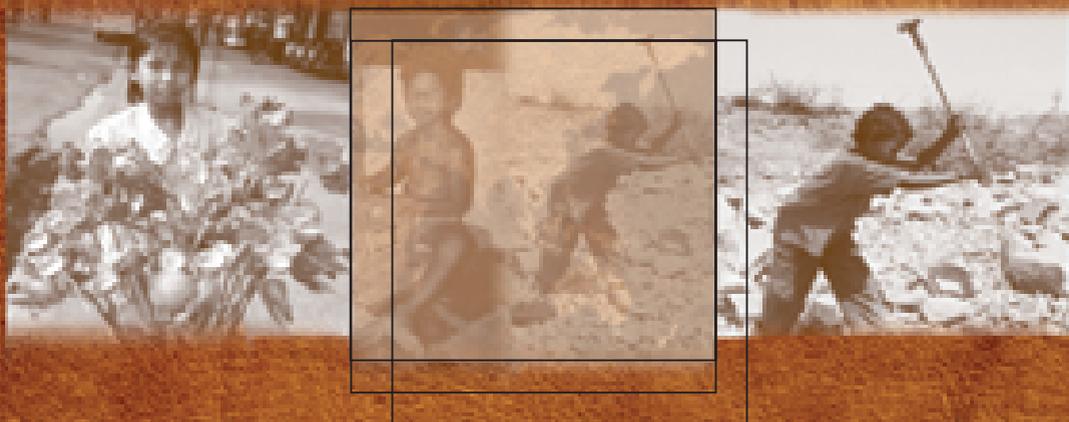




International  
Labour  
Organization

Making Decent Work an Asian Goal

# COMBATING CHILD LABOUR IN ASIA AND THE PACIFIC Progress and Challenges



**Making Decent Work an Asian Goal**

**COMBATING CHILD LABOUR IN ASIA AND THE PACIFIC**  
**Progress and Challenges**

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### **Combating Child Labour in Asia and the Pacific Progress and Challenges**

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## Foreword

Increasing worldwide interest in the issue of child labour and keen commitment by governments, employers' and workers' organizations and civil society have heightened the pursuit for ever-more sophisticated understanding of the many factors that play into child labour's causes, effects and solutions.

The International Labour Office (ILO) in June 2002 provided a broad mapping of the gloomy situation in which millions of children are caught. Of the 246 million children engaged in what the ILO defines as child labour, 171 million were estimated in hazardous situations or conditions that qualify as worst forms of child labour and 8.4 million were involved in the unconditional worst forms of child labour. The Asia-Pacific region has the largest number of child workers in the 5-14 age group — some 127 million, with 62 million children engaged in work that is considered hazardous — but is at the same time also the region with some of the most bold and successful initiatives to address the problem. The ILO, through its International Programme on the Elimination of Child Labour (ILO-IPEC), has continued to probe into the factors and linkages beyond these numbers and has played an active role in supporting numerous countries in the region in their efforts addressing the concern.

ILO-IPEC's work promotes ILO policy on child labour and contributes to the ILO's Decent Work Agenda. Withdrawing children from child labour, providing them with education and helping their families with training and employment opportunities contributes to concrete reductions in the decent work gaps. ILO-IPEC's experience shows that, to be effective, poverty alleviation programmes must address child labour issues through prevention, withdrawal of children from hazardous work and the strengthening of national capacity, especially in the education and training system. The consequences of child labour go well beyond childhood; they also affect national economies.

At the last Asian Regional Meeting in 2001, member states in Asia and the Pacific region proposed that combating child labour, particularly its worst forms, is one of the priorities of the National Plan of Action on Decent Work (NPADW) in the region. This report provides a fresh view on child labour in the region, its causes and implications on youth employment and other development issues. Its overview of actions, results and lessons learned reinforces the argument that child labour cannot be addressed in isolation but must be tackled in the context of national development strategies growing out of international commitments and national needs. We hope it will be widely used in developing policies, programmes and strategies to make decent work an Asian goal.

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## Acronyms

ACT/EMP	ILO Bureau for Employer's Activities
ACTRAV	ILO Bureau for Workers' Activities
ACWF	All- China Women's Federation
ADB	Asian Development Bank
APEC	Asia Pacific Economic Cooperation
APPSI	Association of Indonesia Domestic Workers' Suppliers
APSBP	Andhra Pradesh State-Based Project (India)
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
CBS	Central Bureau of Statistics (Indonesia)
CLC	Community Learning Centre (Cambodia)
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
CP-TING	Project to prevent trafficking in girls and young women for labour exploitation within China (ILO-IPEC programme)
CRC	United Nations Convention on the Rights of the Child (1999)
CSEC	Commercial sexual exploitation of children
DFID	Department for International Development (UK)
DWCP	Decent Work Country Programme
DWACF	Decent Work Agenda Country Framework
ECOP	Employers' Confederation of the Philippines
EFA	Education For All
ESPNAD	Employment Service for the People of Nanggroe Aceh Darussalam Province (Indonesia)
GDP	Gross domestic product
HIV/AIDS	Human Immunodeficiency Virus/Advanced Immune Deficiency Syndrome
ILO	International Labour Organization
ILO-IPEC	ILO's International Programme on the Elimination of Child Labour
IMAC	Independent Monitoring Association for Child Labour (Pakistan)
LFS	Labour Force Survey
LFTU	Lao Federation of Trade Unions
LMACI	Lungga Mangmang Agong Centre Inc. (Philippine NGO)
LTTE	Liberation Tigers of Tamil Elam
MDG	Millennium Development Goal
MOLISA	Ministry of Labour, Invalids and Social Affairs (Viet Nam)
MOLV	Ministry of Labour and Vocational Training (Cambodia)
MOSVY	Ministry of Social Affairs, Veteran Affairs and Youth Rehabilitation (Cambodia)
MoU	Memorandum of Understanding
NACEWFCL	National Action Committee for the Elimination of the Worst Forms of Child Labour (Indonesia)

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NCLP	National Child Labour Programme
NFE	Non-formal education
NPA	National Plan of Action
NPACL	National Programme against Child Labour (Philippines)
NPADW	National Plan of Action for Decent Work
NSCECL	National Steering Committee on the Elimination of Child Labour (Indonesia)
NSO	National Statistics Office (Philippines)
NUWHRAIN	National Union of Workers in the Hotel, Restaurant and Allied Industries (Philippines)
PRSP	Poverty Reduction Strategy Paper
RETA	Regional technical assistance (ADB project)
SCCI	Sialkot Chamber of Commerce and Industries (Pakistan)
SELL	Sharing Experiences and Lessons Learned
SCREAM	Supporting Children's Rights through Education, the Arts and the Media (ILO-IPEC programme)
SIMPOC	ILO's Statistical Information and Monitoring Programme on Child Labour
SPIF	Strategic Programme Impact Framework (ILO-IPEC planning tool)
TBP	Time-Bound Programme
TICSA	Trafficking in Children and Women in South Asia (ILO-IPEC programme)
TICW	Trafficking in Children and Women in the Mekong (ILO-IPEC programme)
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGEI	United Nations Girls' Education Initiative
UNICEF	United Nations Children's Fund
WFCL	Worst forms of child labour
YE	Youth employment

## Executive summary

In the Asia-Pacific region, child labour is widespread and seemingly entrenched. The ILO estimates that the region has the largest number of child workers in the 5-14 age group — some 127 million with 62 million engaged in work that is considered hazardous — and that at least 6.6 million children in Asia are victims of unconditional worst forms of child labour.<sup>1</sup> A child trapped in child labour grows up to become an adult with poor prospects of securing decent work, of rising out of poverty, of giving his or her own family a good start in life and of contributing to the economic and social growth of the country. Child labour is a result of and a contributing factor to entrenched poverty. It arises when parents have insufficient or inappropriate skills to find work and support their family, and it inexorably results in the next generation of parents being in exactly the same situation. But poverty is not the only factor at play. Child labour also happens when children's rights to childhood are neglected or denied them. It happens in some places just because working at an early age and missing out on school is what children are expected to do because it has always been like that.

Sometimes, a child is sent into work prematurely because the value of education is not recognized by families and communities where the majority of adults have themselves never been to school; and some children may drop out of school or not enrol at all because of economic pressures on the family, or because the quality of education is poor or not suited to their perceived needs.

Putting a child to work is also sometimes the result when unscrupulous people seek to make a profit by exploiting children. Tradition and culture also play a role, and perceptions of the nature of childhood and the role and responsibilities of children towards their elders and siblings often decide whether a child is sent to school or into labour. In some societies this is especially true for girl children.

Whatever the reasons for their entry into child labour, children who work prematurely miss out on the education, recreation and protection that are their right. Their prospects for a healthy, happy future in which they will find decent work and rise out of the poverty trap are seriously undermined. Additionally, their vulnerability to injury, ill health and maltreatment is increased and their risk of falling victim to those who seek to exploit their labour grows.

Some children are subjected to particularly horrendous forms of child labour. The world has recognized these as 'unconditional worst forms' and has pledged to eliminate them as a matter of priority. These children suffer like modern-day slaves, trafficked into labour, bonded in labour to pay off debts or forced by others through threats, intimidation or other coercive means. Children who are recruited into armed conflict to fight or to provide services to militias or armies fall into this category, too, as do the children who end up in brothels or in street prostitution, their lives devalued and their self-worth undermined.

Also recognized as a worst form of child labour is the use of children in illicit activities such as the production, trafficking and sale of drugs. While these worst forms of child labour are identified in the text of the Worst Forms of Child Labour Convention, 1999 (No.182), others are included more broadly because of the danger they represent to children's safety, health and morals. In this case, it is the task of govern-

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<sup>1</sup> *A future without child labour: Global report under the follow-up to the ILO Declaration on fundamental principles and rights at work*, (ILO, Geneva, 2002).

ments, in consultation with workers and employers and other concerned groups, to draw up the list of occupations from which children must be protected.

It is clear that, far from being an isolated issue of concern and reason for action, child labour is at the heart of social and economic development and the quest for universal human rights.

This report reviews the situation of child labour in the Asia and Pacific region. It argues that child labour has to be tackled in the context of national development frameworks and initiatives, in particular efforts centred around the Decent Work Agenda but also poverty reduction strategies, Education For All efforts, and initiatives to boost youth employment.

Chapter 1 is an update of the situation of child labour in the region and an outline of the causes of child labour, its impact on children and communities, and how it relates to globalization, natural and man-made crises and development issues more generally.

Chapter 2 looks at progress made in mainstreaming child labour in broader development strategies and, in relation to the work of the ILO, with other country, subregional and regional frameworks and programmes.

In Chapter 3 there is a brief review of some of the actions that have been taken by governments, trade unions, employers' organizations and the ILO, as well as NGO and United Nations agency partners, to contribute to efforts to eliminate child labour, including the worst forms. The work undertaken in the period under review has been wide-ranging. Importantly, the body of knowledge that underpins all policy and programming decisions in the field of child labour has grown considerably, although the report inevitably also points to continuing obstacles in the field of data collection and analysis, in particular inconsistent collection of data and insufficient translation of data into policy and action. The process of developing and implementing Time-Bound Programmes (TBPs) for the elimination of child labour has given a tremendous boost to the collection of data and to research and study of sectors of work in which children are exploited.

Also contributing to enhanced action is the drawing of lessons and their sharing across the region. Building on experience and adapting or replicating experiences from country to country, subregion to subregion, is the only way to avoid 'reinventing the wheel' and ensures that scarce resources are used to maximum benefit. Finally, this chapter looks at some of the progress made in reviewing and revising legislation and at efforts centred on ensuring that children enrol in school and do not drop out.

In all of these areas, the role of the ILO's traditional partners and collaboration on the ground is of vital importance and the report includes examples of successful collaborations and cross-sectoral initiatives that have made a real difference in the lives of children.

It is clear, however, that much remains to be done, and Chapter 4 indicates some of the next steps that need to be taken if progress is to continue. It calls above all for all countries in the Asia and Pacific to ratify and implement both of the principal ILO Conventions relative to child labour: the Minimum Age Convention, 1973 (No.138) and the Worst Forms of Child Labour Convention, 1999 (No.182).

There is a clear need for research and data collection to continue, and to improve, if we are to have a complete picture of child labour in the region and see clearly how we should target actions to have the most immediate impact. Such actions will include accelerating efforts to persuade all people in the region

that child labour is not only detrimental to the child and a fundamental denial of their rights but also an obstacle to national development. It must also include review and revision of national legal frameworks to bring them into line with the conventions.

Those working to eliminate child labour must also continue to develop and share the ‘tools of the trade’ so that the impact of their work is measurable and demonstrated. The report suggests that there is still insufficient drawing of lessons from actions that are undertaken and that the results of the work are not sufficiently exploited on a wider scale.

Finally, the report concludes that, although the cost-benefits of eliminating child labour have been demonstrated, they now need to be reflected in the allocation of resources that takes a long-term view of development. Diverting funds to combat child labour and thus investing for the longer term returns that this will provide makes much more sense, both financially and in the protection of children’s rights, than sacrificing future returns for the sake of present consumption.

# Child Labour in Asia and the Pacific

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# 1. Child labour in Asia and the Pacific

Hidden behind analyses of the poverty cycle, social development indicators, national economic statistics and a whole range of targets, goals, projections and even aspirations, are the children within whom lie the seeds both of future economic prosperity and of a present where every individual's right to health, dignity and productive employment is protected and promoted

In addition to the undoubted sacrifice of a lost childhood, a child trapped in child labour grows up to become an adult with poor prospects of securing decent work, of rising out of poverty, of giving his or her own family a good start in life and of contributing to the economic and social growth of the country.

This may seem like a harsh judgement, but research shows that it is true. Child labour is a result of, and a contributing factor to, entrenched poverty. It arises when parents have insufficient or inappropriate skills to find work and support their family, and it inexorably results in the next generation of parents being in exactly the same situation.

It also arises when children's rights to childhood are neglected or denied them, including their right to learn, to play, to be healthy and to feel safe and secure in the midst of their family. Sadly there are still places where children are expected to work – not just helping out but working hard and long – simply because it has always been like that.

In other instances, a child is sent into work prematurely because the value of education is not recognized by families and communities where the majority of adults have themselves never been to school; in short, education has not become a 'habit' and so the next generation of children is deprived of opportunities even where they are available. Some children may drop out of school or not enrol

at all because of economic pressures on the family, or because the quality of education is poor or not suited to their perceived needs, or indeed in some instances because school is seen as a risk, where teachers or others may be known to prey upon the children or be violent.

Putting a child to work is also sometimes the result when unscrupulous people – employers or even people within the child's family or circle of acquaintances – seek to make a profit by exploiting children. It is not difficult to persuade parents or guardians who are looking for ways to support a family that a child's labour can be transformed into food for the table or money to help out the family income, although promises of remuneration or a 'better life' are not always kept.

Some children are subjected to particularly horrendous forms of child labour. The international community has recognized these as 'unconditional worst forms' and has pledged to eliminate them as a matter of priority. These children suffer like modern-day slaves, trafficked into labour, bonded in labour to pay off debts or forced by others through threats, intimidation or other coercive means. Children who are recruited into armed conflict to fight or to provide services to militias or armies fall into this category, too.

The international community has also recognized as a worst form of child labour the exploitation of children in prostitution and pornography, and the use of children in other illicit activities such as the production, carrying and sale of drugs. While these worst forms of child labour are given labels, others are included more generally because of the danger they represent to children's safety, health and morals. In this case, it is the task of governments, in consultation with workers' and employers' groups, to draw up a list of agreed hazardous occupations.

Whether a worst form of child labour or not, the use of child labour as a cheap and malleable alternative to employing adults is a serious abuse of the potential labour force and avoidance of the imperative to provide decent work. It puts the onus for earning a living in the present on those who should be acquiring skills for the future, and leaves those with the responsibility of ensuring that future with no options for the present. It disrupts economic growth and leaves children and their families in a no-hope situation where the likelihood of improving their lot in life is seriously undermined. Child labour thus also undermines the rights of adults to be able to earn their living, support their families and enjoy an adequate standard of life.

It is clear that, far from being an isolated issue of concern and reason for action, child labour is at the heart of social and economic development, and the quest for universal human rights.

It has been said that “decent work is about more than employment or a job; it is about meeting the aspirations of individuals and families, about achieving what people are asking for in their daily lives: work, security, human dignity, and freedom from poverty and hunger”.<sup>2</sup> Clearly, therefore, eliminating child labour is also an essential element of fulfilling the Decent Work Agenda.

### 1.1 What causes child labour?

In the Asia-Pacific region, child labour is widespread and seemingly entrenched. The region contains some of the poorest countries on the planet but also some of the most successful in development terms. The patterns of child labour do not wholly reflect these divergent economic profiles, however, since there is more at play in child labour than just the economic well-being of a country.

#### Indonesia: Attitudes to child labour and education

In early 2005, ILO-IPEC commissioned a study in Indonesia on attitudes to child labour and education among poorer households with children of junior secondary school age. The study, conducted by a leading company in the area of social market research, surveyed 1,200 households across six provinces of Indonesia. Some of the key findings were:

- Of 2,438 school-age children below the age of 15, 19 per cent were not attending school;
- The cost of education and associated costs such as transport and uniforms are determinant; the average cost of keeping one child in elementary school and one in junior secondary school for one year is equivalent to two-to three-months' gross salary at the level of the provincial minimum wage;
- Only half of the respondents knew that the government's policy is for all children to complete nine years of schooling (to age 15) – 39 per cent thought it was only six years;
- Despite the obstacles, there was a high commitment to the idea of education;
- 79 per cent of those surveyed thought it was important for boys and girls to complete junior secondary school; 14 per cent thought it was more important for boys to complete and 5 per cent thought it was more important for girls to complete;
- While most respondents agreed that children below 18 should not be allowed to work in illicit sectors, only 16 per cent thought children should not be allowed to work with chemical substances, 23 per cent in off-shore fishing; 27 per cent in heavy lifting (hazardous occupations);
- When asked about the number of hours a day it might be acceptable for a child below the age of 15 to work, 37 per cent said three hours or less, 27 per cent four hours, 19 per cent five hours and 15 per cent six hours or more.

<sup>2</sup> Lim, L L: *Generation of equality: A life-cycle approach to decent work and poverty reduction*, unpublished research proposal, November 2003.

It is true that poverty is a major factor in the vulnerability of children to child labour. Families in ‘real poverty’ and without other coping mechanisms may see sending children out to work, even at a very young age and under conditions that expose them to extreme risk, as the only way to make ends meet. This has been described as “using child labour to borrow from the future for present consumption”,<sup>3</sup> since it sacrifices the child’s longer-term development on the altar of immediate returns.

The relationship between child labour and poverty, however, is not as simple as it may appear. Other forces come into play, including the perceived cost benefits of putting a child to labour where available schooling does not seem to promise longer-term gains, either because it involves costs that cannot easily be met, or because it is of poor quality, or simply because the parents and/or child do not believe in its usefulness.

Tradition and culture also play a role, and perceptions of the nature of childhood and the role and responsibilities of children towards their elders and siblings often decide whether a child is sent to school or into labour. This is particularly true of girl children who, in many societies, are seen as poor longer-term ‘investments’ because they will marry and leave the family home, or else are expected to care for siblings and older families members, contribute to the household chores or work to help finance the education of boys in the family.

There is a second form of poverty that is instrumental in pushing children into child labour. This is the ‘sudden poverty’ that occurs when a family that is generally coping is faced with an unexpected event that makes it suddenly or temporarily unable to meet its daily needs. This event may be a national or local event that affects large numbers of families, such as an economic crisis, natural disaster or outbreak of conflict, all of which

disrupt the world of work and make earning an income more difficult (there is more on this below). It may also be a family crisis, such as sudden unemployment or illness of the breadwinner. In such situations, parents may consider that temporarily withdrawing a child from school to help the family in crisis is a legitimate response. In reality, such a move often leads to the end of the child’s education and early entry into child labour. The risk of exploitation of the child is also high in a situation where the supply of available child labour increases suddenly and the family’s bargaining powers are restricted.

Finally, child labour is often a result of what might be called ‘the poverty of maladjustment’, where family members of working age cannot find employment either because they do not have appropriate skills or qualifications or because of hiring policies that discriminate against certain groups and make it difficult for them to find work. In these cases, although there may be alternative solutions to the problem – retraining or relocation for example – it may often seem easier to find work for a child whose exploitability overrides other considerations.

Beyond poverty, child labour is also sadly a result of market realities that see producers, company owners and others who employ labour cutting corners to keep down costs to remain competitive or indeed simply to increase profits. Children are seen as cheap labour, not only because they can be paid less and exploited more easily but also because they are less likely to claim the rights that all workers should have: to appropriate remuneration, fair conditions of work, social security and time off.

The root causes of child labour are therefore not only economic, although poverty remains a determining factor. The role of the child within the family, parental and community attitudes to the child, culture and tradition and especially the role

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<sup>3</sup> Betcherman, G et al: *Child labour, education and children’s rights*, Social Protection Discussion Paper Series, (World Bank, Washington, July 2004), p.15.

of girls in the family, manipulation of the market by unscrupulous employers — all these contribute to child labour, as do trigger factors that increase a child's vulnerability to exploitation, such as armed conflict or natural disaster.

