

Children and the hotel industry in Mexico

Taking action
to protect,
respect and support
children's rights



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Research and writing:

Romain Sibille, UNICEF Mexico

Samah Abbasi and Francis West, UNICEF UK

Design and editorial:

Christian Humphries, UNICEF UK

Sally De Souza

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EXECUTIVE SUMMARY



The hotel industry has immense potential to positively affect children's rights in Mexico. It creates jobs, particularly for women and migrant workers. It can help accelerate career development opportunities for the young and unskilled. It can expand local sourcing of goods and services for an inclusive economy and extend the practices to prevent child sexual exploitation operated by the large hotel chains to encompass the whole tourism sector. However, the greatest positive impact that businesses can have on the most pressing social and development challenges of our time is to ensure that they fully respect human and child rights across their operations and supply chains.

Since the inception of the United Nations Guiding Principles in 2011,¹ and their corollary, the Children's Rights and Business Principles,² the expectation is for companies to proactively identify adverse impacts of their business and supply chains and to address them where encountered. For UNICEF, it is critical that the voices of children and their caregivers are brought into this 'human rights due diligence' process, so that a company can understand how it affects children's lives directly and also indirectly, through impacts on their parents and communities.

In order to achieve the Sustainable Development Goals (Global Goals) and to realize the rights and well-being of every child, every sector of society – public, private and civil – should play their part. With sustainable tourism referenced in three separate targets in the Global Goals, the hotel industry now has the opportunity to take centre stage in the efforts to realize child rights and to show leadership in assuming responsibility for its full range of impacts on employees, their families and local communities.

With the UN General Assembly declaring 2017 as the International Year of Sustainable Tourism for Development, it is more important than ever that the hotel industry determines the ways that its operations and supply chains impact on children and how they can mitigate the negative and enhance the positive impacts they find. This report aims to help businesses do this.

Following extensive desk-based research into the child rights issues relating to the hotel industry in Mexico, UNICEF undertook exhaustive qualitative research with tourism stakeholders, parents working in the industry and children. This included interviews and focus groups with over 300 hotel employees in three different locations in Mexico, as well as interviews with more than 50 potentially affected children and with more than 80 international, national and local experts. We have grouped the impacts on children into the following areas:



Decent work for parents and caregivers



Child labour and sexual exploitation



Community and environment

EXECUTIVE SUMMARY



“Dad is waiter in a hotel.
He arrives at 12 at night,
I hardly see him, he works
on rest-days”

Child of hotel employee

“My salary isn’t sufficient to
look after my children.”

Hotel employee

1. DECENT WORK FOR PARENTS AND CAREGIVERS

1.1 Hours and schedules

Most hotel employees work a rotating schedule, meaning that their shifts switch between morning, afternoon and evening work each week or month. Working parents with shifts in the evenings and on weekends struggle to spend much time with their children and their partner. The challenge for working parents in Mexico is exacerbated by a lack of affordable or accessible child-care and short school days.

The result is that working parents often leave their school-age children unsupervised until they return from work, putting children at higher risk of injury, violence and neglect.³

UNICEF recommends that hotels offer working parents regular schedules and greater flexibility of leave to attend to their children’s needs. In addition, government, with the support of industry, should map the childcare needs of working parents and expand access where required.

1.2 Wages

Today, a large proportion of Mexico’s hotel workers – for example housekeepers, servers and bellboys – earn the minimum wage or a rate close to the minimum wage. But with a national minimum wage that is below the per capita poverty line, these hotel workers are poor even if they work full-time and those who have children to care for are even more likely to struggle to make ends meet. Exacerbating this issue is the illegal use of the ‘time-for-time’ approach by elements of the hotel industry, where employees are required to work overtime during busy periods and receive the equivalent time off when hotel activity allows it, to avoid paying the higher overtime rates as mandated by the law.

The impact of parents’ low income on children cannot be overstated. It can often mean missing out on education, lack of safe and decent housing, lack of medical treatment and care, and poor nutrition. It can, in some cases, contribute to children looking for ways to supplement family income.

UNICEF recommends that hotels increase wages to meet the government’s Well-Being Guidelines and ensure that all hours worked are accurately tracked and paid for in line with legal requirements.

EXECUTIVE SUMMARY

“If you don’t have *planta* [a permanent contract] they can fire you for anything. They are not just affecting you, but your families also.”

Hotel employee

1.3 Contracts

This report finds that Mexican hotels are exploiting a loophole in the Federal Labour Law that allows temporary contracts for “seasonal jobs”. In practice, many hotel employees on temporary contracts end up working all-year round without the stability, predictability and state benefits — including job security, social security, pension entitlements and housing benefits — afforded to permanent employees. This undermines employees’ right to an adequate standard of living for themselves and their children.

UNICEF recommends that hotels should ensure they only use temporary contracts for work that is truly short-term. It is the government’s responsibility to close the loophole in the law that allows this practice.

1.4 Support for maternity care, breastfeeding and early childhood development

“There isn’t a place to breastfeed or extract milk. The operational demands would make it impossible.”

Hotel employee

New and expectant mothers face many challenges in terms of discrimination. Employers in Mexico have been known to require employees to take pregnancy tests, presumably to circumvent maternity leave. Hotels are no exception, with interviewees stating that this had happened in several hotels that they had worked in. New mothers also often face difficulties in continuing to breastfeed once they return to work. Hotel employers rarely offer a safe and comfortable space for mothers to breastfeed or express breast-milk.



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UNICEF recommends that hotels in Mexico ensure a zero-tolerance approach to pregnancy testing for female applicants and recommends that they implement the UNICEF Guidance on Breastfeeding in the Workplace.⁴



“I’ve seen entire families working in the field. They are ... indigenous families and the children probably don’t go to school.”

Fresh produce supplier to hotel

2. CHILD LABOUR AND SEXUAL EXPLOITATION OF CHILDREN

This assessment found that while Mexico’s large hotels appear to have eliminated child labour within their direct operations, it continues to exist in the informal economy and in the industry’s vast supply chains. Agriculture and construction supply chains present significant risk of hotels being linked to child labour. In popular tourist destinations, poor families may see the arrival of wealthy tourists as an opportunity to supplement family income by engaging children in selling goods near hotels. During the course of this research, numerous young children were observed selling on the beachfront and promenade in front of bars and restaurants in Puerto Vallarta and Cancun.

The provision of work opportunities for adolescents under safe conditions, rather than excluding them entirely from employment or vocational opportunities, is one way for hotels to contribute to the elimination of child labour, including its worst forms.⁵ Despite this, major hotel brands operating in Mexico tend not to recruit children aged 15 to 17.

UNICEF recommends that Mexico’s hotel industry use its leverage with government authorities to advocate for greater investment in local child protection systems. Hotels can also contribute to existing initiatives that aim to address immediate cases and the root causes of child labour. Hotel procurement staff should receive training on how to spot child labour and what to do if child labour is found. Hotels should also consider collaborating with local schools, technical colleges and NGOs to expand vocational training offerings for children aged 15 to 17, especially those who are vulnerable and/or marginalized. Government needs to ensure regular inspections and enforcement of labour law across all industries.

With regards to the sexual exploitation of children in the context of travel and tourism, this assessment found that major hotels in Mexico appeared to manage the risk of this taking place on their properties. The tourism industry should also adopt tools to prevent and eradicate the sexual exploitation of children, such as the National Code for the Protection of Children and Adolescents in the Travel and Tourism Sector. The challenge is now to draw in other actors in the travel and tourism sector and value chain, such as taxi firms, smaller and independent hotels and tour operators, to build upon these solid foundations to prevent sexual exploitation of children.



3. THE COMMUNITY AND THE ENVIRONMENT

The migration that has accompanied tourism development, particularly along Mexico's coastlines, has increased pressure on basic services and social infrastructure such as housing, schools, water and sanitation, and health centres.⁶ The lack of access to services is accompanied by price inflation in many tourist zones.

The development of hotel zones along Mexico's coastlines has also resulted in the privatisation of public areas such as beaches, even though the Mexican constitution stipulates they are public property. This undermines the community's enjoyment of beaches – including children's right to play – and has also adversely affects the ability to earn a living from fishing.

“Access to the beaches – we can't go there – they are forbidden, private properties, I'm upset about it.”

Child of hotel employee

UNICEF recommends that the hotel industry advocate for, and partner with, local government authorities to strengthen existing service provision for children and for adequate investment in development plans in tourist zones. Clearly, the de facto privatisation of beaches needs to be addressed and security guards should be trained on individuals' access rights to beaches in Mexico.



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FOREWORD



Christian Skoog
UNICEF Mexico Representative



Michael Penrose
UNICEF UK Executive Director

The hotel industry has immense potential to positively affect children's rights in Latin America and beyond. In order to achieve the Sustainable Development Goals and to realize the rights and well-being of every child, every sector of society – public, private and civil – must play their part. The hotel industry can create more jobs, particularly for women and migrant workers. It can help accelerate career development opportunities for the young and unskilled. It can expand local sourcing of goods and services for an inclusive economy and extend the practices to prevent child sexual exploitation operated by the large hotel chains to encompass the whole tourism sector.

However, the greatest positive impact that businesses can have on the most pressing social and development challenges of our time is to ensure that they fully respect human and child rights across their operations and supply chains. For the hotel industry, this starts with the provision of decent work for parents on hotel properties. Characterized by long working hours, frequently changing rotas, low salaries and temporary contracts, working conditions in hotels can be detrimental to the children of employees in terms of their standard of living and the time they are able to spend time with their parents – both critical factors in the realisation of children's rights. The long hours and anti-social patterns of work commonly results in children being left unaccompanied for long periods of time, which can expose children to high levels of violence and exploitation. These dynamics can be seen across Latin America and the Caribbean.

In the agriculture, textile and construction supply chains, hotels encounter risks of child labour that they have a responsibility to address. Children selling goods on beaches and in other tourist zones are an all too familiar occurrence in destinations across Latin America and the Caribbean. Beyond the doors of hotels, tourist destinations that have experienced rapid immigration often have not built adequate services for the local community, including health facilities, education and day care. Beyond their direct operations and supply chain, the hotel industry can also use their influence with local government and providers to make the case for more effective coverage of community services so fundamental to children's well-being and future. While these challenges may sometimes seem insurmountable, collaboration with civil society and government can supplement direct action by companies to help make tourist destinations better places to visit and better places to live in.

This report, based on extensive primary research with hotel employees, children and others living in tourist zones, as well as government and community stakeholders in tourist destinations in Mexico, aims to help hotel businesses operating in Mexico and the wider Latin American and Caribbean region to implement their responsibilities under the UN Guiding Principles on Business and Human Rights – with a focus on children's rights. While this report sets out the salient child rights impacts of the hotel industry in Mexico and recommends actions for businesses and government to prevent and address these issues, this should not be a substitute for businesses undertaking their own human rights due diligence processes to identify, prevent, mitigate and account for their impact on human/child rights. With the UN General Assembly declaring 2017 as the International Year of Sustainable Tourism for Development, we hope this report inspires all parties to take action for children. No issue is more fundamental to sustainable development than children's rights.

1.1 WHAT HAS THE HOTEL INDUSTRY GOT TO DO WITH CHILDREN?

“Tourism is a major contributor to employment creation particularly for women, youth, migrant workers, rural communities and indigenous peoples and has numerous linkages with other sectors. As a consequence, tourism can lead to the reduction of poverty and to the promotion of socio-economic development and decent work. However, if tourism does not respect local cultures and is uncontrolled, unsustainable or not socially accountable, it can also have a negative impact on local communities, their heritage and environment, exacerbating inequalities.”⁷

International Labour Organization (ILO)

All businesses have a responsibility to respect human/child rights. Since the inception of the UN Guiding Principles in 2011⁸ and their corollary the Children’s Rights and Business Principles,⁹ the global expectation has been for companies to avoid any infringement of human rights, including children. Where adverse impacts are identified, the business is expected to address them. Crucially, this responsibility applies not only to the activities of the business itself, but also to the actions of others with which the company holds a business relationship. For example, that means a hotel must take responsibility for the way that workers and communities are treated in its construction and fresh fruit and vegetable supply chains.

