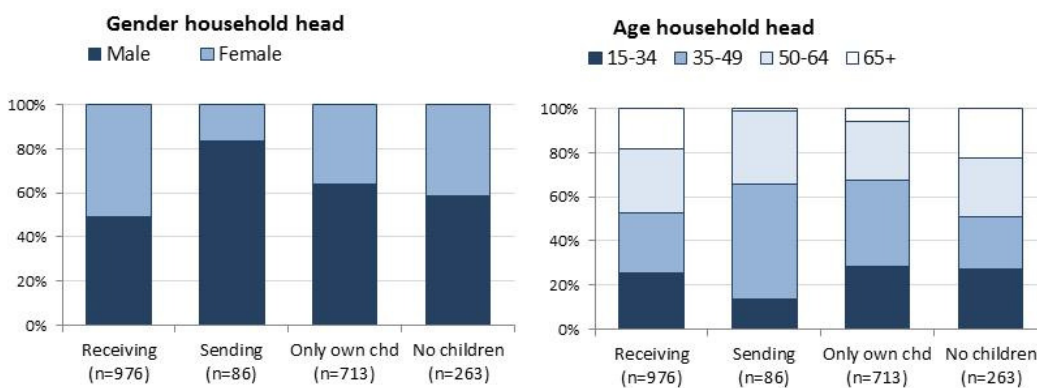


Figure 38 Age and gender of household head in the households that have received children or sent children away

Households that have sent children away are equally female and male headed. This is in contrast to the households that have received children – this group has the highest share of female headed households. Almost none of these sending households have old household heads (Figure 38).

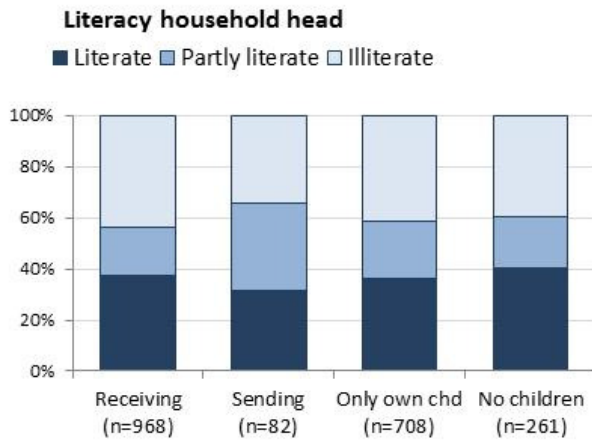


Figure 39 Literacy of household head in the households that have received children or sent children away

There are no particular differences in the level of literacy in French and/or Creole among the different groups of households (Figure 46).

Most of the households that have sent their children away are located in rural areas, while the receiving households are found both in urban and rural areas (Figure 40). In all regions there are households receiving children and other households sending their children away. It is a small tendency that in the “Transversal” (The North-East,) area there is a higher level of child mobility; households here have a higher likelihood both of receiving children and sending children away than in the other regions (Figure 40).

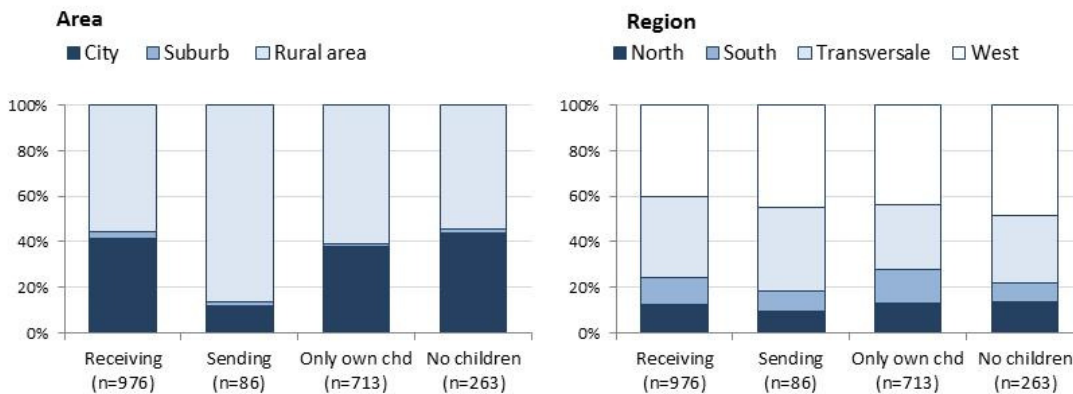


Figure 40 Area and region where the households are located by households that have received children or sent children away

Child relocation and domestic work: A matter of attitudes?

Most of the adult respondents find it not desirable for children to be placed in other households for doing unpaid or paid agricultural work and domestic work. This is found desirable for neither children under the age of 18 nor children under 14 (Figure 41). The placement in homes of relatives or godmothers/godfathers is found “not desirable” for 50 to 60 percent of the

respondents. The least problematic is to place children for apprenticeships. However, attitudes in the latter respect vary considerably with children’s age: 49 percent of respondents report that they find it unacceptable to place children under 14 years for apprenticeship, while 27 percent state that children under 18 should not be placed for apprenticeship.

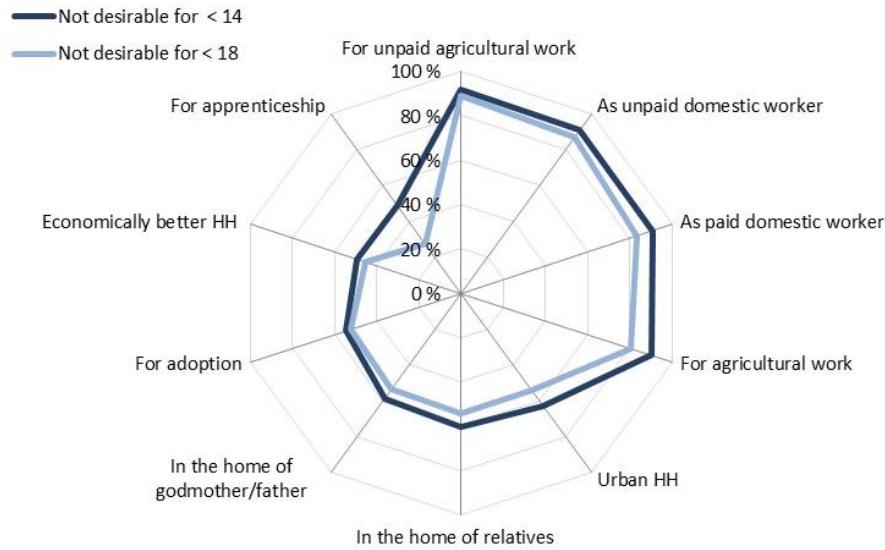


Figure 41 Percentage of adults that find different forms of placement of children as NOT desirable for children under the age of 14 and 18

Whether a household contains only biological children, whether it contains children unaccompanied by parents (receiving household), or whether one or more of their own children has left before the age of 18 during the last five years (sending household), the overall picture of what is considered acceptable and unacceptable is relatively similar (Figure 42). However, the sending households are somewhat less sceptical to sending children under the age of 14 away for unpaid domestic and unpaid agricultural work than other households.

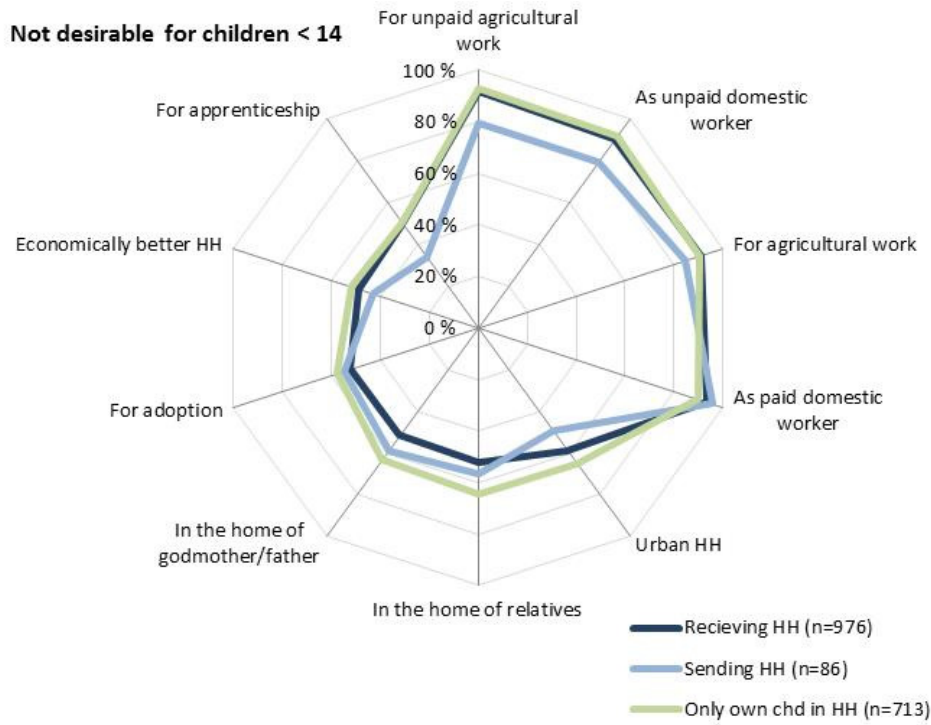


Figure 42 Percentage of adults that find different forms of placement of children as NOT desirable for children under the age of 14 by status of children in the household

Parents do not distinguish between their sons and daughters with respect to the purpose of sending children to live and/or work in new homes. As shown in Figure 43, nearly none of the parents want to send their children to other households to do unpaid domestic or agricultural work. They are also very sceptical to sending them for these activities even if the children receive payment or an education (in addition to working). However, most parents accept sending their children to households “in pension” (*a pensyon* in Creole) arrangements, i.e. where parents pay for children’s schooling and expenses while they live in a home closer to their school, or in a household for apprenticeship.

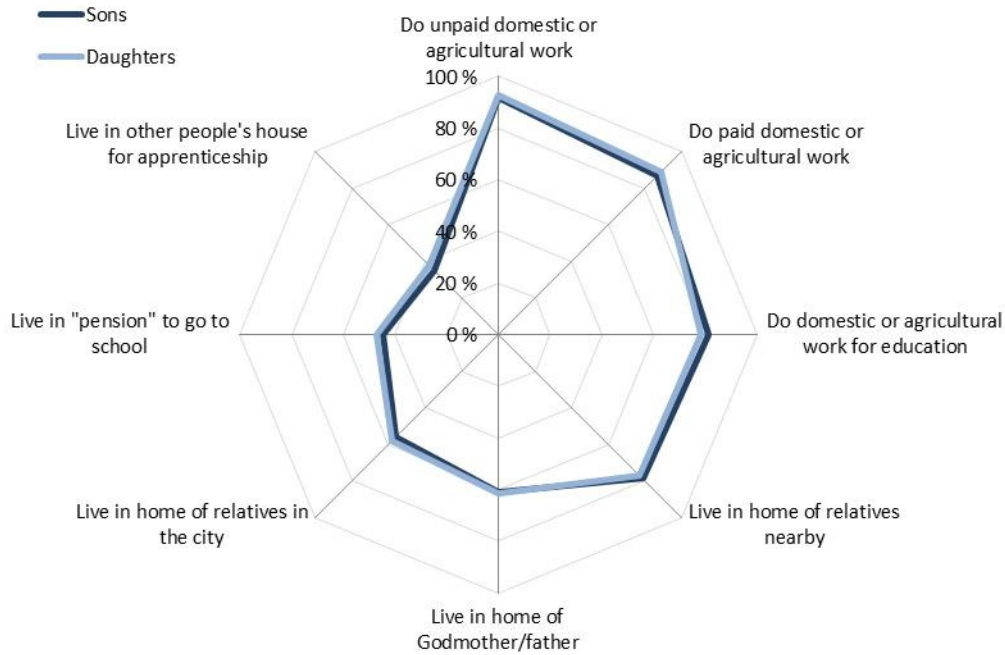


Figure 43 Percent of parents that would NOT encourage own sons and daughters to live under certain conditions (UnWn=711 adults with own children in the household)

Among all the parents that were asked, five percent said they would encourage their own children to live in another household, regardless of purpose. Another 24 percent said that they would do so under certain conditions.

There are, however, differences among the households that would encourage their children to live in new households. As shown in Figure 44, the poorest households - and households the lowest education of household heads – are much more willing to send their children to other households than the more wealthy households and the households whose household heads have higher education. What is more, parents from rural areas are more willing to send their children to other households than the urban ones: While 40 percent of the parents from the Transversal region are willing to relocate their children, this is the case for 18 percent of the parents in Northern region.

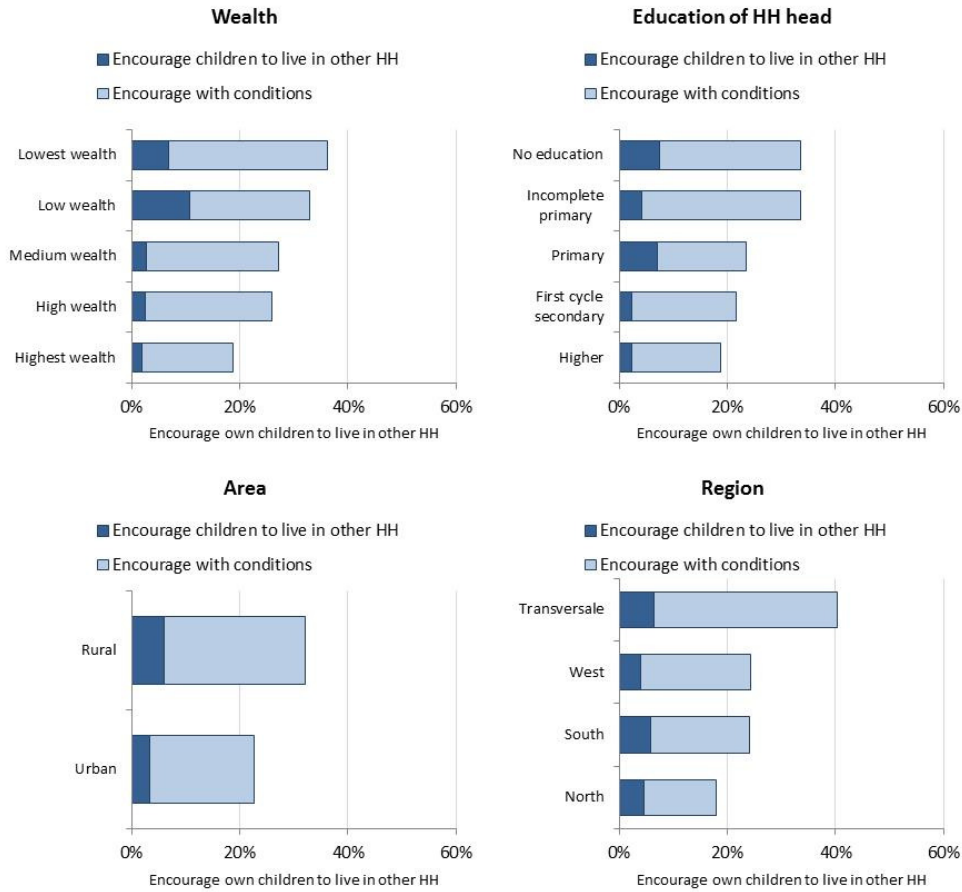


Figure 44 Percentage of adults with own children that encourage their children to live in another household by household wealth, education of HH head, area and region (UnWn=1043)

The parents that reported that they would encourage their children to live in another household, but whose children were still living in the household, were asked why their children had not yet left. The main hindrances reported were lack of money and that the children were considered to be too young (Figure 45).

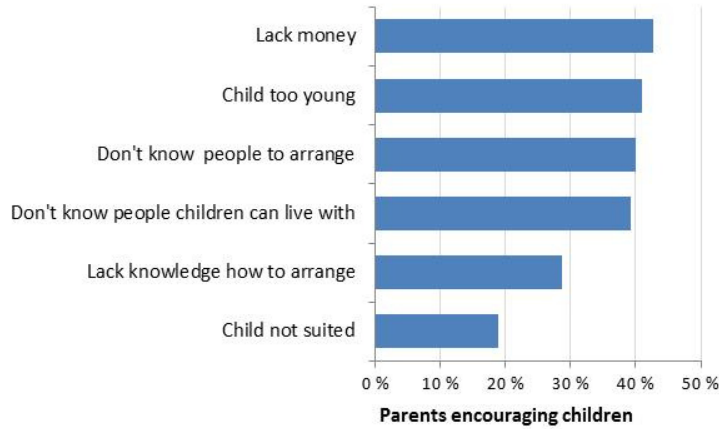


Figure 45 Reasons for the parents why the children have NOT left the household (UnWn=294 parents that would encourage children to leave to live elsewhere)

The finding shown in Figure 44, as well as the minor variations between sending and receiving households that were shown Figure 42, indicate that to send children away is not necessarily a matter of attitudes, but of economic adaptations to economic circumstances, that vary according to household wealth, or that varies in different life phases. Other survey data strengthens this impression, as does the qualitative material.

Inequality, economic adaptations and the death of a parent

Looking at the wealth of the households, nearly none of the households that have sent children away to live elsewhere are defined in the rich third on the wealth index. In the households that have received children, on the other hand, only 26 percent are in the poor third. Thus, there is a tendency that the better-off receive children, whereas the poorer households have a higher likelihood of sending their children away.

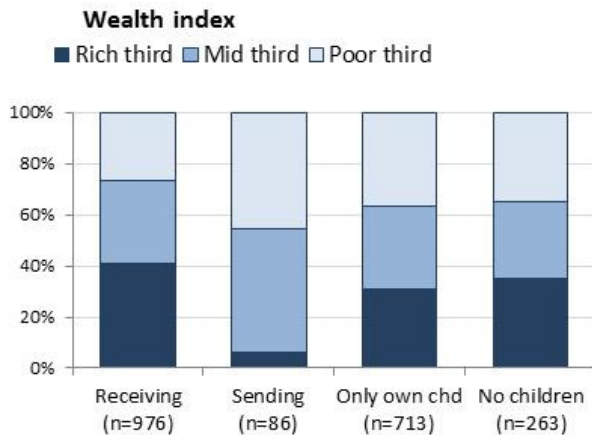


Figure 46 Wealth in the household that have received children or sent children away

These findings support the interpretation that parents adjust to difficult economic circumstances by circulating children for periods of time. This also entails that parents cannot necessarily be distinguished categorically on the basis of whether they defend, or do not defend, the placement of children in arrangements of child domestic work: Many parents send of children during some phases of difficulty and following crises, and when times become easier, they “assist” other parents by providing upkeep for their children. They may benefit from the children’s labour in return. *Or*, people struggle in some phases, and actively look for children as extra hands when times turn and they are in need of extra labour input in the household. Moreover, many parents are thus both receivers and senders of child domestic workers during their life course.

As noted previously, only 40 households in the survey material were registered as both senders and receivers of children. However, the question asked in the survey was whether parents had sent children away during the last five years. During the qualitative interviews, we met many parents who had sent away children during difficult phases, only to collect them some years later. Eventually, they “returned the favour” to the same family by caring for their children in a position to receive children later. Marjorie, whose case we introduced in Chapter 5, is one example.

Marjorie placements of children and longer-term planning of household economy

When we met her, Marjorie’s Goddaughter Lisa was living with Marjorie in Phillipeau, along with Marjorie’s four children. Lisa took part in housework in Marjorie’s house, and went to school in Port-au-Prince.

Years earlier, however, Marjorie had sent her own four children to live with Lisa’s parents in Jeremie. Lisa’s parents were not well-off, but they did not have the same burden of support for children at the time as Marjorie. When their children left for Jeremie, Marjorie’s husband lived in The Dominican Republic, and worked in a factory where he made bricks for construction. Marjorie herself did not have a regular job, and she was renting the house that they lived in. As many others, she was paying rent every six months. When one of the six-month payments was approaching, she understood that she needed relief of expenses for the upkeep of her children. She asked her husband’s brother for help. The children moved to him and his wife in Jeremie, and stayed there for four years. Marjorie says that she used to send money to contribute to the children’s upkeep when she could, but often she could not.

Soon after the children’s departure, Marjorie managed to find a regular job, and she has had regular jobs as a maid ever since. This has made life more predictable. As a maid, Marjorie slept in the house of her employers, and thus, could not care for her children. At the same time, Marjorie decided to keep the children in Jeremie in order to build up capital to buy a plot of land. As soon as she had enough money and an appropriate piece of land was available, she did. When the first room was ready and roofed, four years after the children

had moved to Jeremie, she brought the children back to her, and put them in school in Port-au-Prince.

Just a few months prior to her completion of the first room, Marjorie's husband sustained a serious injury in the factory in The Dominican Republic. Her returned to his wife in Haiti, but did not survive. Marjorie still insisted on bringing her children back home from Jeremie. Even with the loss of her husband's income, her economic situation was now much easier, as she could live without the burden of paying rent. The fact that Marjorie does not have to pay rent, but owns her own house, she explains, is the reason why she can afford to pay for her children's schooling, and for the schooling of her Goddaughter. She has now extended the house with additional rooms.

Thus, Marjorie worked to build up longer-term economic resilience, and in this pursuit, placed her children elsewhere. Payment of rent yearly or every six months appears as a particularly critical time for people, and it is a recurrent topic in parents' stories about decisions to place their children temporarily in the homes of others.

It should be noted that households both receiving children in work arrangements, and sending children away in other phases, is not unique, and it is not a new finding (as indicated in a study by Pierre et al 2009: 9) . We pointed this out in our previous study (cf. Sommerfelt, ed., 2002), and in our interviews in the urban areas in September 2014, this came across as a standard procedure for parents in difficult situation.

An economic shock that affects parents in the rural area is failing crops following drought or flooding. In the mountains in the South-East department, we spoke with farmers who saw no alternative than to send their children away, eyes open to the fact that children were placed in difficult situations.

Desperation: Parents acceptance, encouragements, and children's own initiatives

In September 2014, we talked with Claude, a farmer of about 60 years. He lived in a community at an altitude of more than 1800 meter above sea level in the commune of Marigot. The area is moist and rocky, and agricultural fields stretch out in all directions. Due to the altitude and constant mist, people in this area usually expect rains or dew from January to late autumn. However, the area had experienced drought from January 2014 and therefore increased sun-exposure, further aggravating the drought.

Claude has been active in establishing initiatives for youth in the area, and started community school nearby. He is a respected elder in the community, and is described by others we meet as a person people turn to for help.

Claude says that this year has been particularly hard for parents, due to the drought the past six months: "Normally, we can send kids to school from the [money from the sale of] harvest, but now, with the drought and too much sun, it is not possible".

As we walk around the fields, Claude keeps pointing to the “school fees” in the ground – short two-centimetre long carrots that should have been mature by now but that do not grow because of the drought. Some carrots have grown but have cracked and dried up because of the lack of cloudy shield from the sun that is ordinarily here.

Farmers are on their second round of carrots and spring onions when we speak with Claude – as their entire first round was destroyed. But even the second round does not grow properly. Claude points to small plants of (second round) spring onions that should have been large, harvestable, plants now. He is afraid that all of their investments from two rounds of planting will be lost. And worse, people will not have food to eat, says Claude.

As we walk into the small yard of his house, we meet several women residents. They fill in, and emphasise that the drought, added to it the loss of a parent, is a usual reason for sending kids away: “For some kids, their fathers die or leave, and then their mothers cannot take care of them”. Many do become *restavek*”, they say, and explain that: “People here suffer! When the sun is hot they eat snails and lizards raw, to stop the feeling of hunger. This is bad! It’s worse here than in town. Here, they don’t get even a single [hot] meal. The children who stay [behind] here, who don’t go as *restavek*, they suffer more!”.

Some kids go to Port-au-Prince, they say, and sleep in the public market places. They spend the night under the empty market tables. One of the women we speak with says that she sleeps in the market place when she goes to Petionville. She adds: “The sadness of the kids who sleep in the market places is that they watch other children who have a better time. So they are not happy. Even if the street kids see others who are better off, they don’t return here, because life here is too bad. They hope for a better life [in town]. They sell water. They are often 10 to 12 years old when they go to town”.

We speak with a middle-aged woman, the sister of Claude’s wife. As a comment to the discussion of the difficult agricultural year, she emphasizes, “we have nothing”, and the house is built directly on the ground. She tells that she has eight children all in all, by two different fathers. The two oldest children, two sons of 23 and 21 year, live with their father in Port-au-Prince. “They have their father”, she says.

With respect to the six youngest, she says that “I should have sent them to school but I can’t”. Their father died. They are two boys and four girls. Four of them are in Port-au-Prince and Petionville.

The oldest among the girls is about 18 years old. She went to Petionville to do trade, but after the government outlawed the marketplace trade in Petionville, it was no longer allowed to sell there and she could not continue. This commerce was supposed to pay for the schooling of the youngest girl of 15 years, who came to stay with her. But now that’s impossible: “She started schooling in Port-au-Prince last year but couldn’t finish, so she couldn’t start this year. She did her third year last year in primary school. She feels the ‘bleach’ (*klorox*)”. By “the bleach”, she refers to the pain in the stomach that is felt when

hungry, as if you have eaten bleach. Now, the 15-year old helps her sister, washes dishes and does the dusting. They both live near Canapé Vert.

One of the two sons (of the deceased father) has also left for Port-au-Prince. He lives in the marketplace of Petionville. The other son is doing day labour, cutting horse fodder. He wants to earn money to put himself in school.

This situation is more desperate than Marjorie's, given that parents respond to crisis without the opportunity of building up longer-term resilience. This situation seems extreme, but it was not unique in the area. Parents also emphasised that children put pressure on their parents to accept them leaving for town. Many children had also simply left Marigot, parents told, by taking the path across the mountains to Ferme, and then continuing down to Petionville. Children's active initiatives in these circumstances reflect the enterprising attitudes described in Chapter 5, in the context of children's active pursuit of work opportunities in order to pay for their education.

The accounts from adults in Marigot illustrate, also, that the death of a breadwinner often leads to children's placements in new homes. Widowhood was a recurrent topic in conversations we had with people in the Port-au-Prince area, and the 2010 earthquake had affected many, as the burden of support of children was too heavy following widowhood. To make quantitative estimates of the earthquake's effect on the frequency of child placements is not feasible, however.

The situation in Marigot may seem exceptional, but it does reflect a general shift that was also remarked upon in Chapter 5: Whereas in 2001, parents often emphasised the "positive" factors of children's placements in a new home, such as informal training in city habits or learning the ways of the world, avoiding idleness in children ("vagabondisme"), in 2014 many parents underlined that the placement of children is a response to a difficult situation, and which is especially unfortunate if it deprives them of the opportunity to attend schooling. This may also reflect that placement of children in new homes is becoming increasingly stigmatized. At the same time, child placements are an elementary aspect of social risk management in Haitian households, to the extent that discussing "motivations" for child placements seems biased: When a crisis arises, an equally relevant question to parents is why parents would insist on keeping kids close when they may receive better care elsewhere.

Even though parents accept or encourage their children's placements with new families, it does not mean that they are indifferent to the treatment their children receive.

Original parents' expectations, motivations, acceptance

Based on the survey material, we see that parents that are positive to letting their children live in other households have high expectations to the new household. They expect new caretakers, or employers, to help out with education and upbringing of the child, and with feeding and protection (see Figure 47).

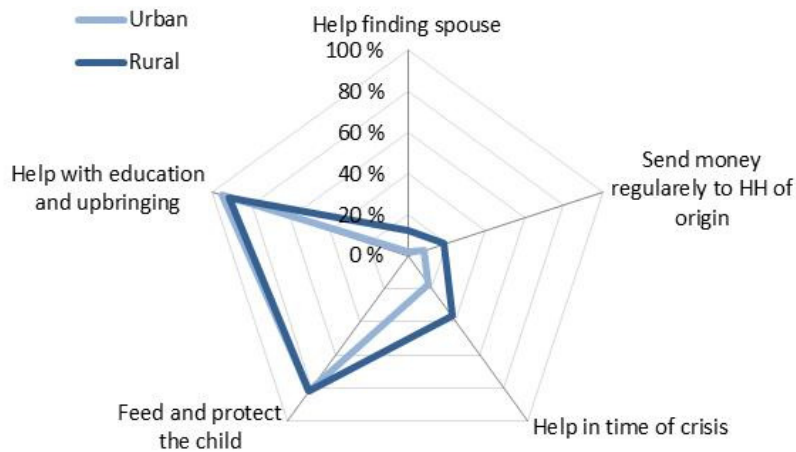


Figure 47 Expectation from the parents to the receiving households (UnWn Urban=76 and Rural=217 parents that would encourage children to leave to live elsewhere)

Parents who have sent children to live in new households also expect that the adults in the new household take action if their child misbehaves. As shown in Figure 48, there are some forms of punishment that are seen as relatively acceptable, such as telling the child to stand on its knees, hitting the child with an object and sending the child back to the household of origin. However, it is not regarded as acceptable to take the child out of school, to slap the child, and as noted, to insult the child. Very few accept that their child is denied sleep or food or given extra work. These results on what parents find acceptable then, are in line with how children reported that they were punished. As Figure 32 in Chapter 5 showed, the children that have been punished the last 30 days have mainly been hit with an object or asked to stand on knees.

