

Haiti

Submission to the United Nations Universal Periodic Review

Twelfth Session of the Working Group on the UPR
Human Rights Council
3-14 October 2011

Restavèk: The Persistence of Child Labor and Slavery

Submitted by:

Restavèk Freedom

Endorsed by:

Bureau des Avocats Internationaux
Center for Constitutional Rights
Conférence des universitaires pour la défense des droits et de la liberté
Institute for Justice & Democracy in Haiti
LAMP for Haiti Foundation
Link Haiti, Inc.
Paloma Institute
UC Davis Immigration Law Clinic
UnityAyiti

¹ Rekha Nair, Transnational Legal Clinic, University of Pennsylvania Law School, contributed to the drafting of this report.

A. EXECUTIVE SUMMARY

This individual report highlights the plight of restavèk children, child domestic servants, in Haiti as stipulated in the *General Guidelines for the preparation of Information under the Universal Periodic Review*. Part B notes the continuing practice of restavèk despite its prohibition under international and Haitian law. Part C describes the restavèk practice and focuses on the neglect, mistreatment, and abuse suffered by restavèk children. Part D highlights the challenges posed by cultural perception, ubiquitous poverty, the lack of government infrastructure and enforcement, and the earthquake on the abolishment of restavèk and the protection of children's rights

B. BACKGROUND AND FRAMEWORK

1. Haiti is party to the Universal Declaration on Human Rights (UDHR) and the Convention on the Rights of the Child (CRC). Haiti has also ratified the ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Convention 182, and the ILO Minimum Age Convention, Convention 138. Each of these conventions prohibits child slavery and servitude and provides for children to have the right to education and the right to be free from degrading and inhumane treatment.
2. In accordance with these international conventions, Article 335 of the Haitian labor code prohibits the employment of minors below the age of fifteen. Furthermore, an Act passed in June 2003 specifically outlawed the placement of children into restavèk service and the abuse and maltreatment of children generally.ⁱ
3. Despite the enactment of these laws, the practice of restavèk persists and grows. It is estimated that between 150,000 and 500,000 children are restavèk in Haiti,ⁱⁱ with an additional estimated 3,000 restavèk children in the Dominican Republic (DR).ⁱⁱⁱ

C. CONDITION OF RESTAVÈK CHILDREN IN HAITI

4. The term restavèk comes from the French and Creole meaning "to stay with." Restavèk are generally children of poor rural families who are sent to stay with and work as unpaid domestic servants for less poor, urban families. Parents send a child away with the hope that in return for the child's labor, the host family will provide the child with food and shelter and send the child to school.
5. The biological parents are promised that their child will be treated well and sent to school; unfortunately, in the overwhelming majority of cases these are false promises. Restavèk children instead live a life of hardship and work. These children, constantly occupied with work, seldom, if ever, attend school.^{iv} This denial of the right to education is in contravention of Haiti obligations under the UDHR (Art. 26), the CRC (Art. 28), and the ILO Convention 182 (Art. 7).
6. This system started out with poor families placing their children in the houses of wealthier urban families, often relatives, to gain access to education and other social services. However, it has deteriorated into a system of slavery in which poor children are trafficked to serve as unpaid domestic laborers in poor urban neighborhoods.^v
7. For the most part, restavèk are found in middle to lower middle class homes, as well as the poorest slums of Port-au-Prince. The lack of local water infrastructure and overall lack of public services such as electricity in poor neighborhoods creates high demand for domestic workers to fetch water each day, and provide other basic services. Since families in these

poor neighborhoods usually lack employment and are unable to pay for domestic help, these families rely on free child labor.^{vi} A recent survey conducted by the Pan-American Development Foundation (PADF) and USAID found that Cite Soleil, the largest slum of Port au Prince, had the highest percentage of children who were living in restavèk. While sixteen percent of all Haitian children surveyed were found to be restavèk, forty percent of all children surveyed in Cite Soleil were restavèk.^{vii}

8. Additionally, the practice originally involved the transfer of the child from one family to another. However, the restavèk system is more accurately characterized as trafficking^{viii} and now often involves middlemen recruiters, or *koutchye*, who are paid to find a restavèk for host families. This system of trafficking often results in the complete loss of contact between the restavèk child and her biological family.^{ix}

9. A restavèk generally works ten to fourteen hours a day without compensation.^x A restavèk wakes up before the host family and goes to bed after the host family. Her typical day has her bringing water to the home each day as well as completing all the household chores including cooking, cleaning, and washing. She also runs errands and walks her host parents' children to and from school.^{xi}

10. Children become restavèk as young as age five. Therefore their labor, even if paid and under better conditions, violates the rights of the child as provided for in Article 32 of the CRC as well as Article 2 of ILO Convention 138 and Article 335 of the Haitian labor code which each set the minimum age for child labor at fifteen.

