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UN Global Compact Human Rights and Labour Working Group Child Labour Platform Meeting Report

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International
Programme on
the Elimination
of Child Labour
(IPEC)

Fundamental Principles and Rights at Work (FPRW) Branch
Governance and Tripartism Department

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Introduction

The UN Global Compact Human Rights and Labour Working Group's Child Labour Platform (CLP) convened on 6th and 7th March 2014 at the International Labour Organization headquarters in Geneva, Switzerland. This was the Platform's third meeting, since the beginning of its second phase that was marked on 17th April 2012 by its transition from the Sustainable Trade Initiative, IDH, to the auspices of the UN Global Compact Human Rights and Labour Working Group.¹ This working group is co-chaired by the International Organisation of Employers (IOE) and the International Trades Union Confederation (ITUC), which are thus the co-chairs of the CLP.

This meeting took place over 2 days and welcomed 40 participants representing businesses from a number of different sectors; trade associations; multi-stakeholder initiatives; international organisations; non-governmental organisations (NGOs).² The meeting aimed both to foster exchange between businesses, governments, social partners and civil society in tackling child labour in global supply chains and to work towards identifying obstacles that businesses face in this challenge with a view to develop practical ways to overcome them.

Update on the report of the first meeting of the Child Labour Platform

The meeting was preceded by the participants' agreement on the Platform's terms of reference; a dedicated side event at the UN Global Compact Leaders' Summit in New York in September 2013; a webinar in July 2013; and the development of a work plan.³ The more detailed work plan was presented at the Platform's current session and received general support from participants. The finalisation of the Good Practice Notes produced in the first phase of the CLP has not been achieved as yet. However, a final round of comments for incorporation into the Good Practice Notes has been received from ILO's constituents and the document will be finalised and made available soon.

Action rooted in international labour standards: ILO Conventions

The ILO is the custodian of child labour [Convention No. 138](#) on minimum age and [Convention No. 182](#) on Worst Forms of Child Labour. These provide needed clarity about what child labour is, and are the baseline for corporate responsibility with regard to child labour. These conventions are also two of the eight fundamental conventions, or the Fundamental Principles and Rights at Work⁴ (FPRW), that apply "irrespective of the level of

¹ [Click here](#) to be directed to a copy of the event's press release.

² A full list of participants is available in the appendix to this document.

³ These terms of reference and the slides used during this seminar are available on the CLP's website at: <http://goo.gl/4gYFY>.

⁴ The Declaration on FPRW and its follow-up were adopted by the International Labour Conference in 1998. The other six of the ILO's fundamental conventions address the 'Elimination of Discrimination in Respect of Employment and Occupation' (Conventions No. 100 and No. 111); the 'Elimination of all Forms of Forced and Compulsory Labour' (Conventions No. 29 and No. 105); and the 'Freedom of Association and the Effective Recognition of the Right to Collective Bargaining' (Conventions No. 87 and No. 98).

development of individual member States. [...] they provide a necessary framework from which to strive freely for the improvement of individual and collective conditions of work.”⁵

The ILO’s child labour conventions are the basis for *all* activities undertaken by the ILO under its mandate of supporting its tripartite constituents to effectively eliminate all forms of child labour, with emphasis on its worst forms.

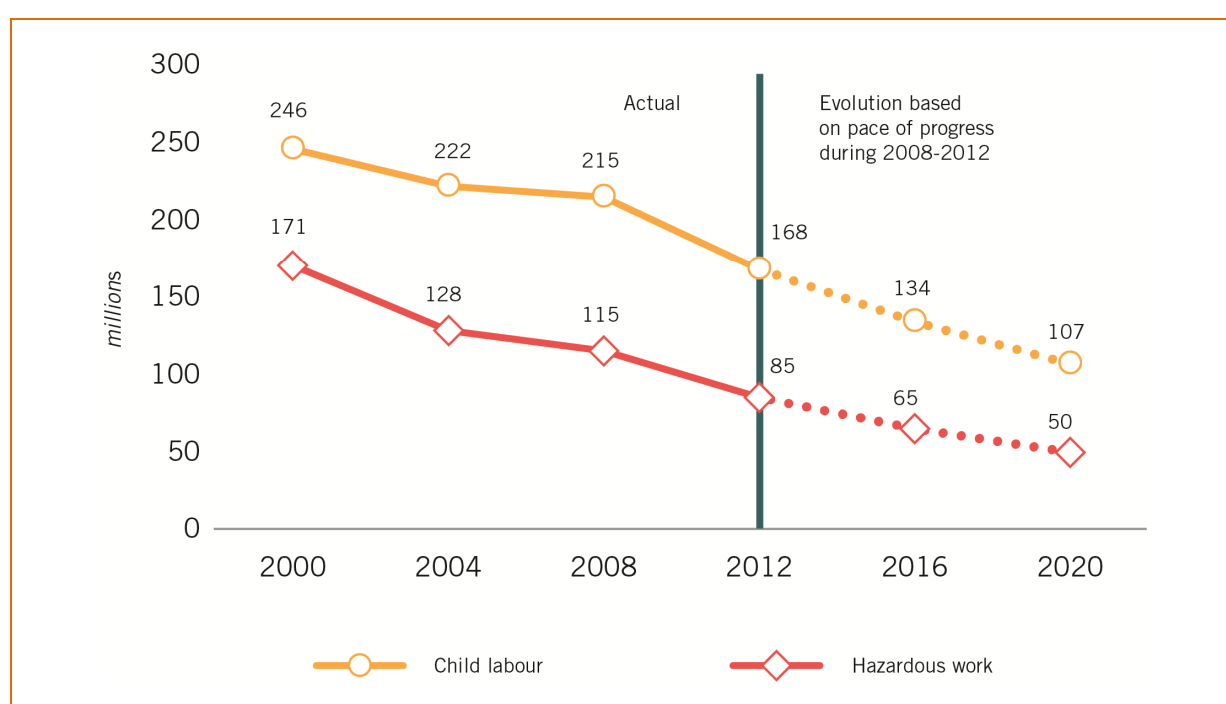
⁵ ILO, 2002. *The International Labour Organization’s Fundamental Conventions*. ILO, Geneva, p. 7.

1. Day one

1.1 Opening session

The Director General of the International Labour Organisation, Mr. Guy Ryder, opened this session of the Child Labour Platform (CLP) with the positive message that the global movement against child labour has succeeded in solving approximately one third of the problem since 2000.⁶ Global estimates published by the ILO's International Programme on the Elimination of Child Labour (IPEC) have marked a decrease in the number of child labourers from 246 million (2000) to 168 million (2012; see Figure 1).

Figure 1: Number of children in child labour and hazardous work, actual 2000-2012 and levels for 2016-2020 assuming pace of progress during 2008-2012⁷



The Director General highlighted the ILO's increased efforts to reach out to the private sector, particularly those with global supply chains, in order to recognise and understand their needs in responding to their social responsibility to combat child labour: a violation of human and fundamental labour rights, to which businesses can either contribute or are linked. These observations were echoed by Mr. Moussa Oumarou, Director of the ILO's Governance and Tripartism Department. Mr. Oumarou also drew attention to the

⁶ Photographs of this session are provided in the appendix.

⁷ ILO-IPEC, 2013. *Marking Progress against Child Labour: Global Estimates and Trends 2000-2012*. Governance and Tripartism Department. ILO, Geneva.

relevant outcomes of the II Global Conference on Child Labour that were incorporated into the ILO's Global Action Plan against child labour.⁸

The outcome document established a series of priority actions for government, e.g. law and enforcement, education, social protection, and labour market policy to formalize the informal economy. It also called on the social partners (workers' and employers' organisations) to set up effective systems to combat child labour in the supply chains relevant to their constituents. Key steps to achieving this are publicising, promoting and learning from successful initiatives to combat child labour and in particular its worst forms, with the support, where appropriate, of governments and international organizations.

Mr. Oumarou explained that the CLP delivers on this commitment by providing a safe and confidential forum where businesses can speak openly and frankly about their experiences in addressing child labour in supply chains. Businesses can also learn from others about emerging approaches, innovations and practical steps to combat child labour – what works, what does not – and how to build on already successful approaches.

The Secretary General of the International Organisation of Employers, Mr. Brent Wilton, commented on the structure of the CLP. He explained that, in response to the [UN Guiding Principles on Business and Human Rights](#), the UN Global Compact Labour Working Group (that formerly hosted the CLP) had been absorbed and is now part of the Human Rights and Labour Working Group.

ILO-IPEC's Senior Officer for Corporate Social Responsibility also welcomed participants to the meeting. The main output of the first phase of the Child Labour Platform (as described above) was the "[Child Labour Platform Report 2010-2011](#): Business practices and lessons learned on addressing child labour" that describes child labour's characteristics, causes and possible remedial actions that are available to businesses. This booklet should be treated as a living document, as, for the moment, it has not been endorsed by the CLP's co-chairs.

The importance of adopting a children's rights and child labour lens when conducting impact assessments was emphasised, particularly in the light of lessons from company assessments for [the guidance tool](#) on good business practice with regard to child labour.⁹ Moreover, impact assessments can allow companies to detect child labour, among other development problems, before others do. This is particularly important, as ignorance is no longer an acceptable reason in the face of public opinion and the media, given that the common drivers of child labour (e.g. production in the informal economy; household production; and piece rate payment systems) are widely known.

⁸ The outcome document of the II Global Conference on Child Labour can be found at http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_13453/lang--en/index.htm

⁹ An example can be found in mining, where artisanal and small-scale mining (ASM) is the primary link that companies in this sector would have to child labour. This poses a real dilemma, as ASM is mostly illegal, but entire communities within concessions may depend on it for their livelihood. The law may require ASM miners to be arrested, but the question remains as to what happens when the miners concerned are children. Or if children not directly engaged in ASM are forced to enter child labour when their parents or caregivers are arrested.

Some companies have found ILO-IPEC's Rapid Assessment methodology useful. It is based on qualitative research methods, but yet is relatively simple to carry out. The methodology includes interviews with children, parents and workers. Information from these participants, those with most at stake (workers and children) and who have the best understanding of the problem, can be used to develop a strategy to address the problem more effectively.

ILO-IPEC's Senior Officer for Corporate Social Responsibility also made preliminary comments on proposed elements of the CLP work plan, including the continuation of research into the age verification practices; the compilation of an updated hazardous work lists;¹⁰ and the development of a peer review mechanism among CLP members. The mechanism would start by companies presenting the key elements of their efforts to respect children's right to be free from child labour. This could include:

- high level policies relating to child labour (own operations and those expected to be applied in supply chains);
- relevant operational-level company regulations and management systems (e.g. age verification in hiring practice, internships/apprenticeships or other employment opportunities offered to adolescents above the minimum age for work but below 18);
- relevant guidance or operational-level policies for enterprises in CLP companies' supply chains with regard to child labour;
- approaches to assessing companies' impacts on children's rights related to child labour;
- how impact assessments are acted upon internally (e.g. training for internal staff, cross-functional communication and coordination mechanisms);
- how supply chain policies are implemented (e.g. contractual clauses, training for business partners, auditing, etc.);
- how the results of the policies are monitored and communicated;
- if child labour is detected, how it is addressed (contribution to remediation etc.).

Much information on policies and programmes is likely to be available in the public domain, detailed in sustainability reports and other reporting mechanisms. However, the way in which such systems support companies' responsibilities with regard to child labour may not be described in detail. Important aspects such as how policy commitments are engrained throughout a business' operations are very important but not necessarily in the

¹⁰ Hazardous work lists provide important information regarding what constitutes child labour, particularly for those children who are above the minimum age of employment. Hazardous work lists are, therefore, important in promoting and working towards decent youth employment.

public domain. While no confidential information would be disclosed, some of the elements that cannot be quantified, or is not suitable for public reports, offer a real opportunity for CLP companies to learn from each other and benefit from an informed discussion among practitioners.

1.2 Child and Forced Labour in Uzbek cotton

This discussion follows a mission carried out by the ILO, following the 2013 Committee of Experts' annual report to the International Labour Conference,¹¹ to monitor child labour in Uzbekistan's cotton industry. The presentation was made in two parts: firstly, at the level of policy and international labour standards in the form of a timeline (Figure 2 below) and, secondly, at the level of implementation.

1.2.1 Policy and international labour standards

Uzbekistan ratified ILO Convention No. 182 on the Worst Forms of Child Labour in 2008. The obligations that are associated with this ratification therefore came into force 12 months after this date. The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) examined the Uzbek government's first report in December 2009 and expressed for the first time that serious concern at the situation of children who, every year, are taken from school for up to three months and made to work in the cotton fields in hazardous conditions. It observed that, although national legislation prohibits forced labour and hazardous work in cotton production, it was a serious problem in practice.

The case of Uzbekistan was discussed for the first time at the Committee on the Application of Standards (CAS) in June 2010. The conclusion of this discussion was that, although various legal provisions prohibit forced labour and the engagement of children in hazardous work, this remained an issue of grave concern in practice. It accordingly urged the Government to take the necessary measures to ensure the effective implementation of national legislation prohibiting compulsory labour and hazardous work for children. In 2011, the CAS once again examined the case, and echoed the deep concern expressed by United Nations bodies, the representative organizations of workers and employers and non-governmental organizations, about the systematic and persistent recourse to forced child labour in cotton production, involving an estimated one million children.

In response to mounting pressure, the Uzbek Government invited an ILO delegation in April 2012 to a seminar on the Application of ratified ILO Conventions attended by high-level Uzbek officials, representatives of the Uzbek social partners, as well as representatives of the European Commission.

¹¹ By way of background, the two main pillars of regular supervision are the Committee of Experts on the Application of Conventions and Recommendations and the Committee on the Application of Standards of the International Labour Conference. The Committee of Experts' annual report (published worldwide) offers a comprehensive state of play concerning the application of Conventions across the world and contains observations to specific Governments concerning the application of these Conventions in both law and practice. A copy of the latest report can be accessed at http://www.ilo.org/ilc/ILCSessions/103/reports/reports-to-the-conference/WCMS_235054/lang--en/index.htm

1.2.2 Briefing of the Committee on International Trade of the European Parliament (EU-INTA)

Missions were undertaken in July 2012, April 2013 and July 2013 to Brussels to brief EU-INTA on a number of issues, including the situation of child labour and forced labour in Uzbekistan. This had been requested in the context of their examination of the EU-Uzbekistan textile agreement. In April 2013, the Rapporteur of the Committee indicated that it would await the outcome of the discussions on the application of Convention No. 182 on the Worst Forms of Child Labour by the Government of Uzbekistan at the Conference in June 2013. INTA was of the view that an ILO mission was necessary to monitor the 2013 cotton harvest.

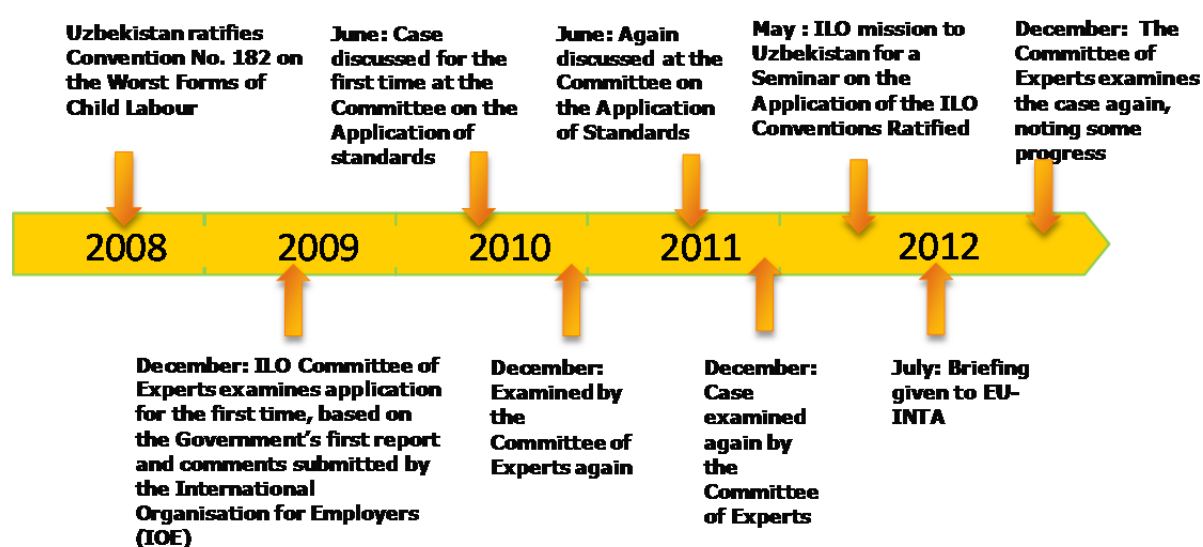
1.2.3 Further discussions by the Committee on the Application of Standards

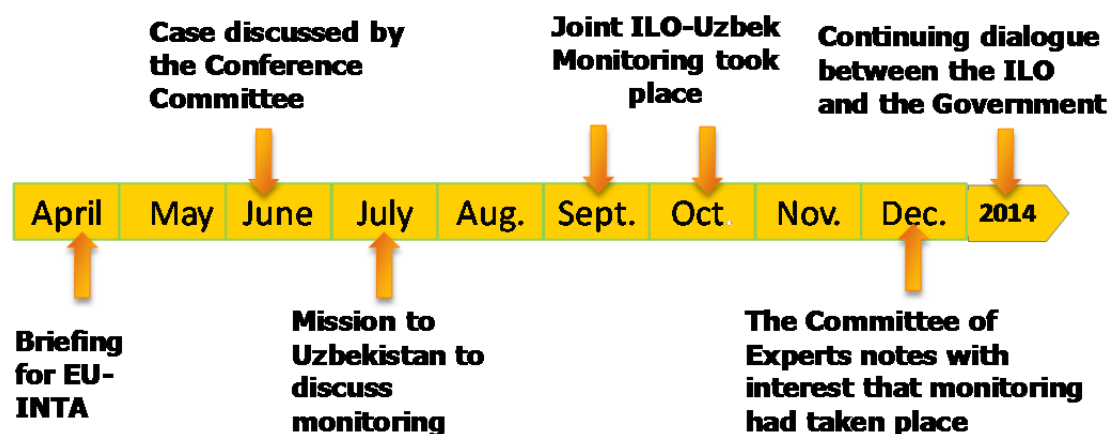
The case was discussed again at the 2013 CAS, and the Government demonstrated that it had continued to take measures to address child labour in the cotton harvest, and that it was changing its stance with regard to ILO monitoring. In this regard, the CAS urged the Government to pursue its efforts to undertake, in the very near future, a round table discussion with the ILO, UNDP, UNICEF, the European Commission and the representatives of national and international organizations of workers and employers with a view to accepting an ILO high-level monitoring mission during the 2013 cotton harvest.

1.2.4 Roundtable mission to Uzbekistan to discuss monitoring

Agreement was reached on the modalities of the monitoring during a roundtable discussion with the ILO, UNDP, UNICEF and the European Commission. Additionally, it was agreed that ILO-IPEC would resume activities in the country, to support capacity building, engage in advocacy, and provide technical advisory services, with monitoring being the first activity.

Figure 2: Child labour in Uzbekistan, a timeline





1.2.5 Monitoring mission to Uzbekistan, Sept-Oct 2013

Joint ILO–Uzbek monitoring took place from 11 September until 31 October 2013. Monitoring units were composed of both ILO and national monitors, and was undertaken based on the principles of credibility, transparency, objectivity, reliability, validity, the best interests of the child and local observation.

Monitoring units had full access and undertook unannounced visits covering approximately 40,000 kilometres across the country. This included 806 documented site visits comprising 406 farms, 206 households and 395 places offering education to children and young people. The units also conducted 1,592 documented interviews with employers, farmers, adult farm workers, children found in or around cotton farms, teachers, school administrators, students, parents and community members.

All teams used an innovative monitoring method based on GPS coordinates. Team coordinators received each morning and periodically throughout the day by telephone, SMS or paper delivery, several GPS locations that were selected at random by the international team leader in Tashkent. The purpose of this monitoring method was to ensure that visits were unannounced. Site visits were carried out at each set of coordinates as well as en route if needed. In order to reach certain sites, the teams drove on highways, back roads, and dirt roads and even walked for several kilometres. The monitoring units had unrestricted access and were on no occasion hindered in their access to any cotton farm, school or community in any zone. The monitoring took place during the week throughout the day during daylight hours as well as on most weekends.

Throughout this extensive monitoring, the monitors reported 57 confirmed cases of children working in the cotton fields. Of these cases, 53 children between the ages of 16 and 17 years (21 girls and 32 boys) were engaged in picking cotton.

In November 2013, a final consultation was