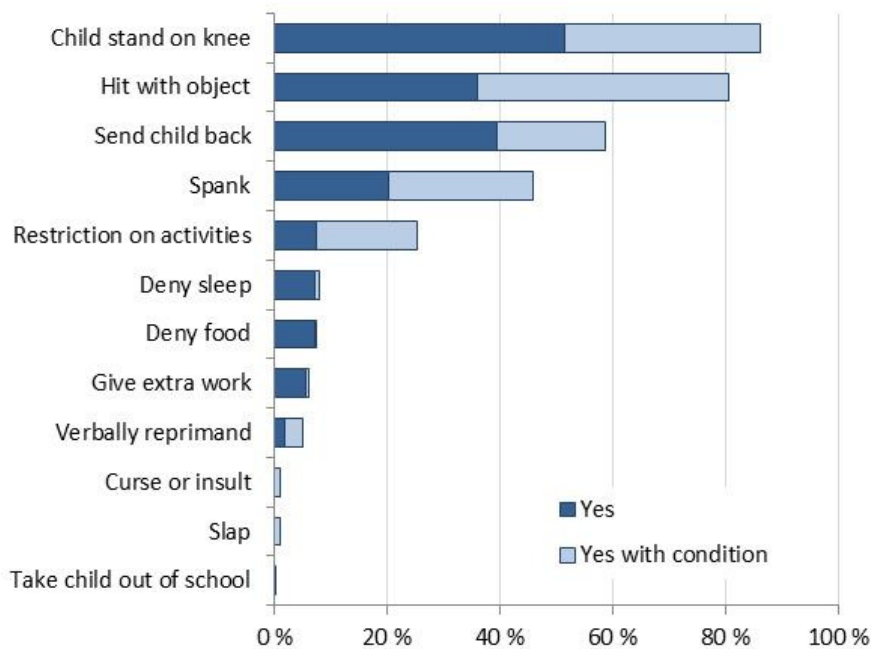


Figure 48 Acceptable punishment by members of the new household if child misbehave (UnWn= 294 parents that would encourage children to leave to live elsewhere)

A note on differential treatment of children in receiving/employing households

In receiving households, there are complexities in the way that people understand the role of children who perform domestic work. This comes across clearly in children’s experiences that we described in Chapter 5. Whereas in some houses children are treated and regarded more or less as servants, not to be mingling with other children of the house, this does not necessarily reflect opinions or care practices in all households.

In many of the earthquake stricken areas we visited in Port-Au-Prince, for instance, neighbours had taken in children when parents died. Already burdened by their own children’s schooling, new caretakers could not afford additional costs of schooling for new children. The differential treatment of children in house with respect to schooling did not reflect a deep-seated intent to exploit, but rather, showed economic limitations and parents’ commitments to provide their own children with an education. Asked if she would not send an orphaned child to school, one woman exclaimed: “Of course. But I couldn’t simply leave the boy in the streets alone”.

This story was not unique. Many children who did help out in houses in these areas did not blame their caretakers for differential treatment, but were saddened by their destiny and by their inability to attend school. Many of the older children in this category tried to work in order to put themselves to school, and as such, saw it as their own responsibly.

This entails those motives in “receiving” households, also among “employers” whose use of children’s work in the house would be regarded as child domestic work according to some international standards, should not be taken for granted.

Child movements

A high number of Haitian children have been moving from the place where they were born. Among all the children under 18 years of age, one third (36 percent) has moved at least once. 14 percent has moved more than once. As shown in Table 25, more children currently living in urban areas have moved than those living in rural areas. There might be at least two explanations for this; 1) Children tend to move from rural to urban households, or 2) Rural households move less. Most likely the situation in Haiti is a combination of the two.

Table 25 Number of times children under 18 has moved by current area of residence and age

Number of moves	Area		Age-groups			All
	Urban	Rural	5-9	10-14	15-14	
0	54%	70%	75%	58%	60%	64%
1	24%	21%	18%	25%	21%	22%
2 - 3	20%	8%	7%	15%	15%	12%
4 - 7	3%	1%	-	2%	4%	2%
Total	100%	100%	100%	100%	100%	100%
<i>UnWn</i>	631	981	551	650	411	1612

Movements are related to age, but not as linear as one could expect. While 25 percent of the youngest children have moved at least once, this is the case for about 40 percent of children both in the age-group 10-14 and 15-17. In all age groups the children currently living in rural households have moved less than the children living in urban households (Figure 49).

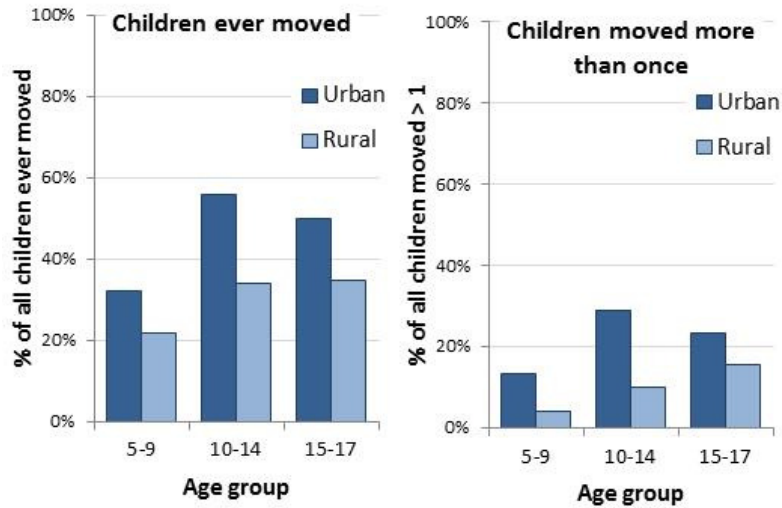


Figure 49 Children that have ever moved, or moved more than once by age and area of current residence

In the survey interviews, children were asked about each move they had ever done. We do not know the status of the children on each given point in time, but we do know if they were moving together with other members of the household or not.

In the interviews with the children, 42 percent of the moves were reported to have taken place in the company of parents, another 15 percent with other household members, and the remaining 43 percent of the moves were done unaccompanied by household members.

Two third of the moves (69 percent) had taken place within the same department, and 43 percent within the same commune²². When the boys move without other household-members, they move mainly within the same commune, or they move out of the commune to a rural area either in the same department or in another department (Figure 50).

A large part of the girls moving without other household-members also move mainly within the same commune. However, the remaining of these girls mainly travel out of their department, and move into an urban area. Thus, while boys move relatively shorter distances within rural areas, girls move further away to urban settings. This brings attention, again, to the rural boys, an overlooked group in discourses on child domestic labour in Haiti, whose labour is in demand in rural areas (cf. Chapter 5*).

²² With the methodology used, we have not intended to capture the children moving abroad

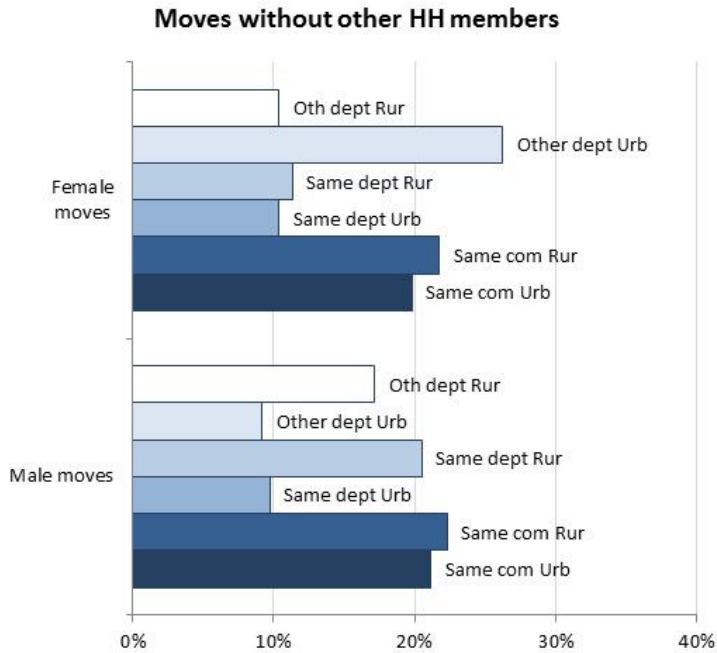


Figure 50 Destination for the moves by girls and boys have done without any other household members (UnWn=608 moves)

The reason that children provide for the moves that were done in the company of other household members was mainly, unsurprisingly, to follow the family. Looking at the reasons for moves that the children had done unaccompanied by other family-members, results show that the main reason for moves were related to problems in the household of origin, either health problems, economic problems or social problems; or the main reason for the move was that the child was needed in another household (Figure 51). Note that respondents were to provide the “main reason”, but that these alternatives are not necessarily mutually exclusive. None of the children said that they moved in order to search for work. Very few children say that they have left their original homes to fulfil their own wishes, like obtaining work, schooling, for reasons of adventure or “to escape”.

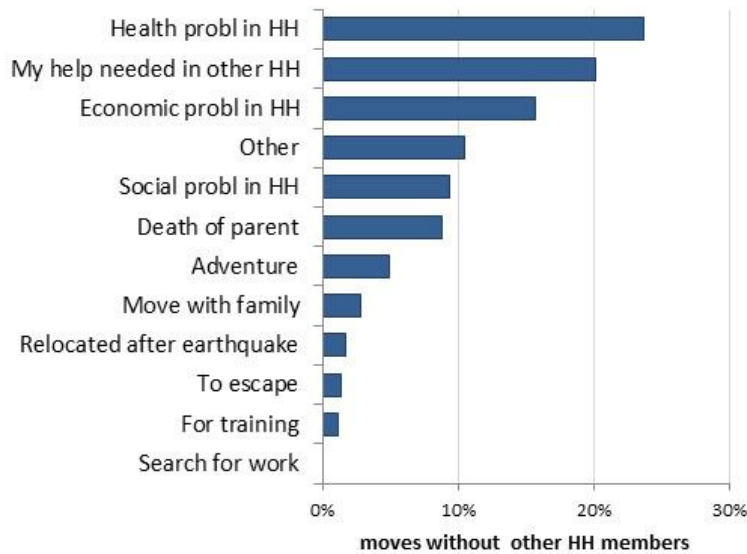


Figure 51 Main reason for moving among moves made when children are moving without other household members (UnWn=593 moves)

These results support the image of child domestic work in Haiti as made up of informal relationships: children are not always “recruited” into arrangements that are recognised as “work” or “work for upkeep” by the people who benefit from children’s work, but many children still enter into working life this way. Also, the results strengthen the impression of poverty and family crisis as a main driver in child placements.

Processes of recruitment and placement, and the issue of middlemen

As we have seen, children move between households often over relatively short distances. They most often move because of problems in their household of residence, or their work input is in need in the household they move to. They do not leave their parents for good in order never to return: Children leave for a period of time, return, and leave again.

In some of children’s moves a middleman is involved. A middleman is defined in this context as a person that is neither a member of the old household nor of the new one, and who assists in the moving process for a payment or for free. The role of middlemen may appear confusing. In the present survey we asked the household heads that have received children and that have sent children away about the use of middlemen. We also asked the children that had been moving, if they were assisted by a middleman. The term “middleman” can be translated into different terms in Creole. A *koutye* is a broker who procures services on someone else’s behalf. One may go to a market place asking for a *koutye* to find a painter, a maid, and the same term is occasionally used in real estate. In the context of child domestic work, the term is used about the person who finds a child who can provide domestic work, and helps out in the transfer of the child from one household to another, for payment. In principle it is the receiving households that pay the *koutye*. In the receiving households, two percent said a *Kouyte* was used when the child arrived (Table

26). Among these two percent, most employers had paid between 100 and 500 Gourdes (US\$2-10), with one exception of 2500 Gourdes (US\$50).

However, other persons than *kouyte* may be involved when children move, most often referred to as *Madam Sara* or *Vyewoi*. These terms were used when household heads were asked about children that had left the household. Thirty-eight percent of the household heads said that a person unrelated to the household had helped out with the move in a way or another. This indicates that the use of a third party is relatively frequent, but there are rarely money-transfers involved.

The children themselves reported that around ten percent of their moves were assisted by a *Kouyte*. Usually, it is the receiving household that makes the contact with the *Kouyte*. Sometimes the children know about this contact, other times not. Discrepancy in numbers is therefore difficult to interpret.

Table 26 Use of middlemen when children move between households

	Creole term used	% used 'Middleman'	Travel initiated by middleman	UnWn
HH heads asked about children that has arrived to HH	<i>Kouyte</i>	2%	-	459 HH heads
HH heads asked about children that has left HH	<i>Kouyte / Madam Sara / Vyewo</i>	38%	1 case	152 HH heads
Children asked about their own moves	<i>Kouyte</i>	10%	-	1326 moves

In 2001, we registered similar accounts of middlemen, *kouyte* included. As we did not obtain quantitative data on the use, we cannot state determine whether the use of middlemen is on the rise. During our qualitative interviews, it appeared that middlemen was an informal family affair: A relative with a social network searched for possibilities of placement on parents' behalf or put parents in touch with town dwellers in need of a child's domestic work – the latter often a relative too, only more distant. Moreover, the discussion of "trafficking" in Haiti, also in connection with the new law against trafficking (cf. Chapter 7), does not reflect the fact that the majority of child domestic work cases are informal and directly organised, facilitated either by parents, by relatives who look for assistance, and in the case of older children in rural areas, often initiated by children themselves. It should be recalled in this context, that only 17 percent of the children who live away from their parents in Haiti (26 percent) do not have any prior relation to their current household head, or put differently, the absolute majority of children who live away from parents – child domestic workers or not – live with kin.

Conclusions

In assessments in previous chapters of the distribution of child domestic workers in urban and rural areas, we have seen that the proportion of children is relatively similar. However, it has also been shown that the proportion of boys in rural areas is higher than the proportion of boys in

urban areas. Data presented on boys' and girls' patterns of movement in this chapter echo these findings, boys more often than girls moving shorter distance to or within the rural areas. Again, this reflects the difference in tasks undertaken by boys and girls: girls move to urban areas to take up domestic chores in houses there whereas boys (also) take part in agricultural labour in rural areas.

If children's own reports of the use of middlemen better reflect the use of middlemen than the statements among the receiving households (household heads) that pay for the services of middlemen (*kouyte*), it means that the use of a third party that receives payment for placing children in a work relationship is not uncommon. For the most part, however, parents, children and receiving (employing) households arrange children's movements through informal networks and without compensation. This should be kept in mind when discussing child domestic work in terms of conscious processes of "recruitment". By the same token, distinctions drawn between different categories of children in earlier chapter, for instance on the basis of workload, age and education, are constructive for building up an understanding of child domestic work, but must not be understood categorically: These are not different children, but different situations that many children slip in and out of during their life course.

As pointed out in this chapter, households that contain child domestic workers score higher on the wealth index than households that have sent children away during the past five years. Generally speaking, child domestic work is a "solution" for household that are in need of helping hands, but also appears as a way to help out relatives who are in trouble and cannot provide proper care for their children at a certain point in time. With the unpredictability of rainfall and income, many people rely on these kinds of informal help networks: They know that in ten years' time, the ones in need of relief from upkeep of children may be themselves. This does feed children into the "market" of child domestic labour.

In addition to informal risk management strategies in a context of poverty, children themselves in the slightly higher age categories (10 upward) often seek employment in order to pay for their own schooling. In this sense, the quest for education is contributing to the supply side of child domestic labour.

Moreover, child domestic work in Haiti covers multiple needs and reflects many motivations: The need for relief of upkeep of children among parents, for labour in receiving households, for investment in future security for receiving households (given that they too may need relief of child care at a later stage), and children's need and wish for an education and better lives. This stands as a contrast to economies in which child labour covers primarily one need, for instance in a strictly plantation based setting where children work the fields but not much else. In consequence, several methods must be employed to counter their negative effects.

7 Responses: Institutions, organisations and methods

Helen Spraos

This chapter presents the analysis of institutions and actors in the sector that relates to, and is of relevance to, child domestic work. It also discusses methodologies used by different organisations and actors. As discussed in the section on methodology in Chapter 2, a particular challenge in the interviews with organisational and institutional representatives was that there is no general agreement about the delineations and definitions of “child domestic work”, “child labour in domestic work”, or the often used “child domesticity”. Consequently, in Appendix 4, we list some of the definitions of child domesticity that non- governmental organisations in this study provide when asked (other have not provided a precise definition).²³

We start by outlining the national legal framework, and viewpoints on this by representatives of the organisations that were interviewed.

The national legal framework

The legal framework in Haiti for the protection of children, and laws on child labour in domestic work, is considered as insufficient by many stakeholders who participated in the interviews. The basis for child protection in Haitian law has been limited, but some progress is reported, particularly with regard to the harmonization of national legislation with the commitments made by the Haitian government internationally. Among the laws that relate to the issue of child domestic work, the following should be mentioned:

- The Labour Code of 1961, amended in 1984, defines and prohibits forced labour in general (art. 4) and sets the minimum age for employment at 15 years for industrial, agricultural and commercial work and 14 for entry into apprenticeships (see e.g. ILO n.d.).²⁴ Until it was repealed by a law of June 3rd 2003 (see below), Chapter 9 established the conditions for the employment of children in domestic work. The minimum age at the time was 12 years and IBESR was to oversee and control that standards were respected. Today, facing a void concerning minimum age for domestic

²³ Although the NGOs agree on including practices of the worst forms of child labour in a definition of “child domesticity”, different organisations sometimes include additional criteria in “domesticity”, such as discrimination and abuse or the involvement of an intermediary. Definitions provided by NGOs do not discriminate according to children’s age, nor specify the workload, the time invested in work or the consequences of the child’s work for its living conditions implied in their understanding of child domesticity. Given that virtually all Haitian children perform household tasks, this is bound to cause confusion, a point that was made clear during our conversations.

²⁴ The law is also available at : http://www.crijhaiti.com/fr/?page=loi_interdiction.

work in national legislation, it is the ILO Convention 138 which provides the legal standard (see below, and discussions in Chapter 2).

- The **Law of September 2001** prohibiting corporal punishment against children (see e.g. University of Toronto 2008: 12)
- The **Law of June 5th 2003** (*La Loi relative à l'interdiction et à l'élimination de toutes formes d'abus, de violences, de mauvais traitements ou traitements inhumains contre les enfant*) on the prohibition and elimination of all forms of abuse, violence, ill-treatment or inhuman treatment against children (see Le Moniteur 2003). This text cancels chapter 9 of the Labour Code (see above). With respect to this, the University of Toronto points to the legal gap left by the new law:

Chapter 9 [of the older Labour Code] pertained to children's work ('des enfants en service') and included an Article allowing children to work as domestic employees as of age 12, which was highlighted as a concern by the UN Committee on the Rights of the Child (CRC Committee) in its 2003 Concluding Observations regarding Haiti. However, this new law does *not* stipulate a new minimum for child domestic workers, resulting in a legislative gap (University of Toronto 2008: 17, emphasis in original).

The law of 2003 provides that a child may be "given to a foster family in the context of a helping relationship and solidarity. It should enjoy the same privileges and the same rights as other children of the family. It must be treated as a member of the family" (Article 3). The text does not provide for penalties for those who do not comply with its provisions. However, it is under revision to correct this deficiency.

- The **Law on Trafficking in Persons, enacted June 2, 2014** (Le Moniteur 2014a),²⁵ which penalizes all parties involved in "the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation" by imprisonment to life imprisonment. The law does not refer directly to child domestic work but employs the term "servitude" to mean the submission of a person to a state or condition of dependency to provide a service; unlawfully forced or coerced ("l'état de soumission ou la condition de dépendance d'une personne illicitement forcée ou contrainte par une personne de fournir un service").
- The **Law of 4 June 2014 on paternity, maternity and filiation**, which specifies that filiation creates moral and financial rights and obligations of the parents (Le Moniteur

²⁵ Law on the fight against human trafficking, published in *Le Moniteur* 2 June 2014. Despite the fact that this law has been in preparation for several years and that the debates have included the active participation of many actors, participants were not well familiarised with its content and we were not been able to discuss in depth its relevance to the phenomenon of child domestic work.

2014b). This law, which establishes the obligation to provide for offspring, is seen as an intervention on the issue of child domestic work all the while seeking to prevent child abandonment.

In addition, a considerable amount of new legal texts is underway. A Child Protection Code has been developed, adopted by the Government in August 2014, and is waiting for a vote in Parliament. This text includes provisions on protection against labour exploitation and abusive conditions in child placements. The same law prohibits child abandonment. A framework law that reforms the functions of the IBESR and strengthens the functions of the IBESR was also adopted by the Government in August 2014. Moreover, the Labour Code is currently being revised and the process of a revision of the Penal Code has been initiated.

However, the organisations we interviewed emphasised persisting weaknesses in the legal framework. The 2003 Act on the Prohibition of violence and abuse of children mentioned above is perceived as a particular problem. Despite the condemnation of discrimination, the text fails to specify the content of the relation of “solidarity” and, in the opinion of many of the interviewees, thus justifies the practice of entrusting a child to another, leaving the door open abuse.²⁶ They also emphasised that lack of punishment prevents prosecution in cases where the provisions are not met. In addition, despite the laws that already exist, and the frequent cases of abuse that are identified by most of the organisational actors in the field, the laws are rarely applied in practice (see also the discussion of the the judicial system below).

It remains to be seen how the new law on trafficking will be employed. When the Law was issued on June 2 2014, it had been in preparation for several years. Despite the fact that several institutions that participated in the interviews have led a plea for the introduction of the law, the text has undergone changes and the people we spoke with during the study did not know well the contents of the final law.²⁷ Nevertheless, the importance accredited to this initiative in some sectors, as a tool to fight against the exploitation of children in domestic work, may trigger lawsuits. For the US Embassy, for example, the adoption of this law provides a tool for the prosecution of cases that it has not been possible to bring before court so far. In the annual evaluation published by the US State Department (2014), Haiti, for the third consecutive year is on the watch list of countries deemed not to be in compliance with the minimum standards in the fight against trafficking in persons. Strong political pressure is likely to be put on the Haitian Government in the coming years for the implementation of this law, from the United States in

²⁶ See also United Nations (2009: 5) and ILO (2013a).

²⁷ We had to present the updated legal text to one interviewee, who has a representative of the Ministry that had been directly involved in the implementation of the law.

particular. Non-compliance may result in consequences for cooperation between the two countries.²⁸

At the same time, it should be noted that during our interviews, several members of civil society organisations, although satisfied with the adoption of an anti-trafficking law, expressed concerns about the very broad definitions of the provisions of the law. They were of the opinion that penalizing all perceived “actors” in the same way, parents especially, neglects the socio-economic roots of phenomena of trafficking. They say it is unfair to penalize people who act as a result of extreme poverty, all the while the state has failed in its duty to ensure access to basic services. This, they held, can lead to problems in the implementation of the law.

Actors

This section describes the mandates of the different actors committed to fighting child labour in domestic work and/or improving the lives of child domestic workers. Three categories of actors will be analysed: the State, international stakeholders and the Haitian civil society. This analysis will be followed by a conclusion on the coordination between these different authorities. Comments on the most widely-used strategies will be found in the section of this chapter entitled “Actors’ approaches to children’s domestic work”.

State actors

The policy of the Haitian government

The priorities of the Haitian government are presented in the Haiti Strategic Development Plan (Government of the Republic of Haiti, 2013), operationalized in the Triennial Investment Framework 2014-2016. Among the five main defined priorities are access to education and basic social services (including universal education as a fundamental right, the generalization of school canteens and social welfare), creating jobs (with a strong impetus on the development of the agricultural sector) and the promoting of the rule of law (with a strong emphasis on the decentralisation of services and local development). Overall, these actions are aimed at the whole population and may address the causes of child domestic work, thus contributing to curbing the sending of children into domestic work. Although it is a matter of promoting social inclusiveness, measures specifically targeted at child domestic workers are not identified. A series of social programs for poor families have nevertheless been introduced and are presented in the section “The government’s social programs (Ede Pep)”, included below.

²⁸ Haiti is at risk of being downgraded to Category (Tier) 3. In such cases, “Governments of countries on Tier 3 may be subject to certain restrictions on bilateral assistance, whereby the U.S. government may withhold or withdraw non-humanitarian, nontrade-related foreign assistance. In addition, certain countries on Tier 3 may not receive funding for government employees’ participation in educational and cultural exchange programs” (US State Department 2014: 44).

Because of this, in spite of the scale of the phenomenon, there is no joint ministerial policy destined to fight child labour in domestic work or improve the living conditions of child domestic workers. This lack and absence of a national plan for its implementation is deplored by many actors and reflects, according to some, a lack of vision on the issue. The first steps towards a national strategy have been taken by the “Sectoral Table” (“Table Sectorielle”) on child domestic labour (see “Coordination Platforms” below) and although the desire to involve a wide range of partners to help define it is laudable, these intentions will not be sufficient to perform such a task in the absence of involvement from the State’s highest administrative levels.

Pending the implementation of a specific policy, we will provide a brief outline of the State actors directly involved in child protection or with a mandate that will contribute to having an impact on the issue of child domestic workers.

The Ministry of Social Affairs and Labour (MAST)

The Ministry of Social Affairs and Labour (MAST) holds the responsibility of defining and executing the government’s social policy while ensuring the safety of workers in both formal and informal sectors and by granting specific protection to the family, women and children²⁹. It plays a crucial role in fighting child domestic labour and should take leadership in this matter within the Executive branch of the government. The Ministry has set itself the goal of providing help to disadvantaged families, notably through the program against hunger and social exclusion. For the current fiscal year (2014-2015), it has a budget of HTG 3.6 billion (USD 80 million)³⁰, equivalent to 2.9% of the state budget, of which 75 % are investment fees in social programs.

The representative of MAST stresses the government’s commitment to upholding the rights of all people and the fact that slavery-like practices can no longer be tolerated. A certain willingness to advance the issue of domestic child workers and child protection in general is indeed indicated by the progress made for some time in terms of the legal framework, particularly with the development of the Child Protection Code, the preparation of a list of hazardous labour for children, the revision of the employment legislation as well as responsible parenthood and filiation act. Furthermore, the Ministry emphasizes the need to address the causes of the phenomenon of child domestic work upstream and focuses on the establishment of a social welfare system and other government policies. These include the fight against extreme poverty and free access to primary school, programs designed to reduce social injustice and mitigate the vulnerability of the poorest among the population. The Ministry therefore plays an active role in the promotion of government social programs (see “Data Collection” below) in collaboration with the Minister of State for Human Rights and the Fight Against Extreme Poverty who shares this preventive approach to child domestic work.³¹

²⁹ Article 1 of the Organic Law Decree of MAST, issued November 24, 1983.

³⁰ Public finance bill 2014-2015 consulted on http://www.mefhaiti.gouv.ht/Documents/PDF/PLF_2014-2015_29062014_bl.pdf

³¹ Skype Conversation on 05.20.14.

The MAST Labour Directorate has inspectors who are supposed to implement employment legislation by making inspection visits to workplaces in order to ensure the workers' safety. However, their responsibilities are limited to employees only (ILO 2014), which would mean they are not empowered to control the labour of child domestic workers. The Directorate has however a Woman and Child Labour Department which, under Article 32 of the Organic Law of MAST, will ensure the application of legal provisions relating to living and working conditions of women and children. The Department coordinates the "Sectoral Table against domesticity" (see "Coordination platforms" below) and is responsible for raising awareness and training officials on child trafficking and labour. This Department is, however, not very active on other levels and few complaints have been received.³² A grey area persists in terms of coordination on the issue of domestic child labour between this office and IBESR (World Vision 2013).

The Institute of Social Welfare and Research (IBESR)

The main State actor responsible for the implementation of child protection policies and the daily management of cases of children in need is the Institute of Social Welfare and Research (IBESR). The IBESR is a technical and administrative body attached to MAST but which enjoys in practice a broad autonomy; a framework law is in preparation in order to provide it with a structure better suited to its needs³³. Indeed, IBESR is the institution that receives and organizes the placement of vulnerable children who are identified by its staff or through its call centre known as "SOS Timoun", referred by its partners or who come to its offices.

IBESR protection officers have multiple responsibilities in relation to all categories of vulnerable children. In addition to exercising control over home child organisations and taking over the management of cases of children requiring intervention reported in their area (including children in the worst forms of child labour, i.e. situations to be eliminated), they accompany the rehabilitation process of children returned to their parents or families, sometimes in association with partners. This requires an assessment of the family situation as well as the child's best interests while ensuring monitoring, taking into account the necessity to refer the child to the services he or she needs. Moreover, agents take part in coordination meetings and sometimes engage in outreach activities in their areas, for instance radio shows or the organisation of meetings with community leaders.

In 2013, IBESR received 50,832 calls through its two phone lines (511 and 133) open to the public and which receive, on an anonymous basis, information relating to cases of children in need (IBESR, 2013)³⁴. Also in 2013, the Institute received 243 cases of child domestic workers,

³² MAST could not provide figures on this matter.

³³ Some of its functions have become obsolete, such as 'civilising the sublime act of procreation through the implementation of eugenic policies (art. 119 of the MAST Organic Law of 1983).

³⁴ An electronic address is also available (enfantsvulnerables@gmail.com) which helps activate the emergency cell.

including 175 girls and 68 boys³⁵. According to a policy of family reintegration for separated children, IBESR reunited 27 children with their families during the same year (other cases of reintegration were carried out directly by partners). Each child receives the necessary immediate attention (food, medical care, etc.) and is directed after his assessment to a specialized centre. IBESR also works conjointly with these organizations in order to facilitate, when possible, the child's return to his parents or, when appropriate, the extended family, with the help of a hygiene kit, school kit and income-generating activity for the family.