11. In addition to forcing a restavèk to work long hours most often without access to school, host families also fail to properly care for restavèk children. In fact, restavèk are often so malnourished that on average a fifteen year old restavèk stands four centimeters shorter and weighs twenty kilograms less than the average Haitian child.^{xii}

12. Restavèk are mistreated, neglected, and abused emotionally, physically, and sexually in a myriad of ways.^{xiii} Synthia, a former restavèk, recounts the extreme and regular physical abuse she suffered in her godmother's house. Synthia's mother died when she was an infant and she was eventually sent to live with her godmother, her mother's youngest sister. Synthia was never sent to school and had to remain at home to do all the household work. She was never shown any love or affection and would get beatings if she did not work fast enough, if she took too long to fetch the water, or if anything was misplaced or missing around the house. One night, Synthia was sent on a late night errand. The area where she lived is known for some of the worst gang members and thieves in Haiti; so naturally, as a young girl, she was afraid. By the time she arrived at the merchant, the shop was closed. Synthia knew that she would be beaten, but she also knew that she had no control over the situation. When she arrived the beating was severe and she was made to sleep outside for the night.^{xiv}

13. The majority, approximately two-thirds, of restavèk are girls. Girl restavèk are particularly vulnerable to the sexual abuse of males in the host family.^{xv} In fact, restavèk girls are sometimes called *la pou sa*, there for that.^{xvi} Fabiola is a twenty-one year old woman who has suffered most of her life as a restavèk. She was three when she lost her mother and was then raised by an aunt. Her aunt had other people living in the home including Fabiola's godmother. One night the godmother's boyfriend tried to rape Fabiola. A neighbor heard her screaming and came to her rescue. Once everyone became aware of the incident, the man lost face and left the home. Fabiola was blamed for the man leaving and her life became more

miserable than ever. She was so badly mistreated that a neighbor offered to take her. In the beginning the neighbor treated her decently, but after a time she began to slap Fabiola across the face and beat her. Fabiola eventually ran away from this home and went to live with a woman she barely knew. The woman had a boyfriend that lived nearby and Fabiola was required to take food to him every afternoon. The man was a man of authority and had a gun; he knew that he could manipulate Fabiola. On one occasion he asked her to get something for him inside his room; he then followed her and attacked her. He threw her on his bed and raped her. He threatened to kill her if she told anyone of the incident. Fabiola was also afraid that no one would believe her story. Fabiola then tried to get others to take the food to the man, but when he realized what she was doing he made things worse for her. This went on for two years before Fabiola finally managed to escape.^{xvii}

14. Some *restavèk*, while not suffering from such overt abuse, suffer emotionally from neglect and isolation. Guerda was given to her father's brother and was treated like a *restavèk*. Guerda was not allowed to use her family name as it was the same last name as the man she was now living with and he did not want anyone in the community to know that she was his niece. Guerda recounted how painful and humiliating it was for her when her uncle refused to recognize her as a relative. He also always told her that she would never be more than a "little thief," that she would never succeed, and that her mother was of bad blood. He was constantly putting her down and making her feel inferior.^{xviii}

15. Many *restavèk* also have stunted child development. Since children have little time to play, they often lack imagination and fail to develop personal dreams and goals. It is difficult for many *restavèk* children to imagine a better and different future.^{xix}

16. The Haitian government's failure to protect children from mistreatment and abuse violates the right to be free from inhumane and degrading treatment as provided for in Article 5 of the UDHR, the right to protection from violence, abuse, and exploitation as outlined in Article 19 of the CRC, and the right to be free from work which harms the health and safety of the child as put forth in Article 3 of ILO Convention 187.

D. CHALLENGES AND CONSTRAINTS TO ELIMINATING CHILD LABOR IN HAITI

17. President Jean Bertrand Aristide once explained that the practice of *restavèk* is "so ingrained in Haiti that too many people do not even know they are breaking the law."^{xx}

18. Parents in dire economic straights give their children away as a means of coping with their poverty. Parents see child placements as an opportunity for social mobility for the child and the family. They believe working as a domestic servant in the city at least increases the child's opportunity to access education and other services rather than living in the impoverished family home with no chance for advancement.^{xxi}

19. Moreover, other collateral consequences and causes of poverty such as the lack of proper maternal health, large family size, reduced paternal responsibility, unemployment, classism, lack of parental education, and cultural acceptance perpetuate the *restavèk* system.