The corporate responsibility to respect human rights centres on the concept of ‘due diligence’: that is, businesses need to identify, prevent, mitigate and account for their impact on human/children’s rights. Human rights due diligence also requires consultation with stakeholders who are affected or potentially affected by a company’s operations and supply chain, particularly vulnerable groups.

For UNICEF, that means bringing the voices of children and their caregivers into the process so that a company can understand how they affect their lives. Children are key stakeholders of business – as family members of employees, young workers, consumers, and as future employees and business leaders. At the same time, children are often overlooked members of the communities and environments in which business operates. In fact, as children are still growing and developing, they are especially vulnerable to the negative effects of business and can be severely and permanently affected by infringements of their rights. For instance, there are more than 168 million child labourers worldwide, 85 million of whom are in hazardous work; child consumers may be easily convinced to buy and use inappropriate or unsuitable products; and children are much more susceptible than adults to the harmful physical effects of pollution and toxic chemicals, manual labour or poor diet. Children’s heightened vulnerability is recognised by the UN Convention on the Rights of the Child, the most widely ratified human rights treaty in the world.¹⁰

Companies should make dedicated efforts to elicit the views of children who are affected or may be affected by their operations. In some cases, direct consultation may be appropriate; in others, engagement with local child rights advocates, organizations or individuals who are in close contact with children or who have expertise on children’s rights in a particular context will be invaluable.

Historically, the focus of the hotel industry in relation to children’s rights has been on addressing the commercial sexual exploitation of children. The potential harm to children here can include health issues such as sexually transmitted infections and unwanted pregnancies, as well as psychological impacts such as trauma, feelings of guilt, shame and depression. While it is widely recognized that hotels are not the cause of child sexual exploitation, they can unintentionally aggravate the problem as individuals abuse its infrastructure. This has led to increasing recognition of the potential role of the hotel industry in addressing this problem. UNICEF has been working actively to promote good practices such as training

hotel employees and other tourism stakeholders in the detection and reporting of cases and the establishment of proper grievance mechanisms and support for the victims of abuse and exploitation. In Mexico, this has resulted in the development of the *Código de Conducta Nacional para la Protección de Niñas, Niños y Adolescentes en el Sector de los Viajes y el Turismo* (National Code for the Protection of Children and Adolescents in the Travel and Tourism Sector), which outlines six guidelines for travel and tourism companies in order to tackle the challenges of sexual and labour exploitation of children and adolescents.¹¹

The experience of addressing a specific child rights issue can serve as the foundation for the hotel industry to move to a wider understanding of how their businesses can affect children. This shift must include a focus on the indirect effects on children. As a significant part of the tourism industry that accounts for 10.2 per cent of world GDP and supports 292 million jobs globally (that's 1 in every 10 jobs on the planet),¹² the hotel industry has immense and important potential to positively affect children's lives and well-being through the creation of decent work for their parents. Recognition of this latent social and development impact is reflected in the inclusion of 'sustainable tourism' in three separate targets in the Global Goals, the realisation of which will shape the world in which our children live in 2030 and beyond.

UNICEF globally has prioritized engagement with the travel and tourism sector to improve understanding and action on the Children's Rights and Business Principles.¹³ This report, though focused on Mexico's hotel industry, provides important insights and recommendations for tourism companies across the globe to maximize the positive and minimize the negative impacts they may have on children and their families.



Figure 1: Children's Rights and Business Principles and the hotel industry

The Children's Rights and Business Principles cover all types of business, and the relevance and applicability of each Principle will vary across sectors. Here is an overview of the Principles as they relate to hotels.

Under the PRINCIPLES, all businesses should ...	Relevance to hotels
Principle 1 Meet their responsibility to respect children's rights and commit to supporting the human rights of children	All companies, regardless of the industry, have a responsibility to respect human rights, including the rights of children. Undertaking human rights impact assessments and engaging with child rights stakeholders are integral to this.
Principle 2 Contribute to the elimination of child labour, including in all business activities and business relationships	<p>Child labour is rarely found in the direct operations of global hotel brands, though this may be a more salient risk for smaller enterprises and especially those in the informal economy. However, it is possible for all hotels to be linked to the use of child labour through their supply chain, particularly during construction of properties, and through the sourcing of agricultural produce and textiles.</p> <p>Child labour may also exist in areas surrounding hotels. For example, children may be found selling souvenirs and other goods in local markets or on beaches. They may also act as informal tour guides and baggage carriers. In some tourist destinations, there is also the risk of children being forced to beg. These vulnerable children are often at increased risk of sexual exploitation.</p>
Principle 3 Provide decent work for young workers, parents and caregivers	<p>Hotels create temporary and permanent employment opportunities for local communities through direct work in hotels and also throughout the supply chain. The large supply of entry-level positions is particularly attractive to women and young people.</p> <p>However, the industry is characterized by low wages that may not cover a family's basic needs, as well as long and irregular hours that may result in long periods of parental absence from children. Children whose parents cannot afford or access quality childcare may be left unsupervised, leaving them more vulnerable to abuse and injury.</p> <p>Parents who migrate to tourist areas for employment and leave their children at home face additional challenges in meeting their child-rearing duties.</p> <p>Pregnant women may suffer discrimination and lack adequate protection, while new mothers often face challenges in continuing to breastfeed when they return to work.</p> <p>The widespread use of temporary contracts due to the seasonal nature of tourism can result in financial and social insecurity for families.</p>
Principle 4 Ensure the protection of children in all business activities and facilities	<p>Children become more vulnerable to sexual exploitation in tourist destinations. Individuals may use the industry's infrastructure and services to facilitate or commit this crime.</p> <p>The increased levels of alcohol consumption, prostitution, drug abuse, noise and an influx of strangers that are often found in popular tourist destinations can create unsafe environments for children.</p> <p>Child guests may also be at risk of injury or neglect if left in the care of hotel staff that have not been adequately trained, for instance at kids clubs or on-site childcare.</p>

Under the PRINCIPLES, all businesses should ...	Relevance to hotels
<p>Principle 5 Ensure that products and services are safe, and seek to support children's rights through them</p>	<p>Child guests may be exposed to products or services that are meant for adults, for example gambling and gaming facilities, alcohol, tobacco and harmful content via TV or Internet.</p> <p>Hotel development may disrupt the everyday lives and customs of local communities. As a result, children's ability to play in their usual surroundings, practise their religion or exercise other cultural practices may be affected or restricted.</p> <p>Hotels may promote tourist experiences that undermine children's rights. For example, signposting for a tour to visit local communities that are impoverished. Communities may not benefit equitably from the commercialisation of cultural practices by excursion companies, and children living in the communities visited can have their rights to dignity, privacy and to practise their culture/religion infringed upon, as well as face heightened risk due to strangers entering the community.</p>
<p>Principle 6 Use marketing and advertising that respect and support children's rights</p>	<p>Tourists under the age of 18 may receive marketing information that promotes potentially harmful or risky behaviours.</p>
<p>Principle 7 Respect and support children's rights in relation to the environment and to land acquisition and use</p>	<p>Hotel development requires significant land use/acquisition, with potential impacts that include loss of homes, family livelihoods (such as farming or fishing) and saturation of social infrastructure, for example schools and health facilities.</p> <p>Hotel development and operational activities can have significant environmental impacts, especially through water pollution. Children are more vulnerable to these impacts due to their physical and mental development and behaviour patterns.</p> <p>In many countries, beaches are public property. However, hotels may restrict access to the beach in front of their properties, denying children their right to play and their parents the right to a living through fishing.</p>
<p>Principle 8 Respect and support children's rights in security arrangements</p>	<p>Hotels may use private security firms during land acquisition or construction phases. Without proper training and supervision of the personnel, security arrangements may increase children's exposure to violence and risks of arrest and detention.</p>
<p>Principle 9 Help protect children affected by emergencies</p>	<p>Hotels may be located in areas that are prone to natural disasters or extreme weather events. In addition, hotel development may take place in post-conflict areas, where land use/acquisition has the potential to exacerbate conflicts over natural resources and thereby increase children's exposure to violence.</p>
<p>Principle 10 Reinforce community and government efforts to protect and fulfil children's rights</p>	<p>Hotels create significant revenue through payment of taxes that enable governments to invest in initiatives to support children, for example education. It is important that taxes are paid in full, in order to develop required social infrastructure.</p> <p>Local communities may not enjoy the economic benefits of the industry and rising material, housing and food costs due to increasing tourist activity may force families to relocate.</p> <p>Migration of workers seeking employment in hotels can place additional burdens on local infrastructure and public services, affecting children's access to health, education, housing, etc.</p>

1.2 TOURISM AND CHILD RIGHTS IN MEXICO

TOURISM AND HOTELS

Mexico is the ninth most visited country in the world.¹⁴ Tourism is critical to the economy, with the travel and tourism sector contributing to 16 per cent of Mexican GDP in 2016.¹⁵ The hotel industry is growing in importance, with Mexican hotels receiving almost 20 million guests in 2015, an increase of 7.7 per cent from the previous year.¹⁶ Current projections suggest this trend will continue over the next decade with travel and tourism estimated to account for 17.2 per cent of Mexico's GDP by 2027.¹⁷ The Caribbean coast, Mexico City and Los Cabos are the preferred destinations, receiving respectively 54.6 per cent, 11.2 per cent and 11 per cent of all travellers.¹⁸

Clearly, a sector of this size creates a significant number of jobs. In 2015 there were 3.8 million people employed in Mexico's tourism sector, representing 8.3 per cent of the total workforce.¹⁹ Women make up the majority of this workforce yet tend to be concentrated in the lowest paid, lowest status jobs. For instance, the female-dominated occupations of housekeeping, service and front-office are the three lowest-paid occupational categories in Cancun.²⁰

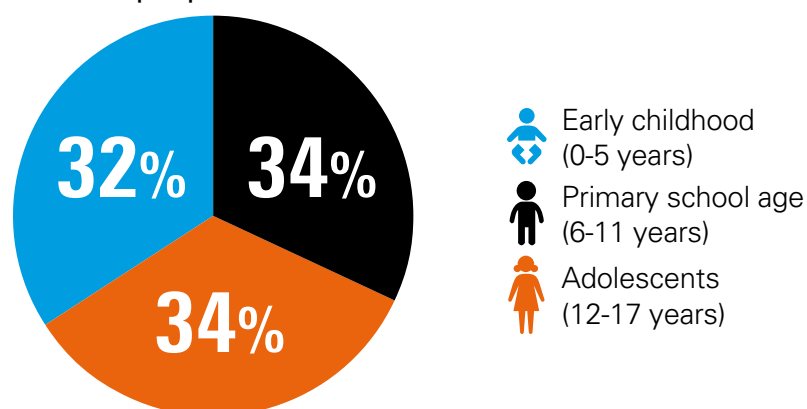
CHILD RIGHTS CONTEXT AND CHALLENGES

The rules, regulations and systems of the state can have a very significant impact on the protection of children. It is therefore crucial that businesses seeking to manage their effects on human/child rights understand the political, economic and social context in which they operate. This process can help identify potential risks to people that might be particularly vulnerable to business impacts. The issues that surface through this desk research and interviews with experts on the operational context can then be explored through meaningful consultation with stakeholders potentially affected by those risks.