As an organisation attached to MAST, the financing of IBESR from the Public Treasury is received through its parent ministry. HTG 53 million (USD 1,175 million) were allocated for the fiscal year 2014-2015 (the equivalent of less than 1.5% of the total Ministry budget), out of which 80% is spent on salaries. No investment funds are granted. In addition, the Institute receives a sporadic income from other sources ranging from 15 to 18 million Gourdes³⁶. Crucially, IBESR receives a large grant from UNICEF (HTG 43,354,068 for the period from August 2013 to December 2014) covering a number of salaries (call centre manager, social workers, protection agents and a psychologist) as well as specific activities (income-generating activities for foster families, the publication of statistical reports, WGTP department meetings) and administrative costs³⁷. Thanks to this funding, IBESR has managed to open decentralized offices in nine departments (the Department of the "Ouest" is managed from the head office), enabling it to have a much stronger presence in all areas of the country.³⁸

Despite these limitations, many of the interviewed interlocutors hailed the progress of IBESR in recent years. Its manager is particularly esteemed for her commitment and effectiveness. Nevertheless, according to one of the observers belonging to an international agency, now is the time to consolidate the achievements in the wake of the expansion of IBESR since 2010. Some practices need to be better assimilated by the officers so that they can conduct assessments without preconceptions, for instance, or handle cases according to the various encountered degrees of vulnerability.

In order to help IBESR overcome these flaws, its partners, consisting of international intergovernmental and non-governmental organisations (such as UNICEF, IOM, the Red Cross, AKSE, World Vision, IRC, SCF and Plan International) provide it with technical support. They offer

³⁵ Figures provided by the Child Protection Service on the basis of quarterly reports. The data is processed according to the age of the child, preventing us from seeing the profile of these children. Pending the establishment of an improved data management system, the children are registered according to a single vulnerability. Therefore, some child domestic workers that were received for other reasons have probably not been registered and the true figure is likely higher.

³⁶ Interview with the Manager of IBESR, 05.29.14.

³⁷ IBESR Budget Institutional Capacity Consolidation (UNICEF financing August 2013-December 2014), revised 07.07.2014.

³⁸ By comparison, the IBESR had only 4 offices outside Port-au-Prince before the earthquake with only a limited range of activities (Premarital service, for instance). Today, there are 7 people working in these offices, including 4 officers and 1 coordinator.

training on topics such as the minimum standards of care, psychosocial issues, and on the sale and trafficking of children. They provide daily support in certain instances, allowing social workers to apply the concepts learned during the training in their work environment. The relationship between the team of Terre des Hommes Lausanne and the office employees of IBESR in the South is such an example of a highly appreciated relationship. In addition to consulting on certain specific cases, the two organizations undertake joint planning, allowing them to share the logistics, and they are currently working together on the implementation of the pilot project regarding the new structure of foster families. This initiative, described in more detail in the "Foster Family Placement System" section below, seeks to develop a sustainable alternative for the placement of children separated from their biological parents by ensuring they are housed in selected families, accredited and monitored according to clearly defined standards.

The Ministry of Women's Conditions and Rights (Le Ministère de la Condition Féminine et des Droits des Femmes, MCFDF)

Although it should be concerned with young girls' issues, the Ministry of Women's Conditions and Rights (MCFDF) has yet to make them a priority³⁹. Interestingly enough, the Ministry developed a draft legislation on domestic labour and although it does not deal with child labour, it would be possible to imagine that the issue of child labour and domestic child workers, the majority of which are girls (see Chapter 3) could be monitored in collaboration with MAST. As was clearly underlined by the representative of UN Women, domestic work practices help maintain a cycle of poverty for women.

Furthermore, the network of offices set up by the MCFDF for the management of cases of violence against women (usually accessible through the decentralised offices of the Ministry in each department) would be able to welcome girl domestic workers (as well as boys, to a lesser extent) who have been subjected to violence in order to refer them. However, with the exception of cases of sexual abuse, the children could not receive direct care from the Ministry for fear that the burden would be too great for these services and would divert resources initially intended for women victims. The Ministry however intends to share its experiences with the actors that advocate the rights of children in domestic labour, the development of services as well as the Concertation Table on violence against women, a coordination procedure bringing together various State representatives (MCFDF MJSP, MSPP, MAST), cooperation agencies and civil society members in order to harmonize the actions of all stakeholders. Its members proceeded in developing a strategy and a work plan where everyone's roles are defined in order to achieve the best coverage. They have also produced a directory of support services as well as documents to raise the awareness on the steps that need to be taken by women seeking help. In this context, a protocol between MCFDF, the MSPP and MJSP for granting medical certificates for victims of violence was developed - a model that could benefit children as well.

The Ministry for Youth, Sports and Civic Action (MJSAC)

³⁹ The MCFDF selected 6 of the 12 points of the Beijing Conference action program to work with, before addressing at a later date the other six, including the issue of young girls.

The MJSAC seems to have neither the mandate nor the resources to get involved in the fight against child labour in general, and in particular, child labour in domestic work, unless it is through its school program of civic education. Overall, the target group of the Ministry are youth between the ages of 18 and 35 and the Ministry deals with children between 11 to 18 years only at the request of other Ministries. With no funding for activities other than on a per project basis, MJSAC must seek funds for its activities. Apart from the National School for Sports Talent, its main focus is on the professional training of young mothers.

The National Office of Migration (ONM)

The National Office of Migration belongs to the State agencies under the supervision of MAST. It was created to ensure the reception and reintegration of returnees and deportees and also to deal with internal migration – even though this second aspect of its mission has not been developed in the past due to a lack of funds. For this reason, the ONM have not produced figures on the scope of the phenomenon of child domestic workers or of the migration of children seeking a better life in the big cities. A new director is in charge and he could be interested in modernising the legal framework on migration (the current law dates back to 1953). At the present time, a restructuring of the services is underway and will be formalised by a new law. In this context, the creation of a unit dedicated to the sale and trafficking of persons (women and children being the main victims of both) is planned, which will allow the ONM to take the necessary steps to act upon this issue. The ONM has opened a shelter for returnees in Croix des Bouquets. The people who are received there do not stay long and are usually not child domestic workers.

The Brigade for the Protection of Minors (BPM)

The BPM is a specialised body of the National Police of Haiti (HNP), which is set up under the “Direction Centrale de la Police Judiciaire” (DCPJ). In addition to working with children in conflict with the law, BPM is responsible for the protection of minors and the police investigations of child victims. It conducts investigations of offenses whose victims are under-aged and sends the information to the relevant authorities to allow for prosecution. The Brigade also conducts social inquiries regarding the situation of under-aged children, assists children in danger and participates in outreach activities, often in cooperation with IBESR. Its workforce of about fifty police officers has received specialised training on children's rights and the protection of under-aged children. Most of the members of the Brigade's police officers are deployed in the metropolitan area but there are also departmental cells comprising three to five people. Civilian agents act as reinforcements when funding is available. They provide control over the four border points with the Dominican Republic in order to fight child trafficking and can get access to social circles where police officers are not welcome.

The Brigade is directly alerted by the public through calls to the 188 line (permanently open to receive information provided by victims and the public regarding abuses of children's rights⁴⁰), and through police stations where cases are referred by their state and civil society partners. Once a case is reported, the BPM has a response time of two to three hours in the capital, if there are no other simultaneous cases. On site, its officers conduct an investigation and if a violation has occurred, the case is referred to the public prosecutor. However, in certain instances (the example of a child working beyond his capacity was brought up) and according to the child's best interests, BPM agents, always in relation with IBESR, may decide not to pursue the case but to talk with the concerned adults, warning them that the police will follow up on the case and bring them to justice if abuse continues.

Pending the establishment of a new data management system currently being developed (see "Data collection"), the classification of cases used by the BPM is based on the offense suffered by the victims according to its classification in the Criminal Code (rape, assault and abuse being the most common) and does not reflect the nature of the child's vulnerability (for instance, child domestic workers have yet to be officially recognized as a category). Therefore, for any given year, the system is not able to identify how many child domestic workers were received by the Brigade. Nevertheless, according to verbally shared data⁴¹, 1808 cases of all kinds were received in 2013⁴², of which 555 were referred to the IBESR, 76 placed at the centre of Delmas, 3 dealt with by MAST, and 46 children were returned to their parents. Among the cases, 84 concerned ill-treatment, 43 were assaults and 73 were cases of runaway children. The Brigade conducted 100 investigations of child labour (US Department of Labor, 2014) but we do not know the number of cases that involved child domestic workers. According to a senior member of the BPM, a significant percentage of the rape cases involved child domestic workers.

According to several participants in the study, particularly respondents belonging to the State and civil society, the BPM team is motivated and enjoys a strong reputation for its willingness to collaborate. Some agents of IBESR emphasised the good relationship they have with BPM and held that its officers are available at any time and participate in outreach activities alongside IBESR. Despite these strengths, the achievements of the BPM are fragile. The number of received cases is small given the size of children's rights violations in the country. Moreover, its status within the police is relatively low, as it is not a specialised body with a specific budget but simply a unit of the DCPJ. Although the salaries of members of the BPM are paid by the HNP, the organisation remains largely dependent on funding by UNICEF for its operating expenses, civilian staff salaries as well as an important part of its administrative costs (a very limited support to cover some of these costs was scheduled for the end of 2014 and a disengagement plan was to be developed at the time of our fieldwork). The lack of an operating budget, apart for certain projects, makes the BPM highly vulnerable. According to several of its members, the organisation

⁴⁰ The telephone line received 5,423 calls in 2013 without anyone knowing how many of many of these involved cases of child domestic workers. The line was closed down for some time in 2014 due to payment problems.

⁴¹ Interview with BPM Commissioner, 5.12.14.

⁴² This is an increase since 2011 when 713 cases were reported and 364 sent to IBESR (World Vision 2013).

has not enough resources to properly meet its mandate, especially in the provinces. BPM staff do not always have an office nor the adequate equipment and do not always have access to transportation despite the donation by UNICEF of a vehicle to each department⁴³. According to a participant of an international organisation, the Brigade is not sufficiently valued by HNP Command, and a pleading with the Police hierarchy would be required in order to receive the proper recognition and a resource allocation that would match its mission.

In addition, the Brigade suffers from a lack of recognition and the public is probably not able to distinguish its actions from those of the HNP. While some participants agree that cases of abuse are more easily reported today, reluctance persists among some sectors of the population, due to the lack of confidence in the response that will be provided as well as fear of reprisals.⁴⁴

The Haiti National Police (HNP)

The mission of the Haitian National Police (HNP) is to protect the lives and property of citizens. Its workforce is about 11,200 people,⁴⁵ including a small percentage of women, and although this figure increases gradually, it remains below number generally regarded as needed to perform its duty throughout the Haitian territory. The 2012-2016 five-year development plan of the HNP aims for, amongst other things, the strengthening of operational capacity and the professionalization of human resources.

Gradually, all of the HNP's police officers are currently receiving training on child protection. This approach began through the Child Protection Unit of MINUSTAH in 2006 with the introduction of a short module for new promotions and for some of the officers performing their duties. Since 2013, UNICEF has started a training course for some inspectors attached to the School of Police who, with the help of an instructional guide, will be in charge of a preliminary training for all police recruits as well as the on-going training of existing policemen.

Currently, BPM antennas composed of regular police officers who have received training for the purpose of dealing with children's cases exist in each police precinct and subprecinct. In the Southeast, these focal points maintain tight contact with the BPM in Jacmel but there is no formal obligation for the other police officers to contact the Brigade when dealing with a victim less than 18 years of age. According to interviewees, the experience of working with other members of the HNP is less positive than with the BPM. Police officers who are not associated with this specialized body do not necessarily understand the sensitivity of these cases. According to members of the Haitian civil society, these officers tend to share the contemptuous attitudes of the population towards child domestic workers and do not take these cases seriously⁴⁶. According to these same

⁴³ In Jacmel, our meeting took place in a corridor due to the lack of space and in Les Cayes, the vehicle of BPM was broken down, awaiting repairs.

⁴⁴ During the qualitative data gathering in Cité Soleil, for instance, we witnessed as a rule of thumb the absence of such a thing as a "reporting culture".

⁴⁵ <http://www.alterpresse.org/spip.php?article16597#.VFqdzvmG9fy>.

⁴⁶ A civil society member illustrated the tendency of disagreeing with the victim by quoting an instance when a police officer would have said that children in domestic labour are "all petty thieves".

interviewees, when its intervention is sought, the police does not always respond to calls and sometimes demands money for fuel. On the other hand, according to one of the interlocutors, when local authorities are involved in a case, police officers react more swiftly.

The judicial system

Despite the advances in new laws described above (see "The National Legal Framework"), progress is less evident in the application of these texts. A detailed study of the practice of the judicial system in Haiti concerning the rights to legal recourse by child domestic workers victims of crime is beyond the scope of this study and would need a lawyer's point of view. We shall limit ourselves to a description of the procedure, to some findings and an analysis of some barriers that prevent victims from turning to the justice system.

In the case of offenses against an under-aged child, the BPM, having conducted an investigation, sends the files to the local State prosecutor's office. From January to May 2014, for instance, the BPM forwarded 40 files to the Prosecutor of Port-au-Prince⁴⁷; and in Jacmel, in 2013, 80 cases involving under-aged victims were forwarded. The Government Commissioner then decides whether it is appropriate to begin legal proceedings, and if necessary, refers the case to an investigating judge, before presenting it to the Dean of the Court of First Instance for judgment. However, according to our interlocutors, few prosecutions against individuals responsible of ill-treatment and other abuses against children are initiated, much less brought to completion. No convictions for cases of trafficking have been reported⁴⁸.

Those who participated in our interviews about the reasons why prosecutions are unsuccessful mentioned the following:

- A settlement agreement is sometimes found between the family of the victim and the aggressor. A community association provided an example of their involvement in a case of a girl domestic worker who had been raped. After having found the medical certificate and sent her case to the Prosecution Office, the perpetrator, who was arrested, paid HTG 7,500 (\$ 165) to the child's parents in order for them to drop the case.
- The abusers and perpetrator are not apprehended.
- An occasionally difficult relationship between the police and the judicial system. In one of the departments visited, recurring problems seem to arise between BPM and the Prosecution Office (for example, an administrative refusal to comply with a request for a medical certificate because it is perceived as additional workload).
- As with the HNP, there is a tendency to disagree with the victim or to trivialize the case.⁴⁹
- The process is slow.

⁴⁷ http://www.hHNPaiti.com/site/index.php?option=com_content&view=article&id=12993:haiti-societe-environ-212-mineurs-ont-recu-laide-de-la-bpm-au-cours-de-ces-5-premiers-mois&catid=8:societe&Itemid=14.

⁴⁸ US Department of State (2014).

⁴⁹ A police officer explained that "the judge had not seen the child the day he was beaten up".

- The cost, not only for lawyers but also for transport, is too high. It is interesting to note in this context the existence within the Prosecution Office of Port-au-Prince, of a legal assistance unit for women and children working with the support of the Community Violence Reduction section of MINUSTAH. However, by aiming to reduce the number of cases of prolonged preventive detention, the unit gives priority to inmates in other cases, resulting in a situation that could limit the access of child victims wishing to file a legal complaint⁵⁰.

Given these facts, it is not surprising that most interlocutors do not trust the judicial system, which was also criticized for its corruption and influence peddling. NGOs complain that even when a case is brought to court, the accused is released, and an employee of a state institution underlined that judges are of the opinion that the accused has already been sufficiently punished. We did not meet one civil society organization with a systematic support policy for child victims throughout the legal process. Most merely refer cases to the BPM or the Prosecution Office.

The negative experiences of the participants point to the importance of training the actors in the legal system of child protection. The School of Magistrates has developed a training program on juvenile justice. 95 members of the legal system were given training in 2013 and a follow-up was planned for 2014. In addition, J/TIP of the Department of State of the United States has a training program on the sale and trafficking of persons for employees in the penal system. However, a member of the BPM particularly insisted on the need for the Justices in the Peace Courts to take part in these training courses as they represent the branch of justice the most accessible to the population⁵¹. The same person regretted the fact that the judges assigned to cases involving minors are not systematically the ones who receive training on juvenile justice. It is hoped that this problem will diminish the more these training programs are conducted.

It is important to note that in cases of disputes over working conditions, the procedure seems ambiguous because of grey areas in Haitian law (see the Section on Legal Framework). MAST inspectors have not issued intervention reports (ILO 2014).

⁵⁰ The project is valued at \$ 800,000. Its sustainability depends on the success of a committee in charge of devising development strategies.

⁵¹ There is at least one Peace Court in each municipality and they probably deal with a lot of cases involving children that are not documented centrally. They sometimes play a conciliatory role and are the delegated authority of the Government Commissioner.

The Office for Protection of Citizens (OPC)

The Office for Protection of Citizens (OPC) is an independent body funded through the budget of the Republic and mandated by the Haitian Constitution to protect people against all forms of abuse from the public administration and to contribute to the definition of the general policy for the protection of human rights. It is supposed to pay particular attention to complaints made by persons belonging to vulnerable groups, such as children. It contains a Child Protection Department with five employees, including a representative office in Les Cayes and Cap Haïtien, intended to strengthen the protection mechanisms for children's rights. As such, the OPC can potentially forward an appeal at no cost for children who have encountered difficulties (or their representatives) to actors in the protection system. The organization has decentralized offices to make access easier. The OPC is open to address issues of child domestic workers and has supposedly resolved some cases, the details of which are not known to us.

Local authorities

According to the decree of December 3rd, 1973, the mayor of each municipality is considered the legal representative of all minors whose parents are unknown. They are therefore potentially important in cases of child domestic workers who may have lost contact with their biological families. The mayors have the power to issue birth certificates to these children, a document required for asserting their citizenship and rights. Yet, so far, there are few examples of the involvement of municipalities in the issue of child domestic workers⁵², probably in part because, outside of big cities, they are institutions with very limited resources⁵³. In some cases, mayors have received basic training on children's rights (such is the case, for instance, of the current mayor of Grand Goave who attended a workshop on child abuse organized by Terre des Hommes and the BPM), but we know only of an isolated case and USAID will wait till after the elections to undertake training sessions on human rights for all mayors in the country⁵⁴.

Several participants underlined the importance of CASEC and ASEC (members of the Administrative Councils or Communal Section Assemblies, the smallest units of the country's administrative structure) and other local officials. These are often people of influence in the community that should be a target for awareness-raising and training provided within the framework of child protection efforts. Many people are of the opinion that the proximity of elected officials to their community members entails that they are able to identify families with

⁵² The Mayor of Delmas has granted approximately 500 birth certificates to street children but the procedure has not been extended to child domestic workers.

⁵³ The Mayor of Delmas has a Social Affairs office which focuses on street children and which does not have the resources to carry out its activities. The Mayor of Grand Goave has a budget of 400,000 HTG, three quarters of which come from a State allowance supplemented by local taxes. This amount covers the operating costs and the salaries of 37 employees, with no social worker or a social affairs commissioner.

⁵⁴ Interview with US Embassy staff, 6.11.14. The mayors currently in office (i.e. 2014) are appointed by the Executive since the mandates of elected mayors have come to term with no subsequent elections to ensure their succession.

child domestic workers and families particularly vulnerable and likely to send children into domestic worker arrangements⁵⁵.

Under the new Child Protection Code, an important role is planned to be given to local officials. A parent who entrusts his child to a family member for a period of one to three months must notify either the council or a member of the closest local authority⁵⁶. Given the lack of resources and administrative capacity at this level (for CASEC/ASEC in particular), it is questionable whether the concerned authorities are genuinely able to exercise this function on a systematic basis. Even with proper training, it is not clear whether elected officials can play the proper role of the social services. Nevertheless, a closer cooperation between the IBESR (or other relevant actors) and representatives of local authorities seems important. One of the mayors we met complained about the fact that he was not made aware of the family reunifications (of children with their original families) taking place in his commune, the municipal administration thus unable to contribute to the monitoring of the family.

International actors

The system of the United Nations

The United Nations Integrated Strategic Framework for Haiti 2013-2016 identifies two important priorities: the strengthening of the rule of law (and in particular the need to make the administration of justice more efficient) and child protection. It specifies in particular the establishment of a policy of protection against violence, abuse and exploitation of vulnerable groups (including children) and the availability of a national plan for the prevention and elimination of child labour. This commitment provides a framework for the involvement of United Nations agencies in efforts to end child labour, and in particular the worst forms of child labour in domestic work.

The issue of child domestic workers has been a long-term preoccupation for UNICEF, which has child protection as its specific mandate. Resources mobilized following the earthquake, combined with a greater level of coordination through the Child Protection Sub-Cluster and a certain willingness from state partners, has enabled the initiation of a more systematic work on protection. Advances in the legal framework for the protection of children against abuse and exploitation can largely be attributed to the collaboration between UNICEF and ILO on the one hand, and the government on the other. Through its financing, UNICEF has also enabled, for the first time, national coverage of social services dedicated to child protection. The agency has also contributed significantly to the strengthening of capacities and structures of the main actors in matters of protection by promoting care solutions as a function of the specific vulnerabilities of each child (IBESR and BPM in the first place, but also the bodies of the judicial system). This collaboration has made possible the establishment of mechanisms for monitoring children's

⁵⁵ Limyè Lavi starts its interventions in an area with a participatory mapping of vulnerable families.

⁵⁶ Article 394 of the draft bill of the Child Protection Code.

homes and international adoptions, and in turn, has provided the foundation for the mobilization of organisations on the issue of child domestic workers.

The following table provides a brief overview of the activities of the United Nations and its agencies that focus on child labour.

Table 27. United Nations priority actions relating to child protection and child domestic workers

Organization	Program(s)/actions
ILO	<p><i>IPEC (International Programme on the Elimination of Child Labour)</i></p> <ul style="list-style-type: none"> • Strengthening MAST’s activities and accompanying the State in its definition of the list of hazardous child labour and the implementation of policies for the elimination of child labour • Awareness-raising on the international standards regarding child labour • Advocacy for the adoption of Convention no. 189 (domestic work) • Pilot project for the prevention of child labour
Protection Unit, MINUSTAH	<ul style="list-style-type: none"> • Support of the State in the promotion and protection of children’s rights • Strengthening BPM’s capacities • Advocating the framework on juvenile justice • Accompanying the Sectoral Table against domestic labour
OHCHR/Human Rights Section of the MINUSTAH	<ul style="list-style-type: none"> • Monitoring from 8 decentralized offices the human rights situation and monthly meetings with the protection actors • Accompanying the victims in their rights to complain (3 cases of child domestic workers were received between January and March 2013⁵⁷)
UNDP	<ul style="list-style-type: none"> • Promoting the state of law • Reinforcement Plan of MJSP’s capacities • Training of 8 judicial inspectors
UNHCR	<ul style="list-style-type: none"> • Prevention of statelessness through the granting of birth certificates • Institutional framework for the support of vulnerable groups (Cluster Protection)
UNICEF	<ul style="list-style-type: none"> • Partnership with MAST; financial and technical strengthening of IBESR and BPM • Strengthening the legal framework (Child Protection Code, etc.) • Elaboration and implementation of foster family systems • Setting minimum care standards for vulnerable children • Reinforcement of the data gathering system by child protection actors
UN Women	<ul style="list-style-type: none"> • Promoting women’s and girls’ rights • Reintegration and socio-economic support for victims of violence

It should also be noted in this context that the UN Special Rapporteur on Contemporary Forms of Slavery led a fact-finding visit in 2009 to investigate the human rights situation of *restavèk* children (United Nations 2009). The report stated that “The Special Rapporteur considers the *restavèk* system a contemporary form of slavery” (2009: 2). The rapporteur is concerned that *restavèk* children are forced to work long hours under heavy workloads, that they are exploited economically in a way which also interferes with their education and is harmful for their

⁵⁷ OHCHR/MINUSTAH Human Rights Section, quarterly report Jan. – March 2013.

development and health, and that abuses against *restavek* are widespread (2009: 2). The ambiguity and lack of agreement over the Creole notion of “restavek” makes it difficult to conclude on the legal consequences of this report on children’s domestic work in Haiti more generally speaking.

Bilateral and multilateral international cooperation

The US government’s foreign policy attaches great importance to the fight against child trafficking. As a result, the country is among the most influential actors on the issue of child domestic workers, and it considers child domestic work as the sector that presents the most conspicuous manifestations of internal trafficking within Haiti. Therefore, in addition to strong diplomatic pressure, considerable funds have been made available through the US Department of State’s Office to Monitor and Combat Trafficking in Persons (known as the J/TIP). Through this mechanism, the US government has invested more than \$ 4.4 million since 2009 through funding for the activities of, amongst others, the IOM, IRC and Free the Slaves. The amount available was increased after the earthquake in an effort to try to prevent an increase in trafficking, but funding has decreased steadily since 2013.

Today, USAID, the US cooperation agency, is the only international donor with a program that prioritizes child protection. Its project, AKSE (valued at \$ 6 million over a period of 18 months), was recently re-launched. It aims at strengthening the legal framework, public policies and national strategies for protection, as well as expanding access to services and care for vulnerable groups – including child domestic workers – in 42 of the country’s municipalities. According to its manager, AKSE provides a bridge allowing USAID to implement a long-term strategy aiming to strengthen the protection system of the Haitian State⁵⁸.

So far, the European Union has provided none-recurring funding for work promoting respect of fundamental rights, provided through several funding lines, including the European Instrument for Democracy and Human Rights, and open to the civil society. Motivated by significant progress in this domain, the European Union and its Member States have expressed an interest in exploring the possibility of supporting the protection steps taken by the Haitian State.

The International Organization for Migration (IOM)

IOM is one of the most active actors of recent years regarding child labour in domestic work. It addresses the issue of child domestic workers, primarily through the lens of trafficking and the organization has played a key role in the definition of the new law on this issue. It actively participated in the law’s drafting process and pleaded for its adoption.

The organization is particularly active in terms of family reunification: 1944 such reunions were carried out between 2005 and 2013, 1170 (60%) of involved girls (see also the section on Family Reunification below). Following the earthquake, most of these children were identified in

⁵⁸ <http://www.haitiinfoplus.com/index.php/actualites-d-ici-et-d-ailleurs/2360-hpp-akse-ouvre-des-nouveaux-bureaux-a-juvenat-petion-ville>.

the IDP camps in the metropolitan area or were referred by IBESR. IOM was able to achieve national coverage by developing partnerships with several community associations carrying out activities in their respective sectors. In order to provide emergency shelter, the IOM works with the Foyer l'Escale and the Centre d'Action pour le Développement (CAD).

The IOM also participated in the work to strengthen the capacities of IBESR and the BPM. In collaboration with UNICEF, it has developed a training manual on child trafficking in Haiti (OIM 2011) and has conducted numerous training sessions for state employees on issues such as the identification of trafficking victims, their listing, return and reintegration. Furthermore, the organization has conducted awareness-raising campaigns in the communities of origin of children who have been reunited with their families, and among the populations of the displacement camps, on the risks of placing children as domestic workers.

International NGOs

We identified fifteen international NGOs with a particular interest in the problems put forth by children's domestic work, most of which are part of the Technical Committee of this study. Overall, international NGOs play different roles in the efforts to raise the issue of child domestic work⁵⁹:

- **Funding and coaching programs** carried out by partners from the Haitian civil society to assist child domestic workers. Kindernothilfe, for example, funds educational activities undertaken by MVM, ONEF and MOCOSAD for child domestic workers in Port-au-Prince, and also helps them develop codes of conduct; Terre des Hommes Switzerland is one of the backers of FMS, and Free the Slaves and Church World Service fund several partners, including ASR (see "Coordination Platform" below).
- **Individual case management** through protection programs for different categories of vulnerable children and children in need, including child domestic workers (see "Individual care" below). This approach is used by Terre des Hommes (Lausanne) and IRC who, once the child has been identified through community structures, performs an assessment and develops an action plan based on the child's best interests. Some needs, e.g. medical care, are covered before cases appropriate for family reunification are completed and monitored. AVSI, on the other hand, has a psychosocial approach in work with child victims, as shown in their work in Cité Soleil and Martissant (metropolitan area). AVSI does not necessarily seek reunification but ensures schooling and performs a negotiation with the recipient family in order to ensure a better integration of the child domestic worker⁶⁰.
- **Community capacity development** through the establishment of protection committees (Plan International, Beyond Borders, Free the Slaves, World Vision). See below on "Setting Up Community Structures for Child Protection".

⁵⁹ The following categories are not watertight. There is a degree of overlap between them, particularly between b) and c), where several organizations promote individual empowerment and the establishment of structures, but with an emphasis on one strategy or the other.

⁶⁰ AVSI sometimes pays for the education of a child if the recipient family agrees to let the child domestic worker attend school.

- **Mass awareness and direct help.** Restavek Freedom Foundation (see Bracket 1) provides various supports (school, medical, etc.) to 7-800 child domestic workers in the metropolitan area and specifically targets churches in order to raise awareness nationally on child domestic work.

However, it is interesting to note that, today, only two of these organizations address the issue of child domestic workers directly, namely Beyond Borders and Restavek Freedom Foundation⁶¹ (see Brackets 1 and 2 below). Others act either as supporters of local organizations or accommodate children who have experienced violations, also child domestic workers (TdH-L, AVSI). Save the children has prepared a project on “positive deviance” (dissemination of strategies of individuals in local communities whose constructive solutions are used as example), but to date, these remain without funding.

This situation highlights the fact that a significant portion of the activities of international organizations depends on donor funding, and that activities tend to be developed according to the available budgets. This became clear after the earthquake, when the number of international NGOs involved in protection and other issues increased sharply only to decrease following the termination of the humanitarian aid programs in 2011/12. With respect to family reunifications, it has been the available funding that has been the determining factor in the number of reunifications, rather than the number of cases in the population.⁶²

On the other hand, Beyond Borders and Restavek Freedom are able to mobilize funds from the public and from foundations in the United States where their head offices are located. Due to fundraising campaigns, the concepts of “restavek” and Haitian “child slaves” are relatively familiar to a US audience⁶³. Furthermore, it is important to note that there is a willingness on the part of most international NGOs to strengthen the State’s ability to ensure child protection, and many of them are partners of IBESR. In addition to Terre des Hommes, which works in teams with the staff of the office of IBESR in the department of the Sud, World Vision, for example, organizes joint missions to address specific cases in their sectors and fund some outreach activities. AVSI on their part assists IBESR agents ensure the coverage of Cité Soleil⁶⁴. Several NGOs (including TdH-L, IRC and Handicap International) collaborated alongside UNICEF and the IBESR in establishing foster family measures (see below on “Foster Family Measures”).