20. Haitian culture allows for the distinction between one's own child and the child of another. As one Haitian Creole proverb states *Lè w'ap benyen pitit moun, lave yon bò, kite yon bò*, when you bathe someone else's child, wash one side, leave the other side unwashed.^{xxii}

21. Most host families do not even see restavèk as children.^{xxiii} Host families recognize that without their benevolence the restavèk child most likely would have to live on the street without food or shelter; therefore, they rationalize the practice of restavèk as beneficial and generous.^{xxiv} However, Nadine Burdet, child psychiatrist and founder of L'Escale, a school for restavèk children, explains, "I [have] spent most of my time listening to the children, because if we were to have faith in what most people say, we would end up believing that these children are better off in service than with their impoverished families. But that did not tally at all with what the children told me."^{xxv}

22. Furthermore, in most cases, host families themselves are poor and are often unable to properly feed even their own children.^{xxvi} Many host families do not even have the resources to send their own children to school since there is a dearth of free and public education.^{xxvii} In fact, the PADF and USAID study found that a not insignificant minority, 11%, of host families themselves send their children into restavèk placement.^{xxviii}

23. While Haitian law condemns restavèk placement and child slavery, the system of enforcement has many shortcomings. Most obviously, the 2003 law prohibiting restavèk placement fails to include penalties for violating the law. While it allocates jurisdiction for investigating these cases to the Ministry of Social Affairs, it does not outline any specific punishments and only generally alludes to the possibility of judicial action.^{xxix} Admittedly, Article 340 of the Haitian Labor Code provides for the levying of a fine of 3,000 – 5,000 gourdes against any employer who employs a child under 15 or a child 15-18 without a work permit, but there is no evidence Article 340 is being enforced.

24. For example, the Ministry of Social Affairs' Institut du Bien Etre Sociale et de Recherches (IBESR) implemented SOS Timoun, a hotline for citizens to call and report violations of children's rights in 2000. IBESR reported receiving approximately 200 calls for assistance each year. Unfortunately, the minimally staffed program offered limited assistance. It would make an initial inquiry into the case and try to educate host parents to stop the abuse. It also occasionally removed the child from the host family or took a case to court. However, generally there was no follow-up beyond the initial investigation.^{xxx} At this point in time, there is no evidence that this hotline continues to exist.

25. Recognizing the Haitian government's limitations, several organizations and NGOs are now addressing restavèks. However, there is no uniform approach and little to no government support or coordination. As a result, most organizations are only able to create "pockets of change," but do not have the resources to solve the restavèk problem on a national scale.^{xxxi}

26. While restavèk placement has occurred for years, the earthquake has worsened the problem. The earthquake orphaned many children. Moreover, in the effort to find the nearest emergency shelter and medical care, families were separated without any record. There continues to be no effective data system in place for individuals to find lost family members.^{xxxii} Other orphaned and lost children are easy prey for traffickers. As one UNICEF official explained, "Traffickers fish in pools of vulnerability, and we've rarely if ever seen one like this."^{xxxiii}

27. The Haitian/Dominican border is an open border, but regulation is sparse with the two national governments only monitoring a few major crossing points. Subsequently, a large number of individuals regularly cross the border illegally.^{xxxiv} Haiti's complete lack of anti-

trafficking legislation, its largely unregulated Haitian border, and its weak law enforcement enable many of these traffickers to remove children to the DR and abroad with impunity.^{xxxv}

E. RECOMMENDATIONS

28. Take affirmative steps to enforce the law against restavèk that ensures the fundamental human rights of all children, in accordance with the Haitian Labor Code, the UDHR, the CRC, and ILO Conventions 138 and 182. Those measures can include the following:

- a. Working alongside civil society organizations to ensure that every child has access to basic food, shelter, and education.
- b. Investigate and ensure accountability for neglect, mistreatment, and abuse of restavèk children
- c. Strengthen the institutions such as IBESR and the Brigade for the Protection of Minors (BPM) who are charged with child protection

29. Take affirmative steps to ensure those children who are in a restavèk situation are guaranteed their basic human rights to education, health, food, as well as the right to be free from isolation, neglect, mistreatment, and abuse.^{xxxvi}

30. Take affirmative steps to interact more proactively with the international community to ensure that development builds capacity in Haiti and promotes domestic industry, sustainability, and autonomy.

