Training Manual

Workshop 2
The CLM Initiation Workshop
Handouts

Test version
Test Version

Workshop 2
The CLM Initiation Workshop

Handouts
Session: The Child Labour Situation: Sharing Information and Experiences

Handout: Understanding the Problem of Child Labour

Child work and child labour

In some societies, the integration of children into social and working life may be so gradual that it is not possible to separate the phases. Others demarcate childhood from adulthood either by fulfilment of certain social rites and obligations, or by ages. It is age that international instruments generally use to define a child; they accord the rights and protection of a child for those under age 18 (the UN Convention on the Rights of the Child, and the ILO Worst Forms of Child Labour Convention No. 182), and set the minimum age of 15 for employment (ILO Minimum Age Convention No. 138, 1973).

Not all work is harmful to children. From a young age, many children help around the home, run errands, or assist their parents in the family farm or business. As they get older they take on light jobs or learn valuable traditional trades. In this way, children acquire the skills and attitudes they will need as future workers and useful members of the community. Light work, carefully monitored, can be an essential part of children’s socialization and development process, where they learn to take responsibility, and gain pride in their own accomplishments. Work of this kind is not without risk, but it is not what is generally meant by child labour.

Child labour is classified as children’s work which is of such a nature or intensity that it is detrimental to their schooling or harmful to their health and development. The concern is with children who are denied their childhood and a future, who work at too young an age, who work long hours for low wages, who work under conditions harmful to their health and to their physical and mental development, who are separated from their families, or who are deprived of education. Such child labour can create irreversible damage to the child and is in violation of international law and usually, national legislation.

Sources: Handbook for Labour Inspectors

Why do Children Work?

Child labour is a symptom of the underlying problem of widespread poverty and inequality in society. It is also a cause of poverty, and in this context it becomes self-perpetuating. The reasons for child labour are varied and complex.

- **Poverty** - Child labour is basically a symptom of the underlying problem of widespread poverty and inequality in society. It is also a cause of poverty, and in this context it becomes self-perpetuating. Poverty is deep-rooted and natural calamities, man-made disasters (war and civil strife), illiteracy, powerlessness and the lack of viable options further exacerbate the deprivations confronting poor parents who feel compelled to put a child to work. Poverty is not, however, the only factor in child labour and cannot justify all types of employment and servitude.

- **Parental attitudes and knowledge** - Parents’ preference is for children to acquire skills over receiving an education, which in their opinion holds few promising prospects for gainful employment. Many poorly educated parents remain unclear about the long-term significance and value of education over the short-term economic gains of child work. Adult perceptions influence children’s school attendance and labour force participation. For example, the
family’s dependence on girls’ labour at home and in the field, denies her access to educational and other opportunities.

- **Barriers to education** - Educational opportunities for poor children may be costly, inaccessible, of low quality or seen as irrelevant. Families resort to employing children to keep them busy and allow them to learn skills and earn money. Children may decide to work because of expectations in pooling resources of family members, since a major percentage of the child’s income is generally remitted to the household head. Peer influence and being out-of-school also results in children joining their working friends on the streets or other locations.

- **Market demand** - Child labour is not accidental. Market demand for child labour determines children’s employment in various enterprises and industries. Children are employed because they are docile, obedient, hired at cheaper rates than adults and dispensed off easily if labour demands should fluctuate. They involve no long term investment on the part of industry in terms of insurances and social security or other benefits and low paid child labour may be seen as a significant element for industries wishing to maintain a competitive edge in the national and international markets. With financial profits as the goal, the practice to employ cheap labour—and children are paid low wages, is understandably in line. In those industries which can utilise unskilled labour the move may be towards the employment of child workers. It may not be a likely scenario with adult employees organised in trade unions. Children are unprotected, powerless and silent as far as their rights as workers are concerned. Vested interests prefer to maintain the status quo and child labour continues.

- **Perceived suitability of children to certain types of work** - Children are often preferred in industries that are labour intensive, function with rudimentary technology, and require laborious/repetitive work for long hours. Although largely disproved, the myth persists that in certain industries, such as carpet-making or flower-picking, children are needed because of the dexterity of their small fingers.

- **Poor enforcement of existing legislation** - Child labour persists because the laws that do exist are not strictly enforced and because social and political commitment is weak.

(Source: Labour Inspectors Sourcebook)

**Identifying where children work and what they do**

Classifying children by sector or trade says little about the relationship between the children and the persons (clients, employers or members of the family) who, in one form or another, employ them. Thus, in the immensely diverse agriculture sector, which includes everything from multinational agribusinesses to family units, the child workers may be permanent, seasonal, pieceworkers, slaves, or family workers.

In the informal sector, which includes a vast range of traditional, unstructured, family, artisanal, and generally unregistered businesses, children may be found as paid workers, “apprentices”, unpaid workers without contracts, domestic servants, home workers or subcontractors.

In the formal sector, which includes private, semi-public or state enterprises of varying sizes, children may be employed as permanent workers, seasonal or daily workers, apprentices with or without contracts, and children who are on the premises with a parent and may be asked to help.

Lastly, there are sectors on the margins of society which consist of illegal or quasi-illegal activities, where children may get a cut of the profits, be paid in kind, or have an informal “contract” with a supplier or manager.

These classifications can help to evaluate the constraints upon children arising out of their employment relationship and to establish priorities for action by taking account of the pressure suffered by children as a result of their legal or economic dependence. Classifying and understanding the precise employment status of the child is also important in unravelling the legal fictions commonly invoked to deny the existence of the employment of child labour.
Another way of classifying child labour is by their visibility. Whether the work is hidden behind walls or out in the open has important implications for how easily child labourers can be found. And whether they work alone or in groups will be a significant factor in how the situation can be addressed.

**Classification by types of sector**

<table>
<thead>
<tr>
<th>THE FORMAL SECTOR</th>
<th>SECTORS IN THE MARGINS OF SOCIETY</th>
</tr>
</thead>
<tbody>
<tr>
<td>A sector which also known as the modern or structured sector</td>
<td>Illegal or quasi-illegal activities</td>
</tr>
<tr>
<td>- private, semi-public or state enterprises;</td>
<td>child soldiers;</td>
</tr>
<tr>
<td>- classified and registered by economic sector</td>
<td>hired assassins, armed guards, militiamen and armed bands;</td>
</tr>
<tr>
<td>- enterprises of extremely variable size</td>
<td>the production, transport or trafficking of drugs;</td>
</tr>
<tr>
<td>- enterprises characterized by the predominance of permanent employees, who are generally covered by a contract or specific conditions of employment;</td>
<td>child prostitution;</td>
</tr>
<tr>
<td>- however, there are also varying numbers of:</td>
<td>the pornography industry (magazine and films);</td>
</tr>
<tr>
<td>*non-permanent workers (seasonal or daily workers)</td>
<td>child tramps, street children without an activity;</td>
</tr>
<tr>
<td>*“apprentices”, children, young persons or adults who are generally not covered by a contract;</td>
<td>child beggars;</td>
</tr>
<tr>
<td>*adults and children in servitude;</td>
<td>children sold or used for begging; and</td>
</tr>
<tr>
<td>*children who are being “looked after” by their parents, whom they may be called upon to help.</td>
<td>children sold or used as blood or organ donors</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>THE INFORMAL SECTOR</th>
<th>THE AGRICULTURAL SECTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>The sector also known as the traditional unstructured, family or artisanal sector</td>
<td>A complex, heterogeneous sector composed of;</td>
</tr>
<tr>
<td>enterprise or activities in the private sector which are often not declared; enterprises in all branches of activity, including mines, industry, construction, commerce, transport and services; a complex, heterogeneous sector with ill-defined borderlines which covers several types of activities, enterprises and workers:</td>
<td>individual or family farms, cooperatives, private, semi-public or state enterprises;</td>
</tr>
<tr>
<td>1) small and medium-sized non-agricultural enterprises in urban and rural areas, which provide work for employees and a majority of family workers, “apprentices” without contracts, and children both free and in servitude;</td>
<td>multiple activities: agriculture, harvesting, stock-raising, hunting, forestry, forest crops, fishing; enterprises of varying sizes: individual or family farms; small and medium sized farms: large plantations, agro-industrial complexes;</td>
</tr>
<tr>
<td>2) family and craft enterprises, small workshops, building sites, businesses and services employing essentially associates, family workers, “apprentices” and children;</td>
<td>land occupancy of varying types, including: owner occupiers; tenant farmers, share-croppers; workers without land;</td>
</tr>
<tr>
<td>3) self-employed workers, whether they are fixed, semi-ambulant or ambulant (such as street children;</td>
<td>workers employed under various employment relationships:</td>
</tr>
<tr>
<td>4) domestic servants, household employees outside their own families;</td>
<td>◆ permanent employees;</td>
</tr>
<tr>
<td>5) homeworkers, family workers employed on housework in their own family.</td>
<td>◆ non-permanent workers (such as seasonal or daily workers);</td>
</tr>
<tr>
<td></td>
<td>◆ workers paid by the task, often assisted be their family including children</td>
</tr>
<tr>
<td></td>
<td>◆ adults and children in servitude;</td>
</tr>
<tr>
<td></td>
<td>◆ farmers and share-croppers;</td>
</tr>
<tr>
<td></td>
<td>◆ members of agricultural cooperatives;</td>
</tr>
<tr>
<td></td>
<td>◆ individual farmers, self-employed workers, with or without additional labour;</td>
</tr>
<tr>
<td></td>
<td>◆ family workers, including: children, spouses and parents of the farmers.</td>
</tr>
</tbody>
</table>

Source: Labour Inspectors Sourcebook
Classification by sector and trade

Branch 1. Agriculture, hunting, forestry and fishing

- in all developing countries and in most industrialized countries
- in the cultivation of food crops and in large commercial plantations
- for all agricultural work, whether manual or mechanical: including clearing and working the land and planting; looking after crops, weeding and watering; preparing and spreading fertilizers and pesticides; replanting rice; irrigations; gathering, harvesting, sorting, threshing, preparing and the preliminary processing of products, etc.
- guarding the fields (against robbers, birds and monkeys)
- all work in the following plantations:
  - sugar cane
  - tobacco
  - cotton, hemp, jute, flax
  - hevea
  - tea, coffee, cocoa
  - rice
  - bananas
  - pineapples
  - coconuts, palm oil, ground-nuts
  - plants for perfume (jasmine, ylang, cloves, basil, vanilla)
- market gardening, horticulture and forestry: tending, watering and gathering fruit and vegetables;
  - green beans, tomatoes, melons, peas, carrots, lettuce
  - strawberries, cherries, apples, pears
  - grapes onion, garlic
  - flowers
- cultivating crops:
  - rice, maize, millet, sorghum, wheat
  - root crops: manioc, yams, sweet potatoes
  - green vegetables: peas, beans
- rearing cattle and other animals, aviculture, all the tasks undertaken by shepherds, including looking after and guarding herds, gathering fodder, milking
- driving and caring for oxen and draught animals
- industrial, artisanal and traditional sea fishing, inshore fishing, and in lakes and rivers
- cutting firewood and timber
- digging and maintaining irrigation channels