## 1.2 What is child labour?

Child labour is the term we use when we talk about children whose labour is exploited either because they are too young to work, or when they are of working age but toil under conditions that put them at risk. It does not apply to children between the ages of 12 and 14 engaged in light work as described below, or children 15-17 who work but are not exposed to hazards.

Two principal international instruments provide the framework in which governments, workers' and employers' associations together define the details of child labour in their country:

**The ILO Minimum Age Convention, 1973 (No.138)** applies to all economic sectors and all working children, unless a ratifying State initially exempts certain economic sectors and occupations

where it anticipates significant difficulties of enforcement. It calls on ratifying States to fix a general minimum working age, allowing some flexibility for developing countries in particular, and sets out a range of minimum ages below which no child should engage in light or hazardous work. The supplementing Recommendation No. 146 provides practical guidance on the protection of young persons at work.

In general, the minimum working age is set at 'not less than the age of completion of compulsory schooling and in any case not less than 15 years' (initially 14 for developing countries). In countries adhering to this general definition, children may undertake 'light work' – ie work that is not prejudicial to their health and development or attendance at school or training – at the age of 13 (or 12 if the general minimum working age is 14). Also, no child under the age of 18 should be engaged in work considered 'hazardous', except under very strict conditions, and then they must in any case be at least 16 years old. Countries are tasked with drawing up a list of occupations or conditions that are considered hazardous.

**Table 1.1 Hazard: Occupations or processes included in national legislations in recent years<sup>4</sup>**

- Abattoirs and meat rendering
- Aluminium industry (16 years)
- Airport runways
- Animals – wild or dangerous (unspecified)
- Archaeological excavation
- Bath houses and massage clinics
- Brick manufacture
- Cable laying
- Care for mentally disturbed people
- Carpet weaving (14 years)
- Catering at railway stations (14 years)
- Cinder-picking, clearing ash pits (14 years)
- Circular saws and other dangerous cutting machines
- Commercial agriculture
- Construction and/or demolition
- Courts, prisons, probation officers
- Crystal and/or glass manufacture
- Deep-sea fishing and diving
- Embalming and undertaker work
- Entertainment establishments (night clubs, bars, casinos, circuses, gambling halls)
- Escort services
- Excavation
- Fire brigades and gas rescue services
- Fruit picking (involving tree climbing)
- Forestry
- Gambling places
- Garbage collection
- Handling of animal/poultry manure for fertilizers
- Hospitals and healthcare centres
- Lewd shows
- Machinery in motion (operation, cleaning, repairs etc)
- Match making (16 years)
- Maritime work
- Mining, quarries, underground work
- Oil prospecting/petroleum
- Oxyacetylene blowpipes (16 years)
- Painting windows and window-cleaning
- Pedal/crank-operated equipment (16 years)
- Pesticide spraying
- Recycling of batteries and chemical-contaminated containers
- Salt and brine processes
- Ship building (16 years)
- Soap making (14 years)
- Steam engines or equipment
- Stevedoring and dock work
- Street trades
- Sugar mills (16 years)
- Tanneries
- Textile industries (specific tasks)
- Underwater work
- Vehicle operation
- Warehousing
- Water and gas industry
- Welding and smelting of metals, metal working<sup>5</sup>

<sup>4</sup> Additionally, some countries prohibit the exposure of children (under 18 or lower in some circumstances) at work to certain hazardous agents and products, for example: asbestos, cement, paints and solvents. Admission to work below the age of 18 may also be prohibited on the basis of hazards relating to the physical environment, for example: vibration and noise, lack of or abnormal levels of light. Listings of current national decisions in these two areas are given in: *Every child counts: New global estimates on child labour*, (ILO, Geneva, April 2002), pp.57-58.

<sup>5</sup> For an overview of the status of deliberations and decisions on hazardous occupations in the region, see: Networking project on hazardous child labour: *Background document on the legal context in Asia regarding the Worst Forms of Child Labour Convention (No.182) and hazardous child labour* (draft), (ILO, Geneva, March 2005).

**The ILO Worst Forms of Child Labour Convention, 1999 (No.182)** goes beyond the concept of designing and enforcing minimum age legislation, to focus also on the work children may actually be engaged in, with a view to prohibiting and eliminating as a matter of urgency the worst forms of child labour. Convention No.182 has no flexibility clauses such as Convention No. 138 and applies to all countries, both developed and developing, and to all children under the age of 18.

Article 3 of Convention No.182 defines the worst forms of child labour as:

- a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, as well as forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c) the use, procurement or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant international treaties; and
- d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children, such harmful work to be determined by national authorities.

While national authorities have some discretion in nominating the categories of work that fall under Article 3 (d),<sup>6</sup> there is no discretion whatsoever in Articles 3 (a), (b), (c) – these are

considered ‘unconditional’ and are without exception or exemption absolutely prohibited for all children under the age of 18.

In addition to the ‘child labour Conventions’, the **United Nations Convention on the Rights of the Child (1989)** (CRC)<sup>7</sup> includes protection from economic exploitation and child labour as a fundamental right of all children. Article 32 of the CRC has been reinforced in recent years through government declarations made at the 2002 United Nations General Assembly Special Session on Children, reiterated in the outcome document called **A World Fit for Children**. This further underlines the vital role of education in preparing a child for a future in which s/he can live a productive, healthy and happy life. Two **Optional Protocols to the CRC (2002)** – one focusing world attention on the commercial exploitation of children in prostitution and pornography, and the other reinforcing commitments to end the use of children in armed conflicts – reiterate the emphasis placed on these worst forms of child labour in ILO Convention No.182.

### 1.3 Why is ratification so important?

Since 2001, a number of countries in the region have ratified one or both of the child labour Conventions: four countries have ratified Convention No.138; 13 have ratified Convention No.182 since 2001, and there are clear indications that a number of countries have recognized the link between the two Conventions by ensuring that both are ratified. Nevertheless, seven countries have still not ratified either Convention – Afghanistan,<sup>8</sup> Australia, India, Kiribati, Myanmar, Solomon Islands and Vanuatu.<sup>9</sup>

<sup>6</sup> ILO Convention No.182 is accompanied by Recommendation No. 190, which gives some guidance on what might constitute a ‘hazard’, for example work under ground, with dangerous machinery, for long hours or at night, or that exposes the child to the risk of various forms of abuse.

<sup>7</sup> All countries in the Asia Pacific region have ratified the CRC.

<sup>8</sup> Afghanistan is currently (mid-2005) in the process of considering ratification of both conventions.

<sup>9</sup> Timor-Leste became ILO’s 177<sup>th</sup> Member State on 19 August 2003 and has not yet ratified ILO conventions. The same is true of Samoa, which became the 178<sup>th</sup> Member on 7 March 2005.

**Table 1.2 Ratifications of Conventions No.138 and 182 in the region**

Country	Convention 138		Convention 182	
	Yes	No	Yes	No
Afghanistan (The Islamic State of)		x		x
Australia		x		x
Bangladesh (The People's Republic of)		x	2001	
Cambodia (The Kingdom of)	1999			x
China (The People's Republic of)	1999		2002	
Fiji (The Republic of)	2003		2002	
India		x		x
Indonesia	1999		2000	
Iran (Islamic Republic of)		x	2002	
Japan	2000		2001	
Kiribati (The Republic of)		x		x
Korea (The Republic of)	1999		2001	
Lao People's Democratic Republic	2005		2005	
Malaysia	1997		2000	
Mongolia	2002		2001	
Myanmar (The Union of)		x		x
Nepal (The Kingdom of)	1997		2002	
New Zealand		x	2001	
Pakistan (The Islamic Republic of)		x	2001	
Papua New Guinea	2000		2000	
Philippines (The Republic of the)	1998		2000	
Samoa (The Independent State of)	Samoa became ILO's 178 <sup>th</sup> Member State in March 2005			
Singapore (The Republic of)		x	2001	
Solomon Islands		x		x
Sri Lanka (The Democratic Socialist Republic of)	2000		2001	
Thailand (The Kingdom of)	2004		2001	
Timor-Leste (Democratic Republic of)	Timor-Leste became ILO's 177 <sup>th</sup> Member State in August 2003			
Vanuatu (The Republic of)		x		x
Viet Nam (The Socialist Republic of)	2003		2000	

Ratification is vital to efforts to eliminate child labour in the region. It has been described as ‘the negotiating table at which all interested parties come together and make plans around a common platform and in a spirit of accountability’. Convention No. 182, by explicitly requiring ratifying States to seek and impart international cooperation, has more than any other Convention identified child labour as a common threat to universal prosperity. As such, the international community strongly expects all ILO member States to accept regular dialogue on the basis of agreed language or common standards. Only ratification triggers a mechanism that satisfies the needs for regular dialogue within the international community. This is not only true in individual countries where governments, workers’ and employers’ organizations, civil society groups and international players including ILO-IPEC are brought together, but also at regional level where countries work to achieve regional goals. Until there is universal ratification across the region, therefore, the task of putting in place an adequate platform for the elimination of child labour, especially the worst forms, will remain unfulfilled.

#### 1.4 What is the nature of child labour in the region?

ILO estimates put at approximately 352 million the number of children between the ages of five and 18 who were economically active in this world in 2000. Of these, 246 million are considered to be in various forms of child labour and most of them, some 179 million, are engaged in the worst forms of child labour.<sup>10</sup>

The Asia-Pacific region has the largest number of child workers in the 5-14 age group, some 127 million. Not all of these children, of course, are classified as child labourers, although the figure is indicative because it points to large numbers of children who enter the workforce below the minimum working age. The ILO estimates that in Asia 104 million children between the ages of 5 and 17, and 62 million aged 5 to 14 are engaged in work that is considered hazardous.<sup>11</sup> In the 5-14 age group, there is almost no difference between the number of boys and girls in child labour; in the 15-17 age group, more boys than girls are in hazardous labour – 57 per cent compared to 43 per cent.

The ILO estimates that at least 6.6 million children in the Asia-Pacific region are in one of the unconditional worst forms of child labour – forced and bonded labour, armed conflict, prostitution and pornography, illicit activities or victims of trafficking.<sup>12</sup>

Since 2000, ILO-IPEC has supported a series of investigations into selected sectors in which child labourers are to be found, in order to understand the situation in which the children labour, the impact on them, how they came to be in child labour and actions that can be taken both to help these children and to prevent other children entering these sectors. Sixty-five Rapid Assessment and 49 baselines surveys have been conducted in the region in 41 sectors and 12 countries: Bangladesh, Cambodia, India, Indonesia, Lao PDR, Mongolia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Viet Nam.

<sup>10</sup> *Every child counts, op.cit.* Children considered to be in child labour are those between the ages of 5 and 11; children in the age group 12 to 14 except those engaged in light work; and children aged between 15 and 17 who are in hazardous work or other worst forms of child labour.

<sup>11</sup> *Global report on child labour, op.cit.*

<sup>12</sup> Known statistics for individual countries are included in the country summaries contained in the annex of this report.

The sectors covered to date are:<sup>13</sup>

- Agriculture (Lao PDR)
- Armed conflict (Philippines, Sri Lanka)
- Automobile repair (Bangladesh)
- Bangle making (Pakistan, India)
- Battery recharging (Bangladesh)
- Bidi (India, Bangladesh)
- Bonded labour (Nepal)
- Brass (India)
- Bricks (Lao PDR, Cambodia)
- Carpet industry (Pakistan, India, Nepal)
- Child domestic labour (Thailand, Cambodia, Mongolia, Indonesia, Philippines, Bangladesh, Nepal)
- Construction (Bangladesh)
- Drug trafficking (Thailand, Cambodia, Indonesia, Philippines)
- Fish/shrimp processing (Cambodia, Pakistan)
- Footwear (Indonesia, India)
- Garment factories (Lao PDR, Viet Nam)
- Jermal/deep sea fishing (Indonesia, Philippines, Pakistan)
- Leather industry/tanning (Pakistan, Bangladesh)
- Livestock herding (Mongolia)
- Locks (India)
- Marketplace-based (Mongolia)
- Match making (India, Bangladesh)
- Mining and quarrying (Mongolia, Indonesia, Philippines, Pakistan, India)
- Offshore fishing (Indonesia)
- Portering (Nepal)
- Pyrotechnics/fireworks (Philippines, India)
- Rag picking/scavenging (Viet Nam, Pakistan, Nepal, child begging Thailand)
- Rubber plantations (Cambodia, Philippines)
- Salt (Cambodia)
- Services and entertainment (Lao PDR, Cambodia)
- Sexual exploitation (Viet Nam, Mongolia, Indonesia, Philippines, Pakistan, Sri Lanka, Nepal)
- Silk (India)
- Street-based activities (Bangladesh)
- Small and medium enterprises in informal sector (Mongolia)
- Sugarcane plantations (Philippines)
- Surgical instruments (Pakistan)
- Tea plantations (Sri Lanka)
- Trafficking (Thailand, China Yunnan, Lao PDR, Cambodia, Indonesia, Pakistan, Bangladesh, Nepal)
- Transport (Bangladesh)
- Welding (Bangladesh)

A review of these sectoral studies shows that the nature of child labour in the region is diverse and that it follows no set pattern. The most common element is poverty, indicating again that programmes to reduce poverty are likely to have a major impact on child labour, and that child labour contributes to sustained poverty. All the chil-

dren were subjects of economic exploitation, although the level of remuneration they received depended very much on the personal decision of the ‘employer’.

It is also true that child labour in the Asia-Pacific region is not a static phenomenon.

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<sup>13</sup> It is important to remember that this list does not reflect the total situation of child labour in the region but rather the sectors and countries in which ILO-IPEC has conducted research since 2000. The reasons for focusing on these countries/sectors are many: in some cases they relate to the process of preparation of the TBP (for example in Nepal); in other cases they may simply reflect the level of resources or expertise in the ILO-IPEC at country level, or the priorities within a given country programme. They are provided only to indicate the efforts that are being made to document child labour in its many forms.

Although children have long been – and continue to be — exploited in sectors such as agriculture, manufacturing and domestic service, new forms of exploitation have emerged or grown in prominence: trafficking is one example, as is armed conflict, as instability in some parts of the region has seen children under the age of 18 be recruited into paramilitary groups or armed insurgencies.

Conversely, in some sectors the impact of interventions since 2000 has seen a marked reduc-

tion in the number of children trapped in child labour: programmes to eliminate the exploitation of child labour in the manufacture of soccer balls in Pakistan and in Bangladesh's garment industry, for example, have led to a significant reduction in the numbers of children involved.

It remains difficult to measure both the scope of the problem and the impact of programming, however, where there are gaps in statistics.

### **Bangladesh: Child labour in the garment industry and the BGMEA experience**

In the early 1990s, the garment industry was the main engine of Bangladesh's economic growth, accounting for 70 per cent of the country's exports and most of its modern sector jobs. In 1992 there were 1,500 factories employing 750,000, mainly female workers. Some 10 per cent of these workers were under the legal minimum working age of 14. The industry was worth US\$1.4 billion in 1993, which is more than Bangladesh's total foreign aid assistance. The US market accounted for more than 50 per cent of the industry's earnings.

The vulnerability of the industry to a single market was exposed after 1991 when trade unions, human rights groups, consumer and religious organizations, under the umbrella of the Child Labour Coalition, promoted legislation to prohibit imports into the United States of products made with child labour. The garment industry in Bangladesh became the centre of these debates, illustrating the profound impact of the dominant market. In 1992 a bill was presented in the US Senate to ban imports made with child labour. Though this legislation was never passed, the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) responded by urging its members to remove under-age workers from their workplaces in conformity with the national Factory Act that set a minimum age for employment of 14 years.

Shortly thereafter, the ILO undertook the first study of child workers in the urban informal economy, including the garment sector. From this study it emerged that 70 per cent of child workers in the industry were girls and that there was a pattern of informal recruitment, typically around 11 years of age, to do mostly casual jobs. The mean age of these children was 13 years. Moreover, in this Muslim society, garment work provided girls with one of the few windows of opportunity available to them – relatively safe and well paid work outside the home.

When the BGMEA announced its self-imposed deadline of a child-labour-free industry by 31 October 1994, both the ILO and UNICEF sought to design an appropriate response. Given the political sensitivity surrounding the issue of child labour in the garment industry, it took more than two years to arrive at a solution agreeable to all parties. Though it was widely agreed that the removal of children from the industry would be in line with international standards and was desirable in the long term, abrupt dismissals without a better alternative, and in particular education, were not in the best interests of the children. In 1994-95 an agreement emerged in which the BGMEA was persuaded to set aside its deadline in favour

of a phased and measured programme. An MoU was signed on 4 July 1995 by the ILO, UNICEF and the BGMEA on behalf of the employers, to address the summary dismissal of thousands of child workers from the garment factories which had started in 1993. The intention of the programme was to remove children from factories and place them in schools. The MoU programme is among the best-known child labour interventions of the last decade. It had wider significance concerning what is best for working children, with much subsequent debate around the notion of the MoU programme as a model.

The division of labour, as jointly planned and set out in the MoU, roughly translated into UNICEF taking the lead in education and the ILO in verification and monitoring. UNICEF developed an education programme with NGO partners with the first non-formal education (NFE) centres opening in January 1996. More than 300 NFE centres were subsequently set up in locations accessible to the children and were staffed by trained teachers. The ILO focused on developing the monitoring and verification system, which was fully functioning by late 1996. The skills training and micro-credit projects started in late 1999 once resources had been mobilized. These were also implemented by NGOs. A second MoU was signed in July 2000 for a duration of 12 months. In addition to maintaining the commitments of the first MoU, the second MoU focused on sustainability and looked to develop a long-term response to the problem of child labour monitoring in the garment industry.

The centrepiece of the BGMEA experience is the tripartite system for monitoring the workplace developed by BGMEA and ILO-IPEC. The system brought together four-person monitoring teams of ILO-IPEC, BGMEA and Bangladesh Government representatives. The diversity ensured transparency and reliability. Every morning, the monitoring teams assembled. They received the sealed names of factories randomly selected for inspection from the project's database, and learned their destination en route. Unannounced, they appeared at the factory to inspect for under-age workers, identifying and recording any child labourers they found. Based on information gathered during the visits, entered into the database daily and reported weekly, factories were rated on their compliance. Any change in rating can affect a company's reputation and export sales. BGMEA provided an additional incentive to operate child labour-free: a US\$100 penalty for each child employed in a factory. By 2001, the system's effectiveness had brought the number of garment factories with child labour down to less than 4 percent. As a part of its partnership, the BGMEA project also helped withdrawn child labourers by providing monthly stipends to families to compensate for lost income, and school materials to help the children and their siblings attend NFE centres.

The MoU programme has become the prototype for many subsequent interventions in eliminating child labour in the manufacturing sector. With its publicity and awareness raising, the programme put the child labour issue on the map in Bangladesh and, to an important extent, worldwide. It was also the first large-scale collaboration between the ILO and UNICEF in the elimination of child labour. The context in which the MoU was signed is, therefore, critically important to understanding the strategy and approach adopted from 1995. The ILO and UNICEF had to respond to a serious social problem that was advancing extremely rapidly. Most of the children dismissed from the garment factories became hard to find and track within weeks and seemed lost from view. The challenge was to mount a quick response that would allow child workers to transfer from garment factories to schools. And this had to be consistent with protecting children's rights and in their best interest.

Finally, the MoU experience should not only be considered at the project level; it should be regarded as significant learning experience that contributed to framing subsequent policies in Bangladesh and be-

yond. It has served as an important model and its major elements have been applied and replicated elsewhere in other export sectors, for example in the soccer ball stitching industry in Pakistan that followed a similar agreement in 1997. In the case of the Bangladesh MoU, the key elements of the strategy were sound. It recognized the need for multiple actions to protect children: from the commitment of the government, to supportive community actions, social protection mechanisms to support children and families at risk, and more open discussion of practices harmful to children. Ultimately, the project was a genuinely collaborative effort of international and local agencies, of government, social partners and civil society.

Since 2001, ILO-IPEC's statistical and research (SIMPOC) programme has been endeavouring to fill these gaps. Additionally, ILO-IPEC has been working to devise standards and protocols to help ensure that statistical surveys are methodologically sound and provide consistent data that will allow for trends to be identified.

These efforts, however, are at a very early stage. There remains a paucity of national level data on child labour and, even where time series exist, the data is often inconsistent and it is impossible to use them to indicate trends.

Data is important not only for trend identification but also as a basis for formulating policies and legislation at both sectoral and country levels, and for setting priorities. National child labour surveys not only provide information on the child labour situation, they also allow insights into the lives of children more generally and are vital to understanding their needs and the challenges they face. For this reason, efforts to promote and sup-

port the systematic collection of reliable data on child labour in recent years have been of enormous value not only to the formulation of plans to eliminate child labour but also to the development of child-related policy more generally.

One important achievement has been in Mongolia, where child labour is included in the national Labour Force Survey.<sup>14</sup> Bangladesh and the Philippines have indicated an interest in using the opportunity of a national labour force survey to collect more detailed information on child labour and working children. Discrete national child labour surveys have been carried out in Bangladesh, Cambodia, the Philippines and Sri Lanka.

