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# OVERCOMING POVERTY AND ABUSE

PROTECTING GIRLS IN DOMESTIC  
SERVICE IN HAITI

FREEDOM FROM VIOLENCE  
IS A HUMAN RIGHT

**AMNESTY**  
INTERNATIONAL



MORE THAN 100,000 GIRLS AGED BETWEEN SIX AND 17 ARE ESTIMATED TO BE WORKING IN DOMESTIC SERVICE IN HAITI. FAR FROM THEIR RELATIVES AND FRIENDS AND DEPENDENT ON THEIR EMPLOYERS OR HOST FAMILIES, THESE CHILDREN ARE AT GRAVE RISK OF PHYSICAL ABUSE AND SEXUAL VIOLENCE.

Sexual violence against women and girls is pervasive and widespread in Haiti. Much of this violence is directed at girls: more than half of all those who report being raped are 18 or younger. Reliable evidence of the true scale of sexual violence against girls in Haiti remains scarce. However, data collected by NGOs gives some sense of the extent of the problem. For example, Haitian Women's Solidarity (Solidarité Fanm Ayisien, SOFA) documented 238 rapes between January 2007 and June 2008; 140 involved girls aged between 19 months and 18 years.

There were more than 100,000 girls aged between six and 17 working as domestic servants in Haiti in 2007, according to UNICEF estimates. These children are at particular risk of physical abuse and sexual violence.

Children in domestic service often come from extremely poor backgrounds. Disregarded by the rest of society, they are stigmatized, exploited and ill-treated. With virtually no one concerned for their welfare, these children live a lonely, isolated and vulnerable existence in which abuse by others thrives.

Article 32 of the Convention on the Rights of the Child recognizes "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."

### CHILD DOMESTIC SERVICE

"There was a big man, the brother of the woman's first husband. He slept in a room built in the yard, beside the kitchen where I used to sleep, surrounded by charcoal, rubbish and rats. One evening, he knocked at the door of the kitchen and asked me to prepare some food for him. I had to get up and light the fire. At that moment he asked me to suck his penis, and he told me that he would give me a nice doll. My heart pounded as I really wanted a doll that I often saw on my way to the market. I did it, but the doll never came. I so really wanted that doll that I did it with others... but the doll never came."

Loransya, quoted in *Etude exploratoire sur l'exploitation sexuelle des mineurs à des fins commerciales*, International Labour Organization, 2003. Loransya lived in the village of Kenscoff with her parents. When she was eight years old, her family's poverty forced them to send her to work as a domestic servant in Carrefour, Port-au-Prince.

Children in domestic service are generally referred to as "restavek" (from the French "rester avec", literally meaning to stay with). The term has pejorative connotations, suggesting that the children have been rejected by their families. These children live with their employers or host families – sometimes part of their own extended families – and carry out domestic work in return for their board and lodging.

Widespread poverty in Haiti is the major factor perpetuating child domestic service. Most of the children come from rural families living in poverty who are unable to feed, educate, or care for them. Parents hope that the life chances of their children will be improved if they move to the city where there is better access to education and health care.

However, the vast majority of children in domestic service are deprived of their rights, including their rights to education and to adequate health care and food. They work long hours, mostly doing domestic chores including cleaning, cooking, fetching water for the whole household and looking after other children in the family. Some also sell goods in the market. In exchange for their work, they are provided with their lodging, food and some clothes. Only a minority receive any education at all.

There are increasing reports that brokers or recruiters (known as "courtiers") are searching for children, targeting large families living in poverty and enticing them to give up their children by making empty promises of a brighter future for them. These children are victims of internal trafficking and vulnerable to all forms of exploitation, including sexual violence.

Following her visit to Haiti in June 2009, the UN Special Rapporteur on contemporary forms of slavery described the conditions in which children in domestic service are living in Haiti as a "modern form of slavery".



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***‘This practice is a severe violation of the most fundamental rights of the child – the foundation of society – and reinforces a vicious cycle of violence – it should be stopped immediately... The issue should be put urgently on the highest priority agenda of the government and the international community.’***

Gulnara Shahinian, UN Special Rapporteur on contemporary forms of slavery, June 2009

**Left:** A girl playing at the offices of one of the organizations that provide basic health care and support for women and children living on the streets, 2008.

**Front cover:** Former and current child domestic workers watch a comedy performance at a rehabilitation summer camp organized by the NGO Foyer Maurice Sixto. © Pete Pattison

## SEXUAL VIOLENCE

Régina, a 15-year-old girl living at a centre for survivors of sexual violence, told Amnesty International that when she was 10, she was sent to work as a domestic servant, but ran away because the beatings became unbearable. She stayed for four years at Foyer Maurice Sixto's shelter for children who have been domestic workers. During that time she was able to go to school. When she turned 14, Régina was reunited with her biological mother, who was then living with a new partner and his 17-year-old son. Back at home, it quickly became clear that Régina would continue to be treated as a domestic servant and would no longer be able to go to school. In June 2006, she was raped and made pregnant by the son of her mother's partner. She ran away and stayed for a short time at the Foyer Maurice Sixto. In February 2007, aged 14, Régina gave birth to a baby girl.

Girls in domestic service are at heightened risk of sexual violence. Trapped in a situation of total dependence, many are compelled to put up with abuse. Some flee the employer or host family and live on the streets where they may have no option but

to sell their bodies for sex in order to survive. UNICEF estimates that there are 2,500 children living on the streets of Port-au-Prince, Haiti's capital. Most are former domestic workers.