Branch 2. Mining and quarries

- mines: coal, tin, gypsum, all minerals
- gold, diamonds
- quarries (stone, slate)
- extraction of sand, gravel
- extraction of salt (salt pans, salt marshes)

Branch 3. Manufacturing
Manufacture of food products, beverages and tobacco products
- slaughterhouses, abattoirs, meat conservation
• dairy products
• processing and preserving fruits and vegetables
• processing, drying, preserving and freezing fish
• manufacture of vegetable oil
• flour, rice milling
• manufacture of bread, cakes, biscuit
• manufacture of sugar
• cocoa, chocolate and sugar confectionery
• processing of vanilla
• manufacture of beverages
• manufacture of tobacco products, cigarettes and matches

3.2. Manufacture of textiles, wearing apparel and leather
• spinning, weaving, dyeing and finishing of textile products silk industry
• manufacture of hats
• tailoring, manufacturing of wearing apparel
• manufacture of carpets
• tanning and dressing of leather
• manufacture of leather apparel
• manufacture of footwear

3.3. Manufacture of wood and products of wood
• sawmills
• joinery
• manufacture of furniture and accessories
• manufacture of wooden toys
• manufacture of sculptured wooden objects

3.4. Manufacture of paper and paper products
• manufacture of packaging and boxes in paper and paperboard
• manufacture of envelopes and notebooks
• manufacture of household articles (glasses, plates) in paperboard
• printing

3.5. Manufacture of chemicals and chemical products
• manufacture of plastic products
• recuperation and processing of plastic waste
• explosives and ammunition
• fireworks
• matches
• distilling plants for perfume
• manufacture of candles
• manufacture of incense-based products

3.6. Manufacture of non-metallic mineral products
• manufacture of stoneware, porcelain and earthenware products
• manufacture of pottery
• glass industry
• brickworks
• manufacture of cement
• manufacture of slate

3.7-3.8 Manufacture of fabricated metal products
• forging
• casting
• ironmongery
• welding and cutting metals
• manufacture of all metal articles
• manufacture of art metalwork
• manufacture of office machines, electronics
• repair of various machinery
• garages, repair of automobiles, bicycles, carts
• manufacture and repair of metal furniture
• manufacture and repair of watches and clocks

3.9 Other manufacturing industries
• manufacture of jewellery and precious metals
• cutting and polishing precious stones
• manufacture of musical instruments
• manufacture of costumer jewellery
• manufacture of toys
• manufacture of wigs

Branch 4 Electricity, gas and water supply
• digging and maintenance

Branch 5 Constructions
• constructions sites (buildings, dams, roads) throughout the developing world

Branch 6 Wholesale and retail trade; hotels and restaurants
• keeping and helping in shops, supermarkets
• traders in markets
• traders in small stalls
• ambulant traders, door-to-door salesmen
• traders in fruit, vegetables, confectionery, beverages, bread, ready meals, ice cream
• traders in cigarettes, lottery tickets, gadgets, flowers
• traders of newspapers
• all work in restaurants, bars, hotels: cooks, waiters, washing-up, cleaning, maintenance.

Branch 7 Transport, storage and communications helping in collective transport delivery
• pushing trolleys, barrows
• pulling rickshaws
• porters

Branch 8 Banks, insurance and business services
• messengers
• cleaning, looking after premises
Branch 9. Services provided to the community, social services and personal services

- shows, circuses
- sporting competitions (jockeys)
- shoe-shiners
- launderers
- car-washers, windscreen-washers
- guards for cars
- distributors of publicity
- domestic servants, household employees
- child care
- gardeners, mowing loans
- guards for blocks, houses
- refuse collectors
- haircutting and beauty salons

Branch 10. Ill-defined activities

- child prostitution
- pornographic industry (books, photos, films)
- drug manufacture, trading, trafficking
- child soldiers
- assassins, armed guards, militiamen

Source: labour inspectors Sourcebook
## Classification by visibility

<table>
<thead>
<tr>
<th>Child Labour Situations</th>
<th>Visible</th>
<th>Invisible</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Concentrated</strong></td>
<td><em>Child labour which is concentrated and visible includes children who work in one place, are easily observed, and can be approached from outside.</em></td>
<td><em>Children in these situations work together or near each other, but cannot be seen or are inaccessible to outsiders.</em></td>
</tr>
<tr>
<td>• Seamstresses, tailors, soccer ball stitchers, metal workers, woodworkers (and their helpers in open shops).</td>
<td>• Brick kiln workers, quarry workers.</td>
<td></td>
</tr>
<tr>
<td>• Bakers, confectioners, cooks (and their helpers) preparing food for passers-by.</td>
<td>• Carpenters, helpers and carriers at construction sites.</td>
<td></td>
</tr>
<tr>
<td>• Workers in small repair shops, e.g. automobile repair.</td>
<td>• Factory workers or helpers producing pottery, glass, metal products, plastic goods, jewellery etc.</td>
<td></td>
</tr>
<tr>
<td>• Service workers in congested areas, e.g. shoe shiners, car washers, car watchers.</td>
<td>• Factory workers processing food products.</td>
<td></td>
</tr>
<tr>
<td>• Supermarket helpers, vendors, porters, cleaners, cashiers in markets.</td>
<td>• Traditional carpet and textile weavers whether in groups of households or small workshops.</td>
<td></td>
</tr>
<tr>
<td>• Stone and brick breakers on road and building construction sites.</td>
<td>• Cigarette makers.</td>
<td></td>
</tr>
<tr>
<td>• Plantation workers (sugar cane, coffee, vegetables), either alone or with their families.</td>
<td>• Workers in match, explosive and firework factories.</td>
<td></td>
</tr>
<tr>
<td>• In family production or harvesting for either domestic or export use.</td>
<td>• Miners of coal and minerals.</td>
<td></td>
</tr>
<tr>
<td>• Agricultural processing, fish processing.</td>
<td>• Work on factory ships or on fishing fleets or fishing platforms.</td>
<td></td>
</tr>
<tr>
<td><strong>Dispersed</strong></td>
<td><em>These children work alone and are, or may appear to be, self-employed.</em></td>
<td><em>These are the children most unknown and hardest to reach; they work in remote areas, isolated and powerless.</em></td>
</tr>
<tr>
<td>• Delivery boys, messengers, and errand-runners.</td>
<td>• Domestic servants.</td>
<td></td>
</tr>
<tr>
<td>• Providing services or goods on the street, e.g. shoe-shiners, flower-sellers.</td>
<td>• Children working in family-based industries, such as craftwork.</td>
<td></td>
</tr>
<tr>
<td>• Hotel, restaurant, café workers who serve customers, wash dishes, clean the premises.</td>
<td>• Children who assist with subsistence hunting, gathering, fishing and agriculture.</td>
<td></td>
</tr>
<tr>
<td>• Entertainers and dancers who may move around with a troupe, camel jockeys, circus performers.</td>
<td>• Children involved in stealing, picking pockets, smuggling, the drug industry or pornography.</td>
<td></td>
</tr>
<tr>
<td>• Professional beggars.</td>
<td>• Sexually exploited children.</td>
<td></td>
</tr>
<tr>
<td>• Helpers on long distance transport (buses, cargo steamers, passenger boats).</td>
<td>• Children held under conditions of slavery or bondage.</td>
<td></td>
</tr>
<tr>
<td>• Children who guard fields against birds, monkeys, thieves.</td>
<td>• Children recruited into armed groups or providing services in conditions of armed conflict.</td>
<td></td>
</tr>
<tr>
<td>• Herders and those engaged in livestock care, milking, and fodder-gathering.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Source: Handbook for labour inspectors*
How does child labour harm children?

Because children differ from adults in their physiological and psychological make-up, they are more susceptible to and more adversely affected by specific work hazards than adults. Because they are not yet matured mentally, they are less aware of the potential risks involved in the workplace.

The effects of hazardous working conditions on children’s health and development can be devastating. The impact of physically strenuous work, such as carrying heavy loads or being force to adopt unnatural positions at work can permanently distort or disable growing bodies. There is evidence that children suffer more readily from chemical hazards and radiation than do adults, and that they have much less resistance to disease.

Children are also much more vulnerable than adults to physical, sexual and emotional abuse and suffer more devastating psychological damage from living and working in an environment in which they are denigrated or oppressed. This is particularly true in the case of the very young and girls. Girls are more likely to:

- begin working at an earlier age than boys;
- be paid less than boys for the same work;
- be concentrated in sectors and areas that are characterized by low pay and long hours;
- be working in industries which are hidden and unregulated, making them more vulnerable to exploitation and abuse;
- be concentrated in industries which pose excessive dangers to their health, safety and welfare;
- be either excluded from education or suffer the triple burden of housework, school work and economic work.

Occupational health and safety experts consider agriculture – the sector which has the highest percentage of child labour – to be among the most dangerous of occupations. Climatic exposure, work that is too heavy for young bodies, and accidents, such as cuts from sharpened tools, are some of the hazards children face. Modern agricultural methods bring further hazards in their wake, for example, the use of toxic chemicals and motorized equipment. Many children are killed by tractors overturning, or by trucks and heavy wagons brought into the fields for transport.

In many countries, the hazards and risks to health are compounded by poor access to health facilities and education, poor housing and sanitation and the inadequate diet of rural workers. Protective legislation is limited in agriculture. In many countries, the places where children work are excluded from legislation as family undertakings. Even when there is legal protection, enforcement of child labour legislation is difficult given the geographically dispersed nature of the agricultural industry.

Why stop child labour?