An outstanding challenge facing statisticians, however, is the variations in national conceptualisations of child labour and listings of hazard. This obstacle to data collection, sharing and analysis is on the table for the 2008 International Labour Statisticians meeting.

<sup>14</sup> National Statistical Office of Mongolia: *Report of national child labour survey, 2002–2003* (NSO and ILO, Ulaanbaatar, 2004).

### The Philippines: Surveying child labour

The Philippine National Statistics Office (NSO) has expanded the scope of its quarterly Labour Force Survey (LFS) to capture data on children aged 5–17 years who work or are in child labour. The LFS provides basic information on the children such as age, school enrolment, occupation and geographical location.

Additionally the NSO, together with the members of the Inter-Agency Committee on Labour, Income and Productivity Statistics, has proposed to the National Statistical Coordination Board the ‘designation’ of a Survey on Children. Once designated, the Survey on Children will be conducted every five years and will be given regular budget appropriation by the Philippine Congress. ILO-IPEC supported the NSO in conducting two national surveys, in 1995 and 2001.

## 1.5 Why invest in child labour prevention and elimination?

Work has also been carried out on quantifying the costs and benefits of eliminating child labour, an important step in articulating child labour not only in relation to its impact on children themselves and their families and communities, but also in terms of national and regional development. A groundbreaking economic study published in 2004 led to the conclusion that “the elimination of child labour is a high-yielding global investment”.<sup>15</sup>

ILO-IPEC completed the first integrated study of the economic costs and benefits of eliminating child labour throughout the developing and transitional world. To do this, a general programme of action was hypothetically applied in all countries. Researchers estimated the cost of each element in the programme and the projected economic gains in eliminating child labour and replacing it with education. As a result, ILO-IPEC was able to calculate the likely financial burden facing countries as they moved to eliminate child labour completely and the economic impacts that could be expected as a result.

The overall conclusion was that eliminating child labour and replacing it with universal education is estimated to yield enormous economic

benefits in addition to the social and personal benefits that would also accrue. Globally, benefits were estimated to exceed costs by a ratio of 6.7 to 1 – equivalent to a return of 43.8 per cent on the ‘investment’. In Asia, the ratio is 7.2 to 1, representing an average of 25.9 per cent of aggregate annual gross national income.

In terms of economic flows over the 20-year period during which the hypothetical programme would run, the study concluded that net annual flows would trend downward for the first eight years but then reverse direction, becoming positive 16 years into the programme. In short, eliminating child labour is a ‘generational investment’, a commitment to childhood that produces significant beneficial results when the children reach adulthood. At the end of 20 years, of course, there are no more costs since the vicious cycle of child labour has been broken and the benefits of improved education and health are fully reaped.

What would such an investment cost? The study notes that, even with a multi-billion dollar bill, the programme costs would be modest compared to the costs of current debt financing services or the military and even compared to existing social expenditures.

<sup>15</sup> ILO-IPEC: *Investing in every child: An economic study of the costs and benefits of eliminating child labour*, (ILO-IPEC, Geneva, December 2003), p.v.

While costs would continue for up to 20 years, moreover, the benefits of this initial investment would continue for more than 40 years longer. The study also notes that a decision to finance an investment of this magnitude would be political rather than economic, but that it might realistically be viewed within the context of ongoing debt relief and development assistance negotiations and indeed in the context of global commitments made, in particular in the Millennium Development Goals (MDGs).

## 1.6 How does globalization affect child labour?<sup>16</sup>

The links between national, regional and global investment in eliminating child labour are particularly important in a world where globalization is impacting upon markets and work. Globalization is generally considered to have resulted from policies of economic liberalization and deregulation; the breaking-down of barriers that hinder inter-state trade; cheaper telecommunications and transportation that have opened up new markets and increased mobility and the speed of transactions; and increasingly vertically integrated supply chains. These in particular have influenced the labour market and employment opportunities in those developing countries that have moved (or been in a position) to take advantage of them. This is particularly true in Asia, where the reputation of diligence and reliability is long-standing and the temptation to move production or services offshore has been relatively limited.

Where the competition for the perceived increased returns available in globalized markets is keen, however, it has become obvious that unscrupulous parties will seek a comparative advantage by exploiting child labour. The lower costs of employing children and their inability to negotiate fair terms or conditions make children

particularly vulnerable to exploitation. Commentators point out that this may contribute to the evidence that the gains to child well-being have slowed down in the era of globalization.<sup>17</sup>

Ironically, research also shows that education is of vital importance in harnessing the potential positive impact of globalization. Upgraded working methods and quality control, more sophisticated management procedures and documentation, and better understanding of and compliance with legal frameworks have increased – and will continue to increase – the demand for literate, educated workers even at the level of the family business. This also has implications for child labour and for family decision-making about educating children.<sup>18</sup>

Consideration of the links between child labour and globalization is again taking place within the broader conceptual framework of Decent Work. The World Commission on the Social Dimension of Globalization<sup>19</sup> has recommended that “decent work for all should be made a global goal and be pursued through complementary national and international policies”, noting that addressing the need to speed up the creation of jobs in all countries would help reduce social tensions in a country and economic friction between countries.

The Commission has emphasized that the benefits of globalization can only reach everyone if the informal economy – where many child labourers are to be found – is brought into the economic mainstream where property and workers’ rights are protected, and where increased productivity and access to markets are more likely to result. The Commission noted that the socio-economic platform on which the global economy will be built must include the eradication of poverty and the attainment of the MDGs, the realization of which is intrinsically linked to the elimination of child labour.

<sup>16</sup> Please refer to *ILO-IPEC 2004 Implementation Report* (Part II, paper 1, pp.52-56) for more detailed reading on this subject.

<sup>17</sup> Cornia, G A (ed.): *Harnessing globalization for children: A report to UNICEF*, (UNICEF, New York, 2003).

<sup>18</sup> Johnsson, R: *Globalization and child labour: A review of literature*, (ILO-IPEC, Geneva, December 2003), p.15.

<sup>19</sup> World Commission on the Social Dimension of Globalization: *A fair globalization: Creating opportunities for all*, (ILO, Geneva, 2004).

## 1.7 What impact do crises have on child labour?

Coherent strategies and planning also allow for speedy and more effective response in situations of crisis. This is all the more important because experience shows that children are among those most affected by crisis situations, whatever their nature. The Asia-Pacific region has generally been considered a stable and resilient region, able to withstand even severe economic shocks such as the East Asian Crisis of 1997–8.<sup>20</sup> However, since 2001 a number of events, both natural and man-made, have undermined this stability in a number of countries and sent warning signals that children are at increased risk of entering child labour.

The vulnerability of children to exploitation increases when family and social protection networks break down and where economic and community structures are disrupted. Research into the specific impacts on children of crisis is rare, however studies following the 1998 floods in Bangladesh showed that, although child labour did not increase (probably because a prolonged downturn in the urban informal economy had in any case almost eliminated income-generating opportunities), children who were already working before the disaster found their contribution to family income became even more important. Additionally, it was found that the nature of the work may become more hazardous and that time spent at school is likely to decrease, where schooling is still available.

Natural disasters have affected a number of countries in the region since 2001, most dramatically the earthquake and resulting tsunami that swept across the Indian Ocean on 26 December 2004. The earthquake and tsunami – the deadliest in recorded history – affected Indonesia, southern Thailand, Sri Lanka, southern India, Myanmar and Malaysia, and left more than 300,000 people dead or missing. Children who survived were left with-

out homes and often without family members. In the aftermath of the disaster, the vulnerability of all children increased a hundredfold. In addition to the vulnerability caused by scarce resources to fulfil the basic needs of food, water, clothing and shelter, children were also soon weakened by sickness and trauma. Separated from their families, additionally, children became vulnerable to abduction but also to being taken in by friends or extended family members whose own vulnerability heightened the risk that they might see the child's labour as a coping mechanism.

In Thailand, for example, the ILO estimates that some 30,000 households were left without livelihoods in 400 fishing villages. 100,000 jobs were lost in the tourism sector alone. The income of those left with jobs was cut by up to 50 per cent as employers, too, struggled to survive the devastating effects on their livelihoods, and service charges and tips disappeared along with the tourists. The ILO responded immediately by meeting with representatives of employers and workers to monitor the fall-out of the tsunami on jobs and accelerate plans for retraining, rehabilitation for injured workers, small business loans and business training. In the longer term, the ILO has plans to work with the government in the area of small business development, community-based employment generation and training. Underpinning local economies and labour markets will do much to reduce the vulnerability of families and children, but children also have special needs

Aceh Province in Indonesia was one of the areas most affected by the tsunami. Responding to this crisis, the ILO in Indonesia, for example, in a joint initiative with the government, launched the Employment Service for the People of Nanggroe Aceh Darussalam Province (ESPANAD) in early February 2005. ESPANAD is one component of an ILO push to get people into work as soon as possible to restore livelihoods and gener-

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<sup>20</sup> Financial crises, of course, disproportionately affect the poor and, in where adequate safety nets are not in place, children are at risk of being taken out of school in order to contribute to family income or alleviate the burden on the family.

ate income. This in itself is crucial to reducing children's vulnerability to exploitation. A second component, CHILD PROTECT, focuses specifically on expanding child labour programmes, in particular non-formal education, nutrition, health and counselling services, support for particularly vulnerable children and improving the vocational skills of young people between the ages of 15 and 17.

Children are similarly at risk of exploitation where social structures and protection mechanisms break down in the wake of conflict and civil unrest. Since 2001 unrest and insurgency in Nepal have put children already at risk of exploitation at even greater risk. In the Philippines, the emergence of a number of armed groups, spawned by the secessionist movement as early as 1969, has led to the involvement of children in armed conflict, as children and young people have been recruited to join the fight these groups have been waging against the Philippine Government. The impact of conflict in Afghanistan and Sri Lanka is also a factor in programmes to eliminate the worst forms of child labour in these countries, as children who were recruited into armed conflict, were caught up in it in other ways or suffered the fall-out of it, need support to exit child labour, be prevented from entering it or to overcome the longer-term impacts on their lives and well-being.

Armed conflict is also both an effect and a cause of poverty, leading to destroyed infrastructure, loss of human capital, reduction of savings, capital flight, disruption of formal and informal economic activity and diversion of government expenditure. Children who may not fall victim to child labour as a direct result of the conflict, therefore, may nevertheless enter child labour as an indirect consequence of the poverty resulting from it. Other trigger factors may also come into play,

for example child labour being used to replace adult workers whose labour is redirected as a result of the conflict or indeed who are mobilized by government or insurgency forces.<sup>21</sup>

The use of children in the armed forces of any kind is an unconditional worst form of child labour to be eliminated. Many more children take on 'support roles' in conflict situations, for example girls are abducted or recruited to cook, wash or for sexual exploitation. Young boys and girls may not necessarily fight but be used as porters, cleaners or messengers. Many more children are affected where low-intensity, long-term conflict destroys the economy, splits families and communities and diverts resources needed for education, health and social services.

Reports out of Nepal, for example, indicate that the rebel groups there are thought to exploit children between the ages of 12 and 16 as spies, and that children are also used as messengers, cooks, mine planters and porters. Rebel forces are reported to use many of the same techniques as traffickers to recruit children: offers of accommodation and good food; duty to the family although in this case in the form of revenge for harm done to them; abduction.<sup>22</sup> Children in Sri Lanka and Afghanistan have been through the same traumatic experiences.

## 1.8 What is the relationship between child labour and youth employment?

At first glance there seems to be a contradiction in saying that children should not be in child labour but that it is imperative to ensure that the region's young people find decent jobs. In fact, child labour and youth employment are inextricably linked and by no means contradictory.

<sup>21</sup> See also: *Global report on child labour, op.cit.*, pp.43–45.

<sup>22</sup> *Child soldiers*, internal ILO-IPEC briefing note.

In 2003, the ILO estimates, unemployed youth (defined as those in the 15 to 24 age group, that is having reached the legal minimum working age) accounted for some 46 per cent of the world's jobless, almost half of the total unemployed. At the same time, young people in this age group made up only 25 per cent – one-quarter – of the working age population, indicating that they are carrying a larger burden of unemployment than other age groups.

In East Asia there was an almost 22 per cent increase in youth unemployment between 1993 and 2003, with more than 11 million young people unemployed by the end of that period. South Asia also recorded an almost 22 per cent increase in the number of young people unemployed, at almost 17 million. In South East Asia, however, the problem has reached crisis proportions, with some 10 million young people unemployed in 2003 – a 104-percentage increase over the decade. In the region as a whole, the ILO estimates that 38 million young people are unemployed.<sup>23</sup>

Promoting youth employment and abolishing child labour are closely allied goals. Indeed they overlap at the point where unemployed young people between the ages of 15 and 18 may accept work out of desperation and fall prey to unprotected, hazardous work, thus becoming child labourers. Additionally, it is imperative that children who are removed from child labour have a chance to appropriately and at the right time be ready for re-entry into the labour market.

More generally, if young people are to find work when they reach working age, they must have the basic skills necessary to find meaningful employment, and to allow them to gain further, specific work-related skills in order to progress.

Children who have missed out on schooling because of child labour are ill equipped and less likely to find decent work when they reach the legal working age. They will remain the region's under-employed or unemployed or continue to be exploited because they have no 'selling points' in the marketplace. Child labour is thus a contributing factor to youth unemployment and indeed to the inability to attain decent work objectives overall.

Similarly, youth unemployment is a contributing factor to child labour where children and their parents see there is little chance of remunerative work as the child reaches the minimum working age. As a result, the value of education and training is diminished in their eyes and they will trade the uncertainty of future income for the immediate returns they see in child labour. This short-sighted view contributes to child labour, perpetuates youth and adult unemployment and reinforces the vicious cycle of poverty.

Several units of ILO have joined forces to initiate a series of national policy studies and related activities to explore the link between child labour and youth employment. A Technical Tripartite Meeting in October 2004 aimed to explore *Youth employment: The way forward*, and youth employment was on the agenda for discussion during the 93<sup>rd</sup> Session of the International Labour Conference in June 2005.<sup>24</sup>

In Sri Lanka, practical help is being given to those seeking employment in the form of Jobs Net, an online resource established with the help of the ILO. This provides services for both job seekers and employers. By mid-2005, the service had 100,000 registered job seekers and 3,000 companies as paying members.

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<sup>23</sup> ILO: *Global employment trends for youth 2004*, (ILO, Geneva, 2004).

<sup>24</sup> *Child labour and youth employment linkages: Conceptual framework and generic terms of reference for National Policy Studies and related activities* (ILO, Geneva, July 2004).

## **1.9 How does child labour link to other development issues?**

Increasingly, the central place of child labour in a country's development is recognized strategically through links – both theoretical and programmatic – between child labour initiatives and other national development initiatives.

Child labour is clearly linked to efforts to promote decent work, since by its very nature it deprives children and young people of the preparation they need to obtain safe and productive work once they have reached employment age, while also depriving adults of the opportunity for decent work. It perpetuates irregularities in the labour market, contributes to exploitative conditions of employment and undercuts efforts to regulate conditions. It allows unscrupulous employers to prosper and profits to be made on the back of corruption and deprivation.

The ILO's technical cooperation efforts since 2001, therefore, have included support to the development of national frameworks governing decent work and have been closely linked to national efforts to reduce poverty and promote development. These links recognize the reality of life: that a child who goes to school and learns skills has a better chance of securing decent work, of avoiding youth unemployment and of becoming a productive adult able to support a family and contribute to the community's and country's development. In turn that adult is more likely to raise children who go to school and continue on the path to development.

Similarly, a child who is taken out of school and put into child labour has little chance of ac-

quiring the skills that will allow him or her to access decent work; this child may well be unemployed very young, no longer attractive to those who exploit children, but ill-equipped to enter the regular workforce. Thus the child labourer grows into an adult who is unable to support a family or contribute fully to the community, and who is more likely to send his or her own children to work prematurely. This 'life-cycle' framework has increasingly underpinned strategic thinking and programme planning in ILO at both national and regional levels.

The links between poverty and child labour have already been illustrated. While poverty is an underlying cause of child labour, child labour also contributes to sustaining poverty and hinders development. It is encouraging, therefore, that there have also increasingly been efforts to take child labour into consideration in the preparation of national poverty reduction strategies and in strategies for development.

At regional level, the ILO has been working with other partners in the framework of the Asian Development Bank's (ADB) regional technical assistance (RETA) project designed to strengthen the application of international labour standards in the region. As part of this, country papers on child labour were prepared with a focus on mainstreaming child labour concerns into poverty alleviation programmes, formal and non-formal education programmes, social insurance and assistance and welfare services, and area-based community development programmes of governments as well as bilateral and multilateral institutions like the ADB.



# Mainstreaming child labour and PRSPs, MDGs and EFA

# 2



## 2. Mainstreaming child labour and PRSPs, MDGs and EFA

The concept of mainstreaming is multi-faceted and includes: assessing the implications for child labourers or those at risk of entering child labour, of any planned action, including legislation, policies or programmes; and including child labour as an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all spheres – economic, political and social. Increasingly, therefore, child labour is mainstreamed into the preparation, planning and implementation of national strategies growing out of international commitments and national needs. Ten years after child labour concerns were first integrated into poverty eradication programmes in Thailand, for example, there has been a significant drop in the number of Thai children entering work prematurely, and overall positive social and economic growth. The Department of Labour Protection and Welfare reported identifying 3,929 child workers, 85 of whom were legally registered, in 525 establishments visited by labour inspectors in 2001. This compares to Ministry of Labour reports in 1998, which indicated 78,836 working children in formal establishments. The Thai Government has tied child labour reduction to successful strategies for export promotion, and in 2004 the Ministry of Labour included a child labour prohibition clause in the Thai Labour Standards (TLS 2004).

Pakistan's Poverty Reduction Strategy Paper (PRSP) makes specific mention of bonded labour and child labour, and in the Philippines, child labour is part of the national education reform agenda.

Seven countries in the region – Cambodia, Indonesia, Lao PDR, Mongolia, Nepal, Pakistan

and Viet Nam – are in the process of implementing poverty reduction strategies articulated in PRSPs and the ILO has been working with tripartite constituents in these countries to support decent work and child labour-focused initiatives. Bangladesh is preparing a PRSP and the ILO has contributed to this through capacity building of social partners, technical analysis, through tripartite consultations and specific input on the role of decent work in poverty reduction.<sup>25</sup>

As countries begin to put in place participatory monitoring and evaluation systems as part of the PRSP process, ILO-IPEC will provide technical support to government and social partners in relation to child labour monitoring and the development of indicators to assess impact. ILO-IPEC will make use of a number of tools developed within ILO-IPEC and in other parts of the ILO that are designed to guide ILO-IPEC staff and partners in areas such as social dialogue, gender equality and child labour survey. The challenge will be to adapt these general tools to the specific needs of each country programme, always in consultation with national partners.

While only some countries in the region are involved in PRSP processes, all countries have committed to achieving the MDGs, a set of specific goals and targets to be met that will “make a real and measurable difference to people's lives in the new century”. The eight goals are to: eradicate extreme poverty and hunger; achieve universal primary education; promote gender equality and empower women; reduce child mortality; improve maternal health; combat HIV/AIDS, malaria and other diseases; ensure environmental sustainability; and develop a global partnership for development.

<sup>25</sup> Arai, Y: *PRSPs in Asia: Regional experience*, Paper to the IPEC regional workshop, Bangkok, 7 May 2004 (unpublished).

While the first four of these goals are all central to efforts to eliminate child labour (and Goal 8 calls specifically on governments “in cooperation with developing countries, [to] develop and implement strategies for decent and productive work for youth”), it is clear that Goal 2, the achievement of universal primary education, is of particular relevance to efforts to eliminate child labour. The Goal calls upon governments to “ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling”.

In this same vein, governments, social partners and civil society have been forging strong links with the Education for All (EFA) campaign in order both to support government efforts in pursuit of the MDGs and specifically as a crucial element in work against child labour in all its forms. Not only is education an important element in preventing child labour, it is also clear that the goals of EFA are not going to be achieved while children continue to be exploited in child labour. UNESCO estimates that in 2001, there were 103 million children of primary school age not enrolled in school, the majority of whom are in child labour. Of these out-of-school children, 48 million are in this region, with 36 million in South and West Asia.<sup>26</sup> If governments are to reach the targets set under the MDGs by 2015, they will need to accelerate efforts to achieve EFA and concurrently to forge ahead with action to eliminate child labour. In the region, ILO-IPEC and its partners have been advocating for free and compulsory education of good quality up to the minimum working age and free basic education and where appropriate vocational/skills training for children (to the age of 18) removed from the worst forms of child labour.

ILO-IPEC is promoting EFA in the context not only of child labour but also as part of the campaign for decent work, through the development of vocational and skills training, and promotion of the status of teachers and the rights of their

organizations.<sup>27</sup> The central role of education not only in child development but also in reducing children’s vulnerability to entering child labour, including the worst forms, is also pre-eminent in ILO-IPEC’s cooperation with governments. ILO-IPEC is also an active member of the United Nations Girls’ Education Initiative (UNGEI) at global and regional levels, considering how girls’ work — in the form of household chores, domestic servitude, agricultural work and home-based work — can constitute a major obstacle to achieving progress in girls’ education.