31. Develop a plan of action, in consultation with civil society, and specifically those organizations seeking to combat the problem of restavèk, to address the root causes of the restavèk situation to ensure that no children find themselves in situations of slavery or forced labor, but instead are entitled to enjoy their childhood and grow up to their full potential. Such a plan should include strategies for creating:

- a. jobs for biological and host parents to alleviate the stress and weight of poverty^{xxxvii}
- b. a national public school system that serves all children in both rural and urban areas^{xxxviii}
- c. literacy and training programs for adults to build individual capacity and personal dignity, to foster greater respect education and the rights of children, and to teach parent alternatives to corporal punishment
- d. water infrastructure to eliminate the need for servants to carry water each day
- e. family planning programs to alleviate the economic pressure of large families and maternal health programs to reduce the maternal mortality rate and prevent against motherless children
- f. a public information campaign to change the perspective of the Haitian population from accepting restavèk placement to viewing the practice as an unacceptable form of child slavery and bondage

32. Take affirmative steps to prevent against the intrastate and interstate trafficking of children for restavèk placement by:

- a. Enacting legislation which prohibits all forms of trafficking and specifically defines restavèk placement as a form of trafficking

- b. Strengthening Haitian law enforcement through intensive training on restavèk issues including an emphasis on changing attitudes regarding the acceptability of the practice and on instruction for working with victims of rape
- c. Providing increased monitoring of the Haiti/DR border

Appendix A

Stories of restavèk children collected by Restavèk Freedom.

Synthia's Story

This is a recent story of a child assisted by Restavèk Freedom. The name was changed to protect her privacy.

Synthia celebrated her 15th birthday recently. This was the first time anyone had celebrated her birth. Her mother died when Synthia was an infant and she was taken to live with her mother's oldest sister for three years and then sent to live with her godmother, who was her mother's youngest sister.

She was never sent to school by her godmother and had to remain at home to do all the work. She was never shown any love or affection and would get beatings for not working fast enough or if she took too long to fetch the water and she would get beatings if anything was misplaced around the house. She was in charge of all household work including taking care of the younger children.

During an emotional recount of one incident she described the fear that she encountered as she was sent on a late night errand. The area where she lived is known for some of the worst gang members and thieves of Haiti so naturally, as a young girl, she was afraid. Because it was late at night she had difficulty finding the item she was sent to purchase. By the time she arrived at the merchant, she was closed. Synthia knew that she would be beaten but she also knew that she had no control over the situation. When she arrived the beating was severe and she was made to sleep outside for the night.

Synthia wanted to end her life. She tells Restavèk Freedom that the only thing that stopped her was the fact that she was in school and felt loved by the child advocate from our organization and that she would miss her.

Synthia has been removed from this situation and is now in a loving and supportive environment. She often comments that she feels as if she is in a dream. She is very intelligent and wants to study computer engineering.

Fabiola's Story

Fabiola is a 21 year old woman who has suffered most of her life as a restavek. She was 3 when she lost her mother and was then raised by an aunt until the age of 10. Her aunt had other people living in the home including Fabiola's godmother. One night the godmother's boyfriend tried to rape Fabiola. A neighbor heard her screaming and came to her rescue. The neighbor then told the aunt of the incident. Once everyone was aware of this the man lost face, was embarrassed and left the home. No one actually kicked him out.

Fabiola was blamed for the man leaving the home and made her life more miserable than before. The godmother had two children with the man and he was no longer willing to help care for these children. She was so badly mistreated that a neighbor offered to take her. In the beginning the neighbor treated her decently, as Fabiola describes, not beating her or cursing her.

After time she began to slap Fabiola across the face and beat her, blaming her for things she did not do. She ran away from this home and went to live with someone she barely knew.

Fabiola had to do all the work in this home and take care of the woman's children. The woman had a boyfriend that lived nearby and Fabiola was required to take food to him every afternoon. The man was a man of authority and had a gun, he knew that he could manipulate Fabiola. On one occasion he asked her to get something for him inside his room...he then followed her and attacked her. He threw her on his bed and raped her. He threatened to kill her if she told anyone of the incident. She did not tell anyone because he had showed her the gun and she was also afraid that no one would believe her story. Fabiola would often try to get others to take the food to the man but then he realized what she was doing and made things worse for her every time she did not bring the food herself. This went on for 2 years before she ran away.