Mexican children represent more than a third of the population (see Figure 2). Despite their large number, children and children's views are often not taken into consideration in the decisions of government and businesses that affect them.

Figure 2: Child population of Mexico

39.2 million people under 18²¹

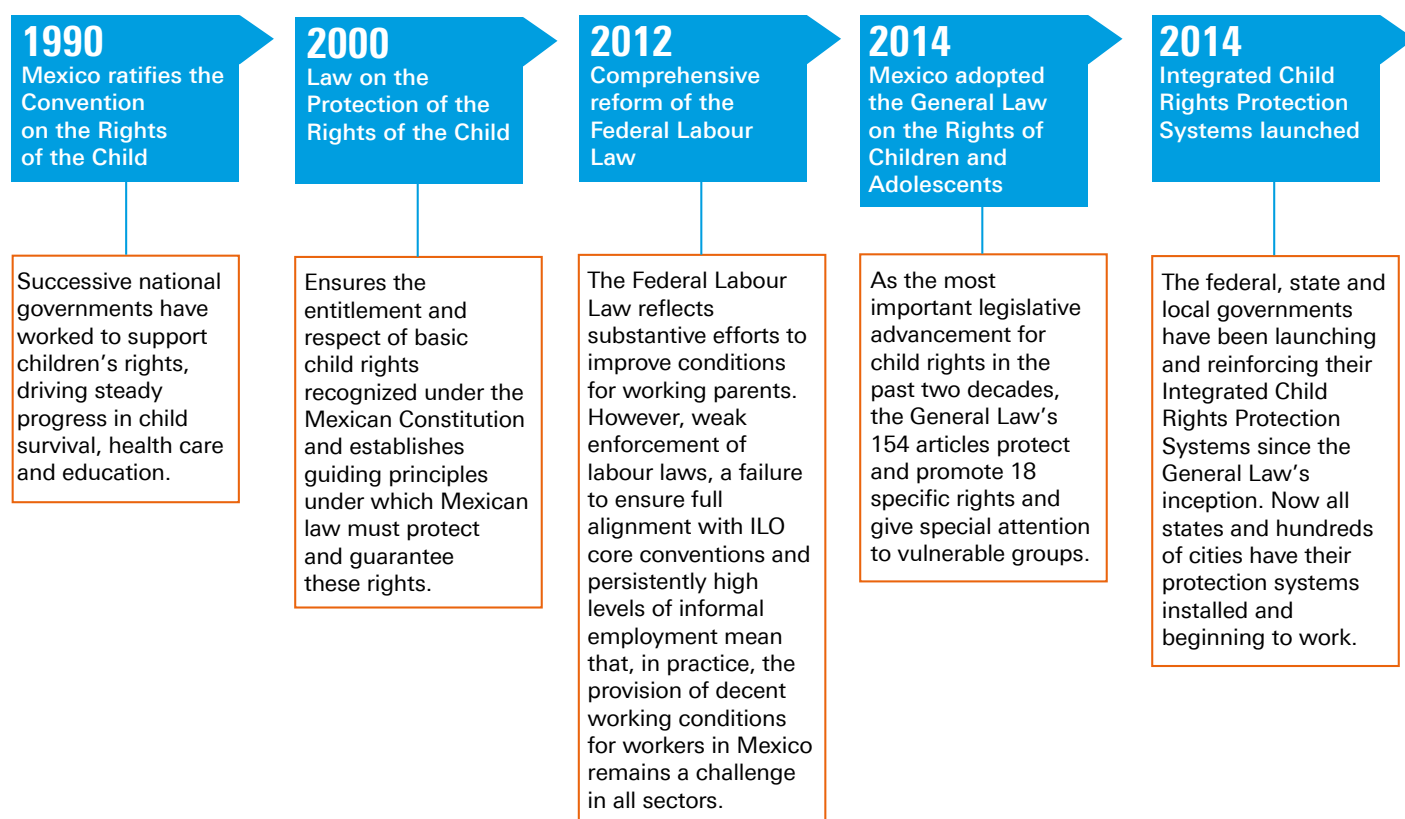


Among Mexican children, 26.4 per cent live in rural areas and 5.73 per cent are indigenous.

In Mexico, substantive progress has been made to put measures in place to protect children's and working parents' rights, as can be seen in the initiatives highlighted in Figure 3.

Despite this progress, real challenges remain in relation to the implementation of these laws and protection systems, the most important of which will be highlighted throughout this report.

Figure 3: Measures to protect rights of children and working parents



1.3 CHALLENGES FOR CHILDREN IN MEXICO²²

Poverty



Richest **1 per cent** own **43 per cent** of Mexico's wealth.

50 per cent of children live below the poverty line.

Of the children living in poverty, **20 per cent** are in extreme poverty.

9 out of 10 children who speak an indigenous language live in poverty.

Nutrition



1.5 million children under five are chronically malnourished. Most of these children are indigenous and live in rural areas.

World's highest rate of overweight and obese children.

One in three adolescents aged 12 to 19 is overweight or obese.

Breast feeding



Only **one in three** children are breastfed for the first 6 months of life.

Formally employed mothers are **27 per cent** less likely to breastfeed compared to unemployed mothers.

Early childhood



Children under 5 = **1.5 million**.

2 out of 10 children between the ages of 3 and 5 are not adequately developed for their age.

Education



More than 4 million children are out of school and **more than 600,000** are at risk of dropping out.

Migration



Of the foreign migrant children registered, **41 per cent** came from Guatemala, **29 per cent** from Honduras and **25 per cent** from El Salvador.

Child labour



2.5 million working children, **90 per cent** of whom perform work that is illegal because they are not old enough by law to work or are involved in hazardous tasks.

One in four work to support their family economically.

351,113 children have to do housework rather than go to school.

Violence



63 per cent of children aged 1–14 exposed to violence.

FINDINGS

Following extensive desk-based research into the child rights issues relating to the hotel industry in Mexico, UNICEF undertook qualitative research with tourism stakeholders, parents working in the industry, and children themselves. This included interviews and focus groups with over 300 hotel employees across three different locations in Mexico.²³ The employees interviewed were predominantly in positions and with backgrounds that had been identified as potentially vulnerable to infringements of their rights. Senior management were also interviewed to better understand prevailing business policies and processes. Over 80 stakeholders from government, civil society and the hotel industry were interviewed as well as 50 children, who either had parents working in hotels or who lived in tourist destinations.

Based on this research, we have identified a series of child rights issues as being salient. That is, they stand out because they are at risk of the most severe negative impact through hotel operations or business relationships in Mexico. We have grouped these impacts into the following areas:



Decent work for parents and caregivers



Child labour and sexual exploitation



Community and environment



2. DECENT WORK FOR PARENTS AND CAREGIVERS



To advance children's rights, the hotel industry needs to go beyond legal compliance to establish family-friendly workplaces that enable parents and caregivers to support children during the crucial phase of early childhood, when interactions with family have a profound influence on a child's development and growth. This is also in the interests of hotels. Difficult working conditions contribute to high staff turnover, which in turn has an impact on productivity, competitiveness and service quality – critical issues for hotels.

The following working conditions present the biggest risk to children of hotel employees:

2.1 HOURS AND SCHEDULES

“My father is a waiter ...
I almost never see him.
He walks me to school
sometimes. I miss him but it
has always been that way.”

Child of hotel employee

Key findings

- Hotel employees frequently work overtime, sometimes with little or no choice
- Rotating schedules place additional pressure on working parents
- Children of hotel employees see very little of their parents
- Long working hours can result in children being left alone or taking on adult tasks

Affects children's rights to

- Live with and be cared for by their parents
- An adequate standard of living
- Play and rest

Affects rights of parents and caregivers to

- Just and favourable conditions at work
- Fair wages
- An adequate standard of living
- Freedom from forced labour
- Rest and leisure
- Family life

“When my dad comes back
we play a little, but he is very
tired and asks me for some
peace. Sometimes he sleeps
in the hotel”.

Child of a hotel employee

Mexico's standard working week is 48 hours across six days (or 57 hours maximum with overtime), but excessive overtime is reported across a range of industries.²⁴ In Mexico's hotels, regular overtime is common and employees may not always feel that they can refuse a request to work additional hours. This can leave employees feeling exhausted, especially during high season when workloads are heaviest. This overtime and tiredness has a significant impact on the quality of time children have with their parents. One child, whose father works in a hotel, said “*When my dad comes back we play a little, but he is very tired and asks me for some peace. Sometimes he sleeps in the hotel.*” Women are likely to feel additional



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“Most of the time when I get home, my kids have already gone to sleep.”

Hotel employee

stress, as they tend to be the ones caring for children as well as doing household chores.²⁵ One working mother said, *“I don’t see [my children] a lot – I feel bad about that. When I see them, they want to play but I’m tired”*. Another explained how this lack of contact with her children affected how she perceived herself as a mother: *“We don’t have time with [our children] like normal mothers. We have to pay for others to look after them.”*

Hotels commonly use rotating schedules that require employees to switch between morning, afternoon and evening shifts each week or month. These schedules mean that working parents with shifts in the evenings and on weekends struggle to spend much time with their children and their partner. In addition, working parents can find that their days off do not align, meaning that children miss out on enjoying time with both parents together. One child of a hotel employee said, *“Dad is waiter in [a] hotel. He arrives at 12 at night, I hardly see him, and he works on rest-days”* From the interviews, it was clear that this took an emotional toll on parents as well as children, with one employee explaining *“I am almost never with my child. I am here more than in my house. We only eat together. I don’t enjoy my child much because I am working.”*

“I am almost never with my child. I am here more than in my house. We only eat together. I don’t enjoy my child much because I am working.”

Hotel employee

The industry’s unsocial and irregular working hours can heighten the stress on working parents, who may already face competing demands and trade-offs when balancing work with child-care responsibilities. These choices are even harder for poorer families. The challenge for working parents in Mexico is exacerbated by a lack of affordable public day-care programmes.²⁶ Hotel employees with young children raised concerns about long waiting lists, inconvenient locations, opening hours that did not work for hotel staff, unhealthy hazardous installations and even sometimes the use of physical punishment by day-care staff. Private day care is simply too expensive for most hotel employees on the lowest wages. In the absence of affordable child-care services, a reliance on family or friends becomes crucial. However, this can be particularly challenging for parents that migrate across states to find employment in the hotel industry (especially common in Cancun and Puerto Vallarta). These parents often lack a local support network and may have little choice but to leave their children behind with extended family.

“Children left alone is the biggest issue”

NGO



Working parents with older children also face difficulties ensuring that their children are cared for in a safe environment while they are at work, as the vast majority of Mexico's schools do not operate for a full day. Schools often end around midday and investment in after-school activities or childcare is lacking.²⁷ This combination of long working hours, low wages, short school days and a lack of access to appropriate child-care has resulted in many working parents having to leave their children to travel back from school alone to an empty house. In Cancun, these are called “key children”, as they carry the key to their homes on a chain around their necks. These schoolchildren will often remain unsupervised until their parents return from work.²⁸ Children left alone at home are vulnerable to injury, neglect and abuse and those living in tourist destinations may also be exposed to a number of dangers linked to the sector, including higher levels of alcohol consumption, prostitution, gambling, drug abuse and an influx of transient visitors.²⁹ Mexico's high rate of secondary school dropout exacerbates children's vulnerability, as they lose out on the protective factor that education provides against risk-taking behaviours.³⁰ This was clear through the words of a teacher interviewed for this report: *“Children left unsupervised in Cancun is an open gate to school dropout, drug addiction and prostitution.”*

This report found that children left alone at home were often required to take on adult tasks, such as cooking, cleaning and looking after younger siblings, with one child of a hotel employee explaining that *“I am the mother and father for my smaller brothers”* and another stating *“My parents come back home really tired, sometimes at 1am. I miss them but my sister takes care of me”*.