On the occasion of the EFA High-Level Group Meetings, ILO-IPEC, in partnership with UNESCO, the World Bank and the Global March against Child Labour, organized two roundtable meetings on child labour and education, in New Delhi (2003) and Brasilia (2004). The third roundtable will take place in Beijing in November 2005. As part of the follow-up to these events, the ILO hosted the first meeting of the Inter-Agency Working Group on Child Labour and Education in June 2005. The group was established jointly with UNESCO, UNICEF, the World Bank and the Global March.

Within the framework of the Mekong subregional project to combat trafficking (TICW), a pilot programme *Preventing and combating the trafficking of ethnic minority girls through education* was initiated in the Jiangcheng, Menghai, Menglian and Yuanyuang counties of Yunnan Province in May 2004. The aim is to improve access to lower secondary education for ethnic minority girls in remote mountainous areas where they are vulnerable to being trafficked. The pilot also includes enhancing the capacity of educational authorities and teachers to deliver quality, relevant education that responds better to the needs of the girls, and to draw lessons for possible replication of the programme in other parts of Yunnan province and elsewhere in China.

<sup>26</sup> *Education for All: The quality imperative: EFA Global Monitoring Report 2005* (UNESCO, Paris, 2004) p. 95.

<sup>27</sup> See also: U. Sarkar: *Combating child labour through education*, (ILO-IPEC Geneva, April 2004).

Early results of the pilot are positive. Girls in the targeted counties have been reached and helped with transport or boarding costs and other fees. At the same time, capacity building activities for the staff and authorities have begun and these include introduction to the SCREAM initiative. SCREAM – *Supporting Children’s Rights through Education, the Arts and the Media* – has been translated into Mandarin by the Yunnan Provincial Education Department and a training of trainers workshop was held in November 2004. The enthusiastic response to the participative processes that the SCREAM methodology uses led to suggestions for possible curriculum reform at provincial level. Among the key lessons learned include the importance of linking efforts to combat the trafficking of ethnic minority girls with efforts to achieve nine years compulsory basic education in China.

Mainstreaming also works at other levels. In India, the approaches developed through the INDUS project – so called because it is co-financed by India and the US — have been mainstreamed into the National Child Labour Programme (NCLP) societies’ national programme. This is already showing signs of success and is being followed by other NCLP societies. In a country like India, where the implementation of national policy is decentralized to subnational level, such mainstreaming is extremely important. One of the most promising aspects of this is the mainstreaming of the link between child labour and EFA.

A further example of the links that can be made is an initiative of the Asia Pacific Economic Cooperation (APEC). APEC has consistently recognized the crucial connection between education

### **India: Opportunities and challenges in the National Child Labour Programme**

The National Child Labour Programme (NCLP) in India is a good example of growing political will and administrative commitment to eliminate child labour in India. The NCLP was launched in 1988 in 12 districts and a budgetary allocation of about US\$11 Million. It was expanded to cover 76 districts in 1994-995, 100 districts between 1997 and 2002, and by 2007 will cover a total of 250 districts. With this expansion, it would cover nearly half of the country, which has about 570 districts. It is one of the largest child labour programmes in the world, with a budget of US\$154 million over five years.

Implemented by the Ministry of Labour, Government of India through district-level NCLP societies, this programme offers NGOs, social partners and international agencies a great opportunity to work on child labour issues. It has raised the profile of child labour in India and contributed to the development of successful child labour elimination models. ILO-IPEC has worked closely with the Indian Government to strengthen the NCLP and has developed strategies for providing a comprehensive child labour elimination model in India. ILO-IPEC worked in particular on strengthening the capacity of national agencies, particularly the VV Giri National Labour Institute, four state Labour Institutes, the Central Board for Workers Education and the National Institute of Rural Development, to implement NCLP and other child labour elimination programmes effectively.

The main challenges that the NCLPs face today relate to capacities of the district NCLP societies and the state (provincial) governments. While the central government is committed to progressive elimination of child labour, there is varied response from the states. Very few states in India have included child labour in their development agenda or in the list of priorities for action. Child labour still does not attract the attention of the highest levels of governance in the states. It is now recognized that the state governments have to play a proactive role if NCLPs are to succeed in a federal environment. There is a need to build the capacities of the states and promote the child labour agenda.

The US\$40 Million INDUS Child Labour Project, jointly funded by the US Department of Labour and the Government of India and being executed by the ILO, takes a strategic position to work with the NCLP system to bring in so-called NCLP+ activities. It is operational in four states and 20 districts in the country. The Project works with the NCLP system and national and state governments, with the active participation of the district government administration and employers and workers' organizations and NGOs. It directly targets 80,000 children in 10 identified hazardous sectors.

The INDUS Project is working on strengthening the structures, systems and capacities of the government and civil society agencies to develop a comprehensive child labour elimination model, which can be replicated particularly by the government in all the 250 NCLP districts. The Project has the unique advantage of closely partnering with the NCLP system and hence the government at district, state and national level to learn from and influence the system. It is able to transfer learning on an ongoing basis and influence the way the NCLP functions in the country.

and economic growth and that the region will not be able to sustain growth and economic development if some of its young people cannot achieve their full potential. As a result of demand within APEC to address the problem of the worst forms of child labour and the lack of educational opportunities for the poorest children in the relevant member economies, an inter-regional initiative was launched in 2001 covering Indonesia, Mexico, Peru, the Philippines, Thailand and Viet Nam. The aim has been to contribute in selected APEC economies to increased public awareness and capacity for action on the importance of moving children out of hazardous work and into education. This is to be accomplished through alliance building at national and regional level and promoting the engagement of national and local authorities, employers and workers' organizations, educators, civil society groups, and especially children and families from the affected communities. The initiative has been endorsed by the APEC Human Resources Development Working Group, with the ILO and its partners as the executing agency.

This project is considered innovative because of the collaboration with APEC to use education to combat the worst forms of child labour as part of an overall growth and development strategy. A regional network has emerged within APEC to promote the sharing of good practices and lessons learned. Key country level achievements include:

- Indonesia: Supporting integration of child labour concerns into nine years compulsory basic education and the PRSP;
- Mexico and Viet Nam: For the first time, key stakeholders have been sensitized to the risks of the worst forms of child labour and the importance of basic education and skills development, through the media, forums and information;
- Peru: A music CD has been produced featuring 30 popular Peruvian singers to also reach non-literate communities where the worst forms of child labour are prevalent; additionally a debate was organized around this issue for mayoral candidates in Lima;
- Philippines: Efforts were made to reach local communities and affected districts building on previous work in bringing together relevant ministries, teachers' unions and civil society to use education to combat child labour at national level;
- Thailand: There has been improved tripartite involvement in promoting youth training and employment to lead to decent work.

Based on these positive experiences, a second phase has been launched and is focusing on strengthening the regional alliance and encouraging local and national authorities to take an integrated approach to combating the worst forms of child labour, promoting basic education and skills development, and alleviating poverty.

## 2.1 Coherence in actions to eliminate child labour

While mainstreaming of child labour has been a principle concern of partner agencies and ILO-IPEC, it is also clear that avoiding duplication, multiplicity of plans and frameworks, and spreading of scarce resources is to be avoided at all costs. A repeated concern of governments is that the burden of planning and reporting on responses to international commitments eats up time and energies that should be used to act.

Across the region, therefore, governments, with support from multilateral agencies, including the ILO, have been working to ensure cohesion among the many frameworks that arise from commitments made at international level, including the PRSPs of the World Bank/International Monetary Fund, the MDGs agreed by governments at the United Nations Millennium Summit in 2000 (repeated in the World Fit for Children commitments adopted at the United Nations General Assembly Special Session of 2002), and undertakings to achieve EFA.

Cohesion and mainstreaming of child labour concerns have been the key objectives of an ILO-IPEC initiative at global level. The formation of a Development Policy Network for the Elimination of Child Labour (DPNet) aims specifically to promote networking at national, regional and international levels, among research institutes, policy-makers concerned with development, poverty, labour markets and child labour issues, and to bring their expertise to bear in expanding the knowledge base, engaging in advocacy, building capacity and institutions and influencing policies on the elimination of child labour.

With support from DFID, country teams of one or two leading institutions are commissioned to undertake initial policy studies, identify possible partners, organize meetings and establish a network

that will elaborate priorities according to the specific circumstances in each country. In the pilot stage of DPNet, the Bangladesh Centre for Policy Dialogue, the Institute for Integrated Development Studies in Nepal, the Pakistan Institute of Development Economics and the Philippine Institute for Development Studies have all taken on coordinating roles in their countries and organize consultation meetings.<sup>28</sup> As a starting point for their work, the national coordinating institutions undertook research on the situation of child labour in their countries and produced essential baseline reports: *Child labour in Bangladesh: A forward-looking policy study*; *Child labour in Nepal: A policy study*; *Child labour and development in Pakistan: A national policy study*; and *Child labour and development in the Philippines: A national policy study*.

At national level since 2001, the links between child labour, youth unemployment, poverty reduction, development and decent work have begun to be articulated in National Plans of Action for Decent Work (NPADWs).

In Cambodia, the ILO report *Generating Decent Work for poverty reduction in Cambodia* was taken into account in discussions around Cambodia's PRSP in 2002. One of the four priorities identified was reducing vulnerability and social exclusion by targeting HIV/AIDS-related challenges, the empowerment of women and child labour. These priorities have since been included in the 2004 strategic plan for social and economic development, underlining the links between child labour and other development imperatives.

Indonesia has made eliminating child and forced labour and tackling youth employment priorities in its work with ILO. The PRSP and Medium-Term Development Plan for Indonesia include many elements of the NPADW, including child labour.

<sup>28</sup> To sustain the momentum generated by the early efforts of DPNet in the Philippines, the National Child Labour Committee has now absorbed the functions of the research network under its Subcommittee on Research, Law and Policy. The Philippine Institute for Development Studies is a member of the subcommittee and continues to host the DPNet/subgroup website at [www.pids.gov.ph](http://www.pids.gov.ph).

Similarly in Lao PDR, the ILO has contributed to inputs to the PRSP process, focusing on incorporating decent work into the *National Growth and Poverty Eradication Strategy*. Addressing child labour, and in particular trafficking as a worst form of child labour, is identified as a priority in the strategy.

The Pacific Island countries – Fiji, the Solomon Islands, Papua New Guinea, Kiribati, Vanuatu and Samoa – have all identified the elimination of child labour as an imperative in their NPADWs. In these countries the immediate priority is to gain greater insight into the issue through studies on the extent and types of child labour. Youth employment is also a priority area for these countries.

In the Philippines, under the Decent World Country Programme (DWCP), the ILO worked with the government and social partners to develop

an NPADW based on the country's Medium-Term Development Plan. The elimination of the worst forms of child labour is included as a priority of the plan, as is the protection of domestic workers, a closely related issue in a country where child domestic labour has also been of concern.

The move towards rationalisation of frameworks for development, poverty reduction, decent work and sectoral challenges is a positive achievement. In addition to making good economic sense, it will over time reduce the strategic gaps that inevitably arise when there are multiple plans of action and frameworks in one country, and will promote more cohesive implementation and effective partnerships. Providing technical assistance to governments and social partners as they develop more cohesive strategic platforms for action against child labour, including the worst forms, is an essential task of all ILO-IPEC programmes in the region.

#### **Viet Nam: The Decent Work Agenda and the ILO Country Framework (DWACF)**

The DWACF spells out how the ILO can support tripartite partners in Viet Nam to contribute to the country's Ten Year National Socio-Economic Development Strategy. The DWACF recognizes that the goal of decent work must 'have regard and respond to national circumstances and priorities'. In Viet Nam these include: developing the labour market and strengthening labour institutions; creating employment and alleviating poverty; extending social protection to the wider population; and supporting policies for the most vulnerable workers.

As one element of work to address vulnerability, Viet Nam has put in place a number of laws, policies and action plans to prevent and eliminate child labour. There are still gaps, however, between these frameworks and implementation. This is of serious concern in the face of indications that increasing rural-urban migration and the emergence of an informal economy could increase children's vulnerability to labour exploitation and trafficking, a worst form of child labour. Efforts are being made to address this through tripartite cooperation in advocacy and direct support.

## 2.2 Child-labour specific plans: Time-Bound Programmes (TBP)

ILO-IPEC is particularly engaged in supporting governments in the preparation and implementation of Time-Bound Programmes for the elimination of the worst forms of child labour. The TBP concept links action against child labour into national development strategies but targets priority sectors in which children are engaged in a worst form of child labour, with a view to eradicating them within a designated time frame. Country ownership of the TBP is a key factor in its success

and ensures its implementation and the allocation of resources.

The TBP is the Member States' practical response to obligations following ratification of Convention 182 and it can be the same as or a component of the National Plan of Action. ILO-IPEC aims to support the development of the TBP or NPA, and subsequently supports their implementation through a Project of Support if financial resources are needed and available.

**Table 1.3 Time-Bound Programmes: Targets, priorities and time-frames**

Country	Targets	Priority sectors/geographical areas	Time frame
Cambodia	Withdraw 7,270 children from WFCL	<ul style="list-style-type: none"> <li>• Child domestic labour</li> <li>• Fishing</li> <li>• Brick-making</li> <li>• Salt production</li> <li>• Rubber plantations</li> <li>• Work as porters</li> </ul>	September 2004 - December 2008
	Prevent 8,660 children at risk		
Indonesia	Withdraw 5,100 children from WFCL	<ul style="list-style-type: none"> <li>• Off-shore work and diving</li> <li>• Trafficking into CSEC</li> <li>• Mining</li> <li>• Footwear industry</li> <li>• Production and trafficking of drugs</li> </ul>	September 2003- September 2007
	Prevent 31, 500 children at risk		
Nepal <sup>29</sup>	Withdraw 15,300 children from WFCL	<ul style="list-style-type: none"> <li>• Bonded child labour</li> <li>• Child domestic labour</li> <li>• Child rag pickers, porters</li> <li>• Mining</li> <li>• Carpet</li> <li>• Child trafficking</li> </ul>	September 01- August 2006
	Prevent 9000 children at risk		
Pakistan	11,000 children	<ul style="list-style-type: none"> <li>• Mines and quarries</li> <li>• Rag pickers/street children</li> <li>• Surgical instruments</li> <li>• Glass bangles</li> <li>• Deep sea fishing</li> <li>• Tanneries and leather</li> </ul>	September 2003- August 2007
Philippines	Withdraw 22,000 children from WFCL	<ul style="list-style-type: none"> <li>• Sugar cane plantations</li> <li>• Mining and quarrying</li> <li>• Pyrotechnics</li> <li>• Deep-sea fishing</li> <li>• Child domestic labour</li> <li>• Prostitution</li> </ul>	September 2002 - December 2006
	Prevent 22,500 children at risk		

<sup>29</sup> In the present situation of internal conflict in Nepal, it is no longer realistic to keep the original target of elimination of all WFCL by 2010. The TBP cannot be fully implemented but ILO-IPEC is continuing to focus on services to working and vulnerable children in the conflict areas.

Integral to the TBP is the development of a monitoring and evaluation system that sets targets and identifies indicators for measuring achievement in pursuit of these targets. Nepal was among the first group of three countries to embark on development and implementation of a TBP, and since 2001 the Philippines, Indonesia, Pakistan and Cambodia have also developed and begun implementing TBPs. Bangladesh is in the process of developing a TBP. Mongolia is just starting on the road to TBP development.

In each country, the early stages of research, data collection and consultation have been speedily followed by revisions in national legislation or the articulation of National Plans of Action (NPAs) or strategies to specifically deal with the worst forms of child labour. The Philippines has enacted legislation on the worst forms of child labour; national legislation has been revised in Sri Lanka; Bangladesh, Cambodia, Indonesia, Nepal, Pakistan, Sri Lanka and Thailand have all formulated NPAs against various worst forms of child labour (trafficking, bonded labour and/or commercial sexual exploitation, hazardous sectors).

In addition to serving as strategic plans for the elimination of child labour, the TBP and NPA consultative processes bring together government, social partners, labour sector players and national and international agencies working for children, and promote the efficient allocation of responsibilities and resources, the sharing of knowledge and experiences.

Partnership is central to both the development and the implementation of TBPs. This includes civil society, research and academic institutions, as well as government agencies and children and young people themselves, their communities and the people who have a protection role towards them like teachers and community leaders. Social dialogue with ILO's traditional partners – workers' and employers' organizations – remains at the core of ILO-IPEC's work and increasingly working partnerships are being developed that engage the unique strengths and specificities of labour sector players to work for the elimination of child labour in all its forms. The involvement of workers and employers in efforts to combat child labour, especially the worst forms, keeps the issue high on the national development agenda and ensures complementarities with decent work initiatives and the protection of labour standards.

In Indonesia, trade unions in Kalimantan are conducting a survey on the amount their members pay in school fees and other school-related expenditures. The results of the survey will be used as a basis for discussion on education costs with a range of partners in the province. Also in Kalimantan, the teachers' trade union is implementing a project to provide educational support to children at risk of dropping out of school. Meanwhile, in North Sumatra, the transport trade union has launched a high profile campaign to alert the population of fishing villages in North Sumatra to the dangers of allowing under age children to work at sea.

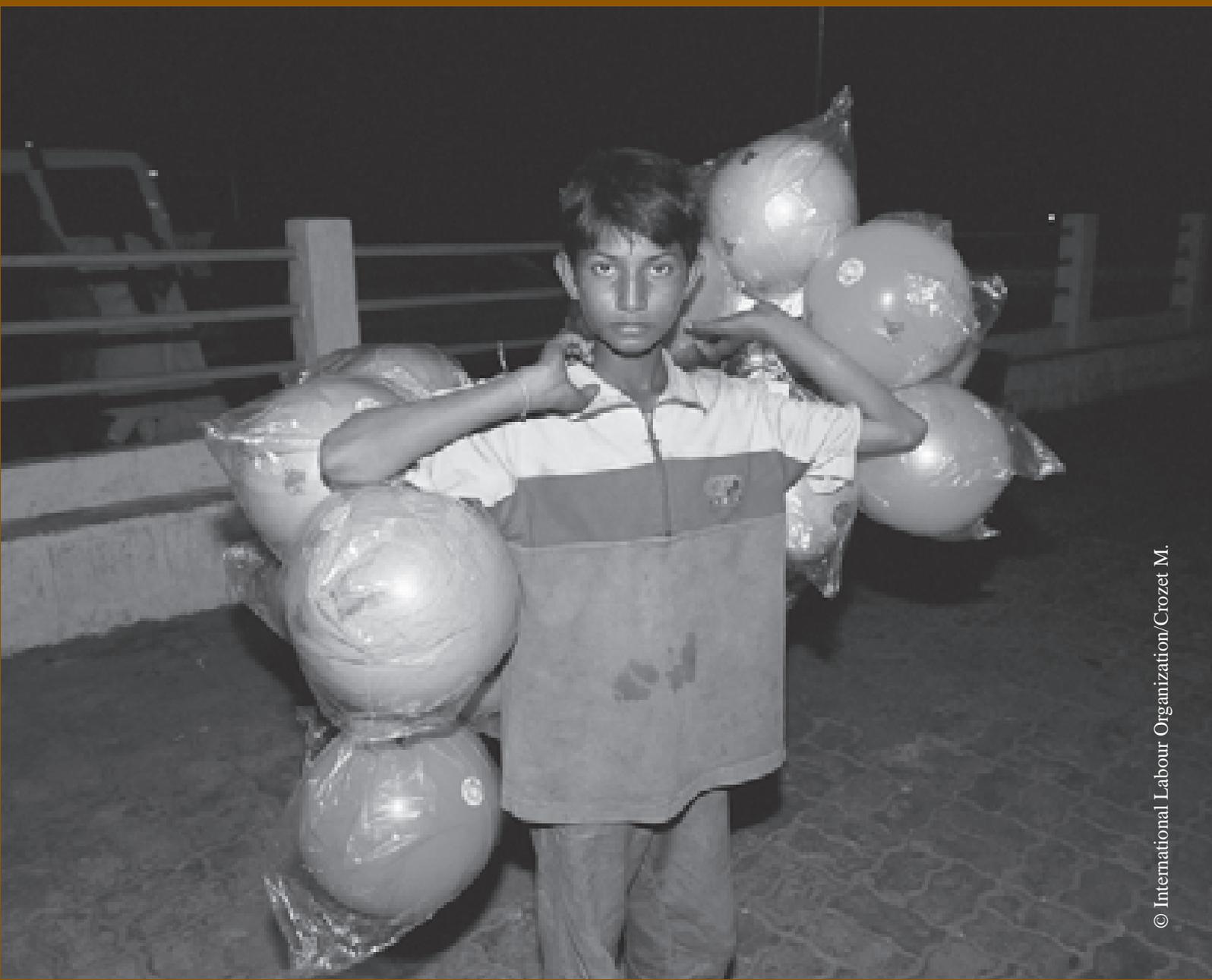
### **The Philippines: Employers' organizations take up the challenge**

Led by the Employers' Confederation of the Philippines (ECOP), employers' organizations are among the most active sectors of Philippine society in strongly opposing the exploitation and abuse of children in the world of work. Since its first action programme in 1997, ECOP has advocated against child labour, conducted awareness-raising activities, and recognized and documented best practices of companies that are child labour-free and child-friendly. It has been effective in highlighting the issue of child labour to employers through its advocacy and Information/Education/Communication campaigns.