- Child labour is work carried out to the detriment and endangerment of the child in violation of international law and national legislation.
- It includes work and activities that are mentally, physically, socially or morally dangerous and harmful to children.
- It is work that either deprives them of schooling or requires them to assume the multiple burden of schooling and work.
- It condemns children and their families to a downward spiral of poverty and deprivation.
- Being tender physically and immature in mind and spirit, children are inevitably at greater risk in the workplace than their adult counterparts.
- National surveys have found that a very high proportion of children are either physically injured or fall ill while working. Some of these children may never work again.
- In sectors where machinery and equipment is involved, such as agriculture, the potential for injury is much higher. Agriculture, mining and construction are very high-risk industries for child labourers.
## Examples of Hazardous Occupations

<table>
<thead>
<tr>
<th>Occupation/ Industry</th>
<th>Main tasks</th>
<th>Hazards</th>
<th>Possible consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>MINING</td>
<td>Underground digging; carrying heavy loads</td>
<td>Exposure to harmful dusts, gas, fumes, extreme humidity and temperature levels; awkward working positions (bending, kneeling, lying); cave-ins</td>
<td>Respiratory diseases that can develop into silicosis, pulmonary fibrosis, asbestosis, emphysema, musculo-skeletal disorders; fractures and death from falls/cave-ins</td>
</tr>
<tr>
<td>BRICK-MAKING</td>
<td>Processing of clay (extraction, crushing, grinding, screening and mixing)</td>
<td>Exposure to silicate lead and carbon monoxide; excessive carrying of weights; burns from ovens; accident-provoking equipment</td>
<td>Musculo-skeletal deformation; injury</td>
</tr>
<tr>
<td>AGRICULTURE</td>
<td>Working with machinery, agrochemicals, animals; picking crops and loading</td>
<td>Unsafe machinery; hazardous substances (insecticides, herbicides); heavy lifting; extreme temperatures</td>
<td>Chemical poisoning (chronic and acute); cuts and other bodily injuries; diseases</td>
</tr>
<tr>
<td>CARPET WEAVING</td>
<td>Weaving hand-knotted carpets on a loom</td>
<td>Inhalation of wool dust contaminated with fungal spores; poor (squatting) work posture; poor lighting; poor ventilation; hazardous chemicals</td>
<td>Respiratory diseases; musculo-skeletal diseases; eye strain and defective vision at premature age; chemical poisoning; aggravation of non-occupational diseases</td>
</tr>
<tr>
<td>CONSTRUCTION WORK</td>
<td>Digging earth; carrying loads; breaking stones or rocks; shovelling sand and cement; metal work</td>
<td>Being struck by falling object; stepping on sharp objects; falling from heights; exposure to dust, heat and noise; heavy lifting</td>
<td>Health impairments from noise, vibration and exposure to harmful substances; incapacitation through accidents and injury such as falls</td>
</tr>
<tr>
<td>TANNERY</td>
<td>Tanning and preserving hides and skins</td>
<td>Exposure to corrosive chemicals and bacterial contamination of the hides</td>
<td>Anthracosis, dermatitis and fungal infection</td>
</tr>
<tr>
<td>DEEP-SEA FISHING</td>
<td>Diving to depths of up to 60 metres to attach nets to coral reefs</td>
<td>Exposure to high atmospheric pressure; attacks by</td>
<td>Decompression illness (rupture of ear drums); death or injury; gastro-</td>
</tr>
<tr>
<td>Occupation/ Industry</td>
<td>Main tasks</td>
<td>Hazards</td>
<td>Possible consequences</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------</td>
<td>---------</td>
<td>----------------------</td>
</tr>
<tr>
<td>GLASS FACTORY</td>
<td>Drawing molten glass, carrying molten loams</td>
<td>Radiant heat and thermal stress; noxious fumes; silica dust; stepping on or handling hot broken glass</td>
<td>Accident trauma; eye injuries; heat stress; respiratory diseases; serious burns and cuts</td>
</tr>
<tr>
<td>MATCHES AND FIREWORKS</td>
<td>Mixing hot (steaming) chemicals, making matchsticks and stuffing cracker powder into fireworks</td>
<td>Exposure to hazardous chemicals; fire and explosions</td>
<td>Synergistic effects of chemical intoxications; respiratory diseases; burns; injuries and death from explosions</td>
</tr>
<tr>
<td>SCAVENGING</td>
<td>Demeaning, unsanitary work; reclaiming usable material from garbage including dangerous waste from hospitals and chemical plants, often with bare hands</td>
<td>Cuts from glass/metal; exposure to hazardous substances; inhaling stench from putrefied matter; infestation by flies; temptation to eat leftover food</td>
<td>Cuts resulting in death from tetanus; chemical poisoning and risk of contracting or carrying infectious diseases; food poisoning; burns (from build-up of methane gas and exploisions)</td>
</tr>
<tr>
<td>SLATE MAKING</td>
<td>Carrying heavy loads; making pencils and slates</td>
<td>Effects of carrying heavy loads; exposure to siliceous dust</td>
<td>Musculo-skeletal diseases; lung diseases and premature incapacitation</td>
</tr>
</tbody>
</table>

(Source: SCREAM Manual)
International Standards

One of the oldest and most important functions of the United Nations is the adoption of Conventions which set international standards for a wide range of action. The International Labour Organization establishes international standards concerning work. Conventions function much like treaties, which when ratified by member States, create binding obligations on the States to put their provision into effect. ‘Recommendations’, which accompany many Conventions on the same subject, give detailed guidance to States on the means of implementing the requirements laid down in the Convention on such matters as policy, legislation and practice.

United Nations Convention on the Rights of the Child

During the last two decades, there has been an unprecedented surge in the international community’s concern for the welfare of children, and of child labour in particular. One of the most important developments was the adoption of the United Nations Convention on the Rights of the Child (by the United Nations General Assembly in November 1989). This is the most complete and comprehensive treaty on the rights of children ever put forward. It has now been ratified by almost every country in the world. Among the wide range of children’s rights proclaimed by this Convention is the right to be protected from economic exploitation and any work that is likely to be hazardous; to interfere with the child’s education; or to be harmful to the child’s health or physical, mental, spiritual, moral, or social development.

The Convention on the Rights of the Child (CRC) consists of 54 articles relating to five clusters of rights: survival, development, protection, participation and mobilization. Applying a ‘rights approach’ involves understanding and formulating interventions that reflect all five clusters: no one cluster set takes precedence over the next. This concept of holism and holistic programming reflects the changing and enhanced mandate under the CRC.
In 1973, the Member States of the International Labour Organisation (ILO) adopted a comprehensive Convention on child labour – The Minimum Age Convention, 1973 (No. 138). This landmark Convention applies to all economic sectors and to all working children, whether they are employed for wages or working on their own account. It represents the most comprehensive and authoritative international definition of minimum age for admission to employment. It is a flexible instrument allowing for progressive improvement, and most importantly, for developing countries (i.e. whose educational and economic systems are not yet fully developed) to set lower ages for employment to start with. Exceptions are allowed for certain sectors (e.g. non-commercial agriculture in developing countries), for limited categories of work, for education and training, and for artistic performances.

Fixing the minimum age for admission to employment is a basic obligation of ratifying member States, and the Convention establishes three categories for this:

1. The minimum age should not be less than the age of completing compulsory schooling, and in no event less than 15 years of age. Countries whose economy and educational facilities are insufficiently developed may initially fix the age of admission to employment at 14.

2. A higher minimum age of 18 is set for hazardous work “which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons.” It is left to the individual countries to determine which these are, after consultation with employers’ and workers’ organizations. Recommendation No. 146 gives guidance on criteria that should be applied in determining which is hazardous work.

3. A lower minimum age for light work, i.e. work which is not likely to be harmful for children’s health or development or to prejudice their attendance at school may be set at 13. For a country that initially sets a minimum age of 14, the minimum age for light work may be set at 12.

**Minimum Ages according to Convention No. 138**

<table>
<thead>
<tr>
<th>General minimum age</th>
<th>Light work*</th>
<th>Hazardous work**</th>
</tr>
</thead>
<tbody>
<tr>
<td>For most countries:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 years or more</td>
<td>13 years</td>
<td>18 years</td>
</tr>
<tr>
<td>(in any case not less than age of completion of compulsory schooling)</td>
<td></td>
<td>(16 years under certain strict conditions)</td>
</tr>
<tr>
<td>For those countries whose economy and educational facilities are insufficiently developed:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 years</td>
<td>12 years</td>
<td>18 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(16 years under certain strict conditions)</td>
</tr>
</tbody>
</table>
The ILO Worst Forms of Child Labour Convention, 1999 (No. 182)

The Worst Forms of Child Labour Convention, 1999 (No. 182) calls for immediate prohibition of the worst forms of child labour, defined by Article 3 of the Convention as:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.

- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.

- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant treaties.

- 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 (hazardous work).

The Convention provides that hazardous work should be defined by the competent national authority, after consultations with organizations of employers and workers. Guidance on some hazardous child labour activities which should be prohibited is given in the accompanying Recommendation No. 190 and includes:

- Work which exposes children to physical, psychological or sexual abuse.
- Work underground, under water, at dangerous heights or in confined spaces.
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads.
- Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to health.
- Work under particularly difficult conditions such as work for long hours or during the night where the child is unreasonable confined to the premises of the employer.

The Convention also calls upon countries that ratify this Convention to:

- Design and implement programmes of action to eliminate the worst forms of child labour as a priority.
- Establish mechanisms to monitor implementation.
- Impose penalties and other measures to ensure compliance.
- Consider the importance of education in eliminating child labour.
- Prevent children from being engaged in the worst forms of child labour.
- Remove children from the worst forms of child labour and rehabilitate and reintegrate them into society and provide access to vocational training.
- Acknowledge the special status of the girl child.
National Labour Laws

Present a summary of the national child labour laws in your country and the gaps in these laws as they relate to International Conventions, below is the example of the laws in Kenya regarding the employment of children.

Kenyan Laws Regarding the Employment of Children

Kenyan Employment Act (CAP 226) 1976 and the Employment of Children Legal Notice No. 155/77

The issue of employment of children is lumped together with that of women in Part IV of the Employment Act, which is entitled ‘Employment of Women and Juveniles.’ This Act does not clearly define who a child is. It defines a child as an individual, male or female, who has not attained the age of 16 years; a juvenile as a child or a young person; and a young person as an individual who has attained the age of 16 years but not the age of 18 years.

In the Children Act 2001, a child is any person under 18 years. This Act repealed the three main Acts relating to children, that is the Children and Young Persons Act, Guardianship of Infants Act and the Adoption Act. Since the Employment Act is still in force, it allows children between the ages of 16 -18 to engage in work. Nevertheless, in a bid to protect children, the Children Act has taken care of the lacuna by providing that ‘the Minister of Labour shall make regulations in respect to periods of work and legitimate establishments for such work by children above the age of 16 years.’