⁶¹ Not to be mistaken with Restavek Freedom Alliance, an organization for which we lack information but which offers shelter for former child domestic workers in Southern Haiti (see <https://www.rfahaiti.org/about/>).

⁶² IOM performed 267 reunifications in 2007 but only 47 in 2008, and 656 in 2011 and half (330) in 2012. According to one of its employees, the variation is due to the availability of funds. FZT has children awaiting reintegration but the funding to do so is unavailable.

⁶³ The influence of a former self-declared child domestic worker, Jean Robert Cadet, must be noted in this context. Cadet eventually migrated to the United States and published a book about his experiences. He is the head of the Jean Robert Cadet Restavek Organization, which has given itself the mission of awareness-raising and acts as an advocate internationally (see <http://www.jeanrcadet.org/mission.aspx>). The organization did not respond to our request for additional information.

⁶⁴ IBESR agents were reluctant to visit Cité Soleil, but with the support of AVSI the recruitment and training of an agent from the area is planned, in order to address this problem.

Haitian civil society

For the past twenty years, a considerable amount of Haitian NGOs and community associations have been engaged in efforts relating to child domestic workers. We have identified more than forty but the list is not comprehensive. Their commitment reflects a degree of awareness within the Haitian society of the abusive conditions suffered by many child domestic workers but these organisations generally work separately from each other, on a very small scale and with limited resources. Occasionally, organizations work in the same areas without knowing about each other's existence or activities (this is the case of some organizations involved in Carrefour Feuilles, for example) and there is some overlap in this regard (one NGO confessed that its beneficiaries are sometimes involved in several programs dealing with the same target groups).

These organizations address the issue of child domestic workers in various ways, ranging from awareness-raising (Fondation Maurice Sixto) to transitional housing (SOFALAM , Foyer l'Escale and CAD), prevention (Limyè Lavi), education (see Table 29) and family reintegration (Foundation Zanmi Timoun Combite for Peace and Development). Each strategy is discussed further in the section on the different approaches adopted.

Other organizations that do not target child domestic workers specifically (such as Fanm Deside, an NGO fighting violence against women in Southeast Haiti) may, however, engage in activities relating to this group of children through their community awareness-raising sessions and family reintegration programs. Among the human rights organizations, some have related interests but do not specifically address the issue of child domestic workers. GARR (Support Group for Refugees and Returnees), for example, focuses on cross-border migration and the issue of cross-border trafficking, and the National Human Rights Network (RNDDH) leads no specific actions on child domestic workers at the moment but receives reports on abuse of all kinds.

Many of the organizations interviewed have a clear vision of the steps they think should be taken in order to handle the issue of child domestic workers, but their approaches are not necessarily compatible. A major discrepancy can be identified between those, for instance, who believe that it is possible to ensure equal treatment between the children of the house and child domestic workers (while reporting abuses), and others who think that the children should be returned to their families to avoid exploitation and abuse.

Unsurprisingly, these organizations are largely dependent on external funding and the reduction of contributions from international funders makes them vulnerable. Most of these organizations have generally had little training and sustained support from international organizations; the latter that have rather created new structures through the establishment of Child Protection Committees (see the section below on "Implementation of Community Structures for Child Protection"). In addition, although they generally refer to IBESR or the BPM in cases of abuse, many Haitian civil society organizations lack clearly defined partnerships with state institutions (with some exceptions: the DAC has a partnership agreement with IBESR).

In this context of eagerness yet fragmentation and low efficiency, the Haitian civil society has not managed to make a great impact on the overall situation of child domestic workers. These

observations led the Sistem Restavek Aba Network – a platform made up of Haitian organizations working on the topic of child domestic workers – to initiate an effort of coordination of interventions and systematization of current practices (see section immediately below).

Coordination platforms

For the issue of child domestic labour to be addressed adequately and the protection of rights of the children involved, actors from different sectors need to work together. Some attempts at consolidation have been made, and sometimes succeed on a local level in promoting coordination on specific activities (such as awareness-raising and the management of individual cases, for instance). Identifying a real synergy on a strategic level and establishing a collective willingness enabling the necessary changes has been more difficult. This reluctance certainly leads to a decrease in the impact of their interventions. It is particularly striking that several of the groups interviewed were not aware of each other, even when they are present in the same areas (some organizations active in Carrefour Feuilles are unknown to each other, for example). In some cases, there is even a tacit competition for the limited resources.

The major networks and coordination workspaces that have been created are:

- **The Child Protection Working Group (GTPE)** is a platform for the exchange of national information created after the closure of the Child Protection Sub-Cluster, set up in the aftermath of the earthquake on January 12th, 2010. It is a technical coordination group responsible for setting strategic orientations, child prevention and protection policies, as well as data management, monitoring and evaluation, capacity development and resource mobilisation. Coordinated by IBESR with the help of a partner (in rotation), it is composed of the main concerned ministries, relevant international organizations, as well as national and international NGOs active in child protection; it meets on a monthly basis. Decentralised offices can be found in 9 of the 10 departments (the exception being the West department, which remains a sizeable gap). A certain momentum can be observed in several departments (Southeast, Artibonite and Centre are worthy of mention) where regional actors are brought together, such as local authorities representatives, juvenile magistrates and Civil Protection. At this level, the Group provides a space for dealing with certain cases encountered and establishing joint work plans. Although the GTPE has shown its value and has worked on a number of issues such as adoption, child domestic work still remains to become one of its priorities. In the South Department, for example, the GTPE has several subcommittees (juveniles in conflict with the law, street children, inclusive education), but the one that should be dealing with child domestic labour is not operational.
- The **Sectoral Table on Child Domestic Workers**, chaired by MAST, was launched again in 2011 as a space for dialogue, reflection and the sharing of information between the different actors interested in the issue. It is expected that the space also serves as a support for the government in the preparation and implementation of action plans, joint projects and a law concerning domestic child workers. IOM, BPM, MINUSTAH, several NGOs and associations were actively involved in these meetings. Regular

meetings were held for a few years but have not been held since February 2014 (the data collection period for this chapter ended in September 2014). The Sectoral Table was able to prepare a first draft for a national strategy that has not yet been approved by the Minister of Social Affairs. Some participants say they appreciate the platform since it allows actors to network and thus act better when dealing with cases while others expressed the view that the meetings did not yield sufficient concrete results. The absence of a steering committee has been identified as one of its weaknesses. A deconcentration of its activities was put forward but has yet to become effective in the departments we visited. It is too early to witness the obsolescence of that instance, but next to the momentum shown by the GTPE, which in theory also deals with this issue, its modus operandi should be reassessed. The Sectoral Table has the advantage of having assured that child domestic labour is at the forefront of its concerns and its achievements should be maintained. With the involvement of some Ministers, it could become an ad hoc Committee for the implementation of an action plan on this issue. Failing this high-level commitment, it will probably be amalgamated with the GTPE and become one of its subcommittees.

- Under the new law on the subject, a **National Committee to Combat Human Trafficking** will be soon constituted and will provide a potential space for acting on issues relating to the exploitation of child domestic workers. The Committee is responsible for defining the relevant public policies and ensuring the application of the law, for establishing procedures for the identification of victims, for ensuring that the services necessary to trafficking victims are available (such as health, housing, legal assistance and reintegration) and for launching awareness-raising programs for the public. It is chaired by MAST, and also includes the MJSP, MCFDF, MICT, the MAEC, the MSPP, MENFP, IBESR, ONJ, 2 representatives of human rights organizations and, as an observer, the OPC. It is supposed to be funded through the State treasury but may receive grants. At the time of writing this institutional analysis, the Presidential Order for the appointment of the committee members had not yet been issued.
- A first **conference of the Directors-General of the child protection sector** is planned before the end of 2014. If the meetings come to be held regularly and if child domestic labour is part of its priorities, this forum could provide an important tool for establishing a more coordinated and multi-sectoral approach, by opening communication channels and ensuring a more direct involvement of other Ministries in the definition of joint strategies to combat child domestic work in Haiti.
- The **Sistem Restavek Aba Network (ASR)** was established in 2000 and currently has 19 members⁶⁵, all from organizations of the Haitian civil society, but with very different capacity levels. Together, they organize awareness-raising activities during

⁶⁵ These are OJFA, ACNVH, CEMEAH, Madegan, MSIPACS, LATI, SODIH, CECODE, AED, ICEDNO, Zanmi Timoun Foundation, CAD, LACEED, Solidarité pour la Bienfaisance, Limye Lavi Foundation, Salvation Army, Foyer Maurice Sixto, FEDDEH and FOPJ.

the National Day Against Child Domestic Labour (each year on November 17th), an initiative launched by the Network. In addition, they plead with the State for better social policies to provide suitable living conditions so that families do not send out their children to become child domestic workers. ASR receives occasional funding from some donors in the US. Based on agreements, its members receive building development training (victim identification, the establishment of codes of conduct, project management, etc.). External funding is sometimes distributed through the network.

In addition, ASR is actively engaged in promoting the Protocol developed by its members. This document⁶⁶ (reproduced in Appendix H), launched in 2013, provides a framework of coordinated actions and its members believe it will eliminate the exploitation of child domestic workers in Haiti. The initiative was developed by the Network in order to ensure a real concerted effort instead of the dispersion witnessed so far. While it recognises the regulating role of IBESR, the Protocol calls for the development and implementation by the various stakeholders of a joint strategy throughout the protection chain, from the legal framework to the implementation of social safety nets and employment programs, including the identification of children, their care and social reintegration and access to quality education. Furthermore, it offers a sharing experience in order to promote good practice and the establishment of a monitoring system and unique data collection.

The text of the Protocol was the subject of a large promotional campaign in all areas of the country so that the greatest number of institutions could validate its contents. In the West department alone, 50 organizations of all kinds signed the document, thus agreeing with its ideas. Towards the end of 2014, a second stage will be opened to encourage organizations to adhere to the Protocol and commit to its principles and implementing it. Once 15 signatures will have been collected, the Protocol will come into force.

⁶⁶ Protocol Agreement for the prevention of child domestic labour and the reintegration of affected children.

Bracket 1: Restavek Freedom Foundation

Mission: put an end to child slavery in Haiti

Strategies:

- i. *Supervision of children through:*
 - 7-800 child domestic workers and children at risk in the metropolitan area that are identified and monitored at home by 10 “councillors”. Through agreements with certain schools, their education is paid for, as well as transportation, books and uniforms. As needed, these children also receive additional contributions (shoes, glasses, medical exams, etc.) and the recipient families are encouraged to treat them properly.
 - A transitional home in Delmas accomodating around fifteen girls aged 11 to 19 subjected to serious abuse and who cannot return to their parents, some of which are sent by IBESR (another centre is being built in South Haiti). The girls receive psycho-social support, attend school and learn craft making.

- ii. *Awareness-raising and mobilisation:* The aim is to change the cultural norms and reach a mobilisation that will lead to a refusal of the “restavèk system” (child slavery). For this, the Foundation specifically targets Protestant Churches as these structures can reach a significant part of the population. Amongst other activities, it organizes:
 - **Songs for Freedom.** A singing contest on the theme of child domestic workers, with rounds in each department before a grand national finale.
 - A radio drama, **Zoukoutap**, which has reached its 78th episode, broadcast on 3 stations and rebroadcast several times a week.
 - **Justice for the restavèk!** A training of trainers for church leaders and community leaders (with the help of biblical messages textbooks). All the country’s municipalities have been covered and 100,000 people are expected to attend before the end of 2014.

The Approaches of Actors to Child Domestic Work

Before analysing the most common strategies adopted by the various organisations engaged in activities relating to child domestic work, certain observations need to be made concerning the interventions undertaken. First of all, a certain imbalance in the geographical coverage of interventions should be noted. As is often the case in Haiti, activities are concentrated in the metropolitan area⁶⁷. This bias also reflects that the humanitarian interventions following the earthquake were more active in the metropolitan areas, and possibly also, the higher number of child domestic workers in the capital. The lack of visibility of the organisations that *do* work in cities other than Port-au-Prince and its surroundings, and in rural areas, probably results in less funding, a tendency which in turn increases this imbalance.

Most interventions have not been formally evaluated (or the evaluation reports have not been made public). This trend prevents actors from capitalising on their experience, which leads to a certain lack of efficiency. Rigorous assessments (whether internal or external) should be conducted, and results shared in order to reach a better understanding of what works and under what circumstances. ASR has proposed experiences be systematized. Such an exercise will depend on the quality of the assessments and the participants' willingness to expose themselves to outside opinions.

The activities are closely linked to funding. The end of a project or grant leads to the almost total cessation of interventions. This indicates that funding has a directly strategic role, but also raises questions regarding the sustainability of many of the actions undertaken.

Awareness-Raising and Promotion of Children's Rights

Awareness-raising in many different forms is practiced by most of the organizations pursuing the issue of child domestic labour and takes up a significant portion of the resources allocated for this purpose. With no access to the documents concerning the projects for which the material was developed, we are unable to analyse the goals and achievements of the awareness-raising activities. We will nevertheless try to show here the range of communication means and offer an overall analysis of the impact of these efforts (see Table 26 below, which is far from comprehensive).

These awareness-raising activities are sometimes designed to sustain initiatives in support of interventions, although in other instances these prime means may almost be seen as an end in themselves, assuming that information is the key to a behavioural change.

It should be noted that there are a number of approaches and communication strategies grouped under this title. Not only are the communication means used very diverse, but the targets and messages broadcast are also very large. These are, amongst others:

⁶⁷ Of the 31 members of the Haitian civil society that we registered information on during the institutional study, 21 are located in West Haiti and the metropolitan area.

- Prevent the sending of children into domestic labour by warning the families in the areas of origin of the risks associated with the practice (including through the testimonies of parents reunited with their children), by promoting parental responsibility and good practice in the education of children, and also by promoting family planning (an important element in some of the organizations' strategies) in order to decrease the burden of children, seen as a cause of child domestic work in families of low economic means
- Discourage people likely to take on a child domestic worker
- Prepare for the return of a child in a family and a community
- Encourage a better treatment of children in recipient families
- Promote the reporting of cases of abuse
- Inform children on behaviours they should not tolerate and on seeking help

According to some interlocutors, the awareness-raising has shown its effectiveness, since the population is now more willing to report or intervene in cases of abuse. Others have questioned the resources invested in mass awareness-raising, especially given the lack of funds for the support activities of child victims. Indeed, the cost of these activities varies greatly, ranging from community radio shows and door-to-door visits by volunteers (done at little cost) to large events that are very expensive to organise. Yet, many people would like to intensify outreach activities because they think it is one of the best ways to end domestic child labour.

Moreover, it should be noted that during many public interventions in Creole, the word "restavek" is still used, although it is a derogatory term for child domestic workers. It is therefore important for all actors to agree on another phrase that could circumvent this problem.

Unfortunately, despite the significant efforts invested in these activities, few evaluations have been conducted on the effectiveness of the strategies adopted (the radio drama Zoukoutap is an exception, with an on-going evaluation at the time of writing this study). Public health experience shows that is not enough to inform or otherwise identify the barriers that prevent target groups from changing their behaviour (on a community level or on the level of the socio-economic and political structures). It would therefore be important to develop more explicit strategies, which would identify the underlying assumptions and conduct rigorous evaluations of the impact of approaches.

Table 28 Awareness-raising undertaken by certain organizations on the issue of child domestic work

Organization	Means	Target Groups	Message ⁶⁸	Audience reached
IBESR	Involvement in Carnival (parade, banners, handing out tee-shirts; media activities)	Carnival audience	Promotion of children's rights Use of emergency numbers: 511/133	
	Child Week (June)		Media activities	
BPM/IBESR in the regions	Interventions in local media	Area population		
	Awareness-raising sessions	Schools, various groups		
Fondation Maurice Sixto	Viewing of Ti Sentaniz	Schools	Haiti with no 'restavek';	website (207,053 visitors ⁶⁹)
	Talks	Women's groups	A child is a person, protect-me, do not exploit me;	Students from over 60 schools
	Video clips (music) You Tube		Children must not tolerate the violation of their rights	Distribution of 1,000 flyers
	Site web Flyers			
Beyond Borders	Door-to-door visits Handing out leaflets Short movie	Population of the targeted neighbourhoods	Contact number to report cases of abuse	
Restavek Freedom	Zoukoutap (radio series)			100,000 listeners
	Songs for Freedom (contest)	Contest audience in the 10 departments (youths)		Over 50,000 people, spread out over the 10 departments
	"Compassion and Courage" Conferences	Churches and community leaders		3,600 participants in the 10 departments
	"Justice for the Restavek" training	Churches and community leaders	12 biblical messages to fight the <i>restavek</i> system	17,000 participants (target: 100,000 by the end of 2014) ⁷⁰

⁶⁸ Most of the messages are in Creole.

⁶⁹ 10.12.14.

⁷⁰ https://restavekfreedom.org/estore/all?=&nccsm=21&__nccscid=20&__nccsct=Justice+Curriculum+Training&__nccspID=947

Organization	Means	Target Groups	Message	Audience reached
IOM	Comic books (Chimen Lakay)	Population in camps and other groups	Stop the “restavek” system; a child’s best protection is his family; if you think a child is in danger, call 188	
IRC	Stickers		Living with my family is my right as a child. Respect it!	
BIT	June 12 th celebration (World Day Against Child Labour) Leaflets		Prevention and elimination of child labour	
ASR	National Day Against Domestic Labour (media interventions, rallies, etc.)			

Preventing Child Work in Domestic Labour and Exploitation

After several years of experience trying to fight the issue of child domestic workers through awareness-raising in urban environments, Limyè Lavi made a strategic choice to refocus its work in order to address the key factors it feels are the source of the problem: namely the lack of access to schools and the economic problems of families in rural areas. Their model is the strengthening of rural communities from which originate the majority of child domestic workers. The organization uses a popular education method on children's rights, developed with the help of an anthropologist in order to ensure its relevance in the Haitian context (*Edikasyon se yon konvesasyon* is also used by World Vision, Beyond Borders and SCF in the training of their protection committees). Its approach aims to empower the population to help itself and to create action plans to deal with its major needs. Parents who sent their children in domestic labour are asked to contact them again and see if it would be possible to get them back. In parallel, schools using accelerated curriculum for over-aged children are being set up for vulnerable children and community activities are launched (a savings and credit program to fund trade activities, for example, or a shop for agricultural inputs or goat keeping). The profits are partly used to pay for the education of the children in need within the community. Thus, parents who would be inclined to send their children into domestic work are helped to keep them at home while those who have already taken this approach are educated to bring them back home.

This approach has the advantage of benefiting a greater number of people in the community and not just the families who have reintegrated their children, helping to prevent the sending of children into domestic work. According to an external evaluation conducted early in 2014, after 3 years, 27% of child domestic workers initially identified (55 out of 205) are returned and the influx of children becoming child domestic workers has decreased⁷¹. However, these initiatives are costly and do not yet cover all the families whose children have returned; because of the precariousness of the life of farmers, there exists a risk of the children becoming once again child domestic workers.

It is also interesting to note that AED (one of the members of ASR), besides offering non-formal education and recreational activities for child domestic workers in Solino (a popular district of Port-au-Prince) organises a credit savings group of about thirty families in order to improve their situation⁷². The justification for this is that, according to the association, the abuses suffered by child domestic workers are not done consciously but are the consequences of the very difficult living conditions of existence. This approach seeks to offer economic help in order to prevent the exploitation of children. The organization formalizes this relationship by having the participants sign an agreement detailing the importance of using the benefits derived from the activity, for all the children under their care. Should this not be the case, the families are expelled from the group. This happened at least once.

⁷¹ Free the Slaves (2014).

⁷² This initiative is funded by CRS.

The Government Action Plan for the Reduction of Extreme Poverty should provide, in the medium term, a major step in preventing the phenomenon of child domestic workers to the extent that its objectives will be achieved. If, like it is believed by most of the encountered interlocutors, the causes of child domestic labour are to be found in the lack of access to school and opportunities to meet the needs of the family, the various programs targeting the most vulnerable households in rural areas would be able to change the factors that force parents to take the decision of sending their children to town to become child domestic workers. However, as we have already observed, the duration and scope of these programs are often limited, and certain aspects of their implementation have been criticized. Furthermore, care should be taken to ensure that the most at-risk families do not fall through the cracks of the social safety net (by living too far from a PSUGO school, for example).

Implementing Community Structures for Child Protection

Several non-government stakeholders make a great effort in developing community structures for child protection that are able to play a role in both prevention, promoting the children's rights, and also monitoring and reporting cases of abuse. This strategy is implemented by SCF, and others, in the south-eastern and western areas (Port-au-Prince and Leogane), Plan Haiti in north-eastern areas, World Vision in Plateau Central and La Gonave, Beyond Borders in the metropolitan area, and Limyè Lavi in South East Haiti, through the training and mentoring of local child protection committees, composed of a dozen volunteers. In these cases, the members receive training on the rights of children and on how to provide a listening ear. SCF alone has created 68 committees and Beyond Borders around fifty. World Vision and SCF also support the implementation of children's clubs with nearly 14,000 and 2,400 children respectively.

To the extent that these networks are able to operate independently without sustained support from an NGO, they offer an interesting and sustainable option for identifying and managing cases of child abuse, be it domestic work or other circumstances. They have guides that can refer the cases to pre-identified institutions in their areas. However, it would be important to check how they continue to play their role properly without the supervision of the institutions that have trained them. In the opinion of some individuals highly involved in monitoring, at least some of these groups have stopped working or have difficulty in continuing their work. In the southeast areas, for example, they have lost contact with IBESR and do not use the listing tools made available to them. They continue to refer certain cases to the BPM without the proper documentation provided for this purpose. The departmental office of IBESR has considering reinvigorating these committees. Moreover, in some cases it would be difficult for members to identify cases of child domestic workers as they are often barely noticeable. Indeed, there are certainly many lessons to be learnt from these experiences and it would be important to assess and share the results with the actors concerned so that they can integrate these lessons into their practice.

It is interesting to note an initiative of Beyond Borders, aimed at creating a network of adult domestic work survivors (see Bracket 2). About 160 people are grouped into 11 groups in the

metropolitan area. They take part in community education sessions and stimulate dialogue in the hope of organizing themselves and overcoming the stigma that exists towards child domestic workers and integrate themselves in the struggle against the exploitation of child domestic workers.

Bracket 2: The approach of Beyond Borders

Acknowledging that the phenomenon of child slavery in Haiti is the result of both the socio-economic realities and attitudes towards children, Beyond Borders has two complementary programs, one rural and the other adapted to urban areas.

i. Child protection

Objective: Contribute to the emergence of a movement for the rights of the children in Haiti, with particular emphasis on the eradication of child slavery

Intervention areas: metropolitan area (Delmas, Pétiion-Ville, Martissant, Carrefour, La Saline, etc.)

Target groups: associations and community leaders, civil servants, adults who worked as child “slaves”

Strategies:

- Awareness-raising of the inhabitants of popular neighborhoods and community leaders using the **popular education** methods ESK (Edikasyon if yon Konvèsasyon) . They share their experiences and lead a dialogue about physical, sexual and psychological abuse, and parental responsibility in view of changing the participants views on children's rights.
- Participants are then encouraged to form **child protection committees** in their areas (43 were created between 2010 and 2013). These groups, which are autonomous, raise the awareness of the population of the neighbourhood with door-to-door visits, handing out a contact number, and refer the reported cases of abuse. 3,000 children's rights activists were thusly trained.
- Creation of survivor groups composed of former child domestic workers (about 160 people).
- Collaborate with the Sectoral Table, GTPE and other instances

2014 Budget: \$321,750

ii. Model Communities (in partnership with Limyè Lavi)

Objective: Promote sustainable means of living as well as access to education so that parents in rural areas are able to provide the basic needs for their children

Intervention areas: South-East (municipalities of Jacmel, Marigot, Baintet)

Target groups: community leaders, parents with children living as child domestic workers, over-aged children

Strategies:

- **Community Dialogues** around ESK, leading to the creation of KOMANTIM (Children Supervision Committees), 1.600 individuals trained
- The implementation of an accelerated curriculum for over-aged children, more at risk of being sent into child domestic labour. (146 children in 2012, distributed in 10 classes)
- Payment of a **portion of the school fees** for the poorest students, and a **rental service for textbooks**, otherwise too costly for parents
- Creation of **seed banks and tools** to improve the farmers' yield
- **Literacy and entrepreneurship** Programs for adults

2014 Budget: \$369,522

Mitigation: Education, Material Assistance and Social Integration

Given the situation of deprivation usually experienced by child domestic workers, and the lack of access to schools in particular, a number of organizations have decided to supervise the children and provide them with other services to meet their needs. Restavek Freedom, for example, covers the cost of education for over 700 children. There are also many community schools in the poor neighbourhoods of large cities – only a portion of which we have been able to identify (see Table 27 below) - whose purpose is primary education (the first six years of compulsory basic schooling according to the amended version of the Constitution). They allow underprivileged students, and child domestic workers more specifically, to benefit from basic education. Local organizations such as Koz Pam in the metropolitan area and MBESH in the southern region of the country help identify child domestic workers and organize lessons in the afternoon, mainly attended by this category of children⁷³. Instruction comes at a low or no cost. These schools, however, rely on external funding (generally decreasing) or community donations and sometimes have difficulty in making ends meet, resulting in some cases in a shift towards other categories of children.

Certain organizations (such as CAD, FOPJ, MBESH, OJPA and Limyè Lavi, for instance) use an accelerated curriculum, recognized by the MENFP and developed for older children, which allows students to reach the Certificate level (6th fundamental year) after 3 years of study. This method seems well-suited to child domestic workers, who are often educationally retarded. Its application should however be the subject of a special assessment. Several of these institutions have received coaching from GHRAP, a Haitian NGO, for the implementation of the system.

In addition to the formal education provided, these schools have certain features suited to the needs of the targeted children. A relaxation of the rules is applied: unlike most other schools, the students are accepted even without a birth certificate, for example, and they are not turned down if they are not properly dressed, dirty or show up late for class because of personal circumstances. Moreover, in many cases, a monitoring committee exists that works with the recipient families when the child is often absent or shows signs of abuse (tiredness, injuries, etc.); when necessary, this committee also makes house calls. These instances remind the families of their responsibility and the treatment standards for a child. The Zanmi Timoun and Pam Koz Foundations use a timetable, developed with the families in order to limit the child's working hours and ensure that he / she can study, sleep and enjoy recreational activities. For its part, FOPJ organizes monthly meetings with the recipient families where trainings on topics such as children's rights are organized.

⁷³ The afternoons have been chosen because the children having accomplished their morning chores are more available. Moreover it is sometimes possible to use the rooms of other schools that are open in the morning only.

Schooling is sometimes complemented with other services, such as hot meals, school kits, medical / dental care or recreational activities. Thus, some of the children's material needs are taken care of and their living conditions are improved. Sometimes these extracurricular activities are intended not only for child domestic workers but also for the other children living in the same household, in order to reduce the stigmatisation these child domestic workers may face, and even make other children their protectors. According to one of the interlocutors, this allows them to feel more like other children. In this spirit, the Foyer Maurice Sixto seeks to integrate the other children of the household in extra-curricular activities (summer camps, for example), while MVM provides a ration of dry food to the recipient family so that the child domestic worker can bring something home, which could lead to an improvement in his treatment.

In cases of violence and abuse, the associations who run these schools seek help from the police so that it can intervene against the person responsible of the abuse. According to several participants, however, this happens only very occasionally. They believe that the treatment of children has improved over the years. It is not possible to verify these claims within the framework of this study. But it would be interesting to find out whether this observation is owed to the effectiveness of the awareness-said programs or the fact that said families know the children are monitored regularly.

Despite efforts to ensure children receive a basic education, participants acknowledged that the first two cycles of primary education (from the first to the 6th fundamental years) are not enough for them to find a decent job as a grown-up and thus become independent. Once the students have passed their Certificate of Primary Studies, the relevant organizations, thanks to their influence, try to refer students to other schools so that they can be admitted into State high schools, or negotiate half-grants through the directors of some high schools. However, several interlocutors expressed the view that for older students, technical training would be more appropriate. Some organizations offer for the children under their care a professional training promoting their integration into the employment market (Foyer Maurice Sixto, FZT or OJPA, for example), either directly or in partnership with another institution. According to the institution, several courses are available, (plumbing, bodywork, handicraft, computers, sewing, etc.). Sometimes, these same organizations try to help the child find a job or an internship (Terre des Hommes Switzerland has recently launched a support service for the professional integration of young people from underprivileged backgrounds, helping them in their first steps towards getting a job). However, the number of child domestic workers that are able to continue their training after the first 6 years of schooling would be relatively small given the limited number of places.

Furthermore, it is appropriate to question the relevance of these interventions in the coming years. For the sake of avoiding perverse effects and having children become child domestic workers because of easier access to city schools, MBESH has decided several years ago to reduce its support to schools in urban areas and focus on rural areas where most of the child domestic workers originate from. The risk of the schools for children in child domestic labour, (usually concentrated in urban areas), contributing to rural depopulation is real. Moreover, the more PSUGO comes into effect, the lower of children lost to the system, and the schooling offer

running parallel to the state system will no longer be pertinent. On the other hand, professional training activities, as well as the monitoring requiring the recipient families to account for the treatment of children under their charge, remain important.