This can have a significant impact on educational outcomes, especially for girls. For example, in the state of Jalisco, around half of all children undertake housework – with a greater proportion of girls that carry out these tasks not attending school compared to boys.³¹ The interviews bore out the risk that hours and schedules posed to girls' education, with one female hotel employee explaining, *“The only support I have is my daughter of 12. She takes care of her sisters [and] wants to leave school to help me.”*

The indispensable role of parents and other adult guardians in raising and protecting children and enabling their development is firmly established in the UN Convention on the Rights of the Child.³²

Some hotels already implement family-friendly policies, such as monthly shift rotation instead of weekly, greater flexibility in terms of leave, fixed days off, a five-day working week for physically-demanding jobs such as housekeeping (leading to better productivity) and fostering greater dialogue and transparency with employees in order to support family life. Some hotels also support working parents to address their childcare needs by offering on-site creches or partnering with local providers.

“Children left unsupervised in Cancun is an open gate to school dropout, drug addiction and prostitution.”

Teacher

RECOMMENDATIONS: HOURS AND SCHEDULES

“They go to school together and [the younger ones, 8 and 5] arrive home before me ... I’m a bit worried – someone could enter my house while I’m away”

Hotel employee

Recommendations for business

- Adapt hiring and staffing models to ensure that hotels have an adequate number of employees per shift as understaffing can lead to the use of excessive overtime.
- Develop clear policies on overtime and establish monitoring systems and staff grievance mechanisms to identify potential legal or policy breaches.
- Offer working parents regular schedules and greater flexibility in terms of leave to attend to their children’s needs.
- Employees who are unable to work overtime must not face pressure or sanction.
- Consider piloting a five-day working week to determine the feasibility of providing employees with two days of rest.
- In consultation with employees and the relevant government authorities, individual hotels and hotel associations can help working parents to find appropriate childcare solutions. This could include supporting the expansion and quality of government day-care programmes, on-site day care, discounted rates with local providers or partnering to provide a collective offering.

Recommendations for government

- Consider increasing holiday leave and weekly rest to four weeks paid annual leave after 1 year and 36 hours of uninterrupted rest per week in line with ILO recommendation 179.³³
 - Ratify and implement ILO Convention 156 and accompanying recommendation 165 on provisions for workers with family responsibilities that set out actions to help working parents such as affordable childcare, flexible schedules, social security benefits and tax relief.
 - Map the childcare needs of working parents and expand access to quality day care and after-school care where required.
 - Reduce the administrative burden of applying for public day care.
 - Improve the quality of training for childcare staff.
 - Prioritize the implementation of the *Escuela de tiempo completo* (Full day school) programme in tourist destinations.
 - Take action to eradicate all forms of violence against children in all settings.
-

2.2 WAGES

“My salary isn’t sufficient to look after my children.”

Hotel employee

Key findings

- The majority of hotel staff are paid at, or slightly above, minimum wage rate
- Overtime is not compensated financially, rather hours worked are given back and in some cases not at all
- The lowest paid workers struggle to meet their basic needs
- Working parents often cannot cover the cost of caring for their families
- Workers rely heavily on tips or second jobs to supplement wages

Affects children’s rights to

- An adequate standard of living
- Health
- Education

Affects rights of parents and caregivers to

- Fair wages
- An adequate standard of living
- Just and favourable conditions of work
- Right to be treated with dignity

“It’s difficult for my mom to get money.”

Child of hotel employee

The Mexican Constitution states that “the general minimum wage must be sufficient to satisfy the normal material, social, and cultural needs of the head of a family and to provide for the compulsory education of his or her children”.³⁴ Despite this, the current minimum wage falls below the per capita poverty line – the only country in Latin America and in the OECD where this occurs.³⁵ This means that Mexican workers in full-time employment who earn the minimum wage will still be poor and those who have children to care for are more likely to be living in extreme poverty. Currently, more than half of Mexico’s population doesn’t earn enough to cover their basic needs, even if they devoted their entire household income to meet them.³⁶ During interviews, civil society stakeholders consistently raised this issue and made the link to the impact on children, with one NGO stating “The minimum wage is not fair – it is a question of ethics. If the income is low, the children are affected, as is their development.” Another expert stakeholder on child rights was clear that low wages for adults can contribute to children looking for ways to support family income: “Only 47 per cent of the population have access to *canasta basica* (essential food and non-food items). This is why so many children work.”

A large proportion of Mexico’s hotel workers – for example housekeepers, servers and bellboys – earn the minimum wage or close to the minimum wage.³⁷ Some hotels provide employees with benefits to help alleviate the pressure on income such as meals, transportation, food vouchers, access to the hotel doctor, subsidised childcare and scholarships for further education. Despite this, many workers rely heavily on tips, or second or third jobs, to supplement their income. One interviewee employed at a

Figure 4: Mexico's Well-Being Guidelines

Mexico's National Council for the Evaluation of Social Development Policy (CONEVAL) produces Well-Being Guidelines that estimate the income needed to afford basic food and non-food baskets of goods and services per month. The basket includes: food for one person for one month (including corn tortillas, beans, eggs, chicken) and additional costs to meet monthly expenses such as public transportation, personal care, education and healthcare.

In October 2016, according to the Guidelines, a person living in an urban area needs 2,717.81 pesos per month in order to meet their basic expenses, while in rural areas basic expenses are 1,757.50 pesos per month per person.⁴¹ In comparison, a person in full-time formal employment at the minimum wage earns 1,753 pesos in a month, well short of the government's own guidelines. A family of four would need five times the minimum wage to cover their basic needs.

hotel explained that 'wages aren't enough to survive.' After finishing work at the hotel, he sold churros every afternoon and worked in maintenance on his day off, every Sunday. This clearly impacted on the time he could spend with his children, who were six and ten years old, and as a result, their quality of life.

Mexico's hotels also make extensive use of the illegal "time-for-time" approach, where employees are required to work overtime during high season and receive the equivalent time off in the low season or when hotel activity allows. This means that the hotel avoids paying the higher overtime rates.³⁸ This practice may explain, in part, why the gap between wages and hours worked is larger in Mexico than in any other OECD country.³⁹ Limited knowledge and understanding of labour laws combined with a lack of access to an accurate record of overtime leaves employees unable to ensure that they receive correct compensation for the hours they have worked.

The impact of parents' low income on children cannot be overstated. It can often mean missing out on education, safe and decent housing, medical treatment or nutritious meals and can, in some cases, contribute to children looking for ways to supplement the family income. For example, around one in five Mexican children did not attend school in 2013 due to lack of financial resources.⁴⁰ Children themselves were aware of the financial pressures that their parents experience, with one child of a hotel employee interviewed stating *"It's difficult for my parents to get the money, very difficult."*



RECOMMENDATIONS: WAGES

Recommendations for business

- Align wages with the government's Well-Being Guidelines (*Línea de bienestar*).
- Ensure that all hours worked are accurately tracked and paid for in line with legal requirements, and that this information is accessible to employees.
- Identify additional employee benefits to help reduce workers' outgoings, in line with workers' real needs, such as providing transportation to and from work, offering meals while at work or supporting working parents with childcare costs.
- Hotel associations can help pilot and measure the impacts and costs of increased wages and benefit packages, in particular for lower paid positions.

Recommendations for government

- Raise the minimum wage to meet the government's Well-Being Guidelines (*Línea de bienestar*).

“With *planta* [permanent contracts] we get holidays. We don't have *planta*.”

Hotel employee

2.3 TEMPORARY CONTRACTS

Key findings

- Temporary contracts are commonly used in Mexico's hotel industry
- Temporary contracts are being used for work that is regular and long-term
- Temporary contracts adversely impact workers' financial stability

Affects children's rights to

- An adequate standard of living

Affects rights of parents and caregivers to

- An adequate standard of living
- Just and favourable conditions of work

Temporary contracts for work that is short-term in nature, or where there is a temporary need to substitute for a regular worker, are legal in Mexico.⁴² However, the Federal Labour Law (LFT) makes clear that no temporary “trial” contract should last more than three months, without offering a fixed position to the worker.⁴³ Despite this, Mexican businesses often exploit a loophole in the LFT that allows temporary contracts for “seasonal” jobs.

In practice, this means that a hotel employee on a temporary contract may end up working for a hotel year-round without the stability, predictability and government benefits – including social security, annual leave, pension entitlements and housing benefits – that are afforded to permanent employees. This undermines employees' right to an adequate standard of living for themselves and their children, with one hotel employee explaining succinctly, *"If you don't have planta [a permanent contract] they can fire you for anything. They are not just affecting you, but your families also."*

RECOMMENDATIONS: TEMPORARY CONTRACTS

Recommendations for business

- Only use temporary contracts for work that is truly short-term.
 - Work with industry peers and stakeholders to assess the real cost and benefit of temporary contracts.
-

Recommendations for government

- Take steps to close the loophole in Article 39-F of the Federal Labour Law, which permits employers to hire temporary workers for work that is not temporary by nature.
 - Amend legislation to provide workers on temporary contracts, but who are working full time, with full social benefits as defined in the Federal Labour Law.
-



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2.4 SUPPORT FOR MATERNITY, BREASTFEEDING AND EARLY CHILDHOOD DEVELOPMENT

“Women have double responsibility – family and work ... They have a double working day as they have dependents to look after. They have difficulties in accessing maternity rights. They are fired because they are pregnant.”

Government official

Key findings

- Expectant mothers face discrimination from prospective employers who demand pregnancy testing
- There is generally no formal process to reassign pregnant women to less hazardous and difficult functions
- Lactating mothers find the operational demands of hotel work undermine breastfeeding

Affects children's rights to

- Health
- Protection of the family

Affects rights of parents and caregivers to

- Freedom from discrimination
- Just and favourable conditions at work
- Family life



Mexican law provides formal employees with six weeks of maternity leave both before and after the birth of a child.⁴⁴ Although this falls short of the recommended 14 weeks set out in ILO Convention 183 on Maternity Protection, women receive 100 per cent of earnings for the whole 12 weeks. Expectant mothers may move four weeks of pre-natal leave to the post-partum period, in order to spend additional time with the baby, if authorized by their employer and a certified doctor. While on maternity leave, employees are entitled to all accrued seniority and annual leave. Pregnant or lactating employees must not be required to undertake any work that puts their health at risk and, during the first six months of lactation, new mothers are entitled to two 30-minute breaks daily to breastfeed their children in an adequate and hygienic place designated by the employer. If this is not possible, employees may ask their employers to reduce their working day by one hour.⁴⁵

In practice, new and expectant mothers face multiple challenges to ensure that they are not discriminated against. Fourteen per cent of women surveyed by Mexico's National Women's Institute report having been required to take a pre-employment pregnancy test at some time in their careers.⁴⁶ Employers may choose to do this to circumvent maternity leave. Some hotels also demand pregnancy testing: interviewees stated that this had happened in one hotel included in this study, as well as in numerous others that were not involved.

New mothers also face difficulties in continuing to breastfeed once they return to work. While hotels in Mexico offer the legally mandated breaks for mothers to feed their babies or extract milk, most do not have official breastfeeding/pumping rooms and so, in reality, it is more common for mothers to shorten their working day by an hour. The on-demand nature of many hotel positions, combined with long commute times, can also serve as impediments to breastfeeding. As one hotel employee stated “*There isn't a place to breastfeed or extract milk. The operational demands would*

Mexican families spend around MXN \$12,664 on formula milk in the first year of childhood. For those on a minimum wage, this represents more than half their income.⁴⁷

make it impossible.” However, it is difficult to think of a business that is more suited to providing a safe and comfortable room for mothers to breastfeed or pump than a hotel.