Fabiola has recently begun school for the first time in her life and is struggling, as one would expect. She wants desperately to learn and is working extremely hard studying for hours each day.

Rosaline's Story:

Rosaline was living with a biological aunt until the aunt moved her due to the abuse she was receiving from the children of the man she married. She is now living with another woman who already had a restavek. Rosaline reported that the woman did not beat her but it was the way she cursed at her and talked to her that was the hardest.

Rosaline's mother lives in the countryside but Rosaline does not want to go back to her mother because she believes that her mother sent her in the hope that she can go to school and have a better life. She believes that her mother would not accept her back home.

Rosaline is one of Restavèk Freedom's children that comes to school looking nice. Her hair is done and her clothes are pressed. To observe her from the outside one might believe that she has a good life but you cannot see the suffering inside her soul from someone who needs love. She does not dream nor does she have any idea of what she would like to become someday. She doesn't dare to hope.

Lena's Story:

Lena was sent to Port-au-Prince when she was 8 years old. She lives with a host family that has 3 children, all attending school. Lena is 15 years old and had never attended school until Restavèk Freedom supported her schooling.

After 2 weeks in school she can now write her name for the first time in her life. She is in charge of all the household chores and also takes care of the children and all of their needs as the host aunt died, leaving her with the woman's husband. Her body is young but her face is older than 15 years.

She became very emotional as she told Restavèk Freedom of her misery and the burdens she carries. She is never treated with respect and often misses school due to responsibilities in the home.

Guerda's Story:

Guerda was sent to live with a man and his family in a rural community. Guerda's father was not poor but he had remarried and the woman he married would not allow the child from another woman to live in the house. Guerda was given to the father's brother. Guerda was not allowed to use her family name as it was the same last name as the man she was now living with

and he did not want anyone in the community to know that she was his niece. Guerda was treated like the restavek in the family. She had to do all the household chores and take care of the other children. The man owned a school so he did allow her to attend school but our foundation was paying for her to attend.

When Restavèk Freedom interviewed Guerda she recounted how painful it was for her that he did not want to recognize her as his niece and the humiliation she suffered in the fact that he would not recognize her as a relative. She said that he always told her that she would never be more than a “little thief” and she would never succeed and that her mother was of bad blood. He was constantly putting her down and making her feel inferior to the rest of the family. She was never given much time to study or prepare her lessons and would then be punished for not being prepared.

Guerda is one of the brightest children in the Restavèk Freedom home. She has already skipped two grades and works extremely hard. She has no interest in contacting her father even though we had him sign that we had the right to have her. He also has no interest in having her return home. Guerda is thriving in the program but there is much damage that she needs healing from.

ⁱ Act on the Prohibition and Elimination of All Forms of Abuse, Violence, Abusive or Degrading Treatment Against Children. June 5, 2003 [hereinafter 2003 Act].

ⁱⁱ Gulnara Shahinian, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including The Right To Development: Report of the Special Rapporteur on Contemporary Forms of Slavery, Including Its Causes and Consequences*, Addendum 7 (Sept. 2009) available at <http://www.unhcr.org/refworld/type,MISSION,,,4ac0c6b42,0.html> (noting the difficult of determining the exact number of restavek children in Haiti).

ⁱⁱⁱ United States Department of State, *Haiti: Special Case* in *TRAFFICKING IN PERSONS REPORT 2010* available at <http://www.state.gov/g/tip/rls/tiprpt/2010/142763.htm>.

^{iv} International Organization for Migration, *Child Trafficking and Abuse in Haiti: IOM Efforts to Rescue Restaveks* available at www.iom.int/unitedstates/Home/Restavek%20info%20sheet.pdf.

^v Jennifer Zimmerman, *Human Rights, Security, and Development in Haiti*, *MIGRATION* 18, 18 (Sept. 2006).

^{vi} *Id.* at 19.

^{vii} Glenn R. Smucker, et. al. *Lost Childhoods in Haiti: Quantifying Child Trafficking, Restavèks, & Victims of Violence* 31-32 (November 2009) available at <http://www.crin.org/resources/infodetail.asp?id=2149>[hereinafter Smucker Report].

^{viii} The *Trafficking in Persons Report* published in 2009 by the United States Department of State defines trafficking to include “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.” Available at <http://www.state.gov/g/tip/rls/tiprpt/2009/>. This definition clearly encompasses the practice of restavek.