Bracket 3: Foyer Maurice Sixto (FMS)

Aim: Offer to child domestic workers access to schooling and a psychological and emotional support, educate the boss-families

Target Groups: around 350 child domestic workers, aged between 7 and 8, 80-85% of which are girls; neighbourhood children, boss families and biological families.

Intervention Area: Carrefour (metropolitan area)

Programmatic Orientations:

- i. **Education** of fundamental years 1 through 6 (for children aged 7 to 15) and **literacy programs** for children over 15. The children receive a warm meal and a glass of milk
- ii. **Activities** (sports activities, recreational outings, collective birthday and Christmas celebrations, etc.)
- iii. **Professional training** (bodywork, hotel skills, electricity), to give children a better perspective on their future. Since the earthquake children were sent elsewhere for their training but starting in 2015 a new center will open, with 3 workshops . Since September 2014, the Support Services for Integration into work helps young graduates integrate into the work market through training (job seeking), guidance in the establishment of microenterprise, finding internships, partnerships with business that can provide jobs or contracts, etc.
- iv. **Awareness-raising** of the receiving families during monthly meetings on children's rights, etc. and of the population in rural areas to deter them from sending their children as domestic workers.

A Support, Monitoring and Supervision Committee makes house visits and intervenes if a child is absent from school, but in general few abuse cases were reported among children attending the Foyer.

In cases of emergency, FMS has at its disposal a short-term foster home (up to one month).

Funding: Terre des Hommes Suisse, Chaine de Bonheur, SOS Enfants Sans Frontières

Table 29 Some of the organizations offering schooling to child domestic workers

Name of the Institution	Location of the school(s)	School Curriculum	Age Group	Number of students who are child domestic workers	Extra activities with the students	Secondary/professional	Comments
Foyer Maurice Sixto	Carrefour	1-6 Fundamental years (AF)	7 - 18+	350 (280-300 girls); 80-90% child domestic workers	Warm meal, glass of milk	Professional training	Meetings with the family Summer camps Dental clinic
CAD	Carrefour Feuilles	Accelerated	11-17+				GHRAP supervision
Limyè Lavi	Jacmel, Bainet	Accelerated		148 per year (444)			
Foyer L'escale	Pleine du Cul-de-Sac	1-5 AF		43	Accommodation, medical care		
LATI	La Saline						
MSIPACS	Carrefour Feuilles	Preschool – 6 AF		20			
FZT	Ti Place Cazeau Gressier Savanette	1-6 AF Accelerated	10-18	360 (120 per school), the majority of which are child domestic workers		Professional training	GHRAP supervision
MBESH		21 centres from 1-4 AF; 10 centres, accelerated programs 1-6 AF	10-14 at the onset	2,500 (including circa 1.000 child domestic workers)	Books; school kit		The uniform must be provided by the family
OJFA	Carrefour Feuilles	1-9 AF Accelerated	7-17	547 (including 387 girls)	Donation of uniform, books and	Professional training	

Programs in the afternoon	vulnerable children	equipment; warm meal
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Name of the Institution	Location of the school(s)	School Curriculum	Age Group	Number of students who are child domestic workers	Extra activities with the students	Secondary/ professional	Comments
FOPJ (Foyer Esperance)	Carrefour Feuilles La Saline	Accelerated		250 (210 of which are child domestic workers), a majority of girls	Dance lessons, music, cooking, computing, etc. on Saturdays; infirmary, hot meal.		Yearly contribution of 350 Gourdes, children are not sent back in cases of non-payment. Free tee shirt and books. CWS and MCC funding
CECODE	Cite Plus	Maternelle-6 AF (Accelerated program)		84			GHRAP Supervision
Koz Pam	13 municipalities including 3 in Pétion-Ville, Delmas, Port-au-Prince et Carrefour, and one in Gressier	1-6 AF Accelerated Program for older children	7-15+ in groups according to the age group	Nearly 2,000 children with 60% girls, all child domestic workers or children in need	Recreational activities after studies and on Saturdays (dance, soccer, discussion sessions, etc.)	Children referred to high-schools; tile-laying lessons in Philipeau	Action Aid funding cut off since the introduction of PSUGO
New Academy Adam César Monplaisir	Grand Goave	Preschool until 4 AF (until 5 AF last year)		Capacity of 150, decreasing			0 to 500 Gourdes

Individual Care

Several international NGOs (IRC, Terre des Hommes) work with IBESR to ensure the management of individual child victims cases, in a manner established by the Protection Cluster created after the earthquake for all children in need of protection. Once a case for protection is identified by the community structures with which the organizations work (see “Setting Up Community Structures For Child Protection” above) or is reported by another actor, the child’s needs (medical or psychological care, etc.) are evaluated. Monitoring is done either by using the resources available within the organisation, when they exist, or by referring to specialized institutions. Some organizations offer activities for the rehabilitation of children in their programs. SOFALAM offers macramé or cosmetology activities for girls who take part in their programs, for example, and at times an aid for school reintegration. The steps to be taken thereafter are set according to a life plan, developed in accordance with the child’s best interests. In the case of children, this process often results in a family-based rehabilitation (developed in more detail below “Emergency Accommodation and Alternative Placement”).

It is interesting to note that as IBESR’s capacity is increasing, the need for external institutions to engage in victim support decreases, hence the importance of their contribution in terms of training and supervision of state institutions.

Family Reunification

Depending on the policy of IBESR, separated children are often reinstated in the homes of their parents or their extended family. For a number of years, great efforts have been made to support the reintegration process, particularly after the 2010 earthquake, when many resources were made available for family reunification. IOM alone carried out a total of 894 reinsertions of child victims from trafficking, between January 2011 and December 2013, in collaboration with its partners.

In general, the return and reintegration of a child is a relatively complex process and requires intensive resource mobilisation. The strategies used to conduct reinsertions vary. In most cases, the initiative is taken by the organization that took charge of the child, often with the backing of IBESR, and incorporates a range of benefits such as food kits, payment of school fees⁷⁴, economic programs (stockbreeding, trading or other agricultural activities, for example). The amount of income-generating activities varies, but can range from 5,000 to 20,000 Gourdes (\$ 110-450).

The IOM has set very clear guidelines for the direct assistance of victims. The child is first placed in a centre (usually the Foyer l'Escale and the “Centre d’Action pour le Développement”, CAD) where or he/she receives medical attention, can attend school and sometimes receives psychosocial support while waiting to be reinserted. The organisation undertakes a family research and a risk assessment in

⁷⁴ At least one institution offers education to two of the family’s children in order to avoid others being sent into child domestic work after their reinsertion.

relation to the child's return to his family of origin, and ensures the family is aware of the children's rights and the importance of a family environment. The child's return is accompanied by referrals to appropriate services (when they are available), and a hygiene kit, food and clothing. Moreover, the family enjoys training and income-generating activity (often trade or agricultural activity) worth 20,000 HTG (\$ 450) to improve the family's economic situation and prevent the child becoming once again a child domestic worker. Particular importance is given to a one-year monitoring, based on a classification system (green, orange and red) and providing a more regular attention on higher-risk cases.

Opinions vary greatly however about the effectiveness of the rehabilitation of children who have lived in situations of exploitation or abuse outside their biological families. For a number of resource persons, this approach represents a sustainable solution, especially if the lack of viable alternatives is taken into account. According to resource persons, their experience shows that the return of a child is often a joyful occasion for the families because they were unaware of the conditions in which their children lived. These institutions feel they have done well and are not aware of children who have left their families again.

For others however, success is not guaranteed to the extent that the living conditions of the family remain as fragile as when the child left. Several interlocutors admit failure in cases where the child returns to child domestic labour in another recipient family. Even when the biological families wish to keep the child at home, their inability to meet its needs makes them reluctant to receive him. According to one participant, parents even tend to blame the child, arguing that he is the one responsible for his mistreatment. In other cases, the child himself has difficulty adjusting to his native home after getting used to the urban lifestyle.

The support received is not always sufficient to secure the successful reintegration of the child. Families sometimes find it difficult to manage resources provided by an economic activity and this activity does not necessarily become permanent (an available report states 5 cases of failures out of 18, with 9 others barely functioning). An evaluation for Limyè Lavi quotes a parent saying "the school is paid for, true enough, but the children get up in the morning and you have nothing to offer them, you don't even have shoes for them to wear. They learn, but sometimes the teachers tell you that the child sleeps in school, and it's understandable. If the child goes to school on an empty stomach, it's normal". Once the school year is over, parents may not necessarily have the funds to pay another year, meaning they would be back to square one.

The offer of assistance during the return of a child can risk causing dependence and transforming the child into a commodity. On several occasions, parents have even asked for money before accepting to have their child returned at home. It is feared that these incentives may encourage sending children to become child domestic workers in the hope of receiving a donation. For this reason, many institutions prefer not to propose income-generating activities, despite the fact that economic support is considered necessary for the success of the approach by other institutions. To avoid any ambiguity, Limyè Lavi and World Vision prefer not initiate reinsertions but prefer that parents choose to reintegrate their child themselves after a period of reflection.

Monitoring is deemed essential to the success of family reunification. Yet it is difficult to carry out in areas that are often difficult of access, especially during the rain seasons when the roads become impassable. Despite its importance, this monitoring occurs rarely beyond a year after the reinsertion has taken place, because of the lack of funds, and there is generally no data to show what happens after this period. Indeed, several participants mentioned the fact that the project cycle, especially when it is short, is not suited to the reintegration process. One year is too short to complete the process correctly. Although IBESR is often associated with the rehabilitation activities performed by its partners, field agents lack the means of transport for them to ensure a correct follow-up. For this reason, many participants suggested the involvement of CASEC and the ASEC (representatives of the smaller units of the local authorities) because their close relationship would allow them to monitor the situation of the children involved.

Although it is considered the optimal solution, the costs of reintegration are therefore high because of the complexity involved and the process is not always successful. Moreover, in view of the fact that the demand for child labour remains unchanged, we cannot exclude the fact that, following the reintegration of child domestic workers, the recipient family will seek another one to take his place, fuelling an accelerated cycle of movement between rural and urban areas.

In the absence of systematized data, we are not able to identify the factors that lead to the success or failure of income-generating activities, but the examples quoted remind us that these must be addressed with caution. The initiatives that seek to strengthen the economic situation of the most underprivileged often experience difficulties and it might be recommended to work in partnership with specialized agencies, rather than child protection organizations trying to do it themselves.

Again, a better documentation and evaluation of experiences is essential in order to understand under which conditions reintegration works. Given the importance of education and child nutrition, the creation of explicit links with governmental social programs seems essential and could avoid some of the pitfalls outlined above which compromise the success of family reunification. The involvement of local officials in the monitoring of children returned to their communities of origin would also be a crucial element, but raises questions about their capacity to achieve this administrative process.

Emergency Accommodation and Alternative Placement

Emergency accommodation is one of the biggest challenges remaining to be solved in the process of defining strategies meeting the needs of child domestic workers suffering from exploitation. Child victims of serious abuse must be removed immediately from the environment where they are and a more suitable environment for them must be found in the short to medium term until a more permanent solution is found. Several key interlocutors mentioned the lack of such suitable environments as one of the largest difficulties they have to deal with. Currently, IBESR first calls upon CAD and Foyer l'Escale, as well as other authorized centres, for the metropolitan area. The CAD, in Ganthier (with a capacity of 75 children) and the Foyer L'Escale at La Plaine du Cul-de-Sac (a centre specializing in the care of child domestic workers, with a capacity of 40 children) are working at full capacity and IBESR sometimes has difficulty in finding accommodation. Although designed as

transitional centres, the children sometimes remain for a relatively long period of time (one year, or more), in part because the children want to finish their school year. Moreover, both institutions face very dire financial difficulties. They would like IBESR, with which they have an agreement and which refers children to them, to help them cover their costs⁷⁵. IBESR however, has no specific resources for this activity and experiences itself an unwanted dependency on external sources of funding.

Several organizations have premises used for short stays (such is the case for SOFALAM, with 10 beds, and FMS with six available rooms); FMAS on the other hand may resort to hotel rooms if necessary. In the provinces, agents of the IBESR rely on placement in institutions as well as foster families (this is not necessarily authorised formally). According to more than one participant, it is often particularly difficult to find places for older children and for those needing extra care, such as pregnant girls⁷⁶.

In the long run, most institutions aim for the reintegration of the child in his family of origin, preferably with his own parents, or with members of the extended family (see “Family Reunification” above). According to a key informant, it is possible to find these people in the vast majority of cases. When this is not feasible or goes against the child's interests, other solutions must be identified. One of MAST's priorities is to increase the State's capacity to provide full support for girls and boys separated from their families and which cannot be returned to their families; this is aimed particularly but not exclusively at street children. The Ministry aims at reintegrating children through transition centres where children have access to education, professional training and psychosocial support, thus wishing to break the cycle of poverty and enable the children to become productive citizens. MAST currently has two centres in Delmas 3 and in Carrefour with a capacity of 160 and 350 children, respectively. Work is under way to more than double the capacity of these centres and the Ministry is seeking funding to build new transitional houses in Jacmel, Les Cayes and Cap Haïtien.

Moreover, Restavek Freedom has a home in Delmas for 15 girls who suffered extreme violence and had to flee. The organization is currently building another home in South Haiti for 16 or more children. The girls receive psychosocial support, go to school and learn handicrafts. One difficulty raised is to make young adults who have suffered trauma and with little human capital, capable of leading a decent and independent life. An accompaniment outside of these centres for these juveniles seems necessary so as not to leave them in a situation where there is a risk of continuing the cycle of poverty in which the children become child domestic workers.

Other options of accommodation have been considered, such as independent homes for youth aged 14 or over - a solution that is provided for in the Child Protection Code that awaits approval from the appropriate authorities. This provision was driven by some NGOs with promising results but has not yet been implemented by the state social services. It would eventually be of great interest for some older

⁷⁵ Another transitional centre in Fonds Parisien set up by World Vision has already had to close due to lack of funds.

⁷⁶ The CAD does not accept children over 14. For l'Escale the age limit is set at 16 for boys, and 17 for girls.

children who, according to one of the interlocutors with extensive experience in family reunification, are less easily reunited with their original families.

Foster Family Measures

Faced with the need to develop an alternative to the institutionalization of vulnerable children, IBESR and UNICEF, together with several other partners, have collaborated to develop measures for foster families, which have been formally approved by MAST. This approach has the advantage of avoiding institutionalization, an expensive strategy usually not in the child's best interest. A one-year pilot program (April 2014-March 2015) is being carried out with a hundred families in the South region and the Goâve region by IBESR and Terre des Hommes. Its extension to the whole territory has been planned. A set of detailed tools has been developed in order to guide the social workers in identifying and monitoring the placement of vulnerable children within these families who will require a formal State accreditation. This solution is intended for short-term stays and also long-term stays. Indeed, some families who are taking part in the program have started a formal adoption process for the child entrusted in their care. The approach has yet to be assessed but it has generated a great deal of interest for its potential for an appropriate environment and suitable monitoring. Foster families with sufficient resources to welcome the children are selected and they do not receive any financial backing, except in exceptional cases.

This new approach responds to a need and has several advantages including its low cost and durability. It has been implemented in Europe and elsewhere. However, the realities of the country, including the availability of informal child-care practices are likely to influence its implementation. There are certain disadvantages that need to be taken into account. The process requires a large investment in terms of time needed for the child's identification and the monitoring of families; therefore, it is expensive. Moreover, given that no payment is offered for accommodating children (although this involves a real cost to be borne by the foster family), families must have their own means in order to qualify. It will probably be difficult to identify many suitable households and the cost per child will be high.

Furthermore, several of our interlocutors expressed concern over the fact that despite no payments being made by IBESR to the families, their main motivation may still be nevertheless of an economic nature. Most of the currently accredited families are active members of a church. Although their commitment may possibly be motivated by their willingness to do good, churches sometimes work as a way of leveraging funds from abroad. In the event that the foster family measures attract people motivated for economic reasons, there are reasons to doubt that the children will receive the proper care they need. There would eventually be lessons to be learnt from residential centres currently out of favour.

According to the regulations already in place, foster families can apply for economic aid if they suffer a personal crisis, such as an unpredictable setback. It will be instructive to know how many people are looking to benefit from this assistance after a certain period.

Furthermore, several interviewees raised the issue of the weakness of the evaluations conducted by the staff of IBESR despite their training. For example, some agents had a favourable opinion of one child's situation because of some preconceived ideas, without having conducted a systematic evaluation. Without proper monitoring, there is a danger that foster families measures become a new route for the placement of child domestic workers with the approval of government and a domestic labour recruitment structure with the State's approval. Consequently, it would be important to have certain preconceptions assessed by an independent institution. This should be done initially after a period of one year, and three years after.

Referral Mechanisms

To meet the needs of child domestic workers victims of exploitation and abuse, the chain of protection must be tight and effective from the instant the case is reported until a long-term solution is identified. No institution is able to handle all the needs of these children (direct care, medical care, psychosocial and legal help, etc.) and that is why referrals to specialized services are essential. This requires locating care providers in each area of intervention, accessible both in terms of distance and cost. Because of its overall view, however, this study is not able to document all the links and the difficulties faced by individual organizations. This would require an in-depth research in order to examine in detail the functioning of referrals in the different areas of the country and identify ways to strengthen inter-institutional links. However, we will try to sum up the current situation and see how it could be improved.

In the absence of common standardised operational procedures, each institution tends to try to find the necessary support where it can, based on the services available in its area of intervention. In some cases, the procedures are well laid-out and formal protocols have been established with care providers with the necessary skills. World Vision, for instance, has established partnership agreements with both public and private institutions; Terre des Hommes Lausanne has nurses that accompany the children to the health centres, sometimes providing financial assistance for the purchase of medication. IOM refers directly to two institutions funded by the organisation: CAD and Foyer l'Escale (the second specializes in the care of former child domestic workers). These two bodies, in addition to offering temporary accommodation for children, provide schooling and medical assistance, and refer – when appropriate – the children to specialized medical centres such as GHESKIO.

Regarding health care, the actors usually find solutions to problems that arise, at least in Port-au-Prince. IBESR, for example, refers cases of children requiring treatment to the General Hospital (HUEH) and SOFALAM sends the children to APROSIFA (a clinic close to its premises), The MSF Hospital and HUEH. One international NGO, however, was not satisfied with the services available, especially regarding the waiting time, and is forced to use its own resources to provide quality care. In the provinces, referral centres vary according to the area.

For referrals in cases of sexual abuse, the situation also varies from one region to the next. Terre des Hommes Lausanne refers to MSF in the West and to l'Hôpital Immaculée of Cayes in the south. In Jacmel, on the other hand, despite the presence of Fanm Decide, a Haitian NGO that provides support in

cases of rape, one of the participants thinks that the referral of cases is done with difficulty. Another case seems to illustrate some of the administrative problems faced by actors on the ground trying to make the referrals. In one of the visited areas, the hospital does not examine rape victims without a requisition from the Prosecutor's office, and an officer of the court refused to give the document, thus stalling the case.

The lack of housing for emergency accommodation, particularly in the provinces and for cases perceived as more complex (such as pregnant girls or older boys) has been reviewed above (see "Emergency Accommodation and Alternative Placement"). There is also a general lack of psychosocial care providers. This failure is particularly dire when cases of serious abuse or trauma occur. The Foyer l'Escale mentioned the lack of access to the services of a psychologist as a hindrance preventing them from offering psychosocial activities for children. One participant explained that the inaccessibility of such services in rural areas makes the reintegration of girls who have been raped, for example, particularly complex. Exceptionally, IBESR has a psychologist in South Haiti, an example that deserves to be followed elsewhere.

To ensure more systematic referrals, it is necessary to develop formal referrals networks, made official preferably through agreements on a ministerial level (as is the case for medical certificates for violence against women, delivered according to a protocol binding the Ministry of Public Health, MCFDF and MJSP). Otherwise, agreements signed with public and private service providers in each zone would prove essential, following the practice developed by World Vision.

Government Social Programs (Ede Pep)

The social programs implemented by the government are not explicitly aimed at eliminating child domestic work but are intended for several categories of vulnerable people. Known under the title of Ede Pep, these are a set of social protection programs. These include in particular:

- ***Universal, Free and Compulsory Education Program (PSUGO)*** aims at enabling 1.2 million children aged 6-12 to attend school without the basic costs (about half of the children in this age range in the country⁷⁷). Children also receive one hot meal a day. The initiative is not specifically aimed at child domestic workers but several schools that accept this category of children (see below) are part of the program, which includes a provision for the training of over-aged children or those that have remained outside the system. However, there have been a number of difficulties with the implementation of the program including serious delays with the promised payments which led to, according to the interlocutors directly affected, classes shutting down last year. Qualitative interviews conducted as part of another phase of the study also revealed that families with very limited resources (such as those living in the IDP camps in Port-au-Prince)

⁷⁷ According to EMMUS -V (Republic of Haiti, 2013), 11.5 % of the population is aged between 5 to 9 years-old, while 12.3 % is between 10-14 years-old (23.8 % in total), nearly 2.5 million children aged between 5 to 14 years, with a total population of about 10.25 million in 2011.

are unable to find a subsidised place through PSUGO or are reluctant to come forward because they cannot afford to buy shoes and school supplies. Even with the school canteens, the required daily participation seems a deterrent for some families with several children, thus assimilating them as disguised school fees⁷⁸. In addition, the difficulty experienced by families to meet schooling costs after the 6th year remains a fundamental problem.

- **Ti Manman Cheri**, a cash transfer program, targeting 100,000 mothers in order to enable them to keep their children in school. Women receive HTG 400, 600 or 800 per month (\$ 9, \$ 13.50, \$ 18) depending on whether they have one, two or three children in a school belonging to the Universal Free and Compulsory Education Program (PSUGO), for one year. According to the Minister of State for Human Rights and the fight against poverty, women use these transfers not for consumption but to start commercial activities that allow them to rise from poverty⁷⁹. However, the aid received does not reach all the families in need of support (400,000 according to the Minister⁸⁰). It remains to be seen to what extent the beneficiaries manage to sustain these gains beyond the 12 months of the grant.
- **Kore Peyizan** seeks to increase the production capacity of the agricultural sector (through the distribution of seeds, goats, fishing kits, fertilizer subsidies, etc.) valued at 1,850 HTG (\$ 41) per beneficiary. 100,000 people per year are expected to benefit from this program with a total budget of 508 million HTG (\$ 11,29 million).
- **Kore Fanmi** is an initiative led by the World Bank and implemented by the Economic and Social Assistance Fund (FAES), a government agency for local development, with the aim of promoting access to basic services. 15,000 vulnerable families were identified through a survey in three towns of Plateau Central (Boucan Carré, Saut d'Eau and Thomassique) and three other towns in Southeast Haiti should follow (Grand Gosier, Thiotte, Anse-a-Pitre). General-purpose community workers help vulnerable families in identifying their needs and refer them to the services they need⁸¹. In principle, and insofar as the referrals are successful, this is another means through which underprivileged families in the affected areas can find assistance enabling them to take care of their children, thus avoiding sending them as child domestic workers.

The targeting of these programs should be done on a geographical basis, using a map based on a vulnerability index developed as part of Ede Pep. The 48 municipalities thus identified as the most

⁷⁸ A farmer interviewed in Seguin as part of the qualitative research associated with this study raised this constraint. He must pay 10 HTG (US \$ 0.22) per day for each of his three children, which amounts to a considerable amount to be paid in cash each week and which exceeds his resources, especially since farmers' incomes are very erratic.

⁷⁹ Contacted by phone, 5.20.14.

⁸⁰ Although only the most underprivileged households are taken into account, this figure still remains low given the total number of households in Haiti, which would be about 2.3 million in 2011 according to EMMUS V (the average size of a household is 4.4 persons and with a population estimated at 10,250,000).

⁸¹ <http://www.worldbank.org/en/news/feature/2013/06/20/kore-fanmi-improving-social-coverage-for-15000-vulnerable-families-haiti>

disadvantaged (red) and 70 of those at the orange level⁸² must be prioritized. Beyond this area prioritization, the way the beneficiaries are selected is unclear.

Answering the many questions that exist regarding the implementation of these initiatives is not possible within the scope of this document. However, since sending children into domestic labour is motivated by a lack of access to education and the low incomes in rural areas, this initiative could help curb the phenomenon. The Minister of State for Human Rights and the fight against poverty is convinced this will happen in the medium term. Yet actors of all levels criticize these programs because they do not reach those who need them most and because of the administrative barriers encountered. Therefore, it is possible that the benefits do not reach all the parents in need of them. As a result they are forced to send their children into domestic labour because of the lack of access to education and other basic needs. Nevertheless, to the extent that more concrete criteria are applied, one can imagine that it would be possible to target, on the one hand, the most vulnerable families as a precautionary measure and on the other hand, those who have decided to reintegrate a former child domestic worker, thus supporting the reintegration process with a grant and guaranteed access to school. It would be important to follow the impacts achieved and the effectiveness of this targeting.

Data Collection

Little data is available regarding the profile of child domestic workers supported by the various programs of the interveners who participated in the interviews. However, the available figures are presented in Table 30.

These figures show that the programs reach a majority of girls (with the exception of Terre des Hommes, where girls account for slightly less than half), a trend confirmed by other interview participants. Moreover, children aged between 10 to 14 years-old appear to represent the bulk of children in care.

Monitoring and state data collection mechanisms are weak and do not allow to distinguish between the different vulnerabilities faced by children, who are sometimes manifold. It must nevertheless be pointed out that an initiative, supported and funded by UNICEF, is underway that will vastly improve this situation. An analysis of the tools used for the collection and management of data from IBESR and BPM has already occurred and the two institutions are currently finalizing the definitions used, taking into account those used in the Criminal Code. This work will be shared with their partners to enable them to harmonize their own systems before proceeding with the next step of identifying indicators and ultimately developing tools that will be used to power a new and more powerful computer system. Once this system is operational it will be easier for both bodies, and the child protection sector as a whole, to follow the evolution of the cases received and actions undertaken, through the compiling of periodic and analytical data

⁸² Government of the Republic of Haiti (2014b).

Table 30 Profile of children in domestic labour supported by some interveners

IBESR, number of child domestic workers received (2013)									
Total	Gender								
	M					F			
243	68 (28%)					175 (72%)			
IOM, family reintegration (2005-2013)									
	<14	14-17	18-24	Unknown	All ages				
M	614 (32%)	132 (7%)	13 (1%)	15 (1%)	774 (40%)				
F	885 (45%)	228 (12%)	17 (1%)	40 (2%)	1170 (60%)				
Total	1499 (77%)	360 (18%)	30 (1%)	55 (3%)	1944 (100%)				
Restavek Freedom, direct aid beneficiaries (year not specified)									
Total	Gender		Age when entering the program						
	M	F	2-5 years-old	6-9 years-old	10-12 years-old	13-14 years-old	15-17 years-old	18 and over	
670 (100%)	262 (39%)	408 (61%)	3.3%	22%	37.3%	21.8%	12.7%	2.9%	
Terre des Hommes, child domestic workers received by the protection programme (April 2010 – Dec. 2012)									
Total	Gender		Age			Area		Schooled	
	M	F	<10 years-old	10-13	14+	Cayes	Grand Goave	Yes	No
50	26 (52%)	24 (48%)	16 (32%)	14 (28%)	20 (40%)	43 (86%)	7 (14%)	18 (36%)	32 (64%)
Identification criteria									
Ill-treatment/ abuse			Social		Psychological			Family	
33 (66%)			2 (4%)		1 (2%)			14 (28%)	

Resources

Funding

The big steps forward made by the protection system in recent years have been made possible thanks to the external funding mobilized after the earthquake on January 2010. With the return to a logic of development, much of this funding has reached its completion, leaving a void to fill. However, the demand only deepens based on efforts made by the reinforced structures (presence of IBESR and BPM in the 10 departments), while financial resources become increasingly scarce. Table 29 and Table 30 below summarize the funding identified in recent years for activities related to child domestic workers⁸³. Today it should be noted that almost all of the funding for the sector comes from outside the country (the US in particular). With the exception of UNICEF, the main donor is the J / TIP US State Department, which has invested more than \$ 4,4 million in the fight against internal trafficking since 2009⁸⁴. The IOM is the principal recipient, having received a total of \$ 2,042,000 since January 2009 but now these funds have been reduced to \$ 250,000.

⁸³ This is only however a partial picture. During our interviews, information on budgets and funding sources were not always made available to our consultant.

⁸⁴ For this analysis we have considered internal trafficking as akin to child domestic labour. As we have noted elsewhere, the relationship between these two concepts remains to be clarified.

The recent outreach work by IBESR, and by BPM to a lesser extent, was made possible largely thanks to UNICEF funds. Its financial support has enabled IBESR to increase its protection coverage to the country's 10 departments but this has led to a high dependency on UNICEF and funding is at risk. The precariousness of the situation should be emphasized because without external support, which cannot be sustained for long, the child protection services would be mortgaged. An alarm bell is being sounded by all non-state actors in this matter. They stress the need for the State to allocate adequate funding for protection services.

Despite receiving subsidies from UNICEF, IBESR and BPM both show a fund deficiency for their operation and for the achievement of their activities. Indeed, IBESR agents are now able to offer a follow-up on family reunification but unlike other organizations that have accomplished reinsertions, they are not able to offer economic support for the process or provide schooling for children (unless the children can be enrolled in the PSUGO program near their parents' home, which is not always the case).