As part of its Corporate Social Responsibility programme, ECOP in 2005 embarked on an action programme that will strengthen and build the capacity of its Child-Friendly Committee, including its capacity for child labour monitoring. In addition to its 'Search for Child Labour-Free and Child-Friendly Firms' actions, ECOP will launch a scheme for recognizing and providing incentives to child labour-free and child-friendly enterprises to encourage them to eliminate child labour in their businesses and supply chains. ECOP will also implement pilot interventions that will directly benefit child labourers in selected industries, such as on sugar cane plantations, in mining/quarrying, in pyrotechnics, and the hotel and restaurant industry.

# Actions, results and lessons

# 3



### 3. Actions, results and lessons

Since 2001, action by governments, social partners and other actors has resulted in some notable progress in efforts to eliminate child labour, especially the worst forms.

The ratification rate of ILO Convention No.182 has reflected the overwhelming commitment of governments to act decisively against the worst forms of child labour. Ratification of ILO Convention No.138 has similarly shown governments' intent to do this within the context of tackling child labour in all its forms, moving towards keeping children below the minimum working age out of labour and in school.

As a result, ILO-IPEC's own targets have become more ambitious and there have been real achievements that have made a difference to children now and promise more in the future. These have taken the form of both 'upstream' actions such as support to the preparation of national plans and strategies and input to policy formulation; and 'downstream' actions working directly, alongside partners, with children and their families in programmes to prevent children from entering child labour, to protect victims and those at risk, and to support children withdrawn from exploitative situations.

There have also been information-related undertakings, ranging from awareness-raising actions at community level to national surveys and major research projects. ILO-IPEC has facilitated mobilization of many different groups of 'protection agents' – from village committees to groups of children, from teachers' unions to journalists. Supporting all these actions, ILO-IPEC has worked consistently to develop and test new methodologies and to develop tools both for direct action and for carrying out its own programme planning and management better.

The examples given below are not exhaustive; they represent some highlights of the actions undertaken in the region since 2001.

#### 3.1 TBPs – setting time frames and targets

Worldwide there are now 19 countries in the process of setting up or implementing TBPs for the elimination of the worst forms of child labour.

These are not just plans – the TBP is a thorough and necessarily quite long process of research, analysis, consultation and consolidation that results not only in a national plan of action against the worst forms of child labour but also a keen sense of priorities, of who might accomplish what, and of how success can be measured. And all this within a given time frame that is evidence of the urgency accorded to this task at national level.

Since 2001, TBP processes have been supported in Bangladesh, Pakistan, Nepal, the Philippines, Indonesia, Cambodia and most recently Mongolia.

In Cambodia, for example, since 2004 the Royal Government of Cambodia has been preparing the Cambodian time-bound NPA on the elimination of the worst forms of child labour as a preliminary step to articulating a full TBP. In this task, the line ministries of labour, social affairs and education, as well as local authorities, employers' and workers' organizations, NGOs and community-based groups participated actively and provided their recommendations. Following a series of surveys and consultations focusing on the worst forms of child labour in a number of specific sectors, ILO-IPEC sought to contribute to the successful implementation of actions in these sectors by enhancing the capacities of implementing agencies; contributing to the development of sector-specific policy;

mobilizing actors and resources, in particular by providing new knowledge and data collection and analysis; and undertaking a number of demonstration projects that might serve as examples for replication and wider use.

ILO-IPEC has also supported a number of discrete inputs to the Cambodia plan. From 2001 to 2004, there were several initiatives targeting traf-

ficking, child domestic labour and the hazardous sectors of salt production, fish and shrimp processing, and rubber plantation work. The hazardous sectors project was multi-faceted, including research and documentation, the withdrawal of children from this hazardous work, establishing a child labour monitoring system, capacity building, policy development and advocacy and awareness on child labour and the importance of education.

### **Cambodia: Project to combat child labour in hazardous work**

The project aimed to contribute to the progressive elimination of child labour in three hazardous sectors: salt production (Kampot Province), rubber plantations (Kampong Cham Province) and fishing/shrimp sectors (Sihanoukville). By February 2005, this four-year project had reached more than 4,000 working children through direct action programmes: 1,280 of them had been removed from hazardous working conditions and 2,995 children at risk had been prevented from entering hazardous labour. The project's success was due in no small part to the support of the Cambodia National Subcommittee on Child Labour, created by the government to take responsibility for issues relating to child labour, and its Child Labour Working Group. The Subcommittee includes representatives from all child labour-concerned ministries, employers, trade unions and NGOs.

Out of the project, among other tangible results, grew six Community Learning Centres (CLCs) in Chup rubber plantation. The CLCs were established to provide educational opportunities for children working in the plantation, with a view to easing their return to formal schooling. The children had classes in literacy and numeracy in addition to life skills, health and reproductive health education, pre-vocational subjects and child rights. The working children, between six and 17 years of age, were monitored by trained labour inspectors. At the end of the 6-8 month course, all the children were assessed to see whether they were ready to (re-)enter school or, for the older children, move into vocational training. All the children who returned to school were visited so that their progress could be monitored. After the initial project activity ended in November 2004, and 140 working children had been successfully returned to school or vocational training, the CLCs were handed over to the community in which they were located.

Similarly, ILO-IPEC support to the National Institute of Statistics of Cambodia saw the completion in 2003 of a survey of child domestic labour, which was of direct relevance to the TBP process.<sup>30</sup>

The national plan was not the only output of all this work: seven Ministerial Orders (*Prakas*) also resulted and a series of provincial plans were put in place. These are now overseen by Provincial Committees on Child Labour, an example of a

local-level mechanism growing out of project activity and empowered to act by government commitment to putting in place appropriate legal and policy frameworks.

In addition to these considerable achievements, Cambodia is, as of June 2005, on the brink of ratification of ILO Convention No.182 since ratification is now awaiting approval by the National Assembly.

<sup>30</sup> National Institute of Statistics and ILO-IPEC: *Child domestic worker survey, Phnom Penh 2003*, (Ministry of Planning, Phnom Penh, March 2004).

### 3.2 Platforms for enhanced action

While the development and implementation of a TBP remain at the heart of the fulfilment of commitments under ILO Convention No.182, a number of other platforms for enhanced action have been put in place, although these may be sectorally or geographically more limited.

The countries that have already been engaged in TBP processes, for example, may also have sectoral NPAs that have arisen out of earlier commitments at international or regional level. These relate generally to action against the sexual exploitation of children (arising out of commitments to the 1996 Stockholm Declaration and Agenda for Action against CSEC), or trafficking

(usually pre-dating the TBP process and designed to accelerate action in this priority area). These NPAs are by their very nature part of the artillery in the fight against the worst forms of child labour, which include sexual exploitation and trafficking.

Child labour has also been integrated into decent work country programming and other ILO activities for promoting decent work in: small enterprise development in Lao PDR; women's employment in rural and informal economies in India and Bangladesh; safe work for informal gold miners in Mongolia; bonded labour in Nepal and Pakistan; occupational health and safety in Cambodia and youth employment in Indonesia.

#### Exploring the child labour/youth employment link in Indonesia

The ILO Jakarta office has established a team to explore the links between child labour and youth employment in Indonesia, primarily with a view to enhancing Decent Work and education/training opportunities for young people above the age of 15. The project will provide input to wider ILO efforts to both understand the links and design strategies and programming in response. The YE (Youth Employment) Task Force at global level is particularly tasked with this response.

In the first stage of the project, the ILO office in Jakarta has set up a small working group dedicated to developing the initiative and maximizing cooperation. The group includes the Deputy Director and representatives of an ILO-IPEC project and a Youth Employment project. A mapping survey is being conducted of education and training programmes for the 15–17 years age group and a parallel survey of agencies and potential research partners with experience of child labour, education and training or youth employment. Information is also being collected on new government initiatives in the field of youth training so that the outcomes of the ILO work could contribute to it.

At a programme level, in Aceh, local coordinators of the TBP project and YE project are working together to build synergy between programmes. A number of the ILO-IPEC skills programmes for 15–17 year olds are in sectors in which it might be possible for older children to develop micro business initiatives. On completion of their training, older children who are interested in the idea of starting a micro business, are provided with training on 'Start Your Business' programmes organized with the technical support of the Youth Employment project.

National child labour surveys also have wider impact as a resource to policy: in the Philippines, the second national child labour survey was used to identify priority areas for action in the TBP;

in Bangladesh the national child labour survey provided data for the Bangladesh PRSP, the NPA on Children 2004–2009 and the preparatory phase of the TBP.

### The Philippines: Outcomes of processes leading to a TBP

The Philippines' National Programme Against Child Labour has set a goal of reducing the worst forms of child labour by 75 per cent by 2015. ILO-IPEC is providing both technical and financial support to achieve this goal. Technical support includes direct actions on behalf of working children and broad-ranging capacity building of government agencies, employers' organizations, workers' groups, civil society and community organizations.

Social mobilization and advocacy work were instrumental in contributing to the enactment in December 2003 of an *Act Providing for the Elimination of the Worst Forms of Child Labour and Affording Stronger Protection for the Working Child*. In addition, ILO-IPEC contributed significantly to a successful advocacy campaign by the government and civil society groups for the inclusion of child labourers as target beneficiaries of formal education under the EFA National Plan of Action.

In support of the TBP process, also, ILO-IPEC contributed to the knowledge base on child labour through policy studies, rapid assessments and baseline surveys on children in sugar cane plantations, pyrotechnics, deep sea fishing, mining and quarrying, prostitution, domestic labour, drug trafficking and the fashion accessories sector.

### 3.3 Providing tools – knowledge sharing, monitoring & evaluation

ILO-IPEC has invested considerably since 2001 in developing the tools that are needed for improved frameworks, policy reform and project activities to lead to successful outcomes on behalf of children.

These have covered the full spectrum of programming, from design stage through implementation to outcome evaluation, and have additionally been directed to supporting partners' efforts at the level of both policy formulation and direct action.

Building a solid knowledge base has been a particular priority and a wide range of surveys and research actions have been completed not only at country level and in a number of different sectors but also at regional level and on cross-cutting issues such as migration or gender equality mainstreaming. Many of these are available through a new resource: the ILO-IPEC South Asian child labour website ([www.ilo.org/childlaboursa](http://www.ilo.org/childlaboursa))

which provides a platform for sharing knowledge on child labour and which will be complemented in due course by an Intranet site that will provide ILO-IPEC partners in South Asia and elsewhere with hundreds of valuable documents on child labour.

In November 2003, ILO-IPEC launched a practical guide aimed to help partners' efforts in promoting gender equality in action against child labour and trafficking.<sup>31</sup> The guide acknowledges that trafficking affects girls and boys (and men and women) differently and that gender-appropriate responses to trafficking can only be applied when there is adequate understanding of the inequalities that exist, and when the potential and root causes of these inequalities are taken into account at all levels. The guide includes practical advice as well as theoretical explanation and outlines the concept of gender mainstreaming, "the main strategy for the promotion of gender equality". More than 100 implementing agencies in Cambodia, Thailand, Bangladesh and Indonesia were trained in using this guide.

<sup>31</sup> Haspels, N and Suriyasarn, B: *Promotion of gender equality in action against child labour and trafficking: A practical guide for organizations*, (ILO-IPEC, Bangkok, 2003).

### Gender mainstreaming: A conceptual tool

Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels.

It is a strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.<sup>32</sup>

Some of the tools developed since 2001 have grown out of specific field experience at subregional level and have been developed as potential models for replication in other subregions or at national level. Such is the case of the SELL package developed by the ILO-IPEC subregional project Combating Trafficking in Children and Women in the Mekong (TICW). *SELL – Sharing Experiences and Lessons Learned*<sup>33</sup> – brings together good practices and noteworthy features from experience gained in the first phase of TICW, which ran from February 2000 to early 2003. Throughout project activity, there was a concerted effort to draw together practical lessons and share them within the project so that the project itself would develop both conceptually and practically. Sharing with external partners was organized through consultations and through TICW's participation in a number of national and subregional working groups. At the end of Phase I, however, it was clear that documenting the lessons and processing them so that they could be more widely shared would be of value.

The SELLS are based on more than 130 outputs of national project stakeholders at various levels – from the children and women who participated in the project to village leaders to partner agencies. They cover lessons learned in the areas of: baseline survey analysis; participatory approaches; holistic approaches; programme coor-

dination and working together; inter-agency collaboration; capacity building; replication and mainstreaming; and cover also theoretical knowledge built up in the areas of legal labour migration alternatives; skills training for self-employment; micro-finance and business development; and awareness raising interventions.

In South Asia, lessons and the exchange of good practice were the focus in March 2005 at a Subregional Learning Workshop held in New Delhi. The wide-ranging workshop, which covered 18 separate topics, was a 'first' for South Asia in a number of ways: it was the first time that an ILO-IPEC subregional workshop agenda focused exclusively on subregional needs and priorities; it was the first to centre around knowledge sharing; and it was the first to include ILO technical specialists and to share their insights through a series of 21 background papers prepared specially for the meeting. Sessions ranged from discussions and the sharing of lessons relating to discrimination and child labour through to practical training modules on child labour monitoring and the design of survey instruments. It is hoped to secure funding to edit and publish the good practices and lessons learned as a further effort to share experiences both within and outside the subregion. Efforts are also under way in South Asia to compile and publish lessons learned from ILO-IPEC initiatives in the field of child domestic labour and bonded labour.

<sup>32</sup> United Nations Economic and Social Council (ECOSOC): *Agreed conclusions E/199/L30*, p.2, quoted in *Promotion of gender equality, op.cit.*, p.27.

<sup>33</sup> *SELL: Sharing experience and lessons learned: An ILO-IPEC good practice paper*, (ILO-IPEC, Bangkok, November 2002).

In October 2005, a regional workshop in collaboration with the Bureau for Workers' Activities (ACTRAV) and key trade unions will add to the body of good practice and lessons to be shared.

A major initiative at headquarters level has been the development and testing of the Strategic Programme Impact Framework (SPIF), a process introduced in 2002 to strengthen strategic planning at all levels. SPIF is a key factor in translating the knowledge being amassed through ILO-IPEC research and interventions into an understanding of the complex situation of child labour in a given country and the most appropriate responses to it.

A SPIF analysis develops a sequence of propositions, assumptions and principles that can be followed through in a logical, progressive process to an end result of positive social transformation. It is a tool for drawing up models of change and allows the detailing of the inter-related actions that will need to be followed through for a given end-result to occur. In a way it 'maps' out not the problem but the steps to solution of the problem, and allows stakeholders not only to see the steps that need to be taken but also to identify and agree who will take which step, how and when. SPIF analysis takes into account non-programme factors too (for example a natural disaster that might occur or a change in government or a shortfall in funding for a given action) and suggests alternative paths that can be taken if circumstances change. Since 2002, SPIF analysis has been introduced into the planning stages of all ILO-IPEC programming at every level. It has led to much better description and understanding of the nature of the child labour problem, and its systematic use has allowed for more efficient design and monitoring of actions.

Central to the SPIF process is an understanding of the child labour problem and possible responses to it in a given country. The baseline

research that is undertaken within ILO-IPEC country and subregional projects is vital in supplying a 'snapshot' of the problem and suggesting possible avenues for responding to it.

Since 2001, a large number of studies have been published that give insights into child labour and adult work in specific sectors,<sup>34</sup> and the knowledge that these have provided has fed into SPIF analyses that have then been used to develop programming. This strategic process has remained dynamic as the outcomes of programming have produced more knowledge and this has then been used to review the SPIF analysis and contribute to the next phase of project activity. As lessons have been learned, moreover, they have been shared across country and subregional programmes and so have allowed cross-fertilization of experiences.

### 3.4 Adding value – replication and sharing lessons

A good example of the sharing of lessons and experience across subregional programmes has been the collaborative strategy and approach taken in two of ILO-IPEC's subregional trafficking programmes in the Asia-Pacific region. The subregional child trafficking project in the Greater Mekong Subregion, known as TICW, and the equivalent child trafficking project in South Asia, TICSAs, both moved into second phase activity in 2003 with a battery of lessons learned through three or four years of project experience in their respective subregions.

Each of the programmes consisted in Phase I of a series of country-specific interventions within a subregionally strategized framework. In TICSAs, for example, work was undertaken to respond to the specific needs of children withdrawn from trafficking in the participating countries: Bangladesh, Sri Lanka and Nepal. At the same time, however, the three country experiences learned from but also

<sup>34</sup> For example on the use of children in the production, sale and trafficking of drugs in Indonesia, the Philippines and Thailand, and on factors at play at destination points in the trafficking of children in the Mekong subregion. See the Bibliography for details and a fuller listing.

fed into the development at subregional level of a module for the training of psychosocial workers with skills specifically designed to support the victims of trafficking.

In its second phase of activity, TICSAs engaged upon a process of adding value to the psychosocial rehabilitation model through sharing and discussion with experts and programme staff in countries outside the subregion, in particular with those involved in the TICW programme and in other trafficking initiatives coordinated by the ILO-IPEC team in Bangkok. In this way, TICSAs own experiences were enriched while its trafficking-specific knowledge and output were transferred to TICW and other ILO-IPEC projects.

Within the TICW trafficking project, lessons learned in the five participating countries: Thailand, Lao PDR, Viet Nam, Cambodia and Yunnan Province of China, have been shared both within the project and beyond, and used to develop projects outside the original area of activity. TICW

lessons in Yunnan, for example, have been replicated in five more provinces in China through the initiation of an offshoot: the CP-TING project (Project to prevent trafficking in girls and young women for labour exploitation within China). CP-TING, which was developed in close collaboration with the All China Women's Federation, began project activity in May 2004 in five provinces – Anhui, Henan, Hunan, Guangdong and Jiangsu – and translates the lessons learned in TICW into a nationally-focused programme, thus transferring lessons from subregional to national level and completing the circle.

Other examples of programme lessons being shared, adapted or replicated across national or subregional boundaries include the use of vulnerability criteria to identify children at risk and working children, developed in Bangladesh as part of TICSAs activity; and the use of mobile multidisciplinary teams to respond to victims of trafficking developed in Nepal (TICSAs) being replicated as a demonstration project in Thailand.

### **Pakistan: Leveraging between countries**

Three key child labour projects in Pakistan — the Soccer Ball Project, Carpet Project and Surgical Instruments Project — benefited from the learning and experiences that ILO gained from its BGMEA project in Bangladesh. The two core components of the BGMEA model — monitoring and social protection — helped shape the design of the three projects in Pakistan.

The Soccer Ball Project design profited from ILO's experience in collaborating with the private sector in the BGMEA Project in Bangladesh. This leveraging between countries facilitated the Soccer Ball Project in two ways: When the Sialkot Chamber of Commerce and Industries (SCCI) was preparing to choose its implementing partner, a delegation visited the BGMEA project in Bangladesh to see how industry and other stakeholders were benefiting from ILO's interventions there. SCCI was impressed to see the approach and progress of the BGMEA project and decided to engage with the ILO to implement the Soccer Ball project. The design of the Soccer Ball project also benefited from BGMEA experiences in dealing with child labour issues jointly with the industry. In due course, the Soccer Ball Project leveraged the design of both the Carpet Project and the Surgical Instruments Project, in a way taking forward the concepts initially designed for the BGMEA Project.

Additionally, all three projects in Pakistan further developed the concept of monitoring and social protection. For example, in the Soccer Ball Project the monitoring and prevention component was exclusively managed by ILO-hired monitors through computer-generated lists of randomly selected workplaces. Similarly, the Social Protection component also ensured that withdrawn children labourers receive NFE to attain primary school level certification and that they are then mainstreamed into formal schooling.

### 3.5 Bilateral and subregional collaboration

ILO-IPEC work in the region has both contributed to and benefited from some progress in bilateral and subregional collaboration among governments.

Since 2001 a number of bilateral MoUs against trafficking have been agreed. Thailand now has bilateral agreements in place with both Cambodia and Lao PDR. These bilateral MoUs aim to reinforce cooperation between countries in the fields of law enforcement and border control, and to promote enhanced information exchange and judicial cooperation.

ILO-IPEC organized a major initiative aimed at capturing the views of children in the region as part of input to deliberations around the signing of an historic anti-human trafficking MoU in 2004. The Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) was signed in Myanmar on 29 October 2004 by six countries in the Greater Mekong subregion, and marked the culmination of a year of government negotiations. The COMMIT framework will provide a platform on which a comprehensive subregional response to human trafficking can be built. The MoU is the engine of a three-year COMMIT Plan of Action (2005–2007) linking Mekong countries, United Nations agencies and NGOs as partners in efforts to protect trafficking victims, investigate and prosecute traffickers and enhance protection measures for those vulnerable to trafficking.

Through the TICW project and in collaboration with Save the Children UK, ILO-IPEC brought together children and young people from across the Mekong subregion for face-to-face meetings with their policy makers, ensuring that the voices of children would be heard as the inter-governmental negotiations to combat trafficking proceeded.