Limited support for breastfeeding mothers can have a profound impact on child development – breastmilk gives children the healthiest start in life and also protects maternal health. Supporting mothers also makes good economic sense. Women who have adequate maternity benefits value their employers more, leading to increased productivity, job satisfaction, lower rates of absenteeism and loyalty.⁴⁸

In Mexico, just one in three children under six months is breastfed exclusively. The available data shows that working mothers are 27 per cent less likely to breastfeed than their unemployed counterparts, highlighting the important role that business could play in reversing this trend.

Some hotels are already working to support pregnant women and mothers of children under 2, providing them fixed or more flexible schedules, less demanding duties, and offering private rooms for expressing milk and breastfeeding.

Figure 5: Guidance to support breastfeeding in the workplace

UNICEF and the Mexican government recently published a guide to support breastfeeding in the workplace, *Guía Práctica: Lactancia maternal en el lugar de trabajo* (Practical Guide: Breastfeeding in the workplace). The guide outlines the following recommendations for companies to support breastfeeding:

1. Ensure that company leaders are aware of the benefits of breastfeeding and play a proactive role in supporting female employees’ rights to feed/extract by providing adequate time and facilities during working hours.
2. Create a positive, accepting company culture towards breastfeeding by sharing information and resources on the benefits of breastfeeding to all staff.
3. Prevent all forms of discrimination against pregnant women and mothers, in particular during the breastfeeding period, as required by law.
4. Provide training to pregnant employees and new mothers on breastfeeding including the benefits of breastfeeding, milk extraction and conservation techniques, legal rights afforded to working mothers and the best ways to maintain successful breastfeeding after returning to work.
5. Establish a support network for pregnant and breastfeeding mothers, with company volunteers or with established, external breastfeeding networks.
6. Provide lactating mothers with a room to extract their milk during the workday or breastfeed if the baby is close by. The room must be private, accessible, comfortable, clean and equipped with refrigeration facilities, as required by law.
7. Take actions that support the continuity of breastfeeding beyond the first six months. This could include facilitating access to child-care that is close to the workplace or on-site, offer flexible working schedules such as home-working and part-time hours.

Additionally to these official recommendations, UNICEF also recommends that companies explore the possibility to grant longer maternity leave, bringing greater health benefits for babies and mother and also significant economic benefits for companies (such as better return rate and lower absence rates).⁴⁹

RECOMMENDATIONS: SUPPORT FOR MATERNITY, BREASTFEEDING AND EARLY CHILDHOOD DEVELOPMENT

Recommendations for business

- Eradicate pregnancy testing and discriminatory interview questions for female applicants.
 - Ensure that pregnant women and mothers of young children are protected and not discriminated against.
 - Establish a clear and defined policy for function shifting for pregnant and breastfeeding women (for instance, lighter jobs, like laundry, during pregnancy).
 - Implement the UNICEF Guidelines on Breastfeeding in the Workplace in Mexico.⁵⁰
 - Hotel associations can promote breastfeeding practices within the industry and consider advocating for longer maternity leave, based on business case of cost vs. benefits (hiring and training costs), to support the completion of the recommended six months of exclusive breastfeeding.
-

Recommendations for government

- Government should ratify ILO Convention No. 183 on maternity protection and provide the international minimum of 14 weeks paid maternity leave and consider providing the recommended 18 weeks in accordance with ILO recommendation 191.
 - Reinforce the implementation of the Governmental Decree on Breastfeeding in the workplace.⁵¹
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3. CHILD LABOUR AND SEXUAL EXPLOITATION OF CHILDREN



“There are a lot of children selling on the beach ... they rob, take drugs, and are exploited. They are 8, 9, 10 years old.”

Hotel employee

“The big problem is family income ... this is why so many children work.”

NGO

Key findings

- Construction, agriculture and fresh produce supply chains risk linking hotels to child labour
- Children can be found selling low value goods in the areas surrounding hotels
- Children aged 15 to 17 are largely excluded from formal employment in hotels

Affects children's rights to

- Freedom from child labour and trafficking
- Protection from violence
- Health
- Education
- Rest and leisure
- Freedom from discrimination

More than 2.5 million children in Mexico are engaged in child labour, one million of them under the legal age of 15 – that is they are doing work that they shouldn't be doing because they are too young, or, if they are old enough to work, it is mentally, physically, socially or morally dangerous and harmful to them.⁵² Child labour deprives children of their right to go to school, exposes them to violence, and reinforces intergenerational cycles of poverty.

The findings of this assessment indicate that while Mexico's large hotels appear to have eliminated child labour within their direct operations, the practice continues to exist in the informal economy and in the industry's vast supply chains. In 2013, 13 per cent of children who didn't attend school failed to because they were working, while a fifth of children working in Mexico did so to pay for school or their own expenses.⁵³ A key driver of child labour is low wages of working parents, which can lead children to engage in economic activity to complement family income.⁵⁴ One NGO interviewed was explicit about this: *“The big problem is family income ... this is why so many children work.”*

3.1 CHILD LABOUR IN HOTEL SUPPLY CHAINS

The enforcement of forced and child labour laws in Mexico's formal sector, especially in large and medium-sized companies, has been reasonably effective. However, it has been inadequate in smaller companies, the agriculture and construction sectors and nearly absent in the informal economy.⁵⁵ For hotels, whose supply chains are varied,

“I’ve seen entire families working in the field. They are ... indigenous families and the children probably don’t go to school.”

Supplier

complex and often out-of-sight, these sectors present a great risk of being linked to child labour.

Around 30 per cent of all employed children in Mexico work in agriculture.⁵⁶ Chilli peppers, green beans, coffee, cucumber, eggplants, tomatoes and sugar – all products used by hotels – have been linked to child labour in Mexico.⁵⁷ One supplier interviewed commented of the workforce picking produce he sold to the hotels, *“I’ve seen entire families working in the field. They are ... indigenous families and the children probably don’t go to school.”* The processing, packaging and retail of fresh produce also carries a risk of child labour. Interviewees also talked of children working frequently in fishing and fish processing, with one supplier commenting, *“There are a lot of children working in fishing.”*

In Mexico City’s central market, Central de Abastos, where the majority of hotels source their daily produce, hotel employees reported that it is common to see children working, with one stating *“In the main market where food is bought, there are lots of children working. They are lifting and carrying produce.”* This also reportedly happens in other main markets throughout the country. In addition, supply chains that involve at-home labour, where work is informal and unregulated, present increased risk that children may be engaged in hazardous work. One textile supplier explained that 90 per cent of his workforce worked at home and that working conditions were therefore largely unknown.

Hotel companies may also be linked to child labour through the construction of new hotels. Around 4 per cent of all children employed in Mexico work in construction and are exposed to extremely hazardous work.⁵⁸ Mexico’s construction industry relies heavily on young, indigenous and migrant workers – groups that are especially vulnerable to human rights violations. A local NGO interviewed in Cancun reported, *“Boys are brought to the city for construction.”*

While some hotels in Mexico may require suppliers to agree to a code of conduct that prohibits child labour, in most cases local procurement



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“A lot of children leave school, don’t do their homework and go and sell flowers, look after cars – any activity to do with tourism. Their parents work as cooks, bartenders, waiters ... they bring their children to work because the tourists give the children money. The children see an easy way to contribute.”

NGO

staff aren’t adequately trained to spot child labour, don’t have the right mechanisms for ensuring supplier compliance with national laws, and only evaluate quality and price when choosing suppliers. Labour standards are rarely a consideration when buying goods, and procurement staff aren’t aware of the appropriate mechanisms to report child labour cases when they are identified. Very few hotel chains make adherence to international labour standards a condition of hotel franchise and licence agreements.⁵⁹

3.2 CHILD LABOUR IN TOURIST ZONES

Much of Mexico’s tourism development has occurred near poor and marginalized communities, which can intensify the inequality that exposes children to labour exploitation. For example, in the state of Quintana Roo, home to Cancun, over 37,000 children are working, with almost half of them receiving no pay for their work. In Jalisco, home to resort towns such as Puerto Vallarta, more than 195,000 children are working.⁶⁰ Not all of this is directly linked to tourism activity, but children are often seen working in town centres and on beaches selling low-value goods like trinkets and chewing gum to tourists. Poor families may see the arrival of wealthy tourists as an opportunity to supplement family income by engaging children in this type of work. One hotel industry stakeholder interviewed confirmed, *“Parents send their children [to the beach] on purpose as the tourists pay.”* An NGO in Cancun reported that in some cases, children were recruited by local cartels to sell drugs to tourists. In Puerto Vallarta, NGOs interviewed observed that many children attended schools that were at the furthest end of town away from their homes so that they could go to the popular zones after school to sell to the tourists. These children are also exposed to the risk of sexual exploitation, since social boundaries are not clear and abusive adults can approach them for sexual services.



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RECOMMENDATIONS: TACKLING CHILD LABOUR

Recommendations for business

- Work with hotel associations to establish guidance for how the industry should respond when child labour is discovered in the supply chain, ensuring that corrective actions and remedies provided are in line with the best interests of children.
- Use leverage with government to advocate for greater investment in local child protection systems (SIPINNA⁶¹).
- Provide direct support to local child protection programmes and family strengthening initiatives.
- Develop an approach to identify and manage child labour risks in hotel supply chains and business relationships. This could include: training on child labour for all procurement staff, a checklist and escalation process, reporting and grievance mechanisms and guidance for remediation where child labour is found.
- Procurement managers should avoid placing undue pressure on suppliers in terms of delivery timescales and costs, and engage with suppliers to better understand purchasing practices that may have detrimental impacts on child rights.
- Help build supplier knowledge of the risks of child and forced labour and provide commercial incentives for improvements in social performance, such as price, volume, duration, and preferred supplier status.
- Engage with local stakeholders, in particular with the state and municipal child protection systems (SIPINNA), to develop an understanding of child and forced labour risks in the local context, including which children are working, why and in which jobs.

Recommendations for government

- Position the issue in the National Interstate Commission on Child Labour.
- Ensure regular inspections and enforcement of labour standards through workplace audits, prioritising high risk industries and ratifying ILO Convention 81 on Labour inspection (Industry & Commerce) and ILO Convention 129 on Labour Inspection in Agriculture.
- Strengthen Child Protection Authorities as reporting mechanisms to address all cases of child labour.
- Ensure fines for labour rights violations are sufficient to incentivize safe and legal practices.
- Develop employment-centred policies focused on providing decent work in both the formal and informal economy and on progressively extending social security coverage to the informal economy.
- Invest in eliminating the root causes of child labour by: increasing the national minimum wage to match the Wellbeing Guidelines;

strengthen the identification of vulnerable families for cash transfers and other social protection programmes; expand tourism initiatives that help poor and vulnerable families generate an income and increase access to quality education (including longer school days, better quality of teaching, and safer schools).

- Improve data collection on the nature and prevalence of child labour.
 - Invest in programmes that focus on two-way transitioning from child labour back to school.
-

“[Hiring under 18 year olds is] trickier to manage so easier not to.”