The Act defines employment to mean the engagement in any labour for the purpose of gain whether the gain is directly to the person concerned or to another. The Employment Act is currently under review and may change drastically. However, currently it provides for the following:

- It allows the employment of members of the same family in an industrial undertaking (mining, quarrying, transport industry, construction, working in a factory, among others) unless there is a danger to life, health or morals of the employees.
- It does not apply to any technical school or institution which is approved by a public authority.
- No child can be employed in an industrial undertaking whether gainfully or not unless they are working under a contract as apprentices or indentured learners as prescribed by the Industrial Training Act. Such a child and no other may work on a machine. Employment of a child in an industrial undertaking is an offence that attracts a fine of Kshs 1000.
- The Act prohibits the working of children in any open cast mining or sub-surface mining, which are entered by means of a shaft or audit.
- Employing a child or causing a child to be employed otherwise than under a verbal contract is an offence.
- Unless there is a serious emergency and the Minister for Labour gazettes that there is a demand for women and children to work, no child shall be employed between the hours of 6.30 p.m. and 6.30 a.m. in an i
The Employment (Children) Rules provides that:

- No child can be employed without the prior written permission of an authorised officer. Contravention of this provision is an offence.
- No permission shall be granted for their employment where:
  1. it would cause the child to reside away from the parents/guardians unless their approval has first been obtained in writing.
  2. In any bar, hotel, restaurant or club where intoxicating liquor is sold or as a tourist guide unless the Labour Commissioner’s consent in writing has first been sought.
  3. Every person authorised to employ more than 10 children on a permanent basis shall designate a person to be approved in writing by the Labour Commissioner to be responsible for the welfare of the children.

Weaknesses of Kenya’s Employment Act

The following are the main weaknesses of the Kenya’s Employment Act:

- By the age of 16 years many children in Kenya today have not completed schooling.
- It does not address employment of children in the agricultural sector and in the privacy of domestic homes where it is more rampant than in industries.
- It is easy to abuse children under the pretext of apprenticeship.
- There is no lower age limit for apprentices and indentured learners.
- Penalties are extremely lenient.
- Lack of clarity about what the registers to be kept by employers’ ought to include.
- Medical officer estimating the age of a child on the basis of appearance leaves a lot of room for error.
- It does not indicate any benefits apart from the salary.
- The fact that children can be employed in bars, hotels, restaurants, or clubs where intoxicating liquor is sold or as tour guides for as long as the Labour Commissioner has given his consent is a gross infringement of the rights of children who deserve protection from environments that are not conducive to their overall development.

It is hoped that these gaping holes will be adequately addressed in the current review of all the labour laws in the country. Top on the list will be the scrapping of the term ‘juvenile’ so as to conform to the Children Act, which has adopted the more friendly term, ‘children.’

A positive move is the recent announcement by the Minister for Labour and Human Resources that the minimum wage for persons under eighteen years has been raised so as to be par with that of adults, thus, making it just as expensive to hire a child.

The Regulation of Wages and Conditions of Employment Act

The Regulation of Wages (General) Order makes mention of children in this way:

- No child shall be required to work more than 6 hours a day.
- The weekly rests of a child shall not be deferred.
- The employment of a child at sea is governed by the Employment of Children at Sea (Medical Examination Rules) No 158 of 1977. It prohibits the employment of a child in or on any ship apart from one in which only member of the family are employed without the production of a medical certificate of fitness for such work, signed by a registered medical practitioner.
The Employment (Children) Rules provides that:

- No child can be employed without the prior written permission of an authorised officer. Contravention of this provision is an offence.
- No permission shall be granted for their employment where:
  iv) it would cause the child to reside away from the parents/guardians unless their approval has first been obtained in writing.
  v) In any bar, hotel, restaurant or club where intoxicating liquor is sold or as a tourist guide unless the Labour Commissioner’s consent in writing has first been sought.
  vi) Every person authorised to employ more than 10 children on a permanent basis shall designate a person to be approved in writing by the Labour Commissioner to be responsible for the welfare of the children.

Weaknesses of Kenya’s Employment Act

The following are the main weaknesses of the Kenya’s Employment Act:

- By the age of 16 years many children in Kenya today have not completed schooling.
- It does not address employment of children in the agricultural sector and in the privacy of domestic homes where it is more rampant than in industries.
- It is easy to abuse children under the pretext of apprenticeship.
- There is no lower age limit for apprentices and indentured learners.
- Penalties are extremely lenient.
- Lack of clarity about what the registers to be kept by employers’ ought to include.
- Medical officer estimating the age of a child on the basis of appearance leaves a lot of room for error.
- It does not indicate any benefits apart from the salary.
- The fact that children can be employed in bars, hotels, restaurants, or clubs where intoxicating liquor is sold or as tour guides for as long as the Labour Commissioner has given his consent is a gross infringement of the rights of children who deserve protection from environments that are not conducive to their overall development.

It is hoped that these gaping holes will be adequately addressed in the current review of all the labour laws in the country. Top on the list will be the scrapping of the term ‘juvenile’ so as to conform to the Children Act, which has adopted the more friendly term, ‘children.’

A positive move is the recent announcement by the Minister for Labour and Human Resources that the minimum wage for persons under eighteen years has been raised so as to be par with that of adults, thus, making it just as expensive to hire a child.

The Regulation of Wages and Conditions of Employment Act

The Regulation of Wages (General) Order makes mention of children in this way:

- No child shall be required to work more than 6 hours a day.
- The weekly rests of a child shall not be deferred.
- The employment of a child at sea is governed by the Employment of Children at Sea (Medical Examination Rules) No 158 of 1977. It prohibits the employment of a child in or on any ship apart from one in which only member of the family are employed without the production of a medical certificate of fitness for such work, signed by a registered medical practitioner.
The Children Act, 2001

The Children Act is the most comprehensive Act relating to issues of children to date. It addresses matters that usually affect children as a unique group in society, for instance, custody, maintenance, adoption, fostering and treatment of child offenders. The problem of child labour has not been delved into because children are not the only ones who carry out work. The only way to handle child labour is through the revision of the portions of the Employment Act that talk about children.

The Act in general terms affords children protection from economic exploitation and any work that is likely to be hazardous or to interfere with their education or to be harmful to the health or physical, mental, spiritual, moral or social development.

It defines child labour as any situation where the child provides labour in exchange for payment and includes:

a) Any situation where a child provides labour as an assistant to another and his labour is deemed to be the labour of that other person for purposes of payment, or,
b) Where a child’s labour is used for gain by any individual or institution whether or not the child benefits directly or indirectly, or,
c) Where a contract for services a child provides the services whether or not using the services does so directly or through an agent.

The Act goes a step further to describe a child, who is engaged in work likely to harm his health, education, mental or moral development as one in need of care and protection and the remedies available are:

a) Rescue to a place of safety.
b) Committal to the care of a fit person.
c) Punishment for the offender.
d) Arrangement for return to school or to vocational training institutions.
1. **What is child labour monitoring?**

One of the most potent means of addressing child labour is to regularly check the places where children may be working. Child labour (CLM) is an active process that ensures that such observation is put in place and is coordinated in an appropriate manner. Its overall objective is to ensure that, as a consequence of monitoring, children and young legally employed workers are safe from exploitation and hazards at work.

- CLM is a way of mainstreaming child labour work into all levels of government.
- It is an active process to regularly check workplaces in order to ensure that children are not working there and that young workers are adequately protected. This is particularly effective at the local level where child labour occurs as it combines continuing identification of child labourer with their referral to available services.
- The information gathered from CLM is immediately used to provide assistance to children, but it also allows systematizing and analyzing information about the dynamics of child labour local and national levels.
- The main activity used by CLM is direct observation by monitoring teams. At the local level, CLM generally links information between work sites and schools/services to enable checking that children are provided with alternatives to work and as consequence of monitoring are better off and have not instead fallen into something worse.

Child labour Monitoring is an active process for stopping child labour. It involves direct observations, repeated regularly, to *identify* child labourers and to determine risks to which they are exposed, to *refer* them to services, to *verify* that they have been removed and to *track* them to ensure that they have satisfactory alternatives.

2. **The origins of child labour monitoring**

The concept of child labour monitoring grew out of a series of IPEC-assisted projects which have been underway for several years in the garment manufacturing sector (Bangladesh), carpet, soccerball, and surgical instrument sectors (Pakistan), the fishing and footwear industries in Indonesia and the
Philippines, and the coffee and agricultural sectors (Central America). Alarmed that child workers—once removed from these industries—were not only returning to work but sometimes going to work in other sectors less visible and more dangerous, projects saw the need for a more comprehensive system of identification, inspection, tracking, and verification. They saw the need to monitor more than just the workplaces; the “social protection” activities (school, other alternatives for children removed from work) needed to be included as well. And they saw the need to monitor more than just the target sector; inclining them toward an area-based approach. The projects developed monitoring processes, therefore, that enlisted new partners to identify child workers, ascertain the degree of risk, verify that they have been fully removed from work and involved in education or other suitable alternative. They shifted the focus, in other words, from the industry to the child.

3. How does it work?

CLM is always conducted at the local level: this is where the work and the service providers are located. The information that is generated can also be used at the national and regional levels to determine child labour trends for the purposes of policy improvement, enforcement of labour laws and social planning.

At the local level, CLM involves the active observation of workplaces to identify children at work along with the hazards they are exposed to, and to find meaningful alternatives such as school, informal education or skills development programmes that children can be referred to. This process also involves prevention: employers and parents are provided with advice about the ill effects of child labour and educated about child labour laws and work related hazards.

An important part of the CLM process is to ensure that once child workers have been identified follow-up action is taken and that the information generated through CLM is actively disseminated and used. This includes tracking children in order to know their whereabouts and verification of the information that has been generated through the CLM process (quality control).

At the national level, information generated through CLM can give an indication of the effectiveness of national measures that have been taken to eradicate child labour by providing numbers that can be compared over time. This is especially valuable for reporting on international commitments such as on the implementation of ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and the Minimum Age Convention, 1973 (No. 138). Article 5 of Convention No. 182, in fact, calls for the establishment of appropriate mechanisms for monitoring the provisions of the Convention This information on working children – who they are, where they come from, what hazards they are exposed to – helps policy-makers at all levels know where the problem lies so they can take action accordingly.