^{ix} Shahinian at 7.

^x United States Department of Labor Bureau of International Labor Affairs, *Haiti*, available at <http://www.dol.gov/ilab/media/reports/iclp/Advancing1/html/haiti.htm>.

^{xi} Tone Sommerfelt, et al. *Living and Working Conditions of Child Domestic Workers* in *CHILD DOMESTIC LABOUR IN HAITI: CHARACTERISTICS, CONTEXTS, AND ORGANISATION OF CHILDREN’S RESIDENCE, RELOCATION, AND WORK* 44, 48 (2002) available at www.fao.no/ais/other/haiti/childlabour/EEDH_Report_draft_english.pdf.

^{xii} Zimmerman at 19.

^{xiii} Glenn R. Smucker & Gerald F. Murray, *The Uses of Children: A Study of Trafficking in Haitian Children*, 34-35 (December 2004) available at pdf.usaid.gov/pdf_docs/PNADF061.pdf.

^{xiv} Testimony of restavek child to Restavek Freedom. The child’s name has been changed to ensure her safety and privacy. For further details see Appendix A.

^{xv} Jacky Delorme, *Haiti: Tarnished Children* 7 (2004) available at www.beyondborders.net/docs/restavek-report.pdf.

-
- ^{xvi} Jonathan Blagbrough, *Child Domestic Labour: A Modern Form of Slavery*, 22 CHILDREN & SOCIETY 179, 186 (2008).
- ^{xvii} Testimony of former restavek to Restavek Freedom. For further details see Appendix A.
- ^{xviii} Testimony of former restavek to Restavek Freedom. For further details see Appendix A.
- ^{xix} Timothy C. Janak, Haiti's "Restave" Slave Children: Difficult Choice, Difficult Lives . . . Yet . . . Lespwa fe Viv 8 INT'L J. OF CHILDREN'S RIGHTS 321, 326 (2000).
- ^{xx} Quoted in Tim Padgett & Kathie Klarreich, *Of Haitian Bondage*, TIME, March 5, 2001 available at <http://www.time.com/time/magazine/article/0,9171,999363,00.html>.
- ^{xxi} Janak at 326.
- ^{xxii} Smucker & Murray at 11, 154.
- ^{xxiii} Quoted in Jim Loney, *Haiti "Restavèk" Tradition Called Child Slavery*, REUTERS, Feb. 18, 2010 available at <http://www.reuters.com/article/2010/02/18/us-quake-haiti-restaveks-idUSTRE61H3F920100218?pageNumber=1>.
- ^{xxiv} Padgett & Klarreich.
- ^{xxv} International Confederation of Free Trade Unions, *Interview with Nadine Burdet, Child psychiatrist and Founder of Escale* available at <http://www.icftu.org/displaydocument.asp?index=99121892>.
- ^{xxvi} Viviana Fernandez & Linda Tom, UNICEF and Partners Help Child Domestic Workers in Haiti Regain Their Rights available at http://www.unicef.org/infobycountry/haiti_39418.html.
- ^{xxvii} Shahanian at 7. For more information, see coalition stakeholder report on Education, submitted in coordination with BAI/IJDH.
- ^{xxviii} Smucker Report at 18.
- ^{xxix} 2003 Act.
- ^{xxx} National Coalition for Haitian Rights, *Restavèk No More: Eliminating Child Slavery in Haiti* (2002).
- ^{xxxi} Janak at 330.
- ^{xxxii} Satchit Balsari et al. *Protecting the Children of Haiti*, 362 NEW ENG. J. MED. e25 (2010).
- ^{xxxiii} Tim Padgett & Bobby Ghosh, *Human Predators Stalk Haiti's Vulnerable Kids*, TIME, Jan. 27 2010 available at http://www.time.com/time/specials/packages/article/0,28804,1953379_1953494_1957160,00.html.
- ^{xxxiv} Smucker & Murray at 41.
- ^{xxxv} Balsari at e25.
- ^{xxxvi} For more information, see coalition stakeholder report on Children's Rights, submitted by Bureau des Avocats Internationaux, Institute for Justice & Democracy in Haiti, and LAMP for Haiti.
- ^{xxxvii} For more information, see coalition stakeholder report on Labor Rights, submitted by the Transnational Legal Clinic, University of Pennsylvania, in coordination with BAI/IJDH.
- ^{xxxviii} For more information, see coalition stakeholder report on Education, supra n. xxvii.