Hotel employee

3.3 HIRING YOUNG WORKERS

Mexico recently increased the minimum age for employment from age 14 to age 15, bringing it in line with ILO Convention 138. The 15 to 17 age group is important as it encompasses the transition from school to work, or from school-based education to vocational training.⁶² It is during these years that the foundation is laid for achieving decent work later in life. The provision of work opportunities under safe conditions for adolescents, rather than excluding them entirely from employment opportunities, is one of the effective measures to eliminate child labour, including its worst forms.⁶³

Despite this, major hotel brands operating in Mexico tend not to recruit children aged 15 to 17. This is in part due to the perceived burden of additional requirements such as parental consent and confusion about the tasks that children aged 15 to 17 are allowed to undertake.⁶⁴

Despite the importance of completing an upper-secondary level education (ages 15 to 17), half of all young people in Mexico drop out of secondary school.⁶⁵ Many end up in informal jobs that do not benefit from healthcare, pension programmes and other benefits such as parental leave and sick leave.⁶⁶ Furthermore, informal work is more likely to be harmful to adolescents than formal work and with 45 per cent of adolescents working in Mexico engaged in hazardous work, this is clearly a concern.⁶⁷ It follows that barriers to entering formal employment for children under age 18 can increase their vulnerability to engaging in informal and potentially hazardous work.

Hotels have a fantastic opportunity to partner with local schools and technical colleges to expand vocational training offerings for young people – especially those from disadvantaged communities – enabling them to acquire the skills and knowledge needed to compete in the job market, while completing their formal education. Some are already doing so through programmes such as the Youth Employment Initiative and Global Apprenticeship Network, and by providing scholarships for the children of employees. Nevertheless, opportunities for vocational education and training and work-based programmes in Mexico are limited.⁶⁸

RECOMMENDATIONS: HIRING YOUNG WORKERS

Recommendations for business

- Collaborate with industry associations, local schools and technical colleges to expand vocational training offerings for children aged 15 to 17.
 - Remove age qualifications above the minimum age when recruiting, and develop adapted job offers for young workers.
 - Partner with NGOs and government to support children from disadvantaged communities to complete school and engage in vocational training to then transition to employment in the hotel or tourism industry.
-

Recommendations for government

- Intensify efforts to address school dropouts.
 - Lead efforts to identify decent work opportunities for young people in the industry by working with the hotel industry and stakeholders with youth labour expertise to develop a guide on the jobs and tasks in hotels that children aged 15 to 17 can safely undertake, with particular focus on vulnerable populations, such as migrant adolescents and adolescents in conflict with the law.
 - Extend active labour market policies that focus on the transition from school to work.
 - Identify administrative obstacles to under-18s carrying out employment and safe work, with particular focus on vulnerable populations, such as migrant adolescents and adolescents in conflict with the law.
-

3.4 SEXUAL EXPLOITATION OF CHILDREN IN THE CONTEXT OF TRAVEL AND TOURISM

Key findings

- Tourism development can make children more vulnerable to sexual exploitation.
- Perpetrators may make use of hotel premises to harm children though larger hotels seem to managing this risk

Affects children's rights to

- Freedom from sexual exploitation, trafficking and child labour

The sexual exploitation of children in the context of travel and tourism remains a major concern for Mexican businesses in this sector.⁶⁹ Hotels may inadvertently be linked to the sexual exploitation of children by



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perpetrators who make use of their premises to harm children. The potential impact on children includes physical effects such as sexually transmitted infections including HIV and unwanted pregnancies, as well as psychological impacts such as trauma, feelings of guilt, shame and depression.

High rates of migration, weakened community networks and the tolerance of prostitution exist in Mexico's tourist hotspots and business destinations, and contribute to a heightened risk of sexual exploitation of children.⁷⁰ Mexico's government has identified Acapulco, Puerto Vallarta, Cancun, Tijuana and Ciudad Juarez as destinations where international and domestic tourists are involved in the sexual exploitation of children.⁷¹ Numerous non-governmental stakeholders interviewed for this report stated precisely where young girls and boys from ages as young as 13 could regularly be found in tourist areas engaging in commercial sexual exploitation.

Obtaining accurate data on the scale and nature of this issue remains a challenge globally. Evidence suggests that when countries and households depend on tourism revenue and jobs, reporting of sexual exploitation linked to the sector and the enforcement of corresponding laws is more likely to be discouraged.⁷² In Mexico, the data that are available relate to human trafficking and shows that between 2010 and 2013, 60 per cent of trafficking victims were sexually exploited, and of these more than half were children.⁷³ One NGO stakeholder interviewed explained that 'sexual exploitation [of children] is a fact.' He clarified that in some cases this was individual children, but in other cases there were criminal organisations operating and exploiting groups of children.

Commercial sexual exploitation of children is recognized as a crime in Mexico. However, evidence suggests that because crimes of this nature sit within anti-trafficking legislation, government and law enforcement officials struggle to distinguish between offences, resulting in a failure to bring perpetrators to justice. This impunity has been highlighted by the Committee on the Rights of the Child as a cause for particular concern, as well as Mexico's failure to criminalize offences such as the sale of children.⁷⁴



Many hotels across Mexico have signed and implemented the Government's National Code for the Protection of Children and Adolescents in Travel and Tourism, which outlines six guidelines for travel and tourism companies to tackle the challenges of sexual and labour exploitation of children and adolescents.⁷⁵ Some hotels also conduct human trafficking training for employees and/or require front desk staff to check the identification documents of guests and their visitors to ensure that guests are not taking visitors under the age of 18 to their rooms. Some hotels also support and promote UNICEF's Huésped de Corazón initiative, providing funding and communication to protect children from commercial sexual exploitation. This child rights issue appeared to be managed effectively by major hotels, and the challenge is now to draw in other organisations and actors in the travel and tourism industry and value chain, such as taxi firms, smaller and independent hotels, tour operators and other informal actors, to build upon these solid foundations to prevent sexual exploitation of children are built upon. The lack of reporting of incidents is a key issue; with local experts interviewed explaining that people are either scared of repercussions if they highlight a case of sexual exploitation or feel that this will result in little or no action by law enforcement.

RECOMMENDATIONS: TACKLING CHILD SEXUAL EXPLOITATION

Recommendations for business

- Sign the National Code for the Protection of Children and Adolescents in the Travel and Tourism Sector (*Código de Conducta Nacional para la Protección de las Niñas, Niños y Adolescentes en el Sector de los Viajes y el Turismo*).⁷⁶
- Partner with hotel associations and key stakeholders to develop awareness-raising campaigns, similar to *La Muralla Soy Yo* (see box below), to address the risks of human trafficking and sexual exploitation in tourist destinations. Hotels should consider offering preferential status to participating companies and self-employed individuals (such as taxi drivers).
- Advocate with others, including industry peers and local NGOs, to municipal government on the importance of investing in child protection systems to ensure the sustainability of the local tourism sector.
- Support efforts to strengthen local Child Protection Authorities.
- Develop and implement position-specific training for employees on trafficking and sexual exploitation risks.
- Put in place robust reporting procedures to record and escalate concerns related to trafficking or sexual exploitation, including contacting and assisting the relevant authorities to investigate the allegation.
- Train and inform customers, suppliers, service providers and other stakeholders about the available channels to report incidences. Phone hotlines and online channels for reporting child abuse incidences can be effective.

- Explicitly prohibit the use of company property or resources for sexually exploitative conduct. Introduce measures such as Internet blockers to prohibit downloading images of child pornography and/or child abuse, access to online child chat rooms and soliciting commercial sex.
- Work with local child rights organisations to conduct research, monitor the situation and promote grievance mechanisms that are accessible to children.
- Ensure proper vetting of local business partners who are not engaged actively with the eradication of child sexual exploitation.

Recommendations for government

- Promote knowledge and statistics generation on child sexual exploitation, seeking to have more efficient systems and process for data compilation, disaggregated by modality, age and gender of the victims, structural cause and factors for risk and protection.
- Promote the adoption and implementation of the National Code for the Protection of Children and Adolescents in the Travel and Tourism Sector (*Código de Conducta Nacional para la Protección de las Niñas, Niños y Adolescentes en el Sector de los Viajes y el Turismo*) among all travel and tourism stakeholders.
- Promote the participation of the Ministry of Tourism with the Child Protection System at national, state and municipality levels, in particular at travel and tourism destinations.
- Train front-line government and law enforcement officials on relevant laws and steps to support survivors, including the additional protections that children require.
- Increase funding for and access to support services, justice and effective remedy for survivors of trafficking or commercial sexual exploitation.
- Ensure harmonization of laws with the General Law on the Rights of Girls, Boys and Adolescents in line with international standards.



CASE STUDY

ENGAGING THE TOURISM SECTOR TO END CHILD SEXUAL EXPLOITATION IN COLOMBIA

La Muralla soy Yo (I am the Wall) is a campaign run by UNICEF, the Cartagena Tourism Corporation, COTELCO (Colombia's largest association of tourism hotels), the University of Cartagena and the Fundación Renacer (a local NGO) that aims to prevent the commercial sexual exploitation of children in the city of Cartagena, one of the most popular tourist destinations in Colombia.

Mobilizing all parts of the tourism sector – both formal and informal – law enforcement, government and community, the campaign has succeeded in building an alliance of non-traditional partners around a common goal.

To date, more than 70 police officers and 70 informal tourism operators have been trained using the University of Cartagena's diploma course and more than 3,000 hotel staff, government agents and judges have attended training events. A further 600 children from the most vulnerable neighborhoods have been helped to develop their life skills and self-esteem. COTELCO has also incorporated the prevention of commercial sexual exploitation of children and adolescents as a policy for all its members.

UNICEF and partners have also worked closely with the police and the judicial system to establish a system for reporting incidents of sexual exploitation as well rehabilitating child survivors. By mid-2012, it was evident that there was a significant increase in the reporting of cases of commercial sexual exploitation of children, with more than 80 cases reported to the Colombian justice system. Many had been reported by informal tourism operators, an indication that the issue has gained attention and is now recognized as a reportable offence.

La Muralla Soy Yo demonstrates that broad-based collaboration among non-traditional partners can bring about social change.



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4. THE COMMUNITY AND ENVIRONMENT

Tourism's contribution to Mexico is evident in terms of its impact on economic growth and social modernisation. However, there remain challenges to ensure that tourism development doesn't intensify inequality in local communities, create unsafe environments for children, damage the environment and reduce access to natural resources.

The following section details impacts of tourism development – of which the hotel industry is a key player – that present the biggest risks to children living in tourist zones. While it is clear that the hotel industry does not always cause or contribute directly to these problems, in some cases they are linked to the impacts. In addition, the UN Guiding Principles on Business and Human Rights are clear that where a company has leverage to mitigate a human rights impact, it should exert that leverage. As such a significant player in tourism development plans, the hotel industry, acting collaboratively, can influence the government's action and response to these impacts.

4.1 STRESS ON LOCAL PUBLIC SERVICES AND INFRASTRUCTURE

Key findings

- Government investment in public services has not kept pace with spending on tourism development in key destinations
- Mass migration due to employment opportunities increases pressure on basic infrastructure and can complicate access to services such as health care, education and decent housing

Affects children's rights to

- Health
- Education
- Adequate standard of living

In 2015, the government announced it would spend 180 billion pesos on developing tourism infrastructure, including renovations to beaches, new convention centres and public parks, and improving ports and airports throughout the country.⁷⁷ However, this hasn't been matched by efforts to strengthen public services and infrastructure in popular tourism destinations. For example, the municipalities with the highest percentages of individuals lacking access to health services in Quintana Roo are those with the highest levels of tourism development: Cancun, Playa del Carmen and Tulum.⁷⁸

The migration that has accompanied tourism development along Mexico's coastline has increased pressure on basic services and social infrastructure such as housing, schools, water and sanitation, and health clinics.⁷⁹ One



industry stakeholder interviewed complained, “*The zone is growing quickly. The services are the same as they were 20 years ago – schools, health services, churches. It’s growing so quickly but [investment] doesn’t evolve.*” The lack of access to services is accompanied by the inflation that many tourism zones experience. This much was evident to young workers interviewed for this report, who were clear that ‘prices rise a lot’ as a result of tourism growth.