CLM should always be linked to and work through the labour inspection system as the main institution mandated to address child labour in the workplace. Through multi-sector teams that are linked to labour inspection and to local governments, CLM can extend the scope of action against child labour to traditionally hard to reach areas and sectors of child labour such as the informal economy and agriculture. Such multi-sector monitoring teams may involve social workers, teachers, community members, village committees and so on.

CLM requires a framework that allows for regular sharing of information among those who can contribute to the elimination of child labour. Agreements among these agencies help to create partnerships, enhance long-term commitments, promote the institutionalization of CLM and contribute to the sustainability of the monitoring process.
4. **The CLM Framework**

CLM requires a **framework** that allows regular sharing of information among those who can contribute to the elimination of child labour. Agreements among these agencies help to create partnerships, enhance long-term commitment, promote the institutionalization of CLM and contribute to the sustainability of the monitoring process. This framework incorporates and assigns a place to these parties in the monitoring process according to their differing capacities to access, assess, and act on child labour.

**CLM Framework:**

The CLM Framework is the association of partners and agreements among them that operates and maintains the child labour monitoring process

The purpose of a CLM framework is to ensure the coordination of information management and the services provided to the child labourer through a multi-partner alliance.

Although child labour monitoring takes place at the local level, in order for it to be sustainable and to create real impact, it should be part of a larger enforcement and inspection policy. The CLM framework should, therefore, include government structures, such as the inspectorates (labour, health/safety, and school), and would be likely to take direction from a multi-sector national policy body.

In principle, all CLM processes should always be part of local government systems and operate under their supervision and authority. It is important that the CLM process connect with existing social planning and monitoring mechanisms of the local government wherever they occur.

Ideally CLM should be nation-wide and based on a set of national agreements about the information to be collected and how the CLM process will be managed. It should also use common tools and have a common database or repository of the information.

CLM should be developed in accordance with national development priorities and commitments of all main stakeholders working against child labour. It should capitalize on existing experiences on CLM and innovatively build new operational bridges across agencies, among different information collectors and various repositories of information. Consequently, setting up CLM may require procedural changes in existing information management systems.

Developing and agreeing to a CLM framework requires political will, adequate national resources and a long term view on how to mainstream child labour monitoring into existing systems of governance and information collection and planning processes.

**5. The desirable characteristics for CLM are:**

While each situation is unique, experience has shown that an effective child labour monitoring system includes the following characteristics:
• It is area-based and applicable to all types of child labour (formal and informal economies, agriculture, illicit work, etc.).
• It operates at the local level, covers work and service sites, and includes a referral system to access services.
• It has a legal mandate and operates under the authority and supervision of the local government or labour inspectorates.
• It is linked to national child labour policy and action.
• It is sustainable in terms of technical complexity, human resource requirements and cost.
• It is replicable and can be scaled up.
• It builds upon existing information collection systems.
• It is transparent.
• The information can be verified and there is a process of accountability.

6. The CLM Model

As each child labour situation is specific, the CLM created to deal with each situation will be unique in its composition. There is clearly no single template that could fit every one. The Guidelines that accompany this Overview present a comprehensive generic model of CLM that can be adapted to specific circumstances. It comprises the many activities that are part of the CLM process and how they can be linked together. Figure 1 provides an illustration of the model.

<table>
<thead>
<tr>
<th>CLM Process:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The CLM process comprises the procedures, documents and forms that enable monitoring to be implemented correctly.</td>
</tr>
</tbody>
</table>

The CLM model has been divided into four phases:

**Preparation**

In this phase, you create the CLM framework and develop the CLM process. The preparatory phase ensures that the conditions necessary for monitoring are met and that the CLM process is designed and developed with the participation of a wide array of stakeholders.

**Design, testing and training**

• Design, testing and training ensures that the CLM process will function and that the practitioners will have adequate skills and capacities to manage and conduct the actual monitoring and referral activities.

• The design and testing of the CLM process must be consultative, participatory and based on a common agreement by all concerned.

• Before a proper testing is possible, both those managing CLM and those involved in the actual monitoring work need to be trained and familiarized with each other’s roles and responsibilities.
Monitoring

- In this phase the monitoring in workplaces and referral to schools and other service sites takes place. The monitoring phase actively prevents child labour through regular visits to workplaces.

Follow-up

- In the final phase the information collected is made available for use, and girls and boys removed from child labour are actively tracked in order to ensure that as the consequence of monitoring children can have alternatives to child labour. The follow-up phase ensures that children have accessed available services, and the credibility of the overall child labour monitoring process through verification.

7. The main CLM activities

Besides the development of the CLM process there are two distinct regular phases in CLM: monitoring and follow up.

The principal activities of the monitoring phase are:

1. **Identification and assessment**: Girls and boys at work or in transit to work are identified.

2. **Referral**: If children are found, identified as child labourers and assessed to be at serious risk, they are removed and referred to services corresponding to their needs via a network of service providers and agreed procedures.

3. **Protection and prevention**: The workplace is checked to see what types of work-related hazards exist and to which child labourers may be exposed, using a common set of tools.

4. **Immediate data management and analysis**: After the monitoring visit information is recorded and reported upon for appropriate action.

The principal activities in the follow-up phase include:

1. **Tracking**: Checking that girls and boys covered by CLM are attending school or have been provided other suitable alternatives.

2. **Verification and quality control**: Checking that the information from CLM is credible and accurate.

3. **Providing information for enforcement or laws**: Making information about violations of laws related to child labour available for enforcement officials and the judiciary.

4. **Information dissemination and analysis**: Actively disseminating information to the regional and national levels. Information is used to review and promote anti-child labour laws, policies
Figure 1. Basic CLM process

National level
Laws, policies and social planning

Regional level
Information dissemination and analysis

Local level
- Districts
- Villages
- Sectors

Monitoring
Identification/observation
Assessment
Referral/withdrawal and protection/prevention
Immediate data management and analysis

Enforcement
Verification and quality control
Tracking that services have been provided to boys and girls
Follow-up
8. How to apply the general model to child labour monitoring

In order for CLM to be effective and sustainable, it is important to find the best possible institutional arrangements and monitoring processes for the local situation.

<table>
<thead>
<tr>
<th>Examples of workplaces which may need to be monitored</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Factories, small and medium-sized enterprises</td>
</tr>
<tr>
<td>- Home-based industries</td>
</tr>
<tr>
<td>- Small-scale mines</td>
</tr>
<tr>
<td>- Fields</td>
</tr>
<tr>
<td>- Fishing vessels</td>
</tr>
<tr>
<td>- Shopping malls</td>
</tr>
<tr>
<td>- Streets</td>
</tr>
<tr>
<td>- Bus stations</td>
</tr>
<tr>
<td>- Marketplaces</td>
</tr>
<tr>
<td>- Ports</td>
</tr>
</tbody>
</table>

Bus stations and ports are of particular concern as they serve as both places of work and transit points for trafficking of child labour.

CLM is most effective when it covers an entire area rather than a single sector as children may move from one type of work to another.

In the formal economy – manufacturing, commercial agriculture, etc. – child labour is likely to be addressed through the formal labour inspection mechanism. In this case, the task of CLM is to augment the coverage of existing systems to ensure that children and young workers are adequately serviced and that referral systems have been put in place. CLM must see that alternatives to child labour exist and make sure that labour inspectors and those participating in monitoring are knowledgeable about child labour. Strengthening of labour inspectors’ capacities to understand child labour and to be able to address it effectively often is an important part of CLM work.

In specific child labour monitoring programmes, established typically for export industry sectors, monitoring can be conducted through external monitors specialized in child labour. Lately, there have been voluntary and private monitoring programmes where the child labour monitoring in a specific manufacturing sector has expanded to include other core labour standards as well.

In the informal economy and other areas (transit points of trafficking, home-based work and sometimes agriculture) CLM uses a wider range of partners, such as people’s organizations and NGO’s, with much of the emphasis of work put on prevention and raising of awareness of the ill effects of child labour.
CLM in the informal economy is often more focused on preventive work than inspection and enforcement of labour laws. Here, the social status of and esteem for the monitors are important to the credibility and authority of the CLM.

The task of CLM is to engage the community to monitor child labour through social mobilization, training and provision of tools and to link the monitoring activity to local government and official enforcement systems so that the information on child labour can be effectively used and the monitors have a degree of authority and mandate to fulfil their duties. Much of this work is focused on attitude change rather than on law enforcement.

In both cases monitoring must be regular and have a proper process of recording and documentation of data.

9. **Key aspects of CLM**

**Monitoring should include a referral system that ensures that** once a child in hazardous work is identified and removed, then both a service to receive the child and a mechanism to track the child through the process must be in place.

**Monitoring is not possible without the active cooperation and involvement of key partners** including labour inspectors, employers’ organizations, trade unions, NGOs, community groups and parents. CLM creates an active partnership of key partners and encourages the evolution of a multi-sector alliance to reduce risks and hazards in the workplace.

It is important to **link education initiatives and the existing school inspection with workplace monitoring under the child labour monitoring framework.** This will help to identify children who may be working and ensure that child workers are not “lost” after being removed from work. This will promote access to basic education.

**Monitoring is a form of prevention.** Repeated acts of monitoring prevent child labour. As part of the process of setting up CLM and of monitoring workplaces, partners are re-oriented and sensitized on issues pertaining to child labour and when possible on occupational safety and health at work. CLM promotes a new “culture” in the workplace that aims at tackling the risk of child labour before it starts.

10. **Conclusion**

The concept of child labour monitoring has evolved from sector-specific and workplace-centred interventions to a more holistic and comprehensive approach to child labour. Child labour monitoring is used as a vehicle to sustain and continue the identification and referral of child labour work beyond specific projects. When mainstreamed into the regular work of local government, CLM promotes the institutionalization of a **permanent response mechanism to child labour** that can be shared across all actors in the society working towards the elimination of child labour.
In summary, CLM:

- is a local process that can best be employed as part of a larger child labour strategy for national action;
- can become a useful organizing principle for governments to coordinate information on child labour from different sources;
- directly contributes to the reduction and elimination of child labour in workplaces; and
- helps to consolidate and mainstream child labour issues into governance.
Child labour monitoring is a process to institutionalize identification and active removal of girls and boys from child labour at the level of the workplace, community and government.

It ensures that action against child labour is mainstreamed into different levels of governance and promotes broader long-term impact on girls, boys, families, policies and institutions in countries working against child labour.

It uses regular observation, removal of girls and boys from child labour and preventive and protective strategies to ensure child labour free workplaces and better working conditions for young workers.