Today UNICEF, having financed the activities of international NGOs in the aftermath of the earthquake, focuses its resources on state structures in order to avoid NGOs replacing the State. Faced with this situation, several non-governmental actors, active in child protection, have ceased or reduced their interventions. Some international NGOs such as CRS, IRC and SCF, have been forced to cease their activities in this area. Therefore, many organizations with relevant experience, are seeking funds to continue their activities. They are thus engaged in a tacit competition for funds that are becoming increasingly rare⁸⁵. The situation is not the same for organizations that are able to mobilize funds directly (such as Restavek Freedom or Beyond Borders, for example), but they face a potential tension between a choice of strategies that appeal to donors, on the one hand, and those that, on the other hand, meet the needs of the target populations⁸⁶.

Most non- state actors operate on a fixed-term projects (usually 12 to 36 months) that are not easily renewable. The end of a project or subsidy causes the almost total cessation of interventions. Although the organizations seek to implement strategies that ensure some sustainability, new cases are constantly arising and they rely on state actors to take over. In this context of funding deficiency it is essential to ensure that the most efficient strategies are identified.

Haitian organizations are also hit by this financial crisis and have had to reduce their activities, particularly with regard to awareness-raising but sometimes also by laying off some of their staff. They also often depend on external aid. Right now, Foyer l'Escale, one of the two main centres that provide shelter to children referred by IBESR for emergency accommodation (and the only centre specializing in

⁸⁵ As such, the ASR system may face a conflict between its mission of dialogue and advocacy as well as the role it has taken of funnelling individual funding (for example only 4 of its members have benefited from funds made available by CWS for school reconstructions).

⁸⁶ We do not exclude the fact that these two logics may come together but this is not automatically the case. For this reason, the adopted fundraising strategies, although not a major concern in the context of this report, are nevertheless of interest.

boys and girls in domestic labour) is threatened with closure⁸⁷. Its leaders are calling for a State subsidy to continue with its service.

Material Resources

By putting a vehicle at their disposal, UNICEF has helped each IBESR and BPM departmental team become operational. However, to ensure a global coverage, these vehicles are insufficient. Lack of fuel or engine failure may prevent a trip, and it is difficult to meet the needs of all personnel at once. Sometimes the PNH demands that BPM provides a vehicle for activities that are not part of the Brigade's priorities. This constraint becomes a hindrance in the effectiveness of both institutions in the accomplishment of their work, especially in cases of emergency. In the medium term, it would be desirable to provide each office with one or more motorcycles, allowing a better mobility that would benefit the children with whom they work.

Workspaces are also important to allow agents to work better. While IBESR has offices in the capitals of the departments, it is not always the case for BPM employees who do not control their working conditions and depend on the decision of the administrative Police. This limitation is relatively serious when one considers that BPM officers must respect their ethical code of conduct and ensure the confidentiality of their records.

According to the information we have collected during visits outside of Port-au-Prince, the employees of both agencies are facing a lack of working equipment. In an IBESR office, for example, the staff highlighted certain logistical problems such as power cuts that prevent them from ensuring data entry, a lack of binders to protect the confidentiality of records as well as a lack of fuel to monitor cases. These are challenges that are nevertheless relatively easy to solve even in contexts of budget scarcity. Without basic equipment, a good performance of the employee cannot be expected, and this results in a waste of resources.

Human Resources

In 2009, IBESR was present in only 4 departments while today there are offices in every department - with the exception of the West - with 7 employees, including one coordinator and 4 protection agents. Despite this expansion outside the capital over the last four years, there is still a serious lack of individuals with the necessary skills working in close proximity with the children. In the long run, according to one of our key informants in an international organization, it would be necessary to have at least one social worker in each municipality in the country in order to offer acceptable coverage. Currently, their reduced number and their concentration in the capital of each department systematically prevent them from reaching the population located in the most remote areas. Furthermore, the employees in the decentralized offices have short-term contracts because of the

⁸⁷ After our interview we learned that IOM will be providing new limited funding for the Foyer l'Escale allowing it to remain open for a few months.

uncertainty concerning funding. This leaves their positions very vulnerable, sometimes leading to low morale.

Several international organizations (UNICEF, IOM, IRC, Terre des Hommes, AVSI) have helped in the training of IBESR employees on topics such as a psychosocial approach, juvenile law, minimum standards of care, etc. Many of these institutions offer in addition to the basic training, a support in the staff's daily work. This strengthening process should be maintained in order to consolidate the practices among IBESR staff.

On the other hand, the salaries of the fifty or so agents assigned to BPM are covered by the PNH but virtually all operating costs are supported by UNICEF⁸⁸. However, among the reasons given by various interlocutors, what prevents them from being more effective is primarily the lack of staff and resources. This could lead to a high attrition rate of its members either because they are transferred to other duties or because they have decided on their own to find more advantageous positions with better premiums. In order to emphasize the staff training and experience, finding ways to encourage them to stay in BPM would prove important.

Several representatives of the Haitian civil society expressed difficulties in finding a psychologist (Foyer l'Escale, among others) because of the cost of the fees. SOFALAM was able to hire one as part of its program funded by Terre des Hommes Lausanne through a project of the European Union. However, FMAS employs a psychologist who offers his help services voluntarily when needed.

⁸⁸ The PNH contributes to a small percentage of certain costs (4 to 6 % for certain administrative costs , and 3 to 50 % for certain salaries).

Table 31 Donors for current programs / projects aiming at the protection of children and child domestic workers

Line/Project	Project/Funded Institution	Funded Partners	Number of beneficiaries	Duration	Total project amount (USD)	
UNICEF	IBESR			17 months: Aug. 13 – Dec. 14	\$963,424 (HTG 43,354,068)	
	BPM				\$202,797 (HTG 5,492,700)	
USAID	The Futures Group/AKSE	Maurice Sixto Foundation Awareness-raising on the issue of child and juvenile domestic work in schools and communities of Carrefour Feuilles et Pétion- Ville		4 months: June – Sep. 2014	\$25,000	
European Union	European Instrument for Democracy and Human Rights.	Combite pour la Paix et le développement <i>Alternative for a community without child domestic workers</i>	LATI	250 children 15 teachers 10 parents	12 months: 2014-15	\$95,000 (€75,000)
		Terre des Hommes Lausanne <i>Protection and promotion of children’s rights in the South department</i>		215 children 7060 adults	24 months 1.1.14- 12.31.15	\$424.300 (€333,172)
	Social and human development <i>Investing in People</i>	AVSI <i>Valè timoun yo – Public/Private partnership for the protection of armed gangs of children and other cases of violence in Haiti</i>	IBESR JILAP	700+ victims of child abuse; 400 families of victims of child abuse; 2.400 students	36 months 11.1.13- 10.31.16	

Line/Project	Project/Funded Institution	Funded Partners	Number of beneficiaries	Duration	Total project amount (USD)
US Department of State, J/TIP	IOM	CAD Foyer L'Escale	150 child trafficking victims /restavek	9 months Sep. 13 – May 14	\$250,000
Chaîne de Bonheur	Terre des Homme Lausanne	SOFALAM	Direct: 255 Indirect: 4410	24 months 1.1.14- 12.31.15	\$448,025
	Terre des Hommes Suisse	Foyer Maurice Sixto			\$80,000
Foundations/dons	Beyond Borders			2014	\$321,750
		Lime Lavi		2014	\$369,522
	CWS	FOPJ			Unavailable
Equitas Group	CWS	ASR			\$100,000
	Limye Lavi Restavek Freedom Beyond Borders				Unavailable
	Bethany Christian Services Global Capacity building for organizations working against restavek⁸⁹	ASR		14 months 10.1.13- 12.31.14	Unavailable
Partial TOTAL (Current protection projects/programmes targeted at child domestic workers and other vulnerable groups)					\$3,279,818
Partial TOTAL (Current projects/programs directly targeted at child domestic workers)					\$1,241,272

NB. The data in bold refers to interventions directly or predominantly aimed at the issue of child domestic workers

Sources: project documentation provided as part of this study, <http://www.state.gov/j/tip/rls/other/2011/175102.htm>

⁸⁹ haitingoaidmap.org

Table 32 Donors for recent programs / projects aiming at the protection of children and child domestic workers

Donor	Project/ Funded institution	Funded partners	Number of beneficiaries	Duration	Total project amount (USD)
UNICEF	IOM <i>Combating child trafficking in Haiti: reinforcement of the capacity of IBESR and BPM and providing return and reintegration assistance to 500 restavek children</i>	CECODE CAD CASODI OPEE Horizon Vert ATM GRAHDEL Zanmi Timoun	500 children	15 months: Dec. 10 – Feb. 12	\$788,341
US Department of State, J/TIP	IOM	CAD Foyer L'Escale		Jan. 09 – Jan. 10	\$315,000
				Dec. 11 – Nov. 12	\$250,000
				Dec. 11 – Dec. 12	\$750,000
				Jan. 13 – Sep.13	\$477,000
	IRC <i>Fighting Child Trafficking Channelled through Haitian Orphanages</i>		50 victims of trafficking (restavek)	19 months 9.30.12-4.30.14	\$750,000
	Heartland Alliance	FMAS		Jan. 11 – Jul. 12	\$250,000
	International Association for Women Judges			Jan. 11 – Jan. 14	\$650,000
	Anti-Slavery International/Free the Slaves <i>Freedom for Haiti's Children: community action to end slavery locally and nationally</i>	Limye Lavi		Jan. 11 – Jan. 14	\$700,000
Warmath Group, LLC			6 months	\$50,000	
Terre des Hommes Suisse	Foyer Maurice Sixto			\$108,000	

NB. The data in bold refers to interventions directly or predominantly aimed at the issue of child domestic workers

Sources: project documentation provided as part of this study, <http://www.state.gov/j/tip/rls/other/2011/175102.htm>

Conclusions

This chapter describes the range of actors that have been mobilised on the issue of child domestic workers in Haiti. This commitment reflects a substantial willingness on the part of the State, the international community and the Haitian civil society to take action to resolve what is a major social problem. However, the initiatives have generally been conducted in isolation and a variety of approaches have been used without their effectiveness having been conclusively demonstrated. The issue of child domestic workers requires a multidisciplinary response (protection, education, justice, health care, etc.). A high-level government leadership on the issue – an imperative in order to conduct the necessary reforms - has so far been largely absent. The various institutions involved must work together to develop a common understanding of the challenges and actions to be taken in order to overcome them.

Based on this, the government should develop a clear policy on the subject that can be implemented through a multi-sectoral plan, developed in consultation with a wide range of stakeholders. It should define the roles to be played by the different sectors and institutions and must be funded. If well managed, this process will ensure that all the relevant institutions set themselves common goals and agree on strategies in order to reach these goals. This will provide a solid foundation for good cooperation and ensure a more uniform coverage. Once the document is in place, funding must be provided and regular monitoring carried out. The basic costs should be cared for by the State to ensure sustainability, but donors should be encouraged to support an ambitious program promoting the rights of child workers and provide additional funds.

A solid legal framework on the issue of child domestic labour, which has been lacking for a long time, is being gradually established. The new law on trafficking and the anticipated approval of the new Child Protection Code are milestones in this direction. However, a number of weaknesses and ambiguities still persist. A revision of the 2003 law on abuse that should include adequate penalties is a priority. In addition, it is important to clarify how certain aspects of international conventions signed by Haiti should be translated into Haitian law, particularly the minimum age at which children can take on full time domestic work. In addition, an understanding of the various intricacies related to what can be considered legitimate work according to the age of the child or the number of hours worked is generally lacking. A greater public awareness of the diversity of situations faced by child domestic workers must be conducted in order to help people distinguish between authorized situations and those that are not.

A greater challenge is to ensure the proper application of the law and the strengthening of the institutional framework in order to make sure that the rights contained in the legal instruments are being respected. The judicial system suffers from chronic procedural and administrative failures. It is hoped that the on-going process of wider reforms of the system will improve its functioning. The training of judges (including Justices of the Peace) and the State prosecutor in children's rights and issues of child labour is absolutely necessary and should be accelerated. At the same time, victims of abuse should be encouraged to seek redress by providing them with legal assistance as well as support during the process.

Furthermore, institutions that are currently responsible for the monitoring and the compliance with standards of child domestic work have a very low capacity. There remains a grey area in the distribution of responsibilities between MAST, IBESR and BPM relating to this issue, which should be clarified. Moreover, all these institutions lack the sufficient resources to be able to perform the tasks they are expected to undertake throughout the territory. At a minimum, they need adequate personnel, transportation and basic equipment to be able to cover all regions of the country. UNICEF is currently supporting the salaries of IBESR's decentralized social workers as well as operational costs. The situation is similar for BPM, as the United Nations agency pays the civil workers and covers basic expenses. Until these costs are covered by funds from the Public Treasury, the valuable services provided by each of these organizations are at risk. It is therefore of utmost importance that these costs be taken into account by the State budget in order to ensure their sustainability.

At the same time, we must show great sensitivity in addressing the gap that exists between the law and social reality. Given the widespread practice of placing children in families far from their original homes without necessarily the intention of exploiting them, and a degree of social utility associated with this practice, the contradictory or inappropriate use of law could serve to undermine rather than strengthen the rule of law. Criminalization should be reserved for those who derive profits from the exploitation of children.

The collection of data on child domestic labour is currently very low with few statistics available to the consultant. Thanks to UNICEF's funding, efforts are being made to improve the systems used by IBESR and BPM and should help resolve this limitation. Once in place, the data regarding the number of identified cases and the measures taken at each level of the child protection system should be made available to the public on a quarterly basis. This will be particularly helpful in monitoring a future national action plan to help fight against child domestic workers. Moreover, it would be beneficial to conduct assessments of some of the approaches used by the actors fighting child domestic labour in order to learn what are the most effective approaches and under what conditions. Of particular interest would also be some awareness-raising campaigns, family reunification programs as well as foster family measures.

Because of the various situations in which child domestic workers find themselves, we must identify for each case the most appropriate response based on the child's best interests. This requires for a range of options to be in place, based on the type of help the child may need. Family reunification should not necessarily be the preferred answer, for reasons discussed in previous sections. Family reunification is expensive, requires close monitoring and is not always successful, especially in the case of older children.

Other solutions are being developed, including foster families approved by the State; those measures are currently being tested before being extended to the entire country. Another solution would be autonomous homes for children of 14 years and older. Others will no doubt need to be developed and tested. None will be appropriate for all situations; it is therefore important to put emphasis on the good supervision, monitoring and evaluation of all these approaches. In each case, the close involvement of State social workers will be required, underlining the case for the financing of decentralized IBESR agents. Nevertheless, in the long

run, preventive strategies will most likely be the most profitable, even as short-term options will remain relevant in certain cases.

Several Haitian organizations have chosen to offer teaching adapted to the needs of child domestic workers. One can reasonably assume that these efforts have contributed to raising the level of basic education in this group of children, but several reasons put forward in this report explain why this approach should be called into question today, especially because it may in reality contribute to the imbalance in the care supply which encourages children to leave rural areas and become domestic workers. On the other hand, more emphasis should be put on a quality professional training, which would offer prized marketable skills to children who would otherwise have a very little chance of escaping the cycle of poverty. Whenever possible, once the training is completed it should be accompanied by support in job seeking or in launching an independent business. However, at the same time, we must ensure that marginalized children, including those who may be forced to do several hours of domestic labour per day, are still cared for by the system.

Access to school, sorely lacking in rural areas for a very long time, for reasons of cost and distance, is gradually becoming easier thanks to PSUGO, thus eliminating one of the main factors that encourages parents to send their children into child domestic labour. However, it does not yet cover all children and barriers persist that prevent the most underprivileged to benefit from its contributions. The other government social programs could also contribute to improving socio-economic conditions of rural households, from which originate most child domestic workers. These programs would allow these families to keep their children at home, although they are generally only occasional and fail to reach all the families who need them. It would be important to ensure that they reach vulnerable households with dependent children and, if appropriate, develop targeting criteria that would guide them towards this group of the population.

Coping with child domestic labour in Haiti involves a process that must engage many actors from various backgrounds. However, the willingness to do good is already there and a series of important steps has already been taken. If all the key players come together and mobilize the resources at their disposal, the reality of tens of thousands of children could be transformed.

Based on these conclusions, the institutional study suggests the following recommendations:

- 1:** The government, under the leadership of MAST should develop a multisectoral national policy to address the issue of child domestic labour based on a thorough understanding of its causes, manifestations and consequences.
- 2:** Reactivate the Sectoral Table on child domestic workers with a high-level government participation alongside civil society and international organizations to develop a national action plan on child domestic labour. Once in place, it can be turned into a steering committee to ensure the coordination and the monitoring of its implementation.
- 3:** The government should commit to funding the bulk of the action plan through the Treasury, then invite donors to complement these investments.

4: The 2003 Act on the prohibition and elimination of all forms of abuse, violence, ill-treatment and inhuman treatment against children should be amended to include sanctions in cases of non-compliance.

5: Include in the revision process of the Labour Code provisions guaranteeing the rights of domestic workers and children in particular. The minimum age for child domestic labour should be clarified and the list of hazardous work should include domestic labour. Furthermore, regarding young domestic workers of legal age to work, special measures of protection should be considered and measures implemented to apply the following provisions as well as measures to enforce these provisions.

6: MAST and other actors should undertake a media plan in order to clearly inform a wide range of actors (including the media) on the definitions of the different categories of child domestic work according to legal standards (minimum age for youth employment, the number of legal work hours at different ages, other working conditions, hazardous work situations and situations similar to slavery (i.e. the worst forms of child labour) in which no child should find himself in.

7: Haiti should ratify ILO Convention No. 189 on workers and domestic workers.

8: The State should bear the costs associated with the departmental offices of the social workers of IBESR by integrating them into the Republic's budget.

9: The HNP should gradually take over the costs associated with BPM's activities (including the salaries of civil servants) to ensure the sustainability of its services and ensure that their staffs have the necessary resources (work environment, transportation, equipment) to carry out its task.

10: Clarify the different responsibilities of MAST, IBESR and BPM for the inspection of domestic work in general, and particularly that of child domestic workers and ensure these agencies have a warrant granting them the power to control all public and private areas, including private homes.

11: Accelerate the training of members of the judiciary on children's rights and child labour, including members of the Prosecutor's office and judges of all levels, including Justices of the peace.

12: Facilitate the prosecution of cases of abuse and exploitation of child domestic workers by making legal assistance available to the complainant as well as providing support throughout the entire process.

13: Extend PSUGO until it is available to all children in the country who could benefit from free basic education and evaluate its implementation to ensure there are no hidden barriers during enrolment and retention of the poorest students.

14: Orient government social programs towards vulnerable households with dependent children, by developing identification criteria as well as referral and appropriate monitoring tools.

15: Promoting access to free and relevant professional training to child domestic workers of a legal working age, along with post-training assistance in order to help find employment in decent working conditions or to start a small business.

16: Conduct as planned the evaluation of the foster care system after one year of implementation in pilot departments, in order to ensure that the principles on which it is based are respected. This assessment should be repeated on a regular basis.

17: IBESR should experiment the model of autonomous homes for teenagers in order to assess its relevance in the context of Haiti.

18: Develop protocols to ease referrals between MAST / IBESR on the one hand, and MSPP and MJSP on the other, as well as provide training for the staff of these institutions so that they understand its usefulness for children having suffered from violence or exploitation.

8 Conclusions and recommendations

Michel Cayemittes

This report on child domestic workers in 2014 in Haiti is an analysis of the overall findings from the research project on the Haitian child domestic worker. The main objective of this research is to establish a better understanding of factors contributing to children's domestic work in Haiti, as well mapping the existing institutional responses. The overall aim of this study is to enable policymakers to develop a common program, in line with socioeconomic realities, the institutional environment, and national and international legal frameworks.

Findings in this report are based on : statistical data from a nation-wide household survey carried out in September 2014, reflection from a qualitative fieldwork carried out in Haiti in September 2014, an institutional study that included fieldwork in Haiti, and a recent review of academic literature and policy-related works on child domestic work and labour in Haiti.

First, it should be noted that all children in Haiti, regardless of whether they live with parents or not, are morally and socially obliged to perform some domestic chores. Nevertheless, those living with relatives and non relatives generally do more domestic work than children living with their parents. The phenomenon of child domestic worker concerns all children under the age of 18 that do domestic work in the house of a third party (relatives or non relatives) whether the children is paid or not. The research defines "child domestic workers" based on relative workload, educational performance and parent-child separation. According to this definition, both the absolute number and the percentage of child domestic workers in Haiti, have increased during the last fifteen years. But the category of child domestic workers includes both permissible and non-permissible situations. Among the non-permissible, "child labour in domestic work" defines age 15 as an absolute boundary – all work performed in the household of a third party qualifies as child domestic labour as long as the child is under the age of 15. The high workloads often are perceived as permissible for the children 15 years and older if the children are not performing work under conditions of worst forms of child labor or similar to slavery. Consequently and based on the criteria of age and separation with the biological family, 80 percent of children below the age of 15 who live away from their parents, can be consider as child domestic workers.. However, if we analyse this category with the high workloads specified as permissible for the children 15 years and older, very few children fall in the category of non-permissible situation.

When we establish an association between domestic workers and schooling, we note a variation for school attendance between domestically workers living with a stranger and those living with relatives. In Haiti twenty five percent (25%) children 5-17 years of age live separated from their parents. Most of these children (21%) live together with relatives, while the remaining four percent live with non-relatives. Fewer of the children living with strangers are currently attending school, and they tend to have more domestic work than children living with parents or relatives. However, within each group of children there is a large variation in both school attendance and workload. The children who have considerable higher workloads and poorer

educational performance are found among children who live with parents as well as those who live with a third party. However, an additional strain for child domestic workers in the bad end of this spectrum is the feeling of separateness from the employing family.

With regard to living and working conditions, and experiences of separateness, child domestic workers are vulnerable to exploitation. Differential treatment and exclusion from educational opportunities affect children's situation and their feelings of self-worth. Verbal reprimand from their employers is a source of denigration for child domestic workers, and they experience this as more denigrating than many forms of corporal punishment.

In general, the distribution of child domestic workers in urban and rural areas is relatively similar. The proportion of boys in rural areas is higher than the proportion of boys in urban areas because of their participation in agricultural work. The study points out that in general, boys tend to move to shorter distances than girls since girls are more likely to move to urban areas to take up domestic chores in houses.

The use of a third party that receives payment for placing children is not common. For the most part the movement of children for domestic work happens through informal networks and without compensation.

Concerning wealth issues, households that have child domestic workers score higher on the wealth index than households that have sent children away during the past five year. The child domestic worker is typically a "solution" for households that are in need of help, and also, a way to help out relatives or persons who cannot provide proper care for their children. In other words, sending versus receiving children in arrangements of domestic work can be understood as an adaptation to difficult phases that parents and households go through.

With regard to poverty, children 10 years old and over often look for work in order to pay for their own schooling. In this sense, the quest for education is contributing to the supply side of child domestic labour.

Representations of child domestic workers used to fall into two categories: a stigmatizing label of slavery, and curtailments of children's freedoms homogenizing different practices VS child rearrangement solutions that grow out of rural poverty, high fertility, and parenting stress and weakening of the caretaking structures in the larger *lakou* residential units.

The reasons for child domestic work in Haiti covers multiple needs and reflects many motivations: the need for relief of upkeep of children among parents, for labour in receiving households, for investment in future security for receiving households, and children's need and wish for an education and better lives. In consequence, several methods must be employed to counter the negative effects of children's labour.

In conclusion, when we compare the situation of children living with their biological parents to the one of so called CDWs, the study depicts a general picture of all children in Haiti living in difficult conditions. The actors in charge of child protection (state, national and international NGOs) need to give full attention to all categories of children. The policy approach needs to really regulate the work of the children and to protect those children already working. The policy needs

to be understood by everyone, so they know the consequences of mistreatment of the child. Also, it is important that the actors responsible for inspection are given necessary authority, training and equipment to assure that the law is followed.

The study shows that behind the term "child domestics", there are a number of different realities or definitions:

- There is a group that can be considered as "non-admissible cases" which are children under 15 years old or above 15 years old working children in a worst form of labor or near slavery. The data from this study suggests that only a small minority of children among the CDW could be classified in the "slavery" category. For those cases there needs policies to be implemented to eliminate this form of child labor.
- There is another group considered as "eligible situations" requiring regulation and control of the work authorized for children over 15 years.
- And finally there is the group considered as "normal" in the cases of placement situations based on family solidarity (Haitian tradition). In those cases the treatment of the children "placed" and the biological children, would need control visit by social agents of these traditional and non-formal foster care.

Overall each situation requires a political solution, with adjustment to the different realities. Based on the results of this study, the technical committee has developed a series of recommendations in addition to those developed by FAFO. The main objective was to develop recommendations that are feasible and in line with the realities faced by child protection actors in Haiti. Moreover, these recommendations are the basis for the development and the implementation of a common road map between the different actors working on the issue of child domestic workers.

Appendices

Annex 1: Participants and sites/persons met during qualitative fieldwork

1	12.09.14	2 resource persons, SOFALAM/terre des Hommes Lausanne, Carrefour Feuilles
2	12.09.14	Girl déplacée/CDW 15 years old, Carrefour Feuilles
3	12.09.14	Girl CDW, 15 years old, Carrefour Feuilles
4	12.09.14	Girl in centre (but low workload), 12, Carrefour Feuilles
5	12.09.14	Girl CDW, 12 years, Carrefour Feuilles
6	12.09.14	Resource persons
7	13.09.14	Girl CDW, 14, Carrefour Feuilles/Sanatorium
8	13.09.14	Girl CDW, 9, Carrefour Feuilles/Sanatorium
9	13.09.14	Local community worker, Carrefour Feuilles/Sanatorium
10	14.09.14	1 Caretaker/receiver as well as sender/mother of origin, Philippeau, 1 child deplacée (now 18). 4 former children deplacées (now returned)
11	14.09.14	Group discussions with two different households, with: 2 Caretakers (Mother and own children) + 2 déplacés (1 girl 11, 1 boy 10) + deplacée boy 23 (since aged 10), Philippeau
12	14.09.14	Caretakers/Parents and children + 2 déplacé siblings (boy and girl), Philippeau
13	14.09.14	Caretakers/ Parents/and children + 1 déplacée, Philippeau
14	15.9.14	Resource person, international NGO
15	15.9.14	Policeman/team leader of camp police station, UNPOL
16	15.9.14	PNH
17	15.9.14	3/5 resource persons (camp committee secretary general + members)
18	15.9.14	2 déplacés: boy 10, girl 9 (slightly delayed in schooling, girl working) Caretakers/camp resident (T-shelter) residents, he committee member, she wife
19	15.9.14	Original father of adopted child – adopted to US (to relative)
20	15.9.14	4 tent residents, No child déplacé, but story of family fluidity/mobility
21	15.9.14	Resource personnel: 2 national employees of international NGO
22	16.9.14	Resource person
23	16.9.14	Resource person (NGO), Jacmel
24	17.9.14	Primary School Directeur, commune of Marigot
25	17.9.14	Group discussion with farmers: Farmers/residents + Guard Forestier + Man with children in garden + ASEC representative, Seguin
26	17.9.14	Mother of origin, also talk with her children
27	17.9.14	Group discussion: Community leader, Cassé Dent, elder man in household/ <i>lakou</i> Mother of origin 3 déplacés (of which probably 2/1 girl CDW and 2 street children) in PaP, Cassé Dent 1 woman caretaker of déplacé (of orphan taken in) Daughter in <i>lakou</i> who had earlier rented a room in Fermathe (for attending school, an alternative to “a pensiyon”)
28	17.9.14	Group discussion: Farmers (men) in Market place/Street, Seguin
29	18.9.14	Resource person, BPM, Sud-Est
30	18.9.14	Resource person, IBESR, Jacmel

31	18.9.14	Boy déplacé, 17, delayed in schooling but long before arrangement (abandoned by mother). Work to pay own schooling, other child (son of uncle/caretaker) too does the same
32	18.9.14	Boy: Case of child mobility, 6 residencies before aged 18 (4 after grandmother)
33	19.9.14	Resource person, Grand Goave.
34	19.9.14	Priest/School principal, Grand Goave
35	19.9.14	Mother of origin of 3 CDWs, one returnee, from rural area 4-5 hours walk up in the mountains from Grand Goave
36	19.9.14	Mother and father of former déplacées plus 3 children, 7 th Section Communale de Grand Goave (semi-urban)
37	20.9.14	2 resource persons, Cité Soleil
38	20.9.14	Boy former CDW, current street kid, 11, Cité Soleil
39	20.9.14	Boy street child, aged 12, Cité Soleil
40	20.9.14	Camp residents, Grandmother caretaker and grandson, Carrefour Feuilles, Kan Bò Mache, Savann Pistach
41	20.9.14	Camp residents, Caretaker of 3 children (and one of the kids), Carrefour Feuilles, Kan Bò Mache, Savann Pistach
42	20.9.14	Camp residents, Caretaker and child, Carrefour Feuilles, Kan Bò Mache
43	20.9.14	Camp residents, Great aunt and great nephew, Kan Bò Mache, Savann Pistach/Carrefour Feuilles
44	20.9.14	Camp residents, Two Cousins, of which 1 girl CDW, Kan Bò Mache, Savann Pistach/Carrefour Feuilles
45	20.9.14	Camp residents, mother and son, Kan Bò Mache, Savann Pistach/Carrefour Feuilles
46	20.9	CDW, girl 14 , run away from orphanage, Savann Pistach/Carrefour Feuilles (Non-camp)
47	20.9	Girl CDW, 14 , Savann Pistach/Carrefour Feuilles (Non-camp)