The Mekong Children’s Forum on Human Trafficking united children from villages and towns in Cambodia, Lao PDR, Thailand, Viet Nam and China’s Guangxi and Yunnan provinces. The children’s input was described by the officials as ‘inspiring’ and ranged from a suggestion to governments to provide quality education, arrest traffickers, forbid drug and alcohol use amongst border guards to recommendations to avoid family break-up. All together the children and young people submitted 43 recommendations to the government policy makers who were negotiating the MoU. Their deliberations were captured by ILO-IPEC in a series of materials that was distributed much more widely.<sup>35</sup>

At regional level, there has also been progress in putting in place framework agreements to facilitate region-wide responses to specific worst forms of child labour. In October 2002, 16 countries in the region met in Chiang Mai, Thailand, to share information on the issue of child domestic labour and to work towards a common understanding of this highly sensitive area of child labour.

The sensitivities towards child domestic labour arise from the fact that it is a ‘hidden’ activity that takes place within private households not open to inspection or policing. It is also a long established activity for children in many countries, where communities may believe that the child domestic labourer is in fact in a protected environment and learning useful skills. Recent research has shown very clearly how risky these assumptions are and how, consistently across the region, child domestic labourers are subjected to inhuman treatment and hazards of many kinds, including long hours of work in poor conditions, inadequate food and access to health services, verbal and physical violence, intolerable workloads and exposure to dangerous substances and machinery. Although this may not always be the case, the hidden nature of the work means that children are inevitably at risk and that there is no way to ensure that they are not suffering.

<sup>35</sup> *Making history: People, process and participation*, (ILO-IPEC and Save the Children UK, Bangkok, 2005); *Our voices, our views*, (ILO-IPEC and Save the Children UK, Bangkok, 2005); *Voices of children* (DVD), (ILO-IPEC and Save the Children UK, 2005).

The Chiang Mai meeting resulted in a Joint Statement in which governments, employers' and workers' representatives agreed that child domestic labour is characterized by hazardous conditions and thus may be considered a worst form of child labour. The meeting put forward suggestions for a wide range of actions to be carried out by the tripartite parties and with ILO-IPEC support.

ILO-IPEC followed up this important acknowledgement of the need to tackle child domes-

tic labour as a worst form of child labour by launching on World Day against Child Labour in 2004 a global report on child domestic labour: *Helping hands or shackled lives?* Around the World Day several countries in the region organized special events highlighting child domestic labour: Indonesia, Thailand, Philippines, Pakistan, Nepal, Cambodia and Lao PDR all put a special focus on child domestic labour. Cambodia, Nepal and the Philippines have all included child domestic labour as a priority area to be addressed in their TBPs.

#### **Awareness raising actions against child domestic labour**

Employers and workers have been active in efforts to eliminate child domestic labour as a worst form of child labour. In particular they have used their access to their members to raise awareness of the issue and to encourage members not to employ children under 15 years of age in domestic labour and to provide decent working conditions for those above the minimum working age.

In Indonesia, for example, Presidential Decree 59/2002, that forms the basis of the NPA on the worst forms of child labour, identified child domestic labour as one of 13 priority areas for action. The Association of Indonesian Domestic Workers' Suppliers (APPSI) undertakes awareness-raising actions among its members, encouraging them not to recruit or place children under the age of 15 in domestic service.

### **3.6 Legislative review and revision**

At national level the importance of putting in place appropriate legal frameworks covering child labour, including the worst forms, cannot be understated. While social attitudes and values are important in tolerating or rejecting child labour, it is the legal framework in place in a country – and the determination to implement it – that sends out the signal that child labour has no place and that those who perpetuate it are breaking the law and will face the consequences.

Since 2001 a number of countries have reviewed their legislation to strengthen its application to child labour. In the Philippines a child labour law – Republic Act 9231, *An Act Providing for the Elimination of the Worst Forms of Child Labour and Affording Stronger Protection for the Working Child* — was introduced based on ILO Convention No.182. Laws regulating child labour in the mining and fisheries sectors were introduced in Indonesia. In Cambodia work in fishing, prostitution, salt and rubber manufacture and portering

was outlawed.

The importance of identifying hazardous sectors and enshrining them in law also cannot be underestimated. India and Lao PDR both reviewed their legislation to include a definition of hazardous sectors. In Indonesia a new Manpower Act was introduced in 2003, incorporating the provisions of ILO Convention No. 182. In Cambodia, a ministerial decree (*Prakas*) was issued in April 2004 specifying areas that are considered likely to jeopardize the health, safety and morals of children. These include not only specific occupations such as logging and charcoal burning but also specific hazards, such as contact with asbestos, mercury, infra-red and ultraviolet rays and laser and radio frequency emissions.

Even before ratification of ILO Convention No.182 in 2002, China designated the types of work considered hazardous and issued Provisions on Special Protection for Juvenile Workers as early as 1994. Chinese criminal law stipulates punitive

measures against criminal acts that violate children's rights and a number of rules and regulations lay down additional measures to protect children. Regulations Banning Child Labour introduced in 2002 include comprehensive stipulations prohibiting child labour and outlining levels of responsibility from family to authorities. History has shown how instrumental compulsory basic education legislation and enforcement has been to preventing child labour and today in China for example.

Sri Lanka also reviewed national legislation to bring it into line with international labour standards. An amendment to the 1957 Employment of Children Regulations promulgated in January 2000 stipulates that 'no child shall be employed in any occupation' and defines a child as a person below the age of 14 years. Night work is prohibited for all those under the age of 18. A revised list of hazardous occupations awaits endorsement by the Ministry of Labour.<sup>36</sup>

### Legislation in Fiji

The Employment Act of Fiji, chapter 92, sets out the legal provisions on child labour in that country. The Act specifies that:

- A child under the age of 12 years cannot be employed in any capacity except in family owned business, agricultural undertaking;
- A child under 15 can be employed on daily wage and one day-to-day basis and must return to parents or guardian every night;
- A child under 15 cannot be employed in industrial undertaking or in attendance to machinery;
- A child between 12 and 15 years of age can be employed for six hours a day with a break of 30 minutes every two hours. If he/she is schooling, total time at school and work should not exceed seven hours a day;
- A young person, above the age of 15 years and under the age of 18 years can be employed for eight hours with a break of 30 minutes every five hours. The total time spent at work and school should not exceed nine hours a day.

### 3.7 Partnerships to address child labour

Since 2001 ILO-IPEC's mobilizing of partners has continued, with significant strides being made in joint analysis and shared action. These partnerships have been many and varied and have been forged at country, subregional and regional levels with the tripartite partners, other United Nations agencies and multilateral agencies, with local, national and international NGOs, with the private sector and with communities across the region.

In Bangladesh, as part of TBP development, for example, three specialists from ILO-IPEC, UNICEF, and the Asian Development Bank (ADB) have been working as a team in the same office on child labour-related themes: education, poverty

reduction and labour protection.

Under an agreement signed between the ILO and UNICEF, the first of its kind in Bangladesh, ILO provided financial support to recruit the UNICEF specialist on education to bring the agency's institutional expertise and inputs into the project technically led by the ILO.

While all three professionals work under the direct supervision of the ILO Chief Technical Advisor, they are also supervised by the TBP focal points of their parent organizations. UNICEF and the ADB assigned the Chief of Child Development and Education Section and the Senior Programme Specialist respectively, to work with the Chief Technical Advisor of the ILO as 'key supervisory

<sup>36</sup> Background document on the legal context in Asia regarding the WFCL Convention (No.182) and hazardous child labour, *op.cit.*

technical brain' for the implementation of the TBP Preparatory Phase activities.

The three specialists on education, poverty reduction and labour protection consulted regularly with the relevant sections of their parent organizations and bring into the mix the wide and diverse experience at their disposal. In particular, the collaboration contributes to strategic planning for project implementation; identifying major areas of impact and key stakeholders; formulating the project logical framework and monitoring plan; identifying thematic areas, preparing TORs and conducting research studies; conducting interactive sessions for the key stakeholders and mobilizing them to take responsibility in various TBP activities; conducting baseline sectoral surveys on the worst forms of child labour; and formulating different plans of action, guidelines, strategies and policy papers for the TBP implementation phase.

There is a continuous flow of shared information, policy documents, reports, periodicals and publications related to child rights, education, poverty reduction and labour protection among the agencies, and this has also strengthened the ILO-IPEC Resource Centre established at the TBP project office.

In the Philippines, a concrete working relationship was developed with trade union partners, particularly those with members in the tourism sector.

The National Union of Workers in the Hotel, Restaurant and Allied Industries (NUWHRAIN) completed an important study on the tourism industry in Metro Manila,<sup>37</sup> using as a starting point baseline information from recent child labour studies but bringing to the study their unique access to the sector and to children working in it. Data were gathered on 500 children working in establishments

in Metro Manila: their working conditions, a typical work day, experiences, their views of themselves and their lives, and more. This helped build a picture of the children's situation and served not only as valuable information for advocacy and awareness raising but also as input to policy formulation and training of union officials and workers within the sector. The data collection task was daunting because the children were often working illegally and it was not easy to reach them. Building trust with the children and their employers was a long but vital process; the status of NUWHRAIN contributed considerably to breaking down the barriers.

The training programme that was subsequently developed based on the survey data was aimed at training resource people who would then work within the tourism sector and facilitate broader understanding of the issues involved. The eight modules of the programme cover child labour and child rights; the tourism industry; child labour within the tourism sector; profiles of child workers; and action that can be taken by NUWHRAIN and others to combat child exploitation within the sector.

In India, the Andhra Pradesh State-Based Project (APSBP) is a unique example of collaboration to combat child labour. ILO-IPEC worked with five national and one state trade unions which subsequently joined together in a federation.<sup>38</sup> Twenty-two employers' organizations came together to form a consortium and together ILO-IPEC, the federation and the consortium launched an initiative to combat child labour, called CEASE. A network of civil society organizations across the state was subsequently formed and joined the efforts.

Other examples of partnerships that have brought the experience and expertise of others to bear on the elimination of child labour include

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<sup>37</sup> NUWHRAIN: *At your service: Combating child labour in the tourism industry*, (NUWHRAIN and ILO, Manila, 2000). Also: *Training manual on combating child labour in the tourism industry*, (NUWHRAIN and ILO, Manila, 2000).

<sup>38</sup> *Coming together: From confrontation to collaboration – A tale of trade unions joining hands against child labour*, (ILO, New Delhi, 2002). A similar publication on the role of employers is forthcoming.

### **Lao PDR: Trade union successes in child labour monitoring**

Although a national body, the National Steering Committee, had been set up to oversee projects concerning child labour in Lao PDR, no agency was assigned specific responsibility for monitoring the problem. In March 2003, ILO-IPEC inaugurated a project to combat child labour in garment factories and saw-mills through interventions in the area of prevention, monitoring, and social protection. Among its objectives, the project sought to strengthen the role of trade unions both in monitoring and in mediating on behalf of child workers in factories. The first phase of the project ended in April 2004 and an independent evaluator summarized its achievements, gaps and obstacles and potential for future development. It was found that the Lao Federation of Trade Unions' (LFTU) experiences provided lessons about child labour monitoring that might be of use in some other settings:

For example, by claiming 'ownership' of child labour monitoring, the LFTU added new members and increased its power, becoming a source of local expertise on an important issue. As a result of the credibility given to it by the LFTU, child labour monitoring became 'legitimized' in Lao PDR and the cooperation of different levels and different sectors of government was forthcoming. The alliances the LFTU has within government were crucial to carrying out such a large and complex project. This inter-departmental cooperation was considered a real achievement of the project.

The LFTU made an important start on improving conditions for working children at three locations by simply educating children, their families, teachers and employers about the existing laws governing children and work.

Thirteen months was a very short time for project implementation, particularly given the lack of any foundations on which to build. LFTU personnel lacked previous training and experience in carrying out their new child labour monitoring tasks, however, there were significant achievements during the project's lifespan and the LFTU showed commitment by its interest to continue working in this area, identifying new sectors to monitor.

Child labour monitoring offers the LFTU a prime opportunity to participate in a meaningful way in the government's efforts to move into the market economy and away from least-developed-nation status, and to do so without endangering the nation's workers and its children.

collaboration with World Education in implementation of the TBP in Nepal; working closely with the Bureau for Employers' Activities (ACT/EMP) and Bureau for Workers' Activities (ACTRAV) at headquarters in Geneva in the areas of policy and programming; collaborating with teachers' unions in Mongolia to strengthen the role of education as a way to combat child labour; and developing further project activity with the Employers' Confederation of Thailand (ECOT) in the creation of good practice guides, the development of vocational training and the establishment of a 'Friendly Employers Network' in the jewellery industry in Thailand.

Local NGOs are important implementing partners in many child labour projects, but groups and individuals in communities are also regularly mobilized and have unique access to both problems facing children and possible solutions. Community partners – district, town and village councils, local neighbourhood groups, children's clubs and other similar groups of people – do everything from monitoring borders for signs of child trafficking (Nepal) to keeping an eye on children who may be in high-risk situations in child domestic labour (Cambodia).

### **Pakistan: An end to child labour in the soccer ball industry in Sialkot**

The Sialkot soccer ball project is considered a real success story not only because it had a direct impact on the lives of more than 10,500 children but also because it significantly changed attitudes towards children and education, and engaged the district government and Chamber of Commerce and Industry to such an extent that the project and its outcomes have become part of the fabric of the Sialkot community – the ultimate test of sustainability.

As long ago as 1997, the project: *Elimination of child labour in the soccer ball industry in Sialkot* was launched. Sialkot is one of the most industrialized towns in the province of Punjab in the far northeast corner of Pakistan. It has a population of more than 2.5 million, mostly large families involved in the local manufacturing industries for sports goods and surgical instruments. Between 1997 and 1998, Sialkot exported 5,057 million rupees worth of soccer balls. Many of them were produced with child labour.

By 1997, however, world opinion on the plight of children in labour in soccer ball production had put pressure on governments and international agencies to act to stop it. The Sialkot Chamber of Commerce and Industry (SCCI), UNICEF, Save the Children UK and ILO-IPEC agreed to work together and took on different roles to target children under the age of 14 working in the soccer ball industry. These children were not enrolled in school and were working long hours, or were still in school but suffering the results of trying to study while also working.

By the end of the first phase of project activity, 10,572 children had been enrolled in education, 255 in NFE centres, 5,838 returned to formal school and 5,408 children had been given health cover. Children had been removed from 95 per cent of the hand-sewn soccer ball manufacturing line.

But the impact of the project had gone much further. The people of Sialkot district came to recognize that children have rights and must be allowed to go to school, to play and to have adequate health cover. Commentators on the project have lauded the “rich social capital [that was built up] to sustain that social transformation”. Parents were seen to work extra time and to reduce spending so that their children could go to school instead of work.

At the political level, the transformation was also tangible. The District Government of Sialkot in 2003 pledged to purge the entire district of all kinds of child labour. By this time six local NGOs had been formed and had been trained in child labour issues. Seventy per cent of the district government’s budget is now directed towards the education sector, reflecting popular pressure.

And the project is hailed as a model of public/private partnership, since SCCI also committed itself to ending child labour on the production line and to sharing the costs of doing that. Towards the end of the project, in 2002, SCCI created two new organizations – the Independent Monitoring Association for Child Labour (IMAC) and the Child and Social Development Organization – to continue monitoring and providing social services when ILO-IPEC support came to an end, thus ensuring that the results would endure and activity continue. IMAC inherited from ILO-IPEC trained monitors, software, hardware and vehicles, but most of all it inherited the drive and determination to rid the soccer ball industry of Sialkot of the scourge of child labour and to give children the education they need for a better future. Since 1 March 2003, IMAC has been monitoring 1,917 stitching centres of 111 manufacturers, around 95 per cent of the production line of hand-sewn balls. It is being funded by the industry itself, through levies on every ball exported.<sup>39</sup>

<sup>39</sup> *From stitching to school: Elimination of child labour in the soccer ball industry in Sialkot, Pakistan*, (ILO Islamabad, 2005).

In Lahore, Pakistan, employers in the carpet sector joined forces with ILO-IPEC to develop an ergonomic loom that is ill adapted for children, so that adults have to be employed to use it. The loom has been tested and will now be mass-produced by the employers themselves for much wider use.

Village baseline data collection, analysis and monitoring have been a part of TICW project activity in Yunnan Province, Jiangsheng and Menghai Counties, China. Officials at county, township and village levels were trained in methods of systematic data collection, to design plans and to set up and staff a helpdesk to backstop data collection. They were trained in analysing the data, monitoring and providing updated information to townships and villages. The aim was to engage community leaders in mobilizing resources to monitor children and women at risk in their communities and to implement protection strategies at a number of levels.

Similar activities were undertaken in Cambodia, where 105 key people were trained in 26 villages and three communes. They identified problems and needs and shared these with NGOs and local authorities. More than 12,000 people including school children in the three communes were targeted with sensitization actions and a number of other prevention and protection activities were undertaken, ranging from literacy classes to the creation of self-help and savings groups.

### 3.8 Harnessing the power of learning

Grassroots organizations and communities have also participated in projects focusing on education as an alternative to and protection from child labour. In the Philippines, for example, a one-year project (2003–2004) aimed to test indigenous, community-driven education approaches to combat child labour. An NGO partner, Lungga Mangmang Agong Centre Inc. (LMACI) began project activity by conducting a rapid assessment survey of the social, economic, cultural and political context of the locality, before using this to design a local information and dissemination campaign on child

labour. The aim was to increase the understanding of local people about the nature and effects of child labour, the legal and policy framework within which it is addressed, and the role community leaders can play in moving towards elimination. One practical example of what can be done at the community level was demonstrated: a mechanism was developed for promoting indigenous basic education and livelihoods among children in labour and their families. This comprised functional literacy classes alongside livelihood development training. LMACI developed the training materials to be used, in consultation with the community leaders.

Parents, tribal elders, teachers and other parts of the community worked together. By the end of the 12-month project, baseline data had been collected; mechanisms for the transfer of indigenous knowledge had been developed; and community-driven indigenous education/livelihood modules had been prepared covering arithmetic, reading and writing; traditional livelihood skills development; indigenous knowledge systems and practices; and indigenous people's rights under national laws.

The modules were tested with 98 child labourers and their parents in three villages (*barangays*). The children expressed their views at the end of the project, and reported that they understood better the hazards of mining and the advantages of going to school. They said they would look for alternative, traditional ways to earn a living while appreciating the opportunity to learn.

This is one example of how, since 2001, ILO-IPEC has worked with partners to develop and implement a number of projects that have centred on the need both to get working children out of child labour and back to school or an equivalent, and to ensure that children at risk of exploitation enter and stay in school. Increasingly this has been presented as a contribution to reaching EFA targets – for example in Cambodia, China, India, Indonesia, Pakistan, the Philippines, Sri Lanka and Vietnam.

In Mongolia, six training sessions were held for 180 trade union member-teachers with a view to helping school administrators and teachers to understand child labour and know how to contribute to efforts to eliminate it. Seventy-five schools ran art and essay-writing competitions on the subject of child labour and a poster calling on teachers and schools to engage in efforts against child labour was disseminated. Two thousand copies of the newspaper MEFTU ('light') with a special focus on child labour were printed and work began on a handbook for teachers in primary and secondary schools. The project was closely followed by the Teachers Trade Unions of Mongolia and as a result a national Teacher's Anti-Child Labour Day was announced. A number of schools now have regular activities including workshops on child labour and student drawing and writing contests. Actions have also been taken to work with teachers' unions in Bangladesh, Indonesia, Nepal and the Philippines.