The CLM model has been divided into four phases:

**Preparation**

- In this phase, you create the CLM framework and develop the CLM process. The preparatory phase ensures that the conditions necessary for monitoring are met and that the CLM process is designed and developed with the participation of a wide array of stakeholders.

**Design, testing and training**

- Design, testing and training ensures that the CLM process will function and that the practitioners will have adequate skills and capacities to manage and conduct the actual monitoring and referral activities.

- The design and testing of the CLM process must be consultative, participatory and based on a common agreement by all concerned.

- Before a proper testing is possible, both those managing CLM and those involved in the actual monitoring work need to be trained and familiarized with each other’s roles and responsibilities.

**Monitoring**

- In this phase the monitoring in workplaces and referral to schools and other service sites takes place. The monitoring phase actively prevents child labour through regular visits to workplaces.
Follow-up

In the final phase the information collected is made available for use, and girls and boys removed from child labour are actively tracked in order to ensure that as the consequence of monitoring children can have alternatives to child labour. The follow-up phase ensures that children have accessed available services, and the credibility of the overall child labour monitoring process through verification.

The monitoring and follow-up activities are repeated on a regular basis.

Each of these phases contains some core elements and steps which the experience of most of the child labour monitoring projects has shown to be important. As the child labour situation varies from place to place, these core elements and steps will need to be adapted accordingly.

In the following section the importance of these steps are explained in more detail. For further information about please see the CLM Guidelines.

<table>
<thead>
<tr>
<th>The Preparatory Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steps</td>
</tr>
<tr>
<td>1. Determining the problem and level of response</td>
</tr>
<tr>
<td>2. Reviewing the legal and child-labour-policy frameworks, information collection and management capacities</td>
</tr>
<tr>
<td>3. Raising awareness and building alliances</td>
</tr>
<tr>
<td>• Expected Outcomes</td>
</tr>
<tr>
<td>• Review of essential laws, institutional structures and raised awareness of child labour and CLM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The Design, Test and Training Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steps</td>
</tr>
<tr>
<td>1. Setting up the management of the CLM</td>
</tr>
<tr>
<td>2. Developing and testing the monitoring tools</td>
</tr>
<tr>
<td>3. Developing a referral system</td>
</tr>
<tr>
<td>4. Organizing monitoring teams</td>
</tr>
<tr>
<td>5. Training monitors and building capacity</td>
</tr>
<tr>
<td>6. Testing the CLM design and thinking about replication</td>
</tr>
<tr>
<td>• Expected Outcomes :</td>
</tr>
<tr>
<td>• Credible, simple, cost effective and sustainable CLM developed</td>
</tr>
<tr>
<td>• CLM management system established</td>
</tr>
<tr>
<td>• Monitoring tools developed and tested</td>
</tr>
<tr>
<td>• Referral system developed</td>
</tr>
<tr>
<td>• Monitoring teams organized</td>
</tr>
<tr>
<td>• Monitors trained and practical skills provided</td>
</tr>
<tr>
<td>• CLM process tested and validated for replication</td>
</tr>
<tr>
<td>The Monitoring Phase</td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td>Steps</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>1. Preparing for the visit</td>
</tr>
<tr>
<td>2. Conducting the visit</td>
</tr>
<tr>
<td>3. Withdrawal and referral</td>
</tr>
<tr>
<td>4. Protection and prevention</td>
</tr>
<tr>
<td>5. Closing of the visit</td>
</tr>
<tr>
<td>6. Immediate data management</td>
</tr>
<tr>
<td>and analysis</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The Follow-up Phase</th>
<th>Expected Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steps</td>
<td>• Expected Outcomes</td>
</tr>
<tr>
<td></td>
<td>• Information from the monitoring visits used for immediate follow-up and shared for social planning and policy review purposes</td>
</tr>
<tr>
<td>1. Tracking of child labourers</td>
<td>• Information actively used to track ex-child labourer and to ensure their access to services</td>
</tr>
<tr>
<td>2. Quality control and verification</td>
<td>• The accuracy and quality of the information has been checked</td>
</tr>
<tr>
<td>3. Providing data for enforcement of laws</td>
<td>• Information used to improve working conditions for legally working young workers and children withdrawn from child labour</td>
</tr>
<tr>
<td>4. Information dissemination and analysis</td>
<td>• Information on magnitude, location and trends of child labour disseminated widely and used for social planning and policy development</td>
</tr>
<tr>
<td>5. Providing inputs to laws, policies and social planning</td>
<td></td>
</tr>
</tbody>
</table>
The Preparatory Phase

Introduction

The aim of the preparatory phase is to create an environment conducive to monitoring and establish the institutional and operational conditions necessary for a feasible and functional CLM.

The preparatory phase comprises three general steps that are important for setting up CLM. It ensures that the positions and points of view of partner agencies are reflected in the CLM design and that local resources and capacities are fully utilized.

The main steps in the preparatory phase and a rough estimate of the length of time that will be needed are as follows:

<table>
<thead>
<tr>
<th>Step 1:</th>
<th>Determining the problem and level of response (0-6 months).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 2:</td>
<td>Reviewing the legal and child labour policy frameworks, information collection and management capacities and basic services (0-6 months).</td>
</tr>
<tr>
<td>Step 3:</td>
<td>Raising awareness and building alliances to create the CLM framework (6-12 months).</td>
</tr>
</tbody>
</table>

Why do you need these steps?

In the following sections the purpose of these steps are described. For further information about the steps please refer to the CLM Guidelines.

Step 1: Determine the problem and level of response

Why do you need to do this step?

- You need to identify the key problems of child labour that you are trying to address.
- You must be able to explain the rationale and purpose of CLM, why it is a necessary and meaningful process and convince your partners of its benefits.
- You need to have good basic knowledge about child labour in the particular sector or area that you intend to cover in order to be able to adapt and apply the model to your specific situation.
• You must be able to identify key partners and generate a common understanding and consensus about CLM.

Step 2: Reviewing the legal and child labour policy frameworks, information collection and management capacities and basic services

Why do you need to do this step?

• CLM must operate in accordance with existing laws, enforcement mechanisms (such as labour inspection) and official standards. A general assessment of the legal and administrative context and existing child labour policies helps to ensure this.

• If you are developing a national information base on child labour through CLM, you need to establish links and assess the strengths and weaknesses of information management systems already in place.

• You need to be aware of the basic service structures and methods of governance as they affect CLM.

Step 3: Raising awareness and building alliances to create the CLM framework

Why do you need to do this step?

The preparatory phase includes awareness raising in order to ensure community acceptance of child labour monitoring and the mobilization of the general public and potential partner agencies. CLM needs to be understood and appreciated as a collective effort that brings local resources together. Financial and human resources must be made available to develop CLM if it is to be effective and sustainable in the long run.

Institutional knowledge on data collection mechanisms and CLM may already exist among labour inspectors, social workers or NGO professionals. However, they may have differences of opinion and approaches to development issues. Awareness raising and alliance building will help you to unite all key institutions and actors under the common principles of CLM and to commit them to long-term work against child labour.

The design, test and training phase

During the design, test and training phase, the way in which the actual monitoring will be conducted is specified and the technical basis for the CLM established. Once the scope and operating principles of CLM have been agreed upon, the tools of the monitoring process have to be designed and tested, the management team organized, the monitors trained and the overall process tested.
Roles and responsibilities that have been agreed upon need to be formally recognized and written down. As part of the technical design of the CLM, you need to draft a CLM profile that describes and explains the different parts of the process and operating guidelines that provide guidance on how to operate specific areas of the CLM (see Annex C). This initial process design will be further developed and fine-tuned to better reflect local realities as part of a pilot testing and appraisal process.

This phase includes the following steps:

<table>
<thead>
<tr>
<th>Step 1:</th>
<th>Setting up the management of the CLM (0-6 months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 2:</td>
<td>Developing and testing monitoring tools (6-12 months)</td>
</tr>
<tr>
<td>Step 3:</td>
<td>Developing a referral system (6-12 months)</td>
</tr>
<tr>
<td>Step 4:</td>
<td>Organizing monitoring teams (12 months)</td>
</tr>
<tr>
<td>Step 5:</td>
<td>Training monitors and building capacity (12-18 months)</td>
</tr>
<tr>
<td>Step 6:</td>
<td>Testing the CLM design and thinking about replication (12-18 months)</td>
</tr>
</tbody>
</table>

Why do you need these steps?

Step 1: Setting up the management of the CLM

Why do you need to do this step?
There are several activities that need to be carried out before the CLM can be designed and tested. These include:

- designating a management team for the design of the CLM process;
- defining specific roles and responsibilities for setting up and operating the CLM process;
- agreeing on the authority and responsibilities of partner agencies; and
- ensuring effective administration and coordination mechanism and agreeing on the financial foundations of CLM
Step 2: Developing and testing monitoring tools

**Why do you need to do this step?**

Activities in this step involve developing and testing monitoring tools and agreeing on what core child labour indicators will be recorded through CLM. Specific monitoring techniques, such as how to verify the ages of child labourers, will be presented and specific issues discussed, including gender and the updating and storing of data.

The monitoring tools referred to in this section comprise the manuals, monitoring forms, computer software and descriptive materials about CLM used in operating the CLM process. The monitoring techniques are the practices aimed at helping monitors conduct visits and respond to specific situations during their monitoring work.

This section includes information on:

- developing and testing monitoring tools;
- agreeing on core child labour indicators;
- recording monitoring data; and
- age verification

Setting up and operating CLM requires adequate capacities and operational knowledge of the purpose and operating principles of the CLM process. The following materials may need to be developed to respond to the capacity building and training needs of those developing and operating CLM processes:

- A CLM profile
- CLM operating guidelines
- A training manual for monitors (including forms and monitors’ fact sheets/checklists)

Step 3: Developing a referral system

**Why do you need to do this step?**

Two expected outcomes of CLM are that child labourers who have been identified through monitoring are referred to appropriate service providers and a tracking system is in place to follow up and ensure that the child will not return to work or surface in another sector of child labour later on.
Step 4: Organizing monitoring teams

Why do you need to do this step?

Once partners for the monitoring and referral are identified and have agreed to participate in the monitoring effort, the monitoring teams can be formed. The monitoring team is the mechanism through which the observations at the worksite and in schools are conducted. They are the human hands and eyes of the monitoring system.

Step 5: Training monitors and building capacity

Why do you need to do this step?