Reporting sexual violence can be difficult for many survivors. However, the obstacles are particularly daunting for girls in domestic service who lack a safe alternative place to live and the support of relatives. Organizations like Foyer Maurice Sixto and Limyè Lavi are providing care and support, including education, for former domestic workers. However the resources at the disposal of such organizations are dwarfed by the scale of the problem.

## THE STATE'S RESPONSE

Haitian laws do not provide a clear protective framework for children.

In 2003 the Law for the prohibition and elimination of all kinds of abuses, violence and inhuman treatment of children came into force. This law states that children can

only be entrusted to a foster family in a relationship of "assistance and solidarity". The 2003 law removed Chapter IX of Haiti's Labour Code which had provided a basic framework of protection for children in domestic service. The Labour Code had prohibited the "employment" of children under 12 as domestic workers and required foster families, among other things, to request authorization from the Institute of Social Welfare and Research if they wished to employ a child as a domestic worker.

The 2003 law has been largely ineffective in protecting children, and the removal of Chapter IX of the Labour Code means that the use of children in domestic service, which continues unabated, is no longer subject to legal regulation.

In 1997, Haiti ratified the Convention on the Rights of the Child. The Haitian authorities proposed creating a Children's Code in order to implement the provisions of the Convention. At the time of writing, the Children's Code had still not been enacted.

The Institute of Social Welfare and Research is responsible for the protection of vulnerable children and the Haitian National Police Brigade for the Protection of Minors (BPM) is responsible for investigating crimes against children. However, the absence of adequate resources at the disposal of the BPM and the shortcomings of the Haitian justice system mean that abuses against children are rarely punished.

In 2007, Haiti's Ministry of Social Affairs introduced a National Plan for the Protection of Vulnerable Children. However, weaknesses in the institutions responsible for implementing the Plan mean that it has had very limited success in protecting children, and in particular girls, in domestic service from physical and sexual abuse.

In 2007 Haiti ratified International Labour Organization Convention No. 182. This landmark Convention addresses the need for action to tackle the worst forms of child labour. The prohibition of the worst forms of child labour includes domestic work that involves conditions that make girls vulnerable to physical abuse, sexual harassment or other exploitation. Slavery, other forms of forced labour, and trafficking are always prohibited in international law.

The Haitian government, with the support of the international community, urgently needs to reinforce protective measures for girls in domestic service and take greater steps to abolish this practice.



Girls collecting water in North Department, Haiti, 2004.

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## TAKE ACTION

### **Please write to the President and Prime Minister calling on them to:**

Provide adequate protection for girls against physical and sexual violence, in particular for those in domestic service and living on the streets by:

- Identifying girls at risk and providing them with information on protection measures and appropriate means of reporting physical abuse and sexual violence;
- Taking steps to ensure that the institutions responsible for implementing the National Plan for the Protection of Vulnerable Children are able to do so effectively;
- Establishing safe places for girls where access to primary health care and support is readily available;
- Instructing and providing adequate resources to the Police Brigade for the Protection of Minors to investigate cases of physical and sexual abuse against girls in all contexts, and in particular those in domestic service;

■ Instructing, and providing adequate resources to, the judicial authorities for the prosecution of all cases of physical and sexual violence;

■ Supporting, with donors' co-operation, civil society programmes and activities working to bring children out of domestic service.

### **Please send your appeals to:**

President of the Republic  
René Garcia Prével

Palais National, Champs de Mars  
Port-au-Prince, Haiti (W.I.)

Fax: +509 2224 4877

Salutation: Monsieur le Président /  
Mr President

Prime Minister

La Primature, Route de Bourdon,  
Imp. Prosper, No.1 (Villa d'Accueil)

Port-au-Prince, Haiti (W.I.)

Salutation: Monsieur le Premier Ministre /  
Madame la Première Ministre / Dear Prime  
Minister

### **Please write to the Presidents of the National Assembly and the Chamber of Deputies calling on them to:**

■ Reform national legislation in order to stop the abuse of girls in domestic service and to bring Haiti's laws into line with international obligations, in particular under the Convention on the Rights of the Child, and International Labour Organization Convention No. 182 on the Worst Forms of Child Labour;

■ Adopt, without delay, special legislation for the protection of women and girls against all forms of gender-based violence and allocate adequate resources in forthcoming national budgets for the enforcement of this legislation;

■ Adopt, without delay, a Children's Code to enshrine the provisions of the Convention on the Rights of the Child into Haitian law.

### **Please send your appeals to:**

President of the National Assembly  
Kelly C. Bastien

Président de l'Assemblée Nationale  
Sénateur de la République d'Haïti  
Sénat de la République

Av. Marie Jeanne, Cité de l'Exposition  
Port-au-Prince, Haiti (W.I.)

Fax: +509 2222 8594, 2222 8543

Salutation: Monsieur le Président de  
l'Assemblée Nationale / Dear President  
of the National Assembly

President of the Chamber of Deputies  
Levaillant Louis Jeune

Chambre des Députés, Palais Législatif  
Av. Marie Jeanne, Cité de l'Exposition  
Port-au-Prince, Haiti (W.I.)

Salutation: Monsieur le Président de  
la Chambre de Députés / Dear President  
of the Chamber of Deputies

**Amnesty International** is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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