Annex 2: Participants interviewed for the institutional study

Interviews conducted in Port-au-Prince			
Kristine Peduto	Head of Child Protection	UNICEF	05/06/14
Flora Rossi	Child Protection Officer		
Geslet Bordes	Child Protection Officer		
Mirella Papinutto	Expert Protection		12/09/14
Fanette White	CCCM Protection Unit Project Manager	IOM	05/06/14
Ahmed Abdi	CCCM Return Protection Officer		09/15/14
Junior Joseph	Project Assistant, Counter-Trafficking / Protection Unit		
Lisa Eid	Team Leader, Project Return, Protection		
Alain Onziga	Charg ed Unit have Child Protection Unit	MINUSTAH, UnitProtection é	08/05/14
Gertrude S éjour	Coordinator G eneral	Foundation Maurice Sixto	08/05/14
Sim eon Biguener	Head of Psychosocial Support Programme Protection Programme Manager	AVSI	08/05/14
Claude Yao Bouaka	Coordinator	Unit ed Public Policy and Capacity Building	08/05/14
Sabrina Cajoly	Project Officer		
Michelangelo Bontemps	National Staff Section of Human Rights	High Commissioner for Human Right / MINUSTAH	
Emmanuelle Anglade	Director of Programmes	Restavek Freedom Foundation	05/09/14
Nadine Paul	Framer Children		
Shinaida Thomas	Framer Children		
Gar dy StPaulin	Ministerial National Coordinator		
Rony Bazil Antoine	Chief Commissioner	BPM	05/12/14
Rodrigue Inspector	Inspector		
David Marcelin	Protection program coordinator of theChild, West	CFS	13/05/14
Frantz Ambroise	Senior Officer, Child Protection, Western		
Jo-Ann Garnier	Ex Director écutif	Enpak	13/05/14
Myriam Valme Joseph	Director of Operations		
Soufiane Adjani	Represented exhibiting	UNHCR	13/05/14
Myriam Elvariste	Charge protection		
Florence Bijou	Programs Coordinator Sant é and Welfare of the Child	CRS	14/05/14
Jeanty	Ex Director écutif	Foyer Maurice Sixto	14/05/14
Jivenel Napoleon	Project Manager		
Jean Claude St Just	Assistant		
Guillaume Julbert	Vice Pr esident	ASR	14/05/14
Jeannia Dupoux	Member		17/06/14
John Solomon	President		
Herv é Volcy	Deputy Director, D Social	IBESR	05/15/14

Arielle Jeanty Villedrouin	efence Director		29/05/14
Junior Perreno	Focal Point for Domesticité		09/23/14
Pierrot Joseph	Child Protection Officer		
Elsa Bourget		Embassy of France	05/15/14
Jean-Claude Muenda	Represented exhibiting	UN Women	05/15/14
Kabisayi			
Julien Magnat	Coordinator	ILO	05/15/14
Eugène Junior	Protection Officers of the Child	IRC	05/16/14
Guillaume			05/27/14
Tobias Metzner			
Mike Joseph Lysias	Responsible Communication and Advocacy	J Service esuite Migrant	05/16/14
Adelson Loregeat	Technical Director and Research	ONM	05/16/14
Marline Mondesir	Présidente	C AD	05/19/14
Maxo Jean Lafleur	Director of Social Affairs	Delmas Mayor	05/23/14
Anelle Ant Enor	Director Pédagogique	Home l'Escale	05/27/14
Jules Menise	Accountant		
Napoléon Carlo	Secretary General etária	Trade Union Coordination	05/27/14
Jean Bonald Golinsky	Secretary General	Haitienne Confederation of Workers and Workers of the Public Sector and Private	
Fatal		Plan Haïti	05/27/14
Gladys Warrior	Programme Director		
Archangel	Head Northeast Program Unit		
Floraine December			
Carl Henry Petit Frere	Protection Advisor		
Aaron Jackson	Political Officer	United States Embassy	05/27/14
Camille Gallie	Director of 'Advocacy Unit and Participation	World Vision	28/05/14
Fritznel Pierre	Ex Director écutif	Konbit for Peace and Development	28/05/14
Eurol Abdou	Coordinator	MSIPACS	29/05/14
Jean Alix	Director	AED	29/05/14
Pierre Fedner		LACEED	29/05/14
David Bouanchaud	Chargé Governance Programs	Délegation of the European Union to the Republic of Haiti	30/05/14
Manuela Riccio	Policy Advisor		
Rapaël Brigandi	For Political Affairs		
Pierre Esperance	Director	RNDDH	06/02/14
Guylande Mesadieu	Coordinator	Zanmi Timoun Foundation	06/02/14
Stephora Beloved	Moderator		
Maggy Mathurin	Coordinator	GHRAP	05/06/14
Rony January	Program Officer	Church World Service	05/06/14
Norah Jean-François	Judge, adviser to the era of Social Defence	MJSP	06/06/14
Pierre Dominique	Coordinator	ATM	06/06/14
Nadine François	Coordinator	OJFA	10/06/14
Jean Robert	Members Carrefour Feuilles	KOZ WFP	10/06/14
Myriam Lesperance			

Kristina Leszczak Rosser Melissa Carl Anderson	Political Officer Office Chief, Governing Justly and Democratically Deputy Chief Office, Governing Justly & Democratically	US Embassy / USAID	06/11/14
Sandy François	Promotion Director and Defence the Rights of Women	MCFDF	06/11/14
Smith Maximé Stevens Aimable	Country Director Advisor to the Directorate Générale	Free the Slaves MJSAC	06/11/14 13/06/14
Alix Jean-Baptiste Kerstin Zippel	Director Assistant Director	Kindernothilfe	16/06/14
Hugues Pierre Augustin Sintyl Wilson Dorisca Evens	Coordinator of Programs Director Delegate	CECode	17/06/14
Guyto Desrosiers	Coordinator, Child Protection Program	Beyond Borders	18/06/14
Dr. Rikerdy Frédéric Esther Pierre Darlene Guillaume Lovely Douyon	Member of Cabinet Minister Coordinator Accountant Primarily responsible Fireplace Esperance	MAST FLSC	18/06/14 20/06/14
Ronald Valmé Guerline Boute Ronald Ridoré	Director Nurse, member of the administration / coordination Head crafts, field groups, admin.	MVM	20/06/14
Jos ed Louismé	Unit Coordinator é Research and Systemic Investigations	OPC	20/06/14
Interviews conducted in Jacmel			
Constant guerda Marc-Orel Lindor Joh ny St Louis Pasteur Elie Arius	Coordinator Project Coordinator Community Model Coordinator R EGIONAL	Fondasyon Limyè Lavi	21/05/14
Belane Orelus Jamessy Mo ISE Clery	Director Départemental Protection Officer, Director assistant	MAST IBESR	22/05/14 22/05/14
Greguy R EGIS Marie-Ange Christmas Marjorie Ladouceur	Director, Southeast Coordinator Agent 4		18/09/14 22/05/14 18/09/14
Interviews conducted in Cayes / Grand Goave			
Marie Paule C elected Edwidge Fiedr Victor Yvenel Luc Alexandre Lacossade Bertin Junior André Enel Pastor Luders Erase Francois Rose Mirlene Bony Beausejour Willy Dorcha	Social worker Social worker Social worker Protection Officer Project Manager / Protection Coordinator for the South Pasteur, 1 st Baptist Church, Les Cayes Pastor, Head Kids Club IPO Program Director IPO facilitator / IRD	Terre des Hommes Lausanne, Les Cayes	03/06/14
Jackson Myril	Mayor	Municipal Administration of Grand Goave	04/06/14

Francois Jean Hugues	Deputy Head Protection Project, Region Les Palmes	Terre des Hommes Lausanne, R egion Goâvienne	19/09/14
Interviews conducted in Gonaives			
Dr. Kathryn Adams	Director	Lid è	06/12/14
Joachim Kerlouche	Human Rights Admin Assistant	MINUSTAH Rights ofMan	06/12/14
Jean Cindedais	Coordinator R EGIONAL in	IBESR	06/12/14
Raphael Laces Marie- Lucie	Gonaives Protective agent, Artibonite		
Jean Adidze	Protective agent, Artibonite		
Jean yolette		Minors Protection Brigade, PNH	06/12/14
People contacted by telephone			
Name	Position	Institution	Date
Anouk Ewald	Sp écialiste in Education	BID	05/09/14
Sandra Berberi	Acting Head of Cooperation	Embassy	14/05/14
Rosanne Auguste	Minister élégué charge of Human Rights and Extreme Poverty Reduction	Government ha NEITI	20/05/14

Annex 3: Interview guide used during institutional study

Guide d'entretien avec les Responsables/Points Focaux Protection de l'Enfant

Analyse Institutionnelle

Etude Fafo sur les Enfants en domesticité en Haïti, 2014

Introduction et consentement éclairé

- La consultante se présente
- Présentation de l'analyse institutionnelle
 - un volet d'une plus large étude commandité par l'Etat haïtien et un consortium coordonné par UNICEF – inclus également une enquête quantitative et recherche qualitative
 - l'ensemble va contribuer au développement d'un cadre d'intervention stratégique
- L'entretien est censé être un dialogue afin de comprendre votre approche – n'est pas une évaluation mais un diagnostic des interventions dans le secteur
- On souhaite faire ressortir tous les points de vue – votre participation est importante – pas de bonnes ou de mauvaises réponses – des opinions divergentes font avancer la réflexion et seront reflétées dans le rapport
- Vous n'êtes pas obligé de répondre à une question si vous ne voulez pas
- Les résultats seront présentés sous forme d'un rapport et une base de données – l'essentiel sera rendu public
- Or, parce qu'il est important d'avoir un dialogue franc et ouvert je m'engage à respecter la confidentialité dans la mesure que vous me le demandez (à savoir : votre opinion ne sera pas attribué directement à vous, à moins que vous soyez d'accord)
- Pour assurer la précision je souhaiterais enregistrer nos discussions – êtes-vous d'accord ?
- Est-ce que tout cela est clair ? Avez-vous des questions ? Etes-vous d'accord de procéder ?

Précisions sur la fiche technique (si les informations ont été envoyées au préalable), sinon reprise des questions

Données chiffrées par tranches d'âge / sexe / type d'assistance / suivi individuel de court, moyen et long terme.

Les enfants sont-ils considérés différemment selon qu'ils sont ou non en âge légal de travailler? (il sera important de dissocier dans les bénéficiaires les tranches d'âge moins / plus de 15 ans et plus de 18).

Dialogue autour de certains points spécifiques aux interventions de l'institution concernée

Questions semi-structurées

- Quel est votre **mandat** en ce qui concerne la problématique des enfants en domesticité?
- Pour votre organisation, quel est le terme le plus approprié pour parler de ces enfants? Pourquoi ? (**définition**).
- Avez-vous une idée de l'**envergure** du problème des enfants en domesticité? [Si oui] Sur quoi vous vous basez?
 - Est-ce que vous pensez que la situation est en train d'évoluer ? Comment ?
 - Est-ce qu'on peut dire que le nombre d'enfants qui sont recrutés est en train d'augmenter ou de diminuer ? Pourquoi
 - Est-ce que ce sont toujours les mêmes groupes d'enfants qui sont recrutés qu'avant, ou est-ce que le profile est en train de changer ?
- En votre expérience, quelles sont les **caractéristiques** des conditions subies par ces enfants?
- Pourquoi, selon vous, est-ce que la pratique d'enfants en domesticité existe en Haïti ? (**causes**)
- Quelles **actions/interventions** menez-vous en faveur des enfants en domesticité?
 - Quels sont les changements précis que vous cherchez à atteindre? (**objectifs**)
 - Pourquoi avez-vous choisi ces stratégies?
 - Avez-vous mené un diagnostic avant de commencer votre intervention ? [Si oui] Qu'est-ce que vous avez trouvé? [*demander une copie du rapport*]
 - A votre avis, votre approche est-elle spécifique à vous/innovateur ?
- Sur quelle base choisissez-vous les enfants qui participent à votre programme ? (**ciblage**)
- Envers qui est-ce que vous avez l'habitude d'assurer les référencements (ONGs, des départements des ministères, des églises, la police, avocat, justice, etc...)?
- Comment essayez-vous d'assurer la **pérennité** de vos interventions ?
- Avez-vous des systèmes de **suivi-évaluation** en place ?
 - Avez-vous mené des évaluations de votre travail? [*Si oui, quand, comment et avec quels résultats - demander s'il serait possible de partager les résultats*]
 - Avez-vous d'autres données disponibles (ligne de base, données de suivi, etc.)? [*Si oui, demander à partager*]
- Quelles sont les **leçons** que vous pensez avoir apprises à travers vos interventions dans le domaine ou les **bonnes pratiques** que vous pensez devraient être généralisées?
- Quelles sont les plus grandes **contraintes**/obstacles qui rendent le but d'éliminer l'exploitation des enfants en domesticité difficile?
 - La conjoncture est-elle favorable à l'éradication du phénomène ? Pourquoi ?
- Selon vous, qu'est-ce qui devrait être fait par d'autres acteurs afin que l'on puisse avancer envers l'objectif de mettre fin à l'exploitation des enfants travailleurs domestiques? (**solutions**)

- Avec quels acteurs avez-vous pu travailler efficacement dans vos efforts ? (**collaboration inter-institutionnelle**)
 - Qui sont vos **partenaires** ? [*spécifier la forme de collaboration* : financement, plaidoyer, formation, etc.] Participez-vous dans des **réseaux/ plateformes** concernant la problématique des enfants en domesticité ? D'après vous, sont-ils efficaces ? Qu'avez-vous pu obtenir ?
 - Avez-vous rencontré des difficultés à collaborer avec certaines institutions qui ont un rôle important à jouer ? Lesquelles ? Qu'est-ce qui s'est passé ?
- Faites-vous des activités de **plaidoyer** ?
 - [*Si oui*] Quels sont les changements que vous visez? Auprès de qui ?
 - Quels moyens utilisez-vous pour faire passer vos messages ?
- De manière générale, que pensez-vous devriez-être fait afin de mettre fin à l'exploitation des enfants en domesticité, et par qui? (**propositions pour des interventions stratégiques**)

Conclusion

- Est-ce qu'il y a quelque chose d'autre que vous voudriez ajouter au sujet des enfants travailleurs domestiques qui n'a pas encore été mentionné?
- Avez-vous des questions pour moi?
- Rappeler les points de suivi à l'entretien
- (*Le cas échéant*) fixer une visite de terrain
- Demander des copies de documents pertinents (rapports d'évaluation, brochures, etc.)
- Remerciements

Annex 4: Some definitions used by NGOs in Haiti

Ces organisations sont citées pour avoir fournis une définition par écrit :

Définition	Aux termes de l'article 3 alinéas a et c du Protocole [de Parlerme], la domesticité est considéré comme relevant de la «traite des personnes». L'enfant en domesticité connait une situation d'exploitation et est exposé aux pires formes de travail, y compris des travaux dangereux ; il évolue aussi dans un environnement de maltraitance compromettant son intégrité physique, psychologique, sociale et morale.	Tout enfant (âgé de moins de 18 ans) qui a été séparé de ses parents biologiques pour aller vivre dans une famille d'accueil, y compris de la famille proche, où il/elle est victime d'exploitation et de discrimination.	Tout enfant de moins de 18 ans, qui ne vit pas avec ses parents biologiques. La principale raison de sa présence est d'effectuer les travaux domestiques de la famille, subit des abus et des maltraitements de toute nature, et est considéré(e) comme inférieur(e) et souffre de discrimination.	La situation d'enfants remplissant le rôle de domestique, accomplissant des tâches ménagères dans un foyer qui n'est pas celui de ses parents, sans être rémunérés.	Un enfant qui a été confié par sa mère (le plus souvent) ou les deux parents à un individu qui est à la recherche d'enfant pour le placer comme Restavek dans une famille en échange d'une commission de la demanderesse qui a besoin du Restavek. Ce garçon ou cette fille une fois arrive à la maison d'accueil subit tous les mauvais traitements que le colon infligeait à son esclave.	Toute personne en dessous de dix-huit ans qui sont en servitude domestique. Elle est séparée de sa famille biologique pour être exploitée par une autre famille dans la réalisation des travaux domestiques.	Des enfants qui ne vivent pas avec ses familles biologiques et qui font du travail domestique dans la maison ou ils habitent.
Age	Enfant	<18	<18	Enfant	Enfant	<18	Enfant
Vivant en dehors du foyer parental	Implicite	✓	✓	✓	✓	✓	✓
Mode de recrutement					Intermédiaire reçoit une commission		
Effectue le travail domestique			✓	✓		✓	✓
Exploitation par le travail ; travail non-payé ; travaux dangereux	✓	✓	✓	✓	Implicite	✓	
Mauvais traitement	✓		✓	✓	✓		
Discrimination		✓	✓				

Annex 5: Terms of reference

Termes de référence pour « une analyse de situation de l'enfance en domesticité en Haïti ».

BIT, UNICEF, OIM, IRC et Terre des hommes
en collaboration avec l'Etat haïtien

Si de nombreux auteurs se sont intéressés très tôt¹ à la problématique du placement familial et des enfants travailleurs domestiques en Haïti, la première véritable tentative de quantifier le phénomène de l'enfance en domesticité² date de 1984 lorsqu'une conférence fut organisée à Port au Prince sur le sujet. Les premières estimations³ firent alors état de 120,000 « restaveks » (signifiant littéralement « une personne qui vit avec quelqu'un d'autre » dérivé de l'expression française « rester avec ») soit environ 11% de la population des enfants âgés de 6 à 15 ans. En 1999, l'UNICEF⁴ – reprenant des données publiées en 1990⁵ – estime le nombre d'enfants travailleurs domestiques en Haïti à 250,000 soit environ 20% des enfants âgés de 7 à 10 ans. En 2002, dans une recherche conduite par la FAFO⁶, trois critères objectifs sont retenus comme constitutif du travail des enfants travailleurs domestiques : une séparation des enfants de leurs parents, une charge de travail élevée pour l'enfant et un manque ou un retard dans la scolarité. En utilisant ces critères, l'étude estime à 173,000 le nombre d'enfants travailleurs domestiques soit 8,2% de la population infantile âgée de 5 à 17 ans. Par la suite, d'autres études telle que celle conduite par l'USAID et la Pan American Development Foundation⁷ avancent le chiffre de 225,000 enfants travailleurs domestiques et ce uniquement dans les zones urbaines. Enfin, suite au séisme de 2010, le nombre des enfants en domesticité aurait considérablement augmenté au point que l'on puisse parler de 400,000 enfants⁸.

¹ On peut par exemple citer Melville Herskovits qui a conduit des recherches dès les années 1930 et qui s'interrogeait déjà sur les conséquences possibles du placement d'enfant « jusqu'à quel point ces relations offrent des moyens pour l'exploitation des enfants... On ne peut pas le dire, bien qu'on entende des histoires d'abus et d'exploitation surtout à Port au Prince ».

² Par « enfance en domesticité » on entend tout « travaux domestiques accomplis par des enfants n'ayant pas l'âge minimum légal ou par des enfants ayant l'âge minimum légal mais ayant moins de 18 ans, dans des conditions proches de l'esclavage, dangereuses ou relevant de l'exploitation » - voir aussi annexe sur les concepts de base.

³ « La domesticité juvénile est-elle une conséquence du sous-développement ou le produit de la mentalité d'un peuple? » Eddy Clesca, Colloque sur l'enfance en domesticité, Port au Prince, 1984.

⁴ UNICEF Innocenti Digest « Les enfants domestiques », 1999.

⁵ « L'interprétation des données statistiques relatives à l'enfance en domesticité recueillies à partir des résultats d'un échantillon tiré du recensement de 1982. » R. Dorélien, Atelier de travail sur l'enfance en domesticité. Port-au-Prince, IBESR & IHSI, 1990.

⁶ « Les fondements de la pratique de la domesticité en Haïti » FAFO pour le Ministère des Affaires Sociales et du Travail avec le soutien de l'UNICEF, du BIT, du PNUD et de Save the Children, 2002.

⁷ « Lost Childhoods in Haiti » USAID & PADF, 2009.

⁸ Courier International « Le calvaire silencieux des Restaveks », entretien avec Gertrude Séjour, directrice de la fondation Maurice A. Sixto, février 2011.

Alors que le phénomène des « restaveks » continue de cristalliser attention et émotion internationales⁹, les disparités existantes entre les chiffres avancés – que ceux-ci soient issus d’une analyse objective ou qu’ils relèvent d’estimations pour le moins hasardeuses – témoignent d’une part que ce phénomène demeure encore aujourd’hui difficilement quantifiable et illustrent d’autre part toute la complexité d’un fait social recouvrant une variété de situations.

Le placement familial fait partie de l’environnement social et culturel des enfants en Haïti et façonne ainsi d’une certaine manière, la perception et l’organisation du travail des enfants domestiques.

Au-delà du lieu d’habitation de l’enfant, le terme « restavek » renvoie aux types de tâches incombant à l’enfant. En effet, un « restavek » effectue un travail étroitement lié à l’économie de la famille : travaux domestiques (porter l’eau, laver, ranger, etc.) mais aussi, tout un ensemble d’activités « extérieures » telles que le petit commerce informel. Selon l’étude conduite par la FAFO¹⁰, le terme « restavek » comporte aujourd’hui une forte connotation négative. Il évoque le statut inférieur de l’enfant et au-delà est employé de façon dénigrante, comme une offense.

Contrairement à des phénomènes similaires dans d’autres régions du monde, le travail des enfants domestiques en Haïti n’est pas – dans la grande majorité des cas¹¹ – rémunéré, ce travail étant le plus souvent perçu comme une compensation aux frais d’entretien incombant à la famille réceptrice de l’enfant. Traditionnellement, le recrutement d’un enfant comme domestique se fait par contacts informels. Les enfants partent soit parce que la famille d’origine recherche une famille d’accueil potentielle, soit parce que cette dernière exprime « une demande d’enfant » directement ou par l’intermédiaire d’un tiers. Le recrutement via cet intermédiaire, appelé « Koutye »¹², semble être un phénomène récent. *« Il semble que ce type d’intermédiaire soit maintenant impliqué dans le recrutement d’enfants-domestiques. Un koutye qui recrute ainsi un enfant-domestique est rémunéré par la famille d’accueil. Le paiement de l’intermédiaire est dans ce cas effectué par la famille d’accueil seulement. Il y a toujours un intermédiaire dans un recrutement, mais celui-ci peut être un ami ou un parent de la famille d’origine. Les koutyes sont souvent des femmes »*¹³.

De manière générale, les enfants travailleurs domestiques se déplacent et sont répartis sur l’ensemble du territoire haïtien. Cependant, sans doute en raison de la densité de la population, le département de l’Ouest comprenant l’agglomération de Port au Prince « accueille » la plus forte proportion des enfants domestiques¹⁴. On compte en général davantage de filles que de garçons. Enfin, une majorité des enfants viennent des zones rurales¹⁵.

Les caractéristiques de ces mouvements – leur logique et leur rationalité – d’enfants domestiques restent encore méconnues en Haïti malgré l’abondante littérature sur le sujet. En effet, le phénomène de l’enfance en domesticité n’a pas été abordé sous l’angle de la mobilité des enfants. *« La mobilité des enfants désigne les déplacements d’enfants entre différents espaces*

⁹ Voir à cet égard, les nombreux reportages consacrés à cette question. On peut notamment citer : « *The Brutal Life of Haiti's Child Slaves* » (BBC, 2009) ou encore « *Haïti, qui sont ces enfants esclaves ?* » (TF1, 2012).

¹⁰ « *Les fondements de la pratique de la domesticité en Haïti* », op. cit.

¹¹ « *Les fondements de la pratique de la domesticité en Haïti* », op. cit.

¹² « *Courtier* » qui sert d’intermédiaire entre les deux parties lors du placement d’un enfant domestique.

¹³ « *Les fondements de la pratique de la domesticité en Haïti* », op. cit.

¹⁴ « *Lost Childhoods in Haiti* » op. cit.

¹⁵ « *Lost Childhoods in Haiti* » op. cit.

géographiques et sociaux, ainsi que les expériences vécues par ces enfants au cours de leurs mouvements et séjours en divers lieux de leur parcours. Un enfant mobile est un enfant qui, ayant quitté son lieu de vie habituel, vit des transformations de son identité et de ses conditions d'existence. Cette définition ne se limite pas à la notion géographique de déplacement. Elle embrasse toute la période durant laquelle l'enfant vit hors de son milieu d'origine mais continue de l'identifier comme son milieu d'appartenance. Elle s'applique quels que soient l'âge de l'enfant, son sexe, les raisons de son déplacement, son itinéraire, la manière dont il se déplace, ses conditions d'existence, les effets qu'entraîne sa «mobilité», etc. »¹⁶.

Le concept de mobilité permet alors de mieux refléter la diversité des pratiques et des situations rencontrées par les enfants. En effet, s'il n'est pas contestable que la mobilité participe à l'accroissement de la vulnérabilité des enfants¹⁷, elle peut aussi être synonyme d'opportunités¹⁸.

Objectif général

L'UNICEF, le BIT, l'OIM, l'IRC et la fondation Terre des hommes Lausanne ont décidé de conduire une analyse conjointe de situation pour parvenir à une meilleure compréhension qualitative et quantitative du phénomène de l'enfance en domesticité en Haïti d'une part et des réponses institutionnelles existantes d'autre part afin de développer un positionnement institutionnel et programmatique commun en phase avec les réalités sociologiques haïtiennes et les standards internationaux.

Un comité technique composé de représentants des agences susnommées et de représentants du gouvernement haïtien (Ministère des Affaires Sociales et du Travail et Institut du Bien Etre Social et de Recherche) sera mis en place pour la conduite de cette analyse de situation.

Objectifs spécifiques

1. Effectuer une revue documentaire exhaustive des rapports et recherches sur l'enfance en domesticité en Haïti ;
2. Conduire une analyse institutionnelle¹⁹ relative à la problématique du travail des enfants et à l'enfance en domesticité en Haïti. Il s'agira notamment :
 - a. d'identifier et de cartographier les organisations/institutions (services de l'Etat, ONG, partenaires sociaux ou organisations communautaires) actives dans le domaine de la protection des enfants travailleurs domestiques en Haïti,
 - b. d'analyser la méthodologie utilisée et de déterminer le type de services (prévention, prise en charge immédiate, réunification familiale, réinsertion, etc.) et les mécanismes de référence proposés par ces différentes organisations/institutions,
 - c. d'évaluer les ressources financières et humaines disponibles pour la protection des enfants travailleurs domestiques.

¹⁶ « *Quelle protection pour les enfants concernés par la mobilité en Afrique de l'Ouest ?* » Rapport régional de synthèse, UNICEF, BIT, OIM, Terre des hommes, Save the Children Suède, Plan International & MAEJT, 2011.

¹⁷ *Les liens entre mouvement des enfants et travail, exploitation, maltraitance, abus et déscolarisation ont largement été documentés en Haïti.*

¹⁸ Voir à cet égard l'histoire de Fabienne dans « *Les fondements de la pratique de la domesticité en Haïti* », *op.cit.*, page 52.

¹⁹ Le BIT conduit parallèlement une analyse du cadre légal haïtien relatif au travail forcé et au travail domestique des enfants. Cette analyse sera intégrée à l'analyse institutionnelle.

3. Cartographier et documenter les flux migratoires impliquant des enfants à destination des communautés « employeuses » d'enfants domestiques. Il s'agira notamment :
 - a. identifier les principales zones d'origine et de destination des enfants travailleurs domestiques ;
 - b. analyser les différents mécanismes de recrutement des enfants travailleurs domestiques, d'établir une typologie du profil des employeurs et des recruteurs, des conditions de travail et de la nature des tâches effectuées par ces enfants ainsi que de l'effet que celles-ci peuvent avoir sur leur développement ;
 - c. proposer, sur la base d'une méthodologie claire²⁰, une estimation du nombre d'enfants travailleurs domestiques en Haïti.

4. Documenter les « expériences de vie » (conditions de vie, raisons du départ, situation d'abus et de violence, raisons/modalités/conditions du départ de l'enfant de la famille réceptrice, expérience post-domesticité, etc.) des enfants en situation de domesticité dans les zones d'origine et de destination et, lorsque pertinent, le long des flux migratoires. Il s'agira notamment :
 - a. de mieux comprendre les facteurs et les caractéristiques favorisant ou non le placement des enfants travailleurs domestiques (situation socio-économique des familles, désir de mobilité sociale, etc.) d'une part et d'autre part de mieux comprendre les facteurs favorisant ou non l'exploitation de l'enfant ;
 - b. de mieux comprendre les perceptions des parents et des employeurs au regard de l'éducation, de la scolarisation et du travail des enfants.

5. Proposer un cadre stratégique d'intervention pour le développement et la mise en œuvre de programmes et projets couvrant une partie/l'ensemble de l'espace de la mobilité des enfants en domesticité en Haïti. Il s'agira entre autres :
 - a. d'identifier de potentiels partenaires locaux (ONG, associations, organisations communautaires, etc.) et les possibles synergies existantes dans les zones d'origine, le long de la trajectoire des enfants et dans les zones de destination ;
 - b. d'identifier de possibles stratégies visant à retirer et réinsérer les enfants en situation de travail des enfants dans le travail domestique et à protéger les enfants travailleurs domestiques ayant l'âge légal de travailler²¹ ;

²⁰ Voir à cet égard « Les fondements de la pratique de la domesticité en Haïti » FAFO pour le Ministère des Affaires Sociales et du Travail avec le soutien de l'UNICEF, du BIT, du PNUD et de Save the Children, 2002.