The work of those involved in the actual monitoring is much more than just information gathering and sharing; it can involve interacting with employers, workers, family members and child labourers themselves. The members of a monitoring team need to be able to make many difficult judgements on the spot.

Step 6: Testing the CLM design and thinking about replication

Why do you need to do this step?

The functioning of your CLM is not only dependent on a good design. Key people and institutions must be trained and have the opportunity to test and learn their roles and functions in the CLM.

The procedures and tools used to collect the information needs to be tested and validated. This phase may require a considerable amount of time (possibly up to a year) and should not be rushed.

Testing is equally done to see how the actual monitoring and follow-up action works in the field and to allow the validation and further development of the monitoring tools. It will also help to clear any potential misunderstanding about CLM among your partners, as this will be the first time they are able to participate in this particular monitoring process and to see with their own eyes how it is run and operates.
The Monitoring Phase

Implementation of the monitoring process in workplaces

The preparatory and the design, test and training phase covered the steps that need to be taken in order to develop adequate conditions and technical basis for child labour monitoring. We will now consider the actual work involved in the act of monitoring and explore some key concepts related to monitoring and dealing with children and hazards in the workplace.

After going through the steps in preparatory phase you have:

- developed a common understanding about the purpose and operational principles of CLM;
- reviewed laws and existing information collection systems;
- committed partners and built a monitoring alliance;
- formulated and made institutional agreements;
- designed the CLM process;
- constituted and trained monitoring teams;
- developed operational guidelines and tools;
- tested the monitoring design in practice; and
- developed a quality management system.

This phase is divided into six steps. These areas of intervention cover the major activities that are undertaken immediately before, during and after the monitoring visit:

| Step 1: | Prepare the visit |
| Step 2: | Conduct the visit |
| Step 3: | Withdrawal and referral |
| Step 4: | Protection and prevention |
| Step 5: | Close the visit |
| Step 6: | Immediate data management and reporting |

Note that in some instances the activities comprised in these steps may overlap, particularly in the cases of Steps 2-4.

These steps can be applied with minor modifications to any CLM visit regardless of its size or scope.

The actual monitoring involves executing monitoring visits to workplaces on a regular basis and ensuring that the findings of the monitoring visits are properly documented and reported and information provided
to competent bodies or service providers to act upon. Note that the term “workplaces” is used here to refer to any location where children may be working. This would include formal worksites, such as factories, commercial farms or fishing boats, and informal settings, such as streets or third-party homes.

The purpose of monitoring is to:

- identify child labourer and assess their needs;
- promote improvements in working conditions and OSH for the benefit of young workers;
- record information about the monitoring visits and the children identified;
- activate referral procedures (including withdrawal from workplaces and referral to school or services) if required; and
- promote protective measures and preventive messages, counsel, educate and motivate employers, factory owners, community members, parents and girls and boys on child labour.

By this point, all key partners should be familiar with the purpose and objectives of CLM. In monitoring workplaces it is important that all those involved in the monitoring visit and the follow-up have internalized and understood their functions and roles.

The institution responsible for initiating the monitoring visit should also have general background information with basic data and possible records of any previous visits to the workplace with mentions of any action taken or recommendations made to the employer.

The actual monitoring visit is the key element of the CLM that determines how effective the overall work against child labour in a given sector is or has been. Through the initial monitoring visit you establish the baseline information about child labour that your whole monitoring effort will be based upon. The rapport between the employer and the monitors and that paves the way for the future regular monitoring works is also established at this time.

After the initial visit when the basic information about the employer, family and child is collected, follow-up visits will be conducted to verify and check that measures have been taken to address possible problems and the commitments made are respected. In the case where children have been withdrawn from work and referred to services, the follow-up and subsequent visits to the workplaces ensure that they have access to these services and remain out of child labour.

**Why do you need these steps?**

**Step 1: Prepare the visit**

**Why do you need to do this step?**

In order for the monitoring visit to be successful, it is important to prepare for it. The monitors need to have sufficient information about the target establishment or areas, and practical issues, such as transport, need to be addressed. A good level of information about the locality and people to be met will also facilitate interaction during the monitoring visit and result into cordial and trustful relations between those concerned.
Preparing for the visit includes collecting background information about the site and location of the target area/establishment that will be monitored. If baseline information is available, the monitors should familiarize themselves with that. The existence of trade unions or workers’ representatives on occupational safety and health committees should also be checked.

**Step 2: Conduct the visit**

*Why do you need to do this step?*

This step is where you actually enter the workplace. It is the crucial moment in which you identify potential child labourers and take decisions on how to proceed.

If the visit has been announced, then the monitors need to confirm the visit by contacting the employer or announcing the visit beforehand through a local government office or any other means available. In the case of an announced visit, the confirmation gives due time for the employer to arrange for documents and key persons to be available which will facilitate the conducting of the monitoring.

The downside to announcing the visit is that it also allows the employer to “hide” unwanted documents or people, thus making it impossible for the monitors to be able to see the workplace in an actual work situation. As the primary goal of CLM is to find and identify child labourers, it is important to use unannounced visits, if possible, as well or a combination of both methods. The announced visit can be very productive in terms of prevention and information sharing, but it is only through unannounced visits that you are able to secure **objective** and **first hand** information about who is working at the worksite and under what conditions.

Once on site, the monitoring visit involves two principal areas of activity:

- **contact and formalities**,  
- **observation** (including identification of child labourers, assessment of on working conditions; interviews with children and age verification).
Step 3: Withdrawal and referral

Why do you need to do this step?

Whenever the situation so requires, a referral system must be activated to ensure that the child is withdrawn and has access to education or social services. It is important to note that the nature of withdrawal is different depending on the location and type of work. In formal workplaces, such as factories, withdrawal may involve the physical removal of the child from the workplace through an agreed procedure. If the child is legally working but performing hazardous work, it may involve making sure that the child is provided with a safe alternative type of work.

Referral

Establishing a referral system means that an agreement is made with the service providers that they accept and assume the responsibility of providing assistance to child labourers found during the monitoring process.

This agreement must be formal and based on the practical realities and capacities of the service providers. The services may be provided through government entities (schools and health stations), NGOs or faith or community-based initiatives on education, skills training, counselling and self help.

You will need to consider:

- the resources and physical capacities of the service providers, and
- commitment and ability to receive and provide services,

When you develop a referral system you must also agree on the nature and responsiveness of the referral mechanism.

- Is it meant to be mechanism that can be activated immediately to address an urgent child labour situation in a workplace? This would be the case in some factory-based monitoring projects, for example, where girls and boys found working in hazardous conditions are immediately removed and enrolled in schools.
• Is it a slower step-by-step process where, once a problem is identified, a task force or similar group makes an assessment of different possible options? If so, the child labourers’ situation is then addressed within the shortest delay possible.

**Step 4: Protection and prevention**

*Why do you need to do this step?*

In this step the workplace is checked to see what types of work-related hazards exist for child labourers. The role of the monitors is to advise the employers and parents about these risks and recommend further action, to convey messages about prevention of child labour and to inform employers, workers and parents about the ill effects of child labour.

**Step 5: Close the visit**

*Why do you need to do this step?*

The monitoring visit is closed through a discussion and briefing session with the management, employer, parents and/or community members concerned in order to discuss the findings of the visit. This allows for all those involved in the monitoring activity to get immediate feedback on the results of the visit and what the next steps will be.

**Step 6: Immediate data management and reporting**

*Why do you need to do this step?*

After the visit has been concluded there must be an immediate review of the visit by the members of the monitoring team. Notes can be compared to see that the members of the team agree on a common overall assessment of the workplace and child labour situation. There are two aspects to this phase of the visit: one is to agree on and record the findings of the visit and the other is to report the findings of the visit to those involved in the CLM either for follow-up action or for information.

**The Follow-up Phase**

*Ensuring that the information collected is credible, accurate, accessible and used for action*

The follow-up phase is meant to ensure that the information collected through the CLM is analysed and actively used for referral to provision of services, policy improvement, social planning and enforcement
of child labour laws.

The principal steps of the follow-up phase are:

<table>
<thead>
<tr>
<th>Step 1:</th>
<th>Tracking of child labourers to ensure that services have been provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 2:</td>
<td>Quality control and verification</td>
</tr>
<tr>
<td>Step 3:</td>
<td>Providing data for the enforcement of laws</td>
</tr>
<tr>
<td>Step 4:</td>
<td>Information dissemination and analysis</td>
</tr>
<tr>
<td>Step 5:</td>
<td>Providing inputs to laws, policies and social planning</td>
</tr>
</tbody>
</table>

**Why do you need these steps?**

**Step 1:** Tracking of child labourers to ensure that services have been provided

Why do you need to do this step?

Tracking is part of child labour monitoring and imperative for the follow-up of the child.

A purpose of CLM is to make sure that child labourers identified through the CLM are helped and provided with better alternatives. CLM needs to be able to track the individual child labourer from when s/he is identified through the resolution of the problem.
Step 2: Quality control and verification

Why do you need to do this step?

An internal quality control mechanism and a management plan on how to organize continual improvement in CLM are essential both to making sure that the information collected is credible and to improving the monitoring work the ability to adapt to new challenges.

Verification, either internal or external, establishes the credibility of claims concerning the actual practices under scrutiny or the observance of agreements and norms dealing with the issue in question.

The major difference between quality control and verification is that quality control is a continuing effort to improve procedures, mechanisms and tools that form part of all work conducted under the CLM umbrella, whereas verification is conducted mainly for the purpose of correctness of the data.

Step 3: Providing data for the enforcement of laws

Why do you need to do this step?

CLM information should also be actively used to promote the enforcement of child labour laws and to provide information on gaps and challenges concerning the implementation and enforcement of existing laws.

As a multi-partner process, CLM promotes the general awareness of labour laws. CLM can also contribute to and promote the implementation of voluntary workplace and enterprise-related codes of conduct and collective agreements, which are often developed under the auspices of initiatives on corporate social responsibility.

Step 4: Information dissemination and analysis

Why do you need to do this step?

Information management involves the treatment, storage and preliminary analysis of the data received from CLM and its transmission to higher levels of governance from where it can be used for policy-
making and social planning processes.

In CLM the data is likely to be of two different sorts:

1. **Quantitative information** about the incidence of child labour and the numbers of girls and boys who have been referred to remedial activities such as schooling

2. **Qualitative information** that reveals the gaps or weaknesses in substantive areas, such as workplace OSH and attitudes of employers/parents in regard to child labour and CLM.