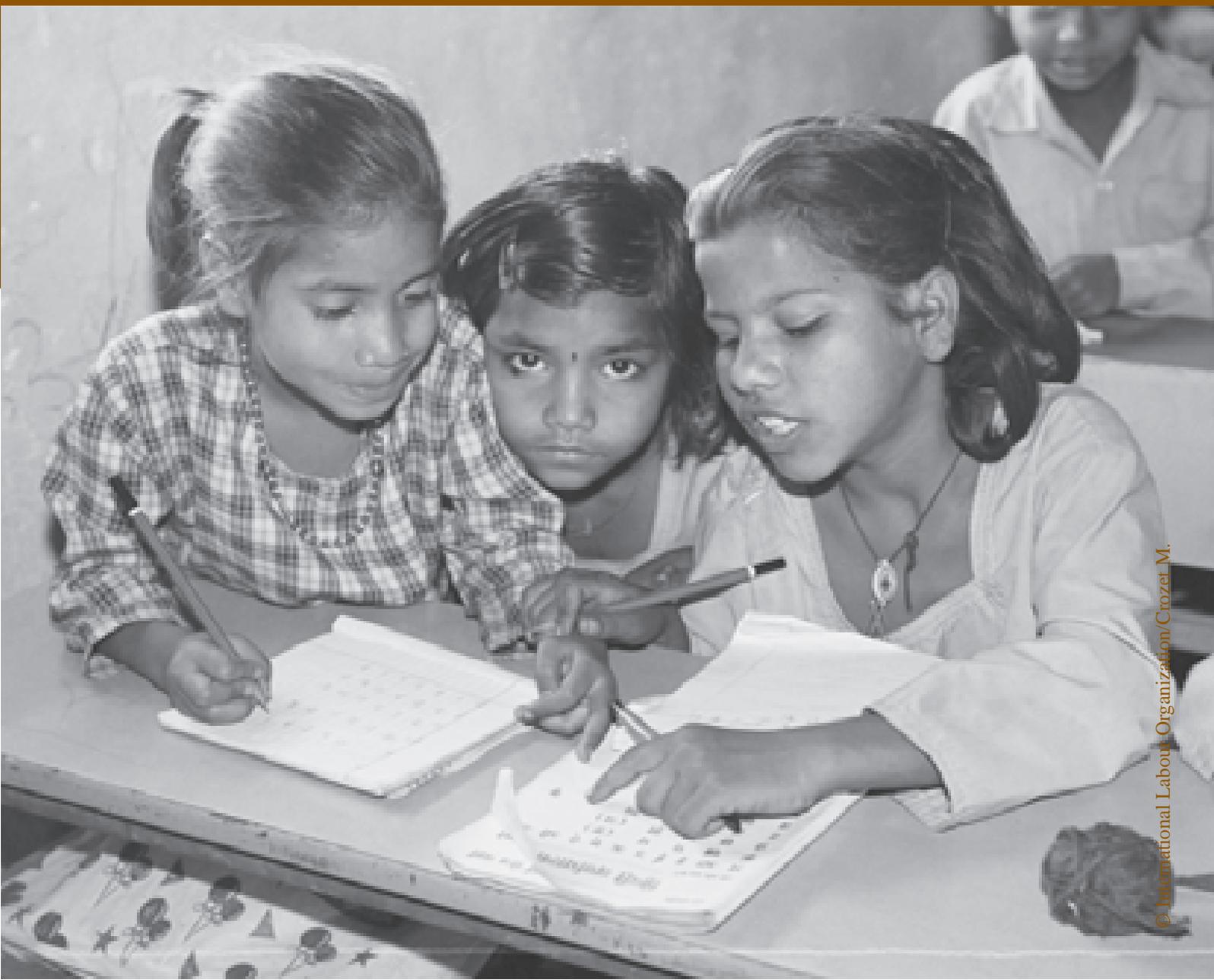
Vocational and skills training also figure prominently in efforts not only to prepare children and young people adequately for the time when they will enter employment but to provide those who have already been in child labour with alternatives.

In Sri Lanka, as many as 2,000 children have been involved in armed conflict as child soldiers or attached to army units providing a wide range of 'services'. These children have been in a worst form of child labour. Following the signing of an MoU between the government and the LTTE ('Tamil Tigers') in February 2002, the Australian Government provided funding for an ILO-IPEC project that would create a rehabilitation and re-skilling centre for demobilized child soldiers and other children aged 14 to 18 who had been affected by the war. Most had missed out on schooling and many had learned the hard way about violence and destruction. Over just 12 months, the Child Soldiers Project in Sri Lanka provided vocational skills training to 1,250 children, all of whom were successfully placed in jobs. Providing these children with a way to be self-sufficient and build new lives for themselves went beyond 'education' as it is often understood to the very heart of learning.

The project included 'life skills' training and a Training of Trainers element mobilizing local resource people. The Sri Lankan Chamber of Commerce was commissioned to undertake analysis of job opportunities and available economic opportunities so that the training provided would result in marketable skills.

# Taking the next steps

# 4



## 4. Taking the next steps

Much progress has been made in the Asia-Pacific region in moving towards the elimination of child labour, especially the worst forms. There is clear commitment at all levels not only to create a region in which children can benefit fully from the education that is their right and so not enter work before it is time for them to legitimately and safely do so, but also to ensure that, when children do reach the minimum working age, they will have a chance to secure decent work that will allow them to enjoy all their rights as human beings and in time provide their own children with quality of life and hope.

Articulating the elimination of child labour as a fundamental component of the Decent Work Agenda has reinforced the links that must be made between the exploitation of children in labour and the exploitation of adults in unsafe or unregulated work. Where children are victimized in child labour, adults are also unlikely to enjoy their labour rights. This is not only because there are people ready to exploit them but also because many countries in the region are still striving to overcome enormous development challenges and perhaps above all to eradicate poverty.

Despite the challenges, however, governments, employers' organizations, trade unions, local authorities and civil society organizations have sent out clear signals that child labour must end and that the worst forms of child labour must be eliminated as a matter of urgency. They have taken the first steps. The next steps must be taken now.

In the biennium 2006–2007, the ILO's Programme and Budget sets promotion and realization of standards and fundamental principles and rights at work as its Strategic Objective. In relation to child labour, the desired outcome is that Member States take targeted action against child labour, giving priority to the urgent elimination of the worst forms of child labour and the provision of alternatives for boys and girls as well as their families.

For this to be achieved, a number of factors need to be borne in mind:

### 4.1 Completing the safety net – Conventions 138 and 182 in the region

Child labour cannot be addressed with total determination in the Asia-Pacific until all countries in the region have ratified ILO Conventions No.138 and No.182. Ratification is not an empty gesture. It is the beginning of a process that drives national efforts against child labour and that provides a benchmark for all those contributing to these efforts. It also provides a point of reference that allows countries to come together at sub-regional and regional levels with common minimum expectations. This facilitates not only discussion but also exchange of information, cooperation at bilateral and multilateral levels, and the sharing of lessons and experiences that improve action and lead to better results on behalf of children.

Afghanistan, Australia, India, Kiribati, Myanmar, Solomon Islands and Vanuatu have yet to ratify either Convention No. 138 or No. 182; Samoa and Timor Leste, the ILO's newest members, will also now be called upon to join the community of ratifying Member States. The reasons why countries have not ratified are various but the arguments in favour of ratification are compelling.

It is important to note, however, that whether they ratify or not, countries are committed to combating child labour in accordance with the core labour standards, an obligation that member States reaffirmed in adopting the Declaration of Fundamental Principles and Rights at Work and its Follow Up.

Beyond ratification, application of the Convention requires targeted action, ideally associated with the time-bound programme approach, which has proved to be both focused and to lead to measurable results. Although the task of elimi-

nating child labour, especially the worst forms, may at times seem daunting, the TBP framework and time-bound approach more generally allows for priorities to be set, so that programming can be phased around realistic and realizable goals.

Implementation also requires a legislative review to ensure that national laws are in line with the international instruments. In particular, setting a minimum working age, identifying hazardous sectors and enshrining them in law, criminalizing the exploiters of child labour and those who facilitate it (including traffickers and recruiters), and ensuring the non-victimization of child victims and their support and rehabilitation, are minimum legal provisions to underpin effective action to eliminate child labour including the worst forms. The ILO will continue to provide technical support to Member States, in collaboration with sister United Nations agencies, so that laws are revised and actions are taken in the best interests of the child.

## 4.2 Completing the picture – mapping the issue

Ultimately child labour cannot be tackled effectively where it is not fully understood. It is important to map out the scope and nature of child labour, including the worst forms, in order to understand not only the situations in which children are labouring but also the underlying causes, the results, and what can be done across the whole range of exploitative practices and situations to protect children who are already in labour and ensure that more children do not fall victim.

ILO-IPEC has in recent years worked with partners to produce a substantial stock of knowledge in the form of studies, surveys and reports. These have, as a matter of priority, focused first of all on identified worst forms of child labour in selected countries. These have allowed actions to be designed that target the most important areas with urgency. But they do not paint a full picture of child labour in a country.

This can only be done through gradual but sustained enquiry that builds up a ‘map’ of child labour, indicating the numbers of children, the sectors they are to be found in, the conditions they face, the context in which they entered and are in exploitation, and how they are most likely to be able to emerge. Mapping must also include, where possible, information that allows understanding of vulnerability, so that children at risk can be protected.

There is therefore a constant need to continue researching specific sectors – including the difficult ‘hidden’ forms of exploitation such as child domestic labour and the notoriously difficult subject of trafficking – but at the same time to increase national child labour survey implementation, so that a broad picture of the situation of children also becomes clearer.

Priority areas for study are easier to identify where countries have begun the TBP process and where there is already agreement on which forms of labour constitute ‘hazard’. In many ways the ‘hazard’ list is a proxy for the priority areas that need to be explored (and where children may already need to be withdrawn or supported). Taken together with the worst forms of labour named specifically in ILO Convention No. 182 – all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, forced or compulsory labour, including recruitment of children for use in armed conflict; prostitution and pornography; and in illicit activities, in particular the production and trafficking of drugs – the sectors or occupations included in the hazard list may be seen as priorities for study as well as action.

When data and research are available, it is important that they be appropriately analysed so that they can underpin action. An ILO-IPEC subregional workshop in New Delhi in March 2005<sup>40</sup> noted that inadequate analysis currently hampers the role that data can play in decision making.

<sup>40</sup> Raychaudhuri, B: *Baseline surveys in the Asia and Pacific region*, paper presented to the ILO-IPEC South Asia Subregional Workshop, New Delhi, 14–18 March 2005.

The same workshop called for standardized definitions and tabulations to be used so that, across the region, data can be shared and used for comparative study and to allow trends and the impact of actions to be measured. In relation to the worst forms of child labour, it is clear that there may be many ‘unknowns’ and that standard data collection exercises may not necessarily be useable. Quantitative surveys are unlikely to give a true picture of the number or nature of children exploited in commercial sexual exploitation, for example, or in armed conflict or forced labour. In these cases, qualitative situation analysis might be more appropriate and Rapid Assessment methodology could be considered.

What is important is that all the information that can be obtained should be used to build up as comprehensive a picture as possible of child labour in a given country and that this should form the basis of debate, advocacy and action.

There was a call for existing data to be further analysed to make sure that it is exploited as fully as possible. It was pointed out that this would also facilitate trend assessments when repeat surveys are carried out.

There are other research and data needs. As child labour is integrated more coherently into frameworks relating to the Decent Work Agenda, national poverty reduction strategies and EFA, it will be necessary to research the links between these different development problems and where there may be appropriate intervention points not only by those working to eliminate child labour but also agencies for development and others such as the international financial institutions as well as various arms of government.

Studies designed to ascertain the impact of policy changes and programming initiatives are also sorely needed. ILO-IPEC has built a strong foundation for better programme design and planning through regular internal monitoring and independent evaluation exercises, but evaluation and impact measurement is by no means consistently

done by all those implementing policies and programmes to combat child labour and, unless they are done, then it is difficult to know whether such actions are having a positive impact on children and on eliminating child labour, or indeed whether they are having any impact at all.

### 4.3 Breaking down reluctance – tackling entrenched attitudes

Beyond awareness raising, of which there has been much, lie understanding and then change of attitudes towards child labour and indeed towards the role and rights of children. Although broad-brush awareness-raising activities might be of some value where child labour is not at all on the agenda in a country, in the Asia and Pacific region there is good general awareness of child labour and a chance to move on to targeted information and education activities that aim to increase understanding of child labour, especially the worst forms, and to build on this to change attitudes and behaviours of those who may not yet be convinced of the need to protect children from labour.

There is no doubt that this is an area where critical mass is important and where it is vital to ‘hit all the targets’ in order to build such mass. Consequently, actions aimed at raising the understanding of policy makers, government at all levels, children and young people themselves, families and communities, teachers and social workers and other discrete groups that may include potential exploiters or potential protectors of children are vital. The mobilization of employers’ organizations and trade unions has proved to be crucial in many countries, since the workplace harbours both exploiters and protection agents.

Changing attitudes towards child labour is particularly difficult where policy makers and programmers may themselves have become accustomed to employing children, for example as child domestic labourers. In such circumstances, the ‘issue’ of child labour becomes a personal challenge and particularly difficult to influence. Where a social worker or teacher, for example, employs a

girl under the minimum working age to do her domestic chores while she works, and knows that the child is not badly treated or physically harmed, it is often difficult to persuade that person that the very fact of working under the minimum working age, of being out of school, of living isolated from the family and of essentially doing an adult's job and losing out on childhood, is not acceptable. This is where the law of the land must be clear and must be implemented without exception. It is also where peer pressure can play a role and where action programmes using role models to spread messages that are uncompromising and clear can have an impact.

#### 4.4 Sharing and developing capacity and tools

Regional and subregional cooperation is particularly important in the area of capacity development and the sharing of tools against child labour. The experience of ILO-IPEC in its two subregional trafficking initiatives, both of which are now in their second phase, has shown that lessons learned in one subregion can be adapted and further developed in another. For this to happen, there has to be equivalent capacity at the levels of implementing partners, whether these are part of government, employers' organizations, labour organizations, NGOs or indeed ILO staff.

One particular area where expertise has been built up over a number of years, not only by governments but also by employers and worker's associations, is labour monitoring. In recent years this has been extended in a number of countries to include monitoring for child labour and lessons drawn from these experiences will be used to develop systems and capacities for child labour monitoring in more countries in the region. In the 2005 regional consultations reviewing progress made in following up commitments against sexual abuse and exploitation of children (a worst form of child labour), children and young people's representatives called specifically for child labour monitoring to be operative in all workplaces in order to

protect the rights of children to be free from exploitation and in particular to allow the identification, withdrawal and support of children trafficked into labour exploitation.<sup>41</sup>

The ILO will continue to work with partners to develop national capacity and promote national ownership of efforts to eliminate child labour and to implement fundamental principles and rights at work as a whole, including through child labour monitoring. Ultimately this is also the only way to guarantee that programmes, projects and results will be sustainable and that the long-term goal of eliminating child labour all together will be reached.

#### 4.5 Improving direct action and learning lessons

The immediate withdrawal of children from the worst forms of child labour is possible only when necessary and quality services are available.

ILO-IPEC programming against child labour almost always includes demonstration projects that are designed to introduce methodologies that can be used at local and community levels and that can be replicated more widely in a country. Demonstration projects also allow lessons to be drawn that can be fed back into project design so that there is continual development of experience.

Over a number of years, ILO-IPEC has supported demonstration projects in the areas of community protection (for example to reduce the vulnerability of children to trafficking); getting and keeping children in school (by developing the understanding and capacity of teachers, for example); helping children who are withdrawn from child labour to reintegrate into their families and communities or otherwise find a safe place to begin rebuilding, and in other areas such as NFE, vocational and skills training for trafficking returnees, psychosocial support for traumatized children and community watch systems.

<sup>41</sup> Draft conclusions from the *Global synthesis of follow-up of the Stockholm Agenda for Action and Yokohama Global Commitment*, (UNICEF, unpublished, forthcoming 2005).

For the lessons of these demonstration projects to be fully shared, it will be necessary to accelerate the evaluation of outcomes and impact, the drawing of lessons, and the sharing of good practice. Commonly agreed and applied indicators of achievement would make this easier but this remains a challenge.

#### 4.6 Mainstreaming child labour in development policies, poverty reduction strategies, and Education for All Plans

Elimination of child labour is not a goal of the ILO alone. It is primarily the responsibility of the Member States who have taken on responsibilities as ILO members and through ratification. Many countries need the guidance and support of the ILO, and developing nations need the financial backing of the world community to achieve the

goal. ILO-IPEC and partner agencies have enough experience, particularly in Asia, to show that the goal can be reached and how it can be reached. The main challenge for the future is to use this pool of knowledge in an integrated way so that efforts to make poverty history, achieve EFA, and reach the MDGs all embrace the issue of child labour in one coherent plan that all development partners in a country can subscribe to and support.

In particular, recognizing the links between child labour and youth employment, and child labour, youth employment and adult employment is of the utmost importance. While the exploitation of children is of course a denial of their rights as children, it is also integrally linked to the mechanics of the labour market and should be strategized within the broader framework of initiatives to promote fundamental principles and rights at work.

##### India: Child labour as part of the bigger picture

In India, the government and ILO-IPEC have recognized the links between child labour and broader issues of social exclusion and access to labour markets.

In the pipeline in 2005 is the establishment of a trust fund mechanism that will address these issues and which, while aiming at broader impact, will address child labour as one outcome of restricted access to labour and the discrimination that leads to potential workers being cut off from work.

The trust fund is initially set at US\$30 million and is being established in close cooperation with DFID.

Supporting government efforts to mainstream child labour in relevant development policies and frameworks will be an important element of ILO-IPEC actions over the next biennium. In particular, the ILO will continue to focus on PRSPs and EFA in specific efforts to mainstream child labour in the development agenda and will continue to analyse and act against child labour not only as a denial of the rights of the child but in the context also of fundamental labour principles and rights.

#### 4.7 Investing where it makes a difference

Finally, the cost-benefits of eliminating child labour have been demonstrated but now need to be

reflected in the allocation of resources that takes a long-term view of development. Many countries have developed policy and frameworks; they have to make available resources (financial, human, institutional) to implement policy (both development policy and child labour-specific frameworks). Children cannot wait and national investment in combating child labour is long overdue.

Both national and bilateral funding still does not take sufficient account of the benefits of eliminating child labour, even where the political leadership seems to have true determination to do so. Diverting funds to combat child labour and thus investing for the longer-term returns that this will provide makes good economic sense.

# Annex



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## Annex: Snapshots of child labour in the region

### Child labour in Afghanistan

Afghanistan is the world's seventh-poorest nation and is rising out of years of crisis. The worst forms of child labour are rife and, although there are some 600 NGOs now operating in the country and the government is giving increasing attention to the issue, it will be decades before child labour is brought under control.

UNICEF estimates that almost 25 per cent of Afghan children aged 7–14 are working. This figure probably underestimates the total figure. School enrolment and attendance is very low. Only half of all school-age children go to school and the drop-out rate is around 70 per cent. Children are reported to be found in many forms of child labour, including:

- Begging gangs with children as young as 12 months being 'rented out' by parents;
- Street-based informal work including as street hawkers;
- Child domestic labour (average age = 5 to 12 years; both girls and boys);
- Carpet weaving (usually in family settings);
- Brick kiln-related debt bondage;
- Road construction;
- Portering;
- Sheep-herding;
- Child trafficking (mostly boys);
- Drug trafficking;
- Auto-repair;
- Construction and masonry;
- Agriculture (poppy production, fruit orchards);
- As child soldiers.

ILO-IPEC is currently exploring programming directions in Afghanistan and potential partners, and has undertaken preliminary field missions and research, including consultations with UNICEF. A Project Concept Note has been widely discussed and endorsed by key stakeholders and

donor funding has been secured for a project based on the success of the Peshawar Education and Training Project. UNICEF has been supporting community-based reintegration of more than 8,500 war-affected young people and has supported development of an NPA on child trafficking.

### Child labour in Bangladesh

Bangladesh released its first progress report on efforts to fulfil the Millennium Development Goals (MDGs) in November 2004, including indications of challenges to be met by 2015 in a number of areas of relevance to child labour: reducing the number of people with an income of less than US\$1 a day from 49.6 per cent in 2000 to 29.4 per cent by 2015; reducing the numbers living in extreme poverty from 20 per cent in 2000 to 14 per cent by 2015; increasing net school enrolment from 83 per cent to 100 per cent and reducing the drop-out rate from 38 per cent to 0 per cent.

In 2002/03, the Bangladesh Bureau of Statistics (BBS) conducted the second National Child Labour Survey, which indicated that there are 4.69 million working children — some 15 per cent of the total 35.06 million children in the age group of 5–14 years. The total working child population between 5 and 17 years old is estimated at 7.42 million.

- The proportion of boy and girl child workers, in the age group of 5–17 years, is 73.5 per cent and 26.5 per cent, respectively;
- The total number of working children aged 5–17 years in rural areas is estimated at 6.4 million compared to 1.5 million in urban areas;
- As many as 93.3 per cent of all working children in the age group of 5–17 years operate in the informal sector. Agriculture engages 4.5 million (56.4 per cent children), while the services sector engages 2 million (25.9 per cent), and industry 1.4 million (17.7 per cent);

- A total of 1.3 million children are estimated to be working 43 hours or more a week. More boys than girls are engaged in this form of child labour across all age groups.

Parallel to the National Child Labour Survey, an establishment survey and five baseline surveys on the worst forms of child labour in five sectors (welding, automobiles, street children, battery recharging, and transport) were conducted under the supervision of the BBS with technical and financial support from ILO-IPEC.

Nearly 50 per cent of primary school students drop out before they complete grade 5, and then gravitate towards work, swelling the number of child labourers. The high drop-out rates are correlated with the low quality of public primary education, low adult literacy, low awareness of the importance of education, poor teacher-student ratio (sometimes this goes up to 1 per 100), non-availability of teaching and learning materials, and the cost of education.

### Child labour in Cambodia

With a GDP per capita income of around US\$300, Cambodia ranks as one of the world's poorest countries. The country is still recovering from two decades of civil war during which its economy was devastated, its political, social and moral fibre disrupted and people plunged into poverty. Cambodian families tolerate and even encourage child work as a contribution to family survival.

The 2001 Cambodia Child Labour Survey put at 2.276 million the number of children in child labour, more than half of all children in the 5–17 age group. Almost 45 per cent of children aged 5 to 14 are in child labour. More than 80 per cent of the children live in rural areas. Children work in many different sectors, but principally:

- Agriculture, forestry, hunting, fishing (72.7 per cent);
- Wholesale and retail trade (16 per cent);
- Manufacturing (6.3 per cent);
- Community, social and personal services (2.3 per cent);
- Other sectors (2.7 per cent).