Cancun’s worker village, built in the 1970s to accommodate 250,000 residents, has mushroomed to an estimated population of 743,626 (2015).⁸⁰ This has led to strained waste management and water treatment facilities and reduced access to health services.⁸¹ One local official confirmed in interview that the most common complaints received by the authorities are about lack of access to justice, health and education, but particularly in relation to poor medical treatment and a failure to attend to patients at hospitals.

Challenges in ensuring that the most vulnerable and marginalized residents of Cancun are able to access vital services will likely only intensify if the population continues to grow at an annual rate of 6 per cent.⁸²

RECOMMENDATIONS: LOCAL PUBLIC SERVICES AND INFRASTRUCTURE

Recommendations for business

- Pay taxes in full to help generate revenue that is needed to strengthen local infrastructure and public services.
- Advocate for, and partner with, local government authorities to identify challenges and strengthen existing service provision for children, and for adequate investment in tourism development plans in these areas.

Recommendations for government

- Ensure that tourism development plans account for the impact that migration rates may have on local infrastructure and public services and adjust investment accordingly. Current gaps in service provision in existing tourism destinations should be identified.
- Ensure the inclusion of local communities in decisions regarding local development and resource allocation.

4.2 NATURAL RESOURCES AND THE ENVIRONMENT

“Beach access is a fundamental problem here.”

Local industry stakeholder

Key findings

- Hotels risk being developed on indigenous lands, without the free, prior and informed consent of affected communities
- Children may face losing their homes, livelihoods, inheritance and access to family, social infrastructure and education
- Hotel development has led to restricted access to public beaches for local communities
- Hotel development has led to the destruction of mangroves which impacts local communities’ climate resiliency
- Hotels can exacerbate issues regarding access to water

Affects children’s rights to

- Adequate standard of living
- Health
- Education
- Culture, language, religion
- To be heard

As Mexico continues to suffer from complex and often long-lasting conflicts related to land, the manner in which land is acquired, controlled and managed by the state and private actors is coming under greater scrutiny. Land is a source of livelihood for many families and is often intrinsically linked to their identities.

Mexico’s legislation recognizes the right to Free, Prior and Informed Consent, as set out in the UN Declaration on the Rights of Indigenous Peoples.⁸³ While this should ensure that indigenous peoples’ traditional way of life is not adversely impacted by development projects and that they are not forcibly removed from their land, stakeholders interviewed expressed concerns that the legislation has not been properly implemented and at times has led to conflict. One indigenous leader interviewed noted, *“The communities have been looked at as if they can’t develop [the land] themselves. The hotel industry has never looked at [the community] as partners. They look at them as the labour source and they just want to take [the locals’] land. This breaks cultures. [The buyers] will use small bills to make the pile of money look bigger. If [the locals] sell they lose their land, lose their wood, can’t eat the animals, don’t have work.”*

Children are particularly vulnerable to the negative impacts of land acquisition as their needs are often overlooked. They risk losing their homes and inheritance, as well as access to community resources such as schools, health centres and places of play. When community consultation with developers and government takes place, it is usually adult males who are engaged in the dialogue – women, adolescents and children are generally absent from such processes. Children may find it difficult to



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articulate their needs in this situation and have little or no recourse to make demands.

Tourism development – including the acquisition of land for hotel construction – has been linked to infringements on free, prior and informed consent in Mexico – even where projects have received government approval. For example, the indigenous Rarámuri community has asked the UN High Commissioner for Human Rights to intervene with the government to block tourism development – including hotels – on land they believe they own.⁸⁴ The Rarámuri's report gives instances of families being displaced, attempted evictions, harassment from local authorities, and restrictions on traditional business activities.

“Before, lots of people used to fish. Now they don’t have access to the sea ... There are access points, but the hotel security guards don’t let people pass. They should respect the law.”

Hotel employee

The development of hotel zones along Mexico’s coastlines has also resulted in the privatisation of public areas such as beaches, even though the Mexican constitution stipulates they are public property. In Acapulco and Cancun, for example, it is very common to find that access to the beaches directly in front of hotels has been restricted to hotel guests.⁸⁵ A child of a hotel employee interviewed for this report confirmed this dynamic: *“Access to the beaches – we can’t go there – they are forbidden, private properties, I’m upset about it.”*

This not only undermines the community’s right to freedom of movement and their enjoyment of beaches – including children’s right to play – but it has also adversely affected local fishermen’s ability to earn a living. One hotel employee was clear about the knock-on effect of this illegal activity: *“Before, lots of people used to fish. Now they don’t have access to the sea ... There are access points, but the hotel security guards don’t let people pass. They should respect the law.”*

A number of stakeholders in Cancun reported that hotel development was leading to the destruction of mangroves.⁸⁶ Mangroves are a vital biome or habitat, especially as they lessen the devastation of hurricanes by slowing down their speed before reaching land. They also help to purify local water

“If we cut everything down
then we’re going to die ...
Trees help us breathe.”

Child claimant

sources. Children living in Cancun have begun to voice their concerns. In 2015, for example, 113 children filed a complaint asking a judge to halt the construction of a mixed-use development project. The child claimants were worried about the impact that cutting down mangroves would have on their health, with one stating: *“If we cut everything down then we’re going to die ... Trees help us breathe.”*⁸⁷ Since the complaint was filed, a national advocacy campaign has succeeded in suspending the project’s continuation.⁸⁸

In Mexico – a medium to high-risk country in terms of water scarcity⁸⁹ – tourism development has contributed to water stress in some areas. For local communities, this can mean greater challenges to accessing water. In the Yucatán Peninsula, for example, rapid urbanization and unregulated tourism development is straining freshwater supplies and water availability is becoming more severe.⁹⁰ The hotel industry – with its high consumption of water for guest use, cleaning and laundry, catering, swimming pools, gardens and irrigation of golf courses – can contribute to this demand on local water sources. A number of hotels that were involved in this report were using innovative techniques to reduce water usage. For example, by using water from the swimming pool in the first cycle for washing laundry and for the air conditioning system.

Nevertheless, the management of large quantities of wastewater, generated in part by tourism, has become problematic across Mexico.⁹¹ In Cancun, where hotels generate approximately 95 per cent of total sewage water, large portions of untreated sewage are often discharged directly into local water sources such as Chetumal Bay and Nitchupé Lagoon.⁹² The special composition of the region’s soil means that pollutants leach directly into Quintana Roo’s aquifer, contaminating the groundwater and jeopardizing local communities’ right to safe drinking water.⁹³

The Committee on the Rights of the Child has expressed its concern that Mexico has not taken sufficient measures to address water pollution.⁹⁴ Children’s well-being is highly dependent on both the quality and the availability of water. Children are more susceptible to water pollution because they are still developing physically and intellectually – at certain early stages of development, exposure to environmental toxicants can lead to irreversible damage. Contaminated water causes a range of illnesses in children, the most dangerous of which is acute diarrhoea.



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RECOMMENDATIONS: NATURAL RESOURCES AND THE ENVIRONMENT

Recommendations for business

- Train security guards and staff on individuals' rights to access beaches in Mexico.
 - Develop industry standards on the right to Free, Prior and Informed Consent, including commitments to only develop on indigenous land where free, prior and informed consent is granted, and to conduct resettlement in line with international standards.
 - Undertake detailed water risk assessments for hotel operations in high risk areas that include analysing overall demand, supply, and quality of local water sources as well as child rights impacts associated with the local water situation.
 - Ensure that 100 per cent of wastewater is appropriately treated, either on-site, or if not treated on site, report all wastewater overflows to local government.
-

Recommendations for government

- Enforce law relating to public beach access and penalize hotels that do not comply.
 - Work with industry to develop standards on the right to Free, Prior and Informed Consent and to ensure their application in tourism development projects.
 - Ensure that tourism planning takes into consideration the potential environmental impacts, especially in areas with delicate or protective ecosystems.
 - Ensure that the pace and manner of tourism development does not undermine community access to safe, consistent and accessible water sources.
 - Develop safe disposal options for waste that meets evolving demand.
 - Enforce water quality standards and implement strict measures and remediation plans for non-compliance.
 - Limit withdrawals of water from groundwater sources to ensure long-term viability.
 - Educate local businesses on water risk and how this relates to impact on child rights.
-

CONCLUSION

For many children, tourism and hotels conjure images of long family holidays by the beach, of time spent exploring exciting countries and of making new friends from diverse cultures. However, as this report has demonstrated, for those children living and working in popular tourism destinations the experience can be vastly different.

The strain of long working hours on parents, the pressure that unpredictable working shifts place on family life and wages that fail to provide sufficient income for an adequate standard of living can all be linked to the hotel industry. Building awareness of these impacts is crucial to unlocking more substantive industry and government action. Doing so would make a compelling case to hotels and the departments that invest in tourism development that addressing these issues in Mexico and the wider Latin America and Caribbean region underpins the sustainability and long-term profitability of this thriving industry. Making destinations truly child-friendly by eradicating child labour and preventing sexual exploitation would encourage families to return year on year. It is in the interests of the hotel industry. Similarly, better working conditions for front and back of house staff would improve staff motivation and customer service, a huge selling point for hotels.

This point was not lost on the UN Working Group on Business and Human Rights, who recently visited Mexico: *“Prevention of harm or negative impact to people, especially the most vulnerable, should not be seen as a burden but as an opportunity to strengthen competitiveness and sustainable development.”*⁹⁵

Visiting the country in September 2016, after the research for this report had been conducted, the UN Working Group’s findings reinforce many of those identified by UNICEF. The uncertainty and instability implied by the widespread use of temporary contracts, poor salaries, pregnancy testing of employees, the ‘major concern’ of child labour and ‘a minimum wage ... insufficient to allow workers to support themselves and their families’ are all real risks that companies in any sector undertaking business in Mexico must overcome. For businesses looking to manage their impacts, the Working Group’s diagnosis of the operating context for human rights in Mexico is instructive:

*‘It was clear that main concerns about business-related human rights abuse relate to inadequate human rights due diligence on the part of the Government and business enterprises.’*⁹⁶

This report aims to support the strengthening of those due diligence processes for the hotel industry in Mexico and to ensure that children’s rights are afforded particular attention within them. Children are more vulnerable to abuse than adults and, as evidenced here, are affected by business activity in indirect ways that can often be overlooked if a business or public body is not sufficiently aware of the potential wider effects their activities, working conditions and supply chain practices can have in contexts where protections for children are inadequate. The example of the exposure of children to various forms of violence in tourism destinations is indicative of this complexity. Children whose parents work long and irregular hours and cannot access or afford childcare may have to travel home from school alone to look after themselves and/or their

siblings, leaving them extremely vulnerable to injury, neglect and abuse, as testimonies from children in this report have explained. In Mexico and other parts of Latin America, where levels of gang and domestic violence are high, these risks are particularly salient. We rarely hear the perspectives of children on these issues and their concerns are therefore often absent from efforts to manage the human rights impacts of businesses. This is why we have put children's voices at the heart of this report.