Information management in the follow-up phase may include some or all of the following:

- treatment of information, preliminary analysis and making it available for use;
- inputs to formulation of child labour responses and goal setting;
- identification and formulation of child labour indicators for target setting;
- inputs into strategic monitoring and tracking of impact;
- inputs to research and analysis; and
- inputs to national social planning and development, (discussed in Step 5).

**Step 5: Providing inputs to laws, policies and social planning**

**Why do you need to do this step?**

Information generated through CLM can be used for assessing the impact of different child labour responses and can help in reaching desired child labour objectives and in the development of clear integrated and coordinated policies at the national level.
Recap of the CLM model

Child labour monitoring involves the identification and referral of child labourers through the development of a framework of partnerships and coordinated multi-sector process. The CLM framework is the association of partners and the agreements among them. It encourages commitment and regular sharing of information among those who can contribute to elimination of child labour. The CLM process comprises the procedures and tools that enable monitoring to be implemented correctly and can be divided into four phases: 1) preparation, 2) design, test and training, 3) monitoring and 4) follow-up.

The preparatory phase ensures that the conditions necessary for monitoring are met, and that the CLM process will be designed and developed in such away that it is feasible and reflects local institutional capacities and policies.

The design, test and training phase ensures that monitoring tools have been properly designed and that those concerned have adequate skills and capacities to manage and conduct the actual monitoring and referral activities. The design and testing of the CLM process must be consultative, participatory and based on a common agreement by all concerned parties.

In the monitoring phase, visits to workplaces and referral to schools and other service sites take place. The monitoring is conducted by multi-skilled monitoring teams who are selected for this task with established roles, responsibilities and procedures.

In the follow-up phase, the information collected through monitoring is made available for use, and girls and boys removed from child labour are actively tracked in order to ensure that as a result of monitoring children have alternatives to child labour.

The monitoring and follow-up activities are ongoing – they are repeated on a regular basis. As the child labour situation decreases, CLM is expected to decrease in intensity and gradually become mainstreamed into government social protection functions.
### Session: Preparing for CLM - Key Activities

**Presentation**

**CLM Preparatory Activities**

In the initiation workshop for preparing for setting up the CLM process and forming CLM Coordinating Groups the following must be considered

**OBJECTIVE:** To orient key actors about CLM, to agree on it as a key strategy and to create an agreed plan of action for setting up the CLM process and forming a management team for the design phase in a particular area.

**RATIONALE:** Before the designing the CLM process certain preconditions need to be met and certain activities need to be completed. It is at this preparatory stage that key actors come together to discuss the best strategy for establishing CLM in their area and plan what needs to be done before the actual design and operation of CLM.

**OUTPUTS:** CLM agreement – commitment and vision, CLM work plan to complete CLM preparatory activities and form CLM Coordinating Groups

**KEY PREPARATORY ACTIVITIES:**

1. Establish a common vision and commitment (agreement) for the development and testing of CLM;
2. Identify key governmental and non-governmental agencies that can have a role in CLM and adjust the draft profile to this level;
3. Determine the financial foundations of CLM;
4. Establish a management team to oversee the technical design and testing of CLM with routine and follow-up meetings;
5. Develop a work plan aiming to design and test the CLM;
6. Review the preconditions to setting up CLM:
   - **(A) Determine the problem and level of response**
     - Define the problem that CLM is trying to address
     - Determine the causes of the problem and identify a strategy for carrying out CLM interventions
     - Identify key partners in developing CLM and consult them
     - Generate a common base of understanding and consensus among key partners about the sector, and/ or scope of work of the CLM
   - **(B) Review policies, laws, basic services and information collection capacities**
     - Conduct a stakeholder analysis and an assessment of existing infrastructure
     - Review existing information management and data collection systems
     - Collection of baseline information
     - Agreeing on core child labour indicators
     - Review of legal framework
   - **(C) Raise awareness and build alliances**
     - Undertake awareness-raising activities
     - Build alliances
     - Define common areas of work
<table>
<thead>
<tr>
<th>Workplace Monitoring</th>
<th>School/Services Monitoring</th>
<th>Community Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labour inspectors</td>
<td>School inspectors</td>
<td>Community councils</td>
</tr>
<tr>
<td>Employers and workers</td>
<td>Parents’ groups</td>
<td>Women’s groups</td>
</tr>
<tr>
<td>Social workers</td>
<td>NGOs etc.</td>
<td>Youth groups</td>
</tr>
</tbody>
</table>

**National Action Against Child Labour**
- Ministries of Labour, Agriculture, Education, Social Development
- Trade Unions, Employers, NGOs

**Regional Authorities**
- Regional Policies and Planning
- Local Governance

**National Legislation**
- Public enforcement and protection
- International commitments and cooperation
- National action against child labour

**Industrial Relations**
- Youth employment
- SME development
- Social Security

**Education/Skills Development**
- Safety at work
- Vocational education

**SCHOOL/SERVICES MONITORING**
- School inspectors
- Parents’ groups
- NGOs etc.

**REFERRAL TO SCHOOL**
- Remediation
- Psycho-social services
- Repatriation

**Access to education or suitable alternatives**
- Children have better alternatives for the future

**Basic quality education for all children**
- Children aged 15 to 17 have better working conditions. Younger children removed.

**Healthier workplace and respect of core labour standards**
- Younger children removed.

**Referral to school**
- Rehabilitation
- Repatriation

**Children have better alternatives for the future**
- Communities committed and engaged in fight against child labour

**Identification of the worst forms of child labour**
- Communities committed and engaged in fight against child labour

**The CLM Framework Structure**

<table>
<thead>
<tr>
<th>Action</th>
<th>Regional Policies and Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Enforcement</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Referral</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Reporting</td>
<td>Regional Policies and Planning</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Feedback</th>
<th>Verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Results</td>
<td>The flow of policy and action</td>
</tr>
<tr>
<td>Action</td>
<td>The flow of information</td>
</tr>
<tr>
<td>Regional Policies and Planning</td>
<td>Action</td>
</tr>
<tr>
<td>Local Governance</td>
<td>Action</td>
</tr>
<tr>
<td>Law Enforcement</td>
<td>Referral</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>Reporting</td>
</tr>
<tr>
<td>Referral</td>
<td>The flow of information</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Results</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identification of the worst forms of child labour</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Healthier workplace and respect of core labour standards</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Access to education or suitable alternatives</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Referral to school</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Repatriation</td>
<td>Regional Policies and Planning</td>
</tr>
<tr>
<td>Reporting</td>
<td>Regional Policies and Planning</td>
</tr>
</tbody>
</table>

**National Policy Framework**
- Regular observation of factories, small- and medium-sized enterprises, mines, farms, fisheries, streets and homes
- Increased awareness and action to address child labour
- Communities committed and engaged in fight against child labour

**Results**
- Healthier workplace and respect of core labour standards
- Access to education or suitable alternatives
- Remedy for children
- Referral to school
- Rehabilitation
- Repatriation
- Reporting
- Communities committed and engaged in fight against child labour
Handout:

Basic Principles and Components of CLM Agreements

It is important that key partners involved in CLM draw up a written agreement which provides the official framework for the management and implementation of the monitoring process. Agreements ensure that all parties are clear about the specific roles and responsibilities of key partners, how the different partners are going to work together, and the practical arrangements for the implementation of the CLM process.

The most common form of co-operation agreement is a memorandum of understanding (MoU) between the different partner organisations.

The box below sets out the basic components of a MoU.

---

**Components of a Memorandum of Understanding**

**Partners**
Partners to the MoU should be identified. Future cooperation will be easier if the MoU identifies a precise unit with an organisation, such as a special unit for combating child labour, and the specific NGOs that are to provide various services.

**Purpose and Scope**
The general purpose and specific aims of the CLM process should be stipulated. In the case of purely voluntary monitoring, the limitations of the process need to be clearly stated.

**Authority**
The authority for monitoring should be specified.

**Target group**
Listing the precise target groups (types of child labour present in the locality) will contribute to successful identification and withdrawal of child labourers.

**CLM management and administration**
The MoU should stipulate where the management of the CLM process is to be based. As a matter of principle the CLM should always be lodged in some form of official authority, typically represented by the local government. The actors responsible for coordinating the CLM process should be specified and the general responsibilities of the CLM coordinating group should be described.

**Detailed description of different responsibilities**
In order to ensure effective cooperation the specific roles and responsibilities of different partners should be clearly defined. The different advisory, enforcement and supervisory functions must be clearly understood and established.

It is particularly important to distinguish between the function and authority of labour inspectors and other institutions vested with similar powers for the purpose of CLM. Partners who operate and function as part of an integrated monitoring team must understand that their role may be a
complementary and supportive one rather than that of enforcement.

The different roles that the partner agencies have in the CLM should be linked to the main functions of the monitoring process.

**The details of the co-operation procedure between the partners**
The procedures the partners are to follow in the identification, referral, verification and tracking of child labourers should be detailed in the MoU.

**Mutual communication of information**
CLM partners should undertake to treat personal information regarding children in a responsible fashion and as confidential.
Different partners should exchange information concerning the child labour situation and mechanisms for sharing such information should be clearly defined.

**Financial contributions**
Details regarding any financial contributions that will be made by each of the signatory partners should be specified (if appropriate).
Details of other sources of financial support for implementing CLM and the amount to be contributed should also be specified.

**Quality control**
Mechanisms by which the quality of the services provided are evaluated should be detailed in order to ensure that the children are well treated and that the services provided are appropriate.

**Time when the MoU comes into effect**
The MoU comes into effect upon signature by all relevant parties.

**Amendment and expansion of the MoU**
On the basis of mutual consultation.
### Preparing to Design and Test the CLM Process

#### Action Plan Checklist Format Example

<table>
<thead>
<tr>
<th>What We Need to Explore</th>
<th>Check</th>
<th>Actions to be Taken</th>
<th>Actors Involved</th>
<th>Date to be Done by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has a common vision and commitment (agreement) for the developing and testing of CLM been established?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have key partners that can have a role in CLM been identified?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has the draft CLM framework been adjusted to include all potential partners?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are resources available? If not, can they be sourced? What are the possible sources?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have the CLM Coordinating Group members been chosen/elected/volunteered and expressed their commitment to serving on the group?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Has a work plan aiming to design and test the CLM process been drawn up?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLM Preconditions: Has the problem and the level of response been determined?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLM Preconditions: Have policies, laws, basic services and information collection capacities been reviewed?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLM Preconditions: Have awareness raising and alliances building activities been planned?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>And others….</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>