²¹ Bien que le concept « d'accompagnement protecteur des enfants » demeure une notion en construction, il pourrait s'avérer adéquat d'y faire référence dans le cadre du développement de stratégies d'intervention. Le terme associe deux actions distinctes mais complémentaires : accompagner et protéger. Accompagner pour protéger, protéger en accompagnant. Les dispositifs de l'accompagnement protecteur doivent tout d'abord prendre en compte les quatre principes directeurs de la convention relative aux Droits des enfants : non-discrimination (art. 2) ; intérêt supérieur de l'enfant (art. 3) ; droit à la vie, à la survie et au développement (art. 6) ; participation (art. 12). Ils doivent être proactifs et réactifs, incluant la prévention des mobilités précoces, criminelles ou dangereuses, la mise en place de mécanismes de protection des enfants en mobilité ainsi que la mise en place d'alternatives durables. Ces dispositifs doivent obligatoirement intégrer, les familles et les autres acteurs communautaires, à travers le renforcement soutenu de leurs capacités pour que les acteurs impliqués directement ou indirectement dans la mobilité des enfants (familles, intermédiaires, tuteurs, employeurs, etc.) deviennent des acteurs de la solution. Des mécanismes d'articulation devraient être mis en place entre les mécanismes communautaires et les mesures ou services institutionnels de protection des enfants. Enfin, ces dispositifs doivent intégrer les enfants à travers le renforcement de leurs capacités et le soutien accru aux collectifs et aux mouvements d'enfants et de jeunes, afin que les enfants deviennent acteurs de leur propre protection et de celle de leurs pairs.

6. Participer au processus de validation de l'étude (notamment à travers la facilitation/participation d'ateliers impliquant notamment des représentants du gouvernement, des ONG, des syndicats, etc.) et au développement « d'une feuille de route » nationale relative à l'enfance en domesticité en Haïti.

Tâches du consultant / prestataire

Diriger tous les aspects logistiques, administratifs et financiers de l'enquête sous la supervision de et avec l'approbation du Comité technique.

Étudier l'information existante en matière de politique, des protections juridiques en vigueur, et des données statistiques qui pourraient être utiles pour fournir des connaissances de base et aider à diriger l'analyse de la situation.

Etudier les informations existantes à l'égard des services sociaux pertinents à la protection des enfants travailleurs domestiques

Identifier les lieux où les enfants sont exposés au travail domestique en Haïti pour la recherche

Conduire des discussions et des consultations avec des informateurs clés et les institutions compétentes au fait des détails du travail domestique des enfants et recueillir les informations requises. Il s'agit par exemple, des institutions gouvernementales, des syndicats, des ONG, des groupes religieux, des organisations caritatives, des administrateurs et des officiels, etc.

Mener des discussions approfondies avec des informateurs clés ayant des connaissances sur le travail domestique des enfants. Ils fourniront des informations sur la localisation spécifique des enfants

Mener des entrevues et des conversations avec les enfants qui travaillent et leurs familles, les enseignants, les employeurs, les fonctionnaires et les autorités locales, les responsables des centres de culte afin de comprendre le travail domestique des enfants et son impact

Proposer des stratégies et interventions pour l'élimination des situations de travail des enfants dans le travail domestique et la protection des jeunes travailleurs domestiques en âge légal de travailler, en Haïti

Identifier les principaux problèmes, cartographier les organisations et programmes pertinents et évaluer l'efficacité et l'efficience des services sociaux fournis ainsi que les lacunes potentielles et les mesures appropriées de recours et des solutions alternatives.

Résultats escomptés

Rapport d'étude finalisé incluant une série de recommandations destinées aux organismes étatiques, aux organisations internationales et aux organisations non gouvernementales.

Qualifications

Le consultant (ou les consultants) doit :

- Posséder au moins un diplôme universitaire de niveau maîtrise en droit, sciences politiques ou sciences sociales ;
- Avoir une bonne connaissance des problématiques relatives au travail domestique des enfants en particulier et de la protection de l'enfance en général ;
- Avoir une excellente capacité d'analyse, de synthèse et d'écriture ;

- Avoir une expérience avérée dans le domaine de la recherche, particulièrement de l'analyse quantitative et de la collecte de données ;
- Maîtriser parfaitement le français, la connaissance du créole étant désirée
- Avoir une bonne connaissance du contexte haïtien.

Durée estimée de la consultation

22 semaines

Annexe : définitions

Enfant	Toute personne de moins de 18 ans.
Travail des enfants	Travaux effectués par des enfants n'ayant pas atteint l'âge minimum légal. La loi fixe des âges différents selon le type d'activité (par exemple, travail normal à temps plein, travail léger, travail dangereux ou potentiellement nocif pour la santé).
Pires formes de travail des enfants	Expression définie dans la convention n°182 de l'OIT (Article 3), qui comprend: <ul style="list-style-type: none"> • toutes les formes d'esclavage ou pratiques analogues, telles que la vente et la traite des enfants, la servitude pour dettes et le servage ainsi que le travail forcé ou obligatoire, y compris le recrutement forcé ou obligatoire des enfants en vue de leur utilisation dans des conflits armés ; • l'utilisation, le recrutement ou l'offre d'un enfant à des fins de prostitution, de production de matériel pornographique ou de spectacles pornographiques ; • l'utilisation, le recrutement ou l'offre d'un enfant aux fins d'activités illicites, notamment pour la production et le trafic de stupéfiants, tels que les définissent les conventions internationales pertinentes ; • les travaux qui, par leur nature ou les conditions dans lesquelles ils s'exercent, sont susceptibles de nuire à la santé, à la sécurité ou à la moralité de l'enfant.
Travaux légers	Travaux autorisés aux enfants âgés d'au moins 12 ou 13 ans. La loi peut autoriser l'emploi de ces enfants à des travaux légers à condition que ces derniers ne soient pas susceptibles de porter préjudice à leur santé, à leur développement, à leur assiduité scolaire, à leur participation à des programmes de formation professionnelle ou « à leur aptitude à bénéficier de l'instruction reçue ». A des fins statistiques, les travaux légers ont été définis comme tout travail n'excédant pas 14 heures par semaine.
Travail domestique	Le travail effectué au sein de ou pour un ou plusieurs ménages (C.189 Art. 1(a))
Travailleur domestique	Désigne toute personne de genre féminin ou masculin exécutant un travail domestique <u>dans le cadre d'une relation de travail</u> (Le travail effectué par des membres de la famille au sein de leur propre ménage est exclu) (C.189 Art 1(b))
Travail des enfants	Travaux domestiques accomplis par des enfants n'ayant pas l'âge

dans le travail domestique	minimum légal ou par des enfants ayant l'âge minimum légal mais ayant moins de 18 ans, dans des conditions proches de l'esclavage, dangereuses ou relevant de l'exploitation, c'est-à-dire des travaux assimilables à une forme de «travail des enfants», et donc à éliminer au sens des traités internationaux.
Travail domestique des enfants	Référence générale au travail effectué par des enfants, c.-à-d. personnes de moins de 18 ans, dans le secteur du travail domestique. Comprend tant des situations des non autorisées (travail des enfants dans le travail domestique) comme des situations autorisées (emploi des jeunes).
Enfants travailleurs domestiques	Référence générale aux enfants accomplissant du travail domestique tant dans le cadre des situations non autorisées (travail des enfants dans le travail domestique) comme dans le cadre de situations autorisées (emploi des jeunes).

Annex 6 Recommendations of Technical Committee after presentation of results in Port-au-Prince June 24-25, 2015

RECOMMANDATIONS COMITE TECHNIQUE ETUDE SUR LA DOMESTICITE

RECOMMANDATIONS CADRE LEGAL/POLITIQUES PUBLIQUES

Recommandations Politiques publiques:

- Harmoniser la politique de protection de l'Enfant aux nouvelles réalités de l'Etude Enfance en Domesticité en se basant sur la Stratégie Nationale de Protection de l'Enfant qui est en phase de finalisation.- (Ministère des Affaires Sociales et du Travail.)
- Intégrer la question de l'enfance en domesticité dans une politique globale de l'enfant et éventuellement dans des nouvelles dispositions du Code du Travail. Par ailleurs, il a été rappelé que le Code de l'Enfant (en attente de vote au parlement) inclut des mesures relatives à ce sujet.

Cadre légal.-

- Concevoir et développer des programmes/activités de sensibilisation et d'information sur les lois nationales existantes et les normes internationales de protection de l'enfance- (IBESR, BPM, PNH, MAST, Ministère de la Justice, Ministère de l'Education Nationale)
- Réaliser des activités/projets de renforcement des capacités des institutions (de protection de l'enfance) aux niveaux central et local.- (IBESR, BPM, PNH, MAST, Ministère de la Justice, Ministère de l'Education Nationale);
- Mettre en place un mécanisme de coordination et un protocole d'intervention et de suivi en matière de protection de l'enfance.- (IBESR, BPM, PNH, MAST, Ministère de la Justice, Ministère de l'Education Nationale);
- Etablir/présenter formellement une clarification au niveau légal des concepts: restavek / domesticité. - (MAST, Ministère de la Justice..);
- Prendre des mesures administratives et autres pour l'application de la loi sur le placement d'enfants en Haïti. - (MAST, Ministère de la Justice...);
- Définir/adopter un cadre réglementaire sur le Travail (d'enfants) en Haïti: (âge minimum / projet arrêté travaux dangereux). - (MAST, Ministère de la Justice...);

- Apporter une Réponse aux formes les plus extrêmes de violences faites aux enfants par la vulgarisation/mise en œuvre des conventions 182 et 136 de l'OIT.- (MAST, Ministère de la Justice...);
- Créer et/ou renforcer l'accès aux services judiciaires: Renforcement des juges et commissaires pour enfant, renforcement de l'assistance l'Egale. - (Ministère de la Justice ...)
- Renforcer le décret de 5 juin 2003 par une loi en qualifiant l'infraction « maltraitance d'enfant » en traçant la procédure jusqu'aux sanctions.- (MAST. Ministère de la Justice...)
- Adopter/voter - rapidement (après les élections) le Code de Protection de l'Enfant.- (MAST, Ministère de la Justice, Parlement.....);
- Accompagner les institutions familiales (Accueil, biologique ou adoptive) à bien remplir leur mission en envisageant des mécanismes visant à prévenir que les parents confient leurs enfants à des tiers.- (MAST,.....).
- Doter les organes de collectivités locales (ASEC, CASEC) de compétences en matière de protection de l'enfance particulièrement dans la prévention du travail des enfants dans le travail domestique.
- Définir des procédures d'intervention dans les espaces privés dans les cas des enfants qui travaillent illégalement ou qui sont dans les pires formes de travail.
- Concevoir et mettre en œuvre des politiques d'accompagnement et d'accès à la santé au profit des enfants en Haïti et particulièrement des enfants en domesticité- (Ministère de la Santé Publique, Ministère des Affaires Sociales et du Travail.....);
- Assurer la gratuité de l'éducation universelle et de qualité (Ministère de l'Education Nationale et de la Formation Professionnelle...) au profit des enfants en domesticité en Haïti;

Au niveau des acteurs institutionnels, il a été envisagé :

- un plaidoyer pour mettre en œuvre une déconcentration effective des ministères impliqués dans la question de l'enfance en domesticité notamment le Ministère de l'Education, le MAST, le Ministère de la Condition Féminine et le Ministère de la Justice.
- assurer un suivi avec les départements techniques de ces Ministères.

Sur les conventions et les textes législatifs, les recommandations suivantes peuvent être proposées :

- Convention 182 de l'OIT sur les pires formes de travail des enfants (1999)

http://www.ilo.org/dyn/normlex/fr/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312327:NO

Ratifiée par Haïti le 19 juillet 2007

Elle interdit toutes formes d'esclavage ou pratiques analogues, telles que la vente et la traite des enfants, ainsi que le travail forcé ou obligatoire, et les travaux susceptibles de nuire à la santé, la sécurité ou la moralité de l'enfant. Les Etats membres sont également tenus à prendre des mesures pour assurer l'interdiction et l'élimination des pires formes de travail des enfants. Une liste de travaux dangereux a été élaborée en 2014 sous l'égide du Comité tripartite regroupant le MAST, les organisations patronales et de travailleurs avec l'appui technique du BIT en conformité avec cette convention est en attente de promulgation par le MAST. Elle fait partie intégrale du nouveau Code de Protection de l'enfant adopté par le Gouvernement le 20 août 2014 qui est en attente d'être voté par le parlement.

Recommandations

- Appui à la publication et la vulgarisation de la liste des pires formes de travail des enfants;
 - Appui au développement des directives pour la prévention, le suivi des cas des enfants victimes ;
 - Plaidoyer auprès des services compétents de l'Etat et de la Société civile pour la mise en œuvre.
- Convention 189 de l'OIT sur les travailleuses et travailleurs domestiques 16 juin 2011

Non ratifiée par Haïti.

http://www.ilo.org/dyn/normlex/fr/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C189

http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_163731.pdf

La Convention n° 189 offre une protection spécifique aux travailleurs domestiques. Elle fixe les droits et principes fondamentaux, et impose aux États de prendre une série de mesures en vue de faire du travail décent une réalité pour les travailleurs domestiques.

Recommandations

- Appui au plaidoyer du BIT et des organisations de la société civile pour une ratification par l'Assemblée nationale
- Code du Travail (1961)

Décret du 24 février 1984 actualisant le Code du travail du 12 septembre 1961.

Il traite du travail des particuliers qui ne sont dans la fonction publique. Le code du travail aborde les conditions et le traitement des différents types de travailleurs. Il offre des garanties de protection insuffisantes aux personnes dans le milieu du travail.

<http://archive.org/details/codedutravailfra00hait>

<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/135/64790/F61HTI01.htm> [Accessed 13th May 2012].

Recommandations

- Participation aux travaux de refonte du Code du Travail sur les dispositions de la protection des enfants au côté du BIT
- Loi relative à l'interdiction et à l'élimination de toute forme d'abus, de violence, de mauvais traitements ou traitement inhumains contre les enfants (2003)

Promulguée le 5 juin 2003

http://haitijustice.com/pdf/legislation/loi_contre_violence_discrimination_enfants_haitijustice.pdf

Ce texte annule le chapitre 9 du Code du Travail (voir ci-dessus). Par contre, la loi prévoit qu'un enfant puisse être 'confié à une famille d'accueil dans le cadre d'une relation d'aide et de solidarité. Il doit jouir des mêmes privilèges et des mêmes prérogatives que les autres enfants de cette famille. Il doit être traité comme membre de cette famille' (article 3). Le texte ne prévoit pas de sanctions pour ceux qui ne respectent pas ses dispositions mais est en cours de révision afin de corriger cette lacune.

La Loi donne une reconnaissance légale aux familles d'accueils, même si persiste un manque de procédure officielle pour les légitimer. Les lois régissant la garde supervisée par le magistrat et/ou le juge de paix fait transférer effectivement la tutelle légale de l'enfant à la famille d'accueil – un processus qui se rapproche de l'adoption légale. Le Magistrat/Juge de paix est chargé d'obtenir le consentement de la mère et du père à l'adoption de l'enfant. Si les parents et la famille de l'enfant sont inconnus, le consentement du Maire de la région de domicile est nécessaire. Et si les parents sont décédés, le Conseil familial fait une recommandation qui soit en lien à la tutelle. Une procédure a besoin d'être développée pour permettre au parent de conserver la tutelle légale pendant que l'Etat assume la tutelle temporaire et organise la prise en charge, ou du moins mandate des agences nationales pour remplir ce rôle.

Recommandations

- A élaborer ?
- Arrêté sur la documentation (2014)

Moniteur No. 10 - Jeudi 16 Janvier 2014

http://haitijustice.com/pdf/legislation/arrete_sur_les_actes_de_naissances_haiti_haitijustice.pdf

Est accordé à toute personne dépourvue d'acte de naissance, un délai de cinq (5) ans à partir de la publication du présent Arrêté, pour faire régulariser son état civil.

Les commissaires du Gouvernement, les juges de paix, les officiers de l'état civil, les consuls d'Haïti à l'étranger, les Ministres des différents cultes, les membres des CASEC, les personnes autorisées des hôpitaux et des asiles informent les personnes concernées et accordent l'aide nécessaire à toute personne dépourvue d'acte de naissance en vue de l'établissement de cet acte.

Cadre réglementaire

- Projet d'«Arrêté établissant les formes dangereuses et interdites de travail des enfants» développé par le MAST en 2013 – non encore validé

Recommandations

- Actions de plaidoyer pour assurer la validation de la liste

Comité National Tripartite pour la prévention et l'élimination du travail des enfants

Mis en place en 2013 par le MAST

Composition

Un (e) représentant (e) du Ministère des Affaires Sociales et du Travail ;

Un (e) représentant (e) du Ministère de la Santé Publique et de la Population ;

Un(e) représentant(e) du Ministère de l'Éducation nationale et de la Formation Professionnelle ;

Un (e) représentant (e) du Ministère à la Condition Féminine et aux Droits des Femmes ;

Un (e) représentante (e) du Secteur des Affaires ;

Un (e) représentant (e) du Secteur Syndical ;

Un (e)représentant (e) de l'Office Protecteur du Citoyen (OPC) ;

Fonctions

Le Comité est tenu d'établir une politique nationale sur le travail des enfants, qui tend principalement à:

- a) Éliminer de manière progressive et à prévenir l'incidence du travail des enfants et protéger le travailleur adolescent.
- b) Contribuer à l'amélioration de la qualité de vie des enfants et des adolescents travailleurs par:
 1. Le retour à l'éducation formelle, l'enseignement technique et professionnel.

2. L'amélioration des conditions de travail des travailleurs adolescents.
 3. Promotion des normes qui protègent le travail des enfants en Haïti, pour assurer leur pleine application.
- c) Etablir une synergie au niveau des efforts de l'Etat et de la société civile pour lutter contre le travail des enfants et pour la protection du travailleur adolescent, en accordant une attention particulière aux groupes d'enfants qui sont sous les risques suivants:
1. Domesticité.
 2. Conditions d'exploitation sexuelle.
 3. Ayant moins de 15 ans.
 4. Conditions de travail qui mettent en danger leur santé, leur développement physique ou mental.
 5. Condition d'exclusion dans le système éducatif.

Le Comité National Tripartite pour la Prévention et l'Élimination du Travail des Enfants aura aussi à:

- a) Analyser les variables socio-économiques, culturelles et idéologiques qui sont la cause de travail des enfants en Haïti.
- b) Elaborer et Superviser le Plan national pour la prévention et l'élimination du travail des enfants et la protection des enfants du travail infantile.
- c) Renforcer les partenariats et la coordination entre les ministères, les organismes et les institutions publics et privées, nationaux et internationaux traitant du travail des enfants, afin de définir des alternatives et des stratégies pour réduire ou éliminer les causes qui l'engendrent.
- d) Formuler des projets spécifiques pour lutter contre le travail des enfants et la mise en œuvre du Plan national pour la prévention et l'élimination progressive du travail des enfants et la protection des enfants du travail infantile dans la reconstruction d'Haïti.
- e) Coordonner la mise à disposition de ressources humaines, matérielles et financières pour le Plan national pour la prévention et l'élimination du travail des enfants et la protection des enfants du travail infantile dans la reconstruction d'Haïti.

Recommandations

- A élaborer ?

RECOMMANDATIONS ACCES AUX SERVICES

Groupe: Restavek Freedom, HI, TdH-L, UNICEF, RNDDH, IBESR, IHE, coopération canadienne, Save the Children

Garantir la prise en charge des enfants en domesticité en Haïti par l'accès aux services sociaux- (Ministère de la Santé Publique, Ministère de l'Éducation Nationale, Ministère à la Condition Féminine et aux Droits des Femmes;

Orienter les programmes sociaux du gouvernement vers les ménages vulnérables avec enfants à leurs charges, en développant des critères d'identification, de référencement, et des outils de suivi adaptés à cette fin

Recommandations Ministère d'Éducation Nationale et de la formation professionnelle :

1. Concevoir et mettre en œuvre une politique inclusive pour favoriser l'accès à tous les enfants notamment les enfants considérés comme Travailleur dans le travail domestique.
2. Consultation avec les acteurs, incluant les groupements communautaires, les parents et les enfants.
3. Augmenter de manière progressive l'offre publique : Formation des professeurs Conditions matérielles/Disponibilité géographique (proximité)/Disponibilité et responsabilisation des professeurs
 - Inclure dans la politique de l'éducation une formation professionnelle.
 - Améliorer l'implémentation du programme accéléré en y intégrant un programme de formation professionnelle structurée.
 - Sensibiliser les enseignants à repérer et à dénoncer les situations de danger de l'enfant. (En appui avec les inspecteurs scolaires)

Recommandations MSPP

1. Provision et accès au soin de santé pour les enfants travailleurs domestiques incluant des services de santé primaire de proximité dans les écoles (toutes les vacances), chez les familles incluant clinique mobile et référence et accompagnement, s'appuyer sur ce qui existe et renforcer.

Recommandations IBESR

Etablir un partenariat avec les universités pour intégrer des étudiants finissant en Psychologie, Travail social, Education dans les travaux/programmes de l'IBESR en matière de prise en charge des enfants victimes d'abus/violences physiques et autres...

2. Dans des stages sous la supervision, des agents de protection de l'IBESR et un technicien à des fins de recherche et de pratique et participer à la systématisation de référencement.
3. renforcer la formation des agents de protection de l'enfant, en Psychologie et autres domaines

connexes indispensables à une meilleure connaissance/compréhension de la problématique de l'enfance en domesticité.

3. Budgétiser un fond de recherche.

- Mise en place d'un système de référencement des services

Lors de la délivrance des certificats pré-nuptiaux aux couples par l'IBESR, des informations concernant la question du travail domestique des enfants mais également sur la question du traitement des enfants en général pourraient être délivrées.

Recommandations MAST

1. Identifier les familles les plus vulnérables pour mettre en place des programmes sociaux qui prennent en compte leurs besoins essentiels.
2. Renforcer les capacités des familles à développer des activités génératrices/rendre autonomes de revenu au niveau communautaire.
3. Mettre en place un dispositif permettant au MAST de faire une évaluation qualitative et quantitative sur tous les programmes sociaux planifiés, exécutés sur le territoire national.
4. Définir les objectifs/priorités dans le cadre des relations/partenariat entre le MAST et la coopération externe.
5. Responsabiliser les familles.
 - Mise en place d'un contrat de travail pour les mineurs en âge de travailler.

Recommandations Ministères de la Justice

- Assurer un accès à la justice pour les enfants victimes et des dispositions pour lutter contre l'impunité/ Faciliter la poursuite en justice en cas de violence ou d'exploitation d'enfants travailleurs domestiques en mettant une assistance légale à disposition du plaignant. Ceci pourrait nécessiter un financement pour l'OPC ou une organisation de la société civile pour qu'ils soit en mesure d'accompagner le plaignant tout au long de la procédure
- Accélérer la formation des membres de l'appareil judiciaire sur les droits des enfants et le travail des enfants, y compris les membres du Parquet ainsi que les juges à tous les niveaux, y compris les juges de paix.

Recommandations Syndicats

- Valorisation du travail domestique
- Pousser les syndicats à demander des clauses spéciales pour les enfants en âge de travailler (rémunérations/contrat de travail/accès aux services)

*Commentaires Tenir compte des documents existant pour cibler les zones les plus pauvres/par communes.*IHSI*

Recommandations ONG

1. Travailler en fonction des axes prioritaires d'intervention des institutions de référence (ministère) selon le domaine. En particulier ceux qui travaillent sur le champ des enfants domestiques.
2. Informer toutes les ONG qui travaillent auprès des communautés, des procédures (procédures standardisées) de protection de l'enfant.
3. établir des canaux de communication formels et continus. IBESR/ONG.
4. Pour les ONG travaillant avec/ en faveur des enfants sur le travail domestique.
5. Favoriser les approches communautaires et soutenir les services existant et/ ou l'implémentation des services.

Recommandations Bailleurs

1. Favoriser les projets d'accès aux services comme mesure préventive en protection de l'enfance dans les approches communautaires.
2. favoriser les projets intégrant les volets de protection de l'enfance, éducation, santé mentale et support économique.

RECOMMANDATIONS IDENTIFICATION – PRISE EN CHARGE

Groupe : AVSI- CWS- OIM- IRC- WORLD VISION

Recommandations pour l'identification des enfants à risque ou victime d'exploitation dans le travail domestique

1. Revoir les critères d'identification selon les résultats de l'étude
2. Différencier les catégories d'âge 5-14 ans et 15-17 ans pour établir les critères d'identification

15 – 17 ans :

- conditions de travail/service (travaux dangereux + pratiques analogues à l'esclavage)

5 -14 ans :

- Scolarisation (prise en charge par la famille biologique ou la famille d'accueil)
- Temps passer à faire le travail domestique
- Condition de service

- Relation avec la famille/ séparation
- Traitement
- Comparaison avec les enfants biologique

Recommandation pour la prise en charge:

Encourager l'identification en milieu rural des enfants a risque d'exploitation dans le travail domestique

Assurer l'intérêt supérieur de l'enfant en lui garantissant le respect de ses droits

Le travail sur la famille :

- Le travail sur l'équité familiale
- Sensibiliser les familles sur l'interdiction de La violence intra familiale
- Appuyer les familles dans la gestion de l'économie domestique (AGR)

Mise en place des programmes sociaux économique pour les communautés

Favoriser les services de base aux communautés le système de référencement

Prise en charge psychosocial spécifique des enfants déjà victime et de leurs familles

RECOMMANDATIONS SENSIBILISATION - MESSAGE

Groupe: BIT, CARE, COSS/MAST, CRS, KNH, ENPAK, FMAS

Recommandation sur la structure des messages

1. Grandes lignes
 - a. Age : Age minimum d'accès à l'emploi; l'âge minimum pour les travaux dangereux- accès à l'acte de naissance
 - b. Charge de travail : Nombre d'heures – travail de nuit – espace – développement de l'enfant – niveau de dangerosité des travaux -
 - c. Accès aux services : Education de qualité– Santé- Loisir – acte de naissance – encadrement psychologique
 - d. Traitements : Contre les mauvais traitements sur les enfants en général
 - e. Droit à l'emploi décent : Les normes autour de l'emploi décent des enfants en âge de travailler – accès à la formation

- f. Valorisation du travail domestique : Respect – l'estime – importance des domestiques dans les familles

2. Groupes cibles

- a. Familles biologiques
- b. Familles élargies
- c. Familles tierces

il serait important de voir comment informer les familles sur la question de la domesticité et plus généralement sur la question du traitement des enfants. Allant dans ce sens, certaines organisations ont proposé que des informations à ce sujet soient données aux couples lors de la délivrance des certificats pré-nuptiaux par l'IBESR.

- d. Enfants
- e. Institutions de la société Civile

3. Canaux de vulgarisation

- a. Mass Media
- b. Groupes Communautaires
- c. Groupes religieux
- d. Ecoles
- e. Réseaux Sociaux
- f. Support de communication (Billboard, brochures etc)

RECOMMANDATIONS QUESTIONS TRANSVERSALES

Groupe: UNICEF, BIT, Plan, Free the Slaves, Free the slaves

Recommandations sur le suivi et évaluation

- Suivi institutionnel par le comité technique pour s'assurer que les programmes des partenaires prennent en compte les résultats de l'étude/encourager les acteurs à faire des évaluations/partager les expériences entre acteurs.
- Envisager une nouvelle étude à terme
- Encourager l'IHSI à d'adopter les mêmes critères de définition/incorporer la domesticité dans le recensement général

Recommandations sur l'approche/ stratégie

- Mettre en place des programmes intégrés incluant : l'accès à l'éducation formelle, la lutte contre les violences faites à tous les enfants, la capitalisation des familles.
- Plaidoyer pour une politique publique de l'enfance qui inclut l'éducation des enfants, la santé, la violence intrafamilial et la pauvreté
- S'assurer que les acteurs de la protection de l'enfance soient bien repartis sur le territoire avec un accent particulier sur les zones rurales.
- Encourager la mise œuvre des programmes qui incluent la participation des membres des communautés pour un effet durable.
- Valoriser le travail domestique tout en sensibilisant la population sur le cadre légal et les conditions acceptables.
- Inclure dans les programmes les aspects de genre, d'âge et de position géographique mise en relief par l'étude.
- Quels départements, communes, sections communales faut' il prioriser sur les bases des résultats de l'étude ?

Recommandations sur la communication

- Unifier les messages entre agences
- Promouvoir auprès de tous les acteurs de la protection de l'enfance les résultats de l'étude en particulier porter l'attention sur la diversité des situations des enfants concernés,

Recommandations sur le renforcement des capacités

- Encourager tous les acteurs du comité technique à partager les résultats de l'étude et à former leurs personnels sur la question des enfants en domesticité.
- Former les acteurs clés des communautés sur la question des enfants en domesticité.

Recommandations sur la participation

Sur le travail de participation, il est important d'inclure les aspects de prévention, de prise en charge et de réinsertion. Il a été souligné la nécessité de travailler avec les leaders communautaires, les CASEC/ASEC mais également avec les écoles, églises et l'ensemble des acteurs institutionnels.

La question de la « participation » étant relativement large, les membres du Comité Technique ont suggéré que cette dernière devienne une question transversale qui sera adressée dans l'ensemble des recommandations de l'étude sur l'enfance en domesticité.

Recommandations sur la coordination

Il sera particulièrement important de travailler sur une coordination stratégique et opérationnelle et de voir comment assurer la coordination et l'intégration des interventions entre le niveau national et local.

Recommandations sur la ressources humaines/budgétaires

Voir comment renforcer/allouer des ressources financières et humaines supplémentaires auprès des acteurs institutionnels impliqués dans la problématique de l'enfance en domesticité.

Recommandations sur les Données, Suivi et Contrôle

- S'assurer que des données fiables sur l'enfance en domesticité soient collectées au niveau national et local ?
- S'assurer qu'il y ait un partage effectif des données entre l'ensemble des acteurs travaillant sur l'enfance en domesticité ?

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