The Cambodian Government and social partners have worked to identify the worst forms of child labour with a view to eliminating them. Child labour in fishing, rubber, salt fields, child domestic labour, children in prostitution and child trafficking are priority areas for action. Cambodia is both a source and a destination country for trafficking and UNICEF reports that, in 2002, as many as one-third of sex workers were under the age of 18.

ILO-IPEC has been working with partners in Cambodia since 1997 and great strides have been made in putting in place the policies and frameworks for action that are necessary to move towards elimination of child labour, especially the worst forms. Cambodia has now embarked on implementation of a TBP process. Since 2005, the ILO, UNICEF and the World Bank cooperate in Cambodia in the inter-agency research project *Understanding Children's Work*.

### Child labour in China

Comprehensive information on child labour in China, given the vastness of the country and decentralized systems of data collection, is not easy to find. There is public recognition that the child labour problem has occurred along with economic development during the reform. The situation in recent years indicates that abducted children have been forced to engage in child labour, prostitution, stealing, drug selling etc. In 2004, the public security organs cracked 1975 cases of child trafficking and rescued 3,488 children.<sup>42</sup>

<sup>42</sup> China Country Paper : Policy, Legislation and Practice on Prohibition of Child Labour, prepared for the Regional tripartite workshop on Processes and Resources for Implementing the Hazardous Child Labour Provisions of Convention Nos. 138 and 182, Phuket, Thailand, 11–13 July 2005.

China ratified ILO Convention No.182 on 8 August 2002 and this, along with the new regulations, may indicate that the problem of the worst forms of child labour will be considered at national level. The revised Regulations on Prohibiting the Employment of child labour took effect on December 1, 2002. The employment of children under the age of 16 is banned, with fines of up to 10,000 yuan for violations. The new regulations also require employers to check workers' identification cards, which may help prevent underage workers from being inadvertently hired in some factories.

ILO-IPEC has been working in Yunnan Province of China since 2000 as part of the subregional project on trafficking in women and children (TICW). The project pilot tested community-based prevention of trafficking through education, awareness raising and income generation. The outcome of the project in Yunnan province has led to replication in five other provinces. In 2004 ILO-IPEC, in collaboration with ACWF, launched a new project to prevent trafficking in girls and young women for labour exploitation within China (CP-TING).

In May 2004, TICW launched an important pilot education initiative aimed at reducing the vulnerability to trafficking of ethnic minority girls in mountainous areas. Learning from the outcomes of such pilot projects, ILO-IPEC can directly contribute to the Chinese Government's efforts to achieve nine years of compulsory basic education.

### Child labour in Korea

In 1997, 15,177 children below the age of 18 were economically active in the Republic of Korea; some 65 per cent of these were girls. Seventy-eight per cent of the children were employed in manufacturing industries.

The Republic of Korea has ratified both child labour Conventions and, even before ratification of ILO Convention No.182 in 2001, listed the types of work prohibited for those under the age of 18 through the Enforcement Act of the Labour Standards Act of 1997.

Statistics from 2001 indicate that some 360,000 young people between the ages of 15 and 19 (ie having reached the minimum working age) were working. Since some 99.5 per cent of all middle school graduates go on to high school and 74.2 per cent of high school graduates go on to tertiary study, the government estimates that workers under the age of 17 are generally children who do not continue their studies, plus a small number who work while studying.

In 2001 a Comprehensive Plan for Child Protection and Rearing was put in place, formulating 48 measures in five areas of child protection and rearing, including protection of children from harmful environments. A government publication entitles *A Labour Standards Guidebook for Minors* aims to help young people to understand and claim their rights as workers.

### Child labour in India

The problem of child labour is recognized and confronted in India at many levels with government, NGOs, communities, workers, employers and international agencies working together to make a difference. A National Child Labour Policy was adopted as early as 1987.

There are varying estimates of the number of working children in the country because of differing concepts and methods of estimation. The 1991 national census estimated the number of children in child labour at 11.28 million (out of a total of 210 million children aged 5-14 years). About 90 per cent of the children lived in rural areas. The 55th Round of the National Sample Survey, carried out by the National Sample Survey Organization in 1999/2000, indicated that there were about 10.4 million working children.

Children are engaged in various types of work, including those that are classified as hazardous. An estimated 2 million children work in hazardous sectors.

These include:

- Bidi cigarette production;
- Brassware making;
- Brick making;
- Firework manufacturing;
- The footwear sector;
- Making glass bangles;
- Lock making;
- Match making;
- Quarrying;
- Silk production.

In a sample survey (not necessarily representative), 38 per cent of the children in hazardous labour were in the 9-13 age group and 15 per cent aged 5 to 8. Some 47 per cent were between the ages of 14 and 17. In the hazardous sectors, the majority of child labourers were girls.

Between 2002 and 2005, ILO-IPEC supported a technical cooperation project of the Governments of India and the United States to thoroughly map the situation of children in hazardous labour and implement a number of direct actions to withdraw children and help their families as well as identify children at risk. The 'INDUS' programme is the largest child labour programme yet undertaken by ILO-IPEC at country level and will cost some US\$40 million.

### Child labour in Indonesia

According to the 2003 national socio-economic survey, 1,502,600 children between 10–14 are in the labour force and not attending school. Another 1,621,400 are not attending school and are described as helping at home or doing other things. The survey also reported that 4,180,000 children of junior secondary school age (13–15) are not attending school. This represents 19 per cent of the 13–15 age group. The incidence of child labour and non-attendance at school is significantly higher in rural areas.

The ILO estimates that, in 1999, 1.437 million children between the ages of 5 and 14, and 3.439 million between the ages of 15 and 17 were in child labour. Some of the worst forms of child labour in which Indonesian children are exploited

include commercial sexual exploitation (including trafficking for this purpose) and the hazardous sectors of mining and fishing.

A large part of the child labour is concentrated in rural areas where children work in agriculture and in plantations. Large numbers of children are also employed in home industries, in domestic work and in fisheries.

The National Action Plan for the Elimination of the Worst Forms of Child Labour identifies five priorities for action: trafficking of children, children's involvement in the manufacture or trafficking of drugs, and children working in fishing, footwear and mining. An ILO-IPEC project to support the Plan began in 2004 and is working with a wide range of stakeholders to build awareness of the issue and to implement programmes to tackle child labour in the five priority sectors.

In a recent IPEC-commissioned survey of poorer households with school age children, it was found that:

- 19 per cent of school age children were not attending school;
- The cost of education and associated costs (transport, uniforms etc) to poorer households is very significant. The average costs of keeping one child in elementary school and one in junior secondary school for one year, are equal to between two to three months gross salary at the level of the provincial minimum wage;
- 71 per cent of respondents whose children were out of school cited costs of education as the main factor;
- Only 50 per cent of respondents knew that the Indonesian Government's policy is for all children to complete school for nine years to the age of 15. 39 per cent thought it was six years (completion of elementary education);
- Whilst the vast majority agreed that children below 18 should not be allowed to work in illicit sectors (prostitution, drugs), the numbers were much smaller when it came to sectors that are regarded by the law as hazardous.

Only 16 per cent said children should not be allowed to work with chemical substances, and only 27 per cent thought children should not be involved in heavy lifting work.

- When asked about the number of hours it might be acceptable for a child below 15 to work 37% indicated 3 hours or less. 27% said 4 hours, 19% said 5 hours, and 15% said 6 hours or more

A National Steering Committee on the Elimination of Child Labour (NSCECL) was established consisting of representatives of the Ministry of Manpower and Transmigration and other concerned ministries, employers' and workers' organizations and NGOs, with a view to developing, coordinating and monitoring the national programme to combat child labour. The Government of Indonesia set up the National Action Committee for the Elimination of the Worst Forms of Child Labour (NACEWFCL) under a Presidential Decree in January 2001. The mandate of the NACEWFCL is to oversee the implementation of ILO Convention No.182. Since September 2003, Indonesia has been implementing its first TBP.

### Child labour in Lao PDR

Lao PDR is one of the least developed countries in the world. One third of its population will probably not survive to age 40 (27.9 per cent) and most of the population does not have access to safe drinking water. Agriculture remains the major sector of the economy, contributing 52 per cent of GDP and employing eight-tenths of the labour force, it has no railroads, a rudimentary road system, and limited external and internal telecommunications. Electricity is available in only a few urban areas.. The economy will continue to benefit from aid from the IMF and other international sources and from new foreign investment in food processing and mining.

Children from Lao PDR are known to be at risk of falling victim to some worst forms of child labour, in particular commercial sexual exploitation (and trafficking for this and other purposes) and recruitment into armed conflict. There are also concerns that child domestic labour is a problem

that is yet to be fully recognized.

The Government is increasingly concerned about Laos' children being lured for sexual exploitation and slave labour in other countries. Children are trafficked from Laos to Thailand for prostitution and sweatshop work. There are also indications that children under the age of 18 are recruited into the government armed forces. Some sources claim that the age for compulsory recruitment may be as low as 15. There are internal conflicts with armed opposition groups and, given the extent of child participation in neighbouring conflicts, there is a risk of child recruitment by militias.

The Government of Lao PDR ratified the two child labour Conventions in June 2005. It is in the process of drafting a National Plan of Action against Child Labour. Lao PDR's Family Law, Penal Code, Family Registration Law, Lao Nationality Law and Labour Law are in line with the CRC but public awareness of these laws and law enforcement is low. There is no law that addresses trafficking specifically. Penal Code Articles 92, 119, 122 and 123 specify punishments for offences related to trafficking but do not define trafficking as such, categorizing these acts as 'trading or abducting humans for ransom'. There are comprehensive labour laws and laws relating to sexual offences.

### Child labour in Mongolia

The problem of child labour in Mongolia has emerged in particular since the economic transition to a market economy in the early 1990s. In 2002/2003, the National Child Labour Survey estimated that the number of children aged 5–14 in child labour was 38,857, of whom 65 per cent were boys. This figure, which represents 5.7 per cent of all children in the 5–17 age group, probably underestimates the true figure since it does not take into account children living and working on the streets or otherwise not included in the survey. The Population and Housing Census of 2000 indicated that, of the approximately 17 per cent of children aged 15 who were working, most were boys working in agriculture. Many of the children in child labour are between the ages of 11 and 15 and drop out of school to earn money for the family or for

their own survival. Of the 68,580 children deemed to be 'economically active' in 2002–3, 65,203 were self-employed or did unpaid work, mostly for the family. Almost 75 per cent of all children in the National Child Labour Survey contributed to household activities, whether they were in school or not.

Many children are engaged in the worst forms of child labour:

- In rural areas, children are involved in live-stock breeding and herding, and are exposed to extreme temperature and risks related to animal raising, as well as suffering separation from their families for long periods.
- Coal mining is hazardous to the children – mostly boys aged 10 to 16 – who dig holes in the ground and collect coal to sell. They are underground, in cold and darkness and poorly equipped.
- Gold extraction from both rock and soil puts children at risk, including through exposure to mercury, the risk of collapse of caves, cold water in winter and heat in summer.
- In urban areas, child labourers are to be found in street-based activities, selling bread, sweets, soft drinks and fuel; polishing shoes or washing cars; collecting vegetables, paper and bottles; and scavenging. Boys often work as porters. Both boys and girls are at risk of commercial sexual exploitation.
- An increasing number of children are trapped in prostitution. Most are girls aged 14 to 16, from poor rural families.

In recent years the government of Mongolia has put in place a number of strategies and frameworks to combat child labour. Since 1999 ILO-IPEC has been supporting activities to combat child labour in the country, promoting broad public understanding of child labour, working with key institutions in law enforcement and policy implementation, and supporting the withdrawal of children from child labour and the protection of those at risk. Mongolia is the process of developing a national time bound programme.

## Child labour in Nepal

Child labour remains a major economic and social phenomenon in Nepal. ILO estimates in 1998/9 put at 1.98 million the number of children aged between 5 and 14 years in the country who are economically active.

The 1997 National Child Labour Survey indicated that boys (54 per cent) outnumbered girls (46 per cent). Many of the children did not go to school (14.54 per cent of the boys and 25.96 per cent of the girls).

Some 95 per cent of the children are engaged in the agriculture sector, mostly as unpaid family workers and partly as forced labour attached to their parents under debt bondage or similar exploitative labour. Children are additionally mainly involved in the services sector (27,000) and communications and transportation sector (26,000).

Studies conducted in preparation for the country's TBP indicate that there are 127,143 children working in the worst forms of child labour:

- As bonded labourers;
- Rag picking;
- Portering;
- Child domestic labour;
- Mining;
- Carpet making;
- Victims of trafficking

The children involved in these worst forms of child labour start working between the ages of 10 and 14. In addition, more than one-third of them are illiterate, and a majority have dropped out of school and have been brought to their present workplace by their parents or relatives.

It also appears that they all come from landless and relatively large families. More than 80 per cent of children trapped in the worst forms of child labour have migrated for work. With the exception of children bonded into agricultural labour and children working as long distance porters in the rural areas of Nepal, the vast majority of children work in urban areas.

## Child labour in Pakistan

The National Child Labour survey conducted in 1996 by the Pakistan Federal Bureau of Statistics found 3.3 million of the 40 million children (in the 5–14 years age group) to be economically active on a full-time basis. Of the 3.3 million working children, 73 per cent (2.4 million) were boys and 27 per cent (0.9 million) girls. Children's contribution to work in rural areas is about eight times greater than in urban areas. The number of economically active children in the 10–14 years age group is more than four times the children in the 5–9 years age group.

Rural children are mostly engaged in the agricultural sector (74 per cent). In urban areas, most children (31 per cent) are engaged in child labour in the manufacturing sector. In both areas, the percentage of girls in manufacturing and services is higher than that of boys; this indicates that girls are more likely to work in the manufacturing and services sectors as compared to boys. It is also observed that in non-agricultural sectors, most of the children (93 per cent) are engaged in informal activities.

A considerable proportion of the children in the 5–14 years age group (46 per cent) are in child labour, working more than the normal 35-hour working week, with 13 per cent working 56 hours or more a week. In urban areas, 73 per cent of the child labourers work longer than normal working hours, which is significantly higher than in rural areas (42 per cent).

ILO-IPEC has been providing technical support to Pakistan since 1994. Currently Pakistan is implementing a TBP, targeting several worst forms of child labour: child labour in mining and quarries, rag pickers, glass bangles, deep sea fishing, tanneries and leather.

## Child Labour in the Philippines

In 2001, the second Survey on Children conducted by the National Statistics Office in the Philippines revealed 4.2 million working children aged 5–17 years, representing 16 per cent of the total

population of children in the same age group. About six out of 10 working children were male. Of these, 2.18 million children were aged between 5 and 14; 1.84 million were in the 15 to 17 age group. Around 30 per cent (1.25 million) were not attending school. Some six out of 10 working children were exposed to hazardous environments. The survey also revealed that working children were found mostly in agriculture and in service industries.

Given the high incidence of child labour in the country, priority for action has been given to those engaged in the most hazardous and exploitative work. As a result, under the Philippine TBP, the focus has been on child labour in six priority sectors:

- deep-sea fishing
- mining and quarrying
- pyrotechnics production
- commercial sexual exploitation (prostitution)
- sugar cane plantations
- domestic work.

The 1990s saw increasing awareness and understanding of child labour in the Philippines with the growth of a broad-based social partnership composed of the government, employers, trade unions and civil society organizations. This multi-sectoral alliance has been instrumental in designing and implementing the National Programme Against Child Labour (NPACL), which defines the overall strategic framework to address the widespread problem of child labour in the country.

The Philippines TBP is anchored in the vision of the NPACL and relies on the collective efforts of the various stakeholders and social partners, at both national and local levels. In 2005, ILO-IPEC in the Philippines is implementing a project in support of the TBP in eight regions across the country.

Since June 1994, when the Philippine Government and the ILO formalized an MoU on the elimination of child labour, ILO-IPEC has been supporting the country in the formulation and im-

plementation of the National Programme Against Child Labour. ILO-IPEC also contributed to awareness and advocacy campaign leading to the country's ratification of ILO Convention Nos. 138 and 182 in 1998 and 2000, respectively.

### Child labour in Sri Lanka

According to the 1999 National Survey on Child Labour conducted, 926,037 children living in Sri Lanka are economically active. This number includes children who are involved in some form of economic activity while also attending school or some other educational institution. As many as 234,618 of them (nearly 26 per cent) are engaged in an economic activity and not attending school or any other educational institution. The survey indicates that 52 per cent (475,531) of all working children are between the ages of 5 and 14.

The majority of the children engaged in economic activity are boys (62.3 per cent). Ninety-five per cent of all child labourers live in rural areas.

Nearly 60 per cent of children in child labour are reported to be working as agricultural workers. Among child labourers in the urban sector, the most dominant occupations are classified under the category of 'shop sales persons and demonstrators'. The number of child domestic labourers is estimated to be 19,111; most of them are girls from rural areas.

Studies have shown that, despite improvements in primary school enrolment, school drop-outs at an early stage come from poor families. Lack of basic necessities such as food, clothing, school stationery, and bus fare; lack of support and guidance from parents; parents' attitude towards education; and the perceived irrelevance of the formal education system are all common reasons for children leaving school at an early age. Many of these children, particularly girls, are forced to stay home caring for their younger siblings at the expense of their schooling. Those who drop out of school find their way into the child labour market.

A number of research studies and interventions in recent years have shown that the scope as

well as purposes of trafficking have widened. In Sri Lanka, preliminary calculations suggest approximately 5,000 children have been trafficked internally and currently find themselves in some of the worst forms of child labour, including being conscripted to fight in conflict situations and involved in commercial sex tourism.

In the North-Eastern Province, it is estimated that 2,000 children have been involved in the armed conflict as child soldiers and face difficulties readapting to ordinary life. But other children, not directly involved in the conflict, have also been affected by the war in multiple ways. Many are traumatized and in stressful living conditions. They are faced with the physical destruction of homes, schools, and hospitals, and are constantly at risk in a heavily mined region. Because of hardship and a lack of options, child labour is on the rise, especially in households headed by women.

### Child labour in Thailand

The number of ethnic children in child labour has decreased in recent years. In 1988, 40 per cent of children aged 13–14 were reported to be working and not in school. By 1999 this had fallen to less than 10 per cent. In 2004, the Ministry of Labour conducted a nationwide survey and found that 32,634 employees were aged between 15–18 years, in accordance with the Labour Protection Act of 1998. A number of factors have contributed to this, including a low birth rate and the government-promoted education continuation programme, which extended compulsory education from six to nine years.

Significantly, there are indications that the short-fall of ethnic Thai children may have been taken up by an influx of children trafficked from neighbouring countries. Thailand is a sending, transit and destination country for trafficking in human beings. Laotian, Cambodian and Burmese children are reported to be found working in Bangkok and surrounds. Thailand is strengthening its efforts to combat trafficking in human beings by implementing Memorandum of Understandings between governments and civil society organizations in Thailand; and bilateral MOU with its neigh-

bouring countries. In addition, the Thai government has drafted an Act on the prevention and suppression of trafficking in human beings which is pending Cabinet approval; and allocated annual budget to combat trafficking.

In general, child labourers are found in:

- Factories;
- Fishing;
- Construction;
- Agriculture;
- Service sector;
- Commercial sexual exploitation;
- Begging.

### **Child labour in Viet Nam**

Since the mid-1990s, Viet Nam has made real progress in raising the living standards of its people, manifested in its dramatic economic growth and poverty reduction. Nevertheless, landlessness is increasing and underemployment persists. The education system is faced with issues of rising costs and declining quality.

The results of the Vietnam Living Standards Surveys (92/93, 97/98, 02/03) showed that Vietnamese children start work at a very early age. The highest rate of children participating in economic activities is for the age group 15–17 years old (44.7 per cent) and followed by the age group of 11–14 years old (16.4 per cent).

There has been a marked decline in the participation of Vietnamese children in economic activities from 29.3 per cent in 1998 to 18 per cent

in 2003. Nevertheless, recent reports indicate a rise in internal migration and in the numbers of displaced and unregistered families and children in urban centres.

Children are at high risk of falling victim to the worst forms of child labour, particularly commercial sexual exploitation, trafficking for labour and sexual exploitation, and drug use and selling. Children and young people are also found in informal work in arrangements that are unsupervised and unregulated. Migrants, ethnic minorities and young girls are particularly vulnerable.

Viet Nam ratified ILO Convention No.138 in June 2003 and Convention No.182 in December 2000. A National Programme of Action (2004–2010) dealing with street children, victims of sexual abuse and children in hazardous work was endorsed by the Prime Minister as a contribution to achieving the goals set out in the Viet Nam National Programme of Action for Children (2001 to 2010).

The Government of Viet Nam demonstrated its commitment to combating child labour with the signing of an MoU between the Government of Viet Nam's Ministry of Labour, Invalids and Social Affairs (MOLISA) and the US Department of Labour in November 2000, in which the two governments agreed to establish a programme of cooperation and technical assistance on the effective prevention and elimination of exploitative child labour and trafficking.

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