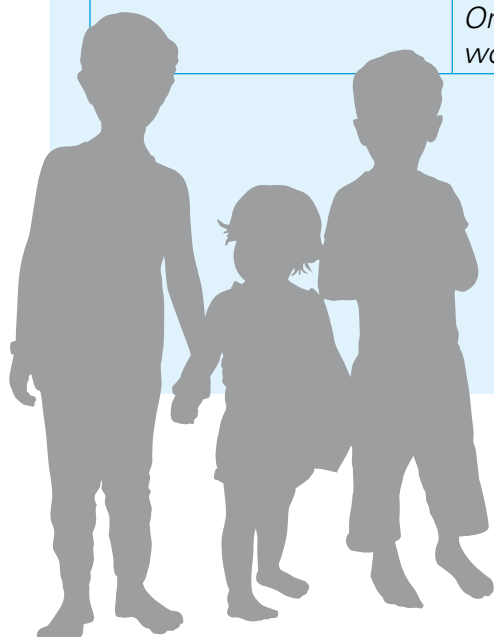
We believe that companies should make dedicated efforts to elicit the views of children who are affected or may be affected by their operations. In some cases, direct consultation may be appropriate; in others, engagement with local child rights advocates, organizations or individuals who are in close contact with children or who have expertise on children's rights in a particular context will be invaluable.

The challenges that children have outlined for the hotel industry in Mexico are not necessarily issues that businesses can address on their own. Where impacts are the responsibility of government, it is important that the whole industry (hotel companies, independent hotels, hotels associations and other actors) and other stakeholders advocate for government action. The leverage of the hotel industry in Mexico should not be underestimated. In other instances, UNICEF and civil society organisations can support action both bilaterally and across the industry. As a first step on that road, in November 2016, UNICEF convened a meeting of major hotel chains in Mexico to share initial findings of this research and to encourage action within the industry. We hope to continue to work with the hotel industry in Mexico and across the Latin American and Caribbean region to take forward the recommendations within this report.

For a host of reasons, the Mexican hotel industry is well-positioned to lead efforts within the country to drive sustainable development and the realisation of child rights. The tourism sector accounts for a huge and growing 14.8 per cent of national GDP and, as such, reaches a vast number of Mexican families through direct employment and economic opportunities in its value chain. The social purpose of the hotel industry is to help realize rights to rest and leisure, enshrined in both the Universal Declaration of Human Rights and the Convention on the Rights of the Child; and the industry has admirable experience of tackling one of the most egregious human rights violations, the commercial sexual exploitation of children. With the UN General Assembly declaring 2017 as the International Year of Sustainable Tourism for Development, the hotel industry now has the opportunity to take centre stage in the efforts to realize child rights and to show leadership in assuming responsibility for its full range of effects on employees, their families and local communities. Hotels are uniquely placed to ensure that for millions of children, Mexico and other Latin American holiday destinations are better places to live in, not just better places to visit.

Extracts from interviews with children

Theme	Examples/Quotes
Tourism is good for....	<ul style="list-style-type: none"> ■ Jobs ■ Exposure to new cultures and languages
Things they would like to see changed	<ul style="list-style-type: none"> ■ “That our parents in hotels don’t work so much, that have more time to rest and more vacations” Children, Cancun ■ “That they can work just their 8 hours, that they can rest on Saturdays and Sundays” Child, Cancun ■ “That our parents come back [from work] earlier” Children, Cancun ■ “[for industry to] stop polluting” Child, Cancun ■ “Don’t touch tips – it’s really important for the families” Child, Cancun ■ “Respect Mexican and local tradition, not stereotypes” Child, Cancun ■ “More cultural investment and infrastructure (library) for local.” Child, Cancun ■ “Better schedules for our parents.” Children, Puerto Vallarta ■ “That they [our parents] can leave work early.” Children, Mexico City
Negatives of tourism	<ul style="list-style-type: none"> ■ Things cost more ■ Diseases ■ Can’t have holiday during 6 months of the year ■ “Don’t want to work in hospitality – too much work.” Child, Mexico City <p><i>Only a handful of the 50 children interviewed expressed an interest in working in tourism when they grew up.</i></p>



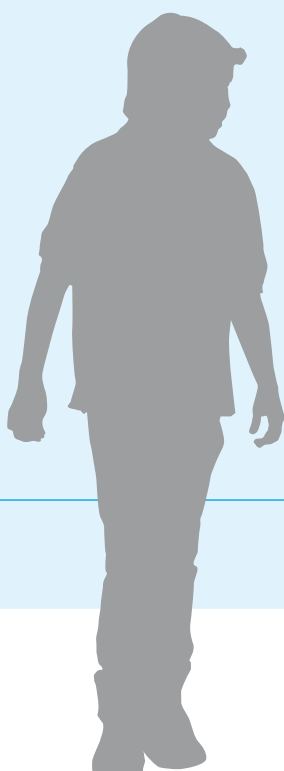
CHILDREN INTERVIEWS

Theme	Examples/Quotes
Travel to school alone/ Left alone	<ul style="list-style-type: none"> ■ "I do my own breakfast (my mom leaves really early) and go to school alone." Child, Puerto Vallarta ■ "I wake up and my parents have left already." Child, Puerto Vallarta ■ "I come back from school alone." Child, Mexico City <p><i>The youngest child who said she travelled to and from school alone was a 5 year old from Cancun.</i></p>
Don't see parent(s) often <p><i>Most children we spoke to were looked after by family members while their parents were at work (for instance, aunt, grandparents or older sibling), underlining the importance of family networks. We expect that children who are routinely left alone while their parents are at work did not participate in the consultations as they did not have an adult to accompany them to the focus groups.</i></p>	<ul style="list-style-type: none"> ■ "I almost never see my parents." 11-year-old, Cancun ■ "Yesterday he [my dad] came back at 5am and left again at 7am – he slept very little. I didn't see him for 2 days." 9-year-old, Cancun ■ "My dad works in a hotel ... I see him sometimes, but he arrives angry, tired." 9-year-old, Cancun ■ "It's unfair, they work all the time." Child, Cancun" ■ "Dad is waiter in XXX Hotel. He arrives at 12 at night, I hardly see him, he works on rest-days." Child, Cancun" ■ "When [my dad] comes back I am asleep, and when I leave he is asleep." 15-year-old, Cancun ■ "I don't like the morning because my mom is not there." Child, Puerto Vallarta ■ "I would like to spend more time with my mother – I haven't told her." Child, Mexico City ■ "If we need something we ask our grandmother (our mom is never there)." Children, Mexico City ■ "When my dad comes back we play a little, but he is very tired and asks me for some peace. Sometimes he sleeps in the hotel." Child, Mexico City ■ "My parents come back home really tired, sometimes at 1am. I miss them but my sister takes care of me." Child, Mexico City ■ "Our parents arrive home really late, especially at Christmas." Children, Puerto Vallarta ■ "My mother always arrives late, I hardly see her." Child, Mexico City



CHILDREN INTERVIEWS

Theme	Examples/Quotes
Take on adult tasks	<ul style="list-style-type: none"> ■ “Once I burned myself cooking but I have to cook anyway.” 9-year-old, Cancun ■ “I come back home and clean the place.” Child, Puerto Vallarta ■ “I don’t like to clean the bathroom.” Child, Puerto Vallarta
Home environment	<ul style="list-style-type: none"> ■ “They [my parents] shout frequently.” Child, Cancun. ■ “My dad’s mood depends on how well it went that day - if he received tips, he is in a good mood. If not, [my sister and I] better go to our room [or he will] scold us.” Child, Cancun ■ “Our parents, they are very tired.” Children, Cancun ■ “In general, our parents arrive home very tired and angry.” Child, Mexico City
Struggle financially	<ul style="list-style-type: none"> ■ “It’s difficult to pay the rent.” Child, Cancun ■ “It’s difficult for my mom to get money.” Child, Puerto Vallarta ■ “My mom can’t spend much, it’s difficult.” Child, Puerto Vallarta ■ “We eat for breakfast what was left from dinner. Sometimes I am sick from what I eat, but I go to school anyway.” Child, Cancun ■ “It’s difficult for my parents to get the money, very difficult.” Child, Mexico City
Exposure to violence	<ul style="list-style-type: none"> ■ “My brothers and sisters hit me, mom tells them not to. When I get old I will take revenge, it’s sometimes funny but sometimes not – they leave me bruises (shows us one on the arm)” 9-year-old, Cancun ■ “My mother has been robbed [in Mexico City] three times.” 9-year-old, Cancun ■ “My father use to hit me with a belt/rope – I had my back marked.” 16-year-old, Cancun ■ “One day they assaulted our mum in the bus, they stole her money.” Children, Mexico City ■ “Other kids are rude at school and hit me with a stick – I’m a bit afraid to go to school.” Child, Mexico City ■ “I’ve had trouble with <i>porros</i> [organized groups in school] – they threw firecrackers with nails in the school. I’ve heard of fights in the school – the other day an ambulance took a child to the hospital. I was very afraid.” Teenager, Mexico City



CHILDREN INTERVIEWS

Theme	Examples/Quotes
Risks outside the home	<ul style="list-style-type: none"> ■ "I live in front of the bus stop. Tourists make a lot of noise, [they] wake us up and ask questions." Teenager, Cancun ■ "It's easy to find drugs: at public schools [and] in the small shops." Teenager, Cancun ■ "[Get involved in] selling drugs." Child, Mexico City ■ "Being on the streets." Child, Mexico City ■ "Being hit by someone." Child, Mexico City ■ "If something happens I wouldn't know what to do – I'm a bit afraid of the streets – of being kidnapped." Child, Mexico City ■ "Once they stole my mother's mobile phone and they hit her. I saw her hurt." Child, Mexico City ■ "When we go out of school, there is a dark SUV [parked] – they say that children disappear." Child, Mexico City
Child labour	<ul style="list-style-type: none"> ■ "Children – they sell chewing gum, but it's an organized network – my dad... says there are a lot of women with really small babies and children [close to his workplace]." Child, Cancun
Impression of tourists	<ul style="list-style-type: none"> ■ "Tourists come to consume drugs and alcohol." Teenager, Cancun ■ "They have no manners, they are rude, [they] treat hotel employees badly." Teenager, Cancun ■ "They speak loud, are arrogant." Child, Puerto Vallarta ■ "[I am afraid of the tourists] they speak loud." Child, Puerto Vallarta ■ "I was afraid of tourists when they would climb the stairs of my school but the teacher explained it is to take pictures" Child, Puerto Vallarta
Environmental/cultural/recreational	<ul style="list-style-type: none"> ■ "They [the hotels] wanted to destroy a mangrove." Teenager, Cancun ■ "It was more beautiful before – you have to go far to find a restful beach." Child, Cancun ■ "Access to the beaches – we can't go there – they are forbidden, private properties, I'm upset about it." Child, Puerto Vallarta ■ "[I] go to public beaches because the beaches at the hotels are private." Child, Cancun



ENDNOTES

1. United Nations, Guiding Principles on Business and Human Rights, 2011, available at www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf [last accessed 29 March 2017].
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26. In Mexico, only 6 per cent of children under the age of 3 attend childcare centres (of any kind), compared with the 31 per cent OECD average. Coverage of the government's day care services was less than 30 per cent of its potential demand in 2012. This means that a little over 70 per cent of potential beneficiaries or eligible people for these kinds of programmes either could not or did not want to access their services. See Santibañez, Lucrecia, Rivera, Angélica, Silva, Marco L., Dorantes, Anitzel M., 'Chapter 6: Mexico, a country suitable for children?' in *Mexicanos Primeros, The Invisibles. Girls and Boys ages 0 to 6 years old: State of Education in Mexico 2014*, Mexicanos Primeros, May 2014, available at www.mexicanosprimero.org/images/stories/losinvisibles/The-Invisibles-Executive-Summary.pdf [last accessed 30 March 2017].
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Please contact:
UNICEF UK,
30a Great Sutton Street,
London EC1V 0DU

+ 44 (0) 20 7490 2388

Email: **supportercare@unicef.org.uk**

unicef.org.uk

UNICEF México,
Paseo de la Reforma 645, Col. Lomas de Chapultepec
Ciudad de México, 11000
México

+ 52 (55) 5284 9530

Email: **mexico@unicef.org**

unicef.org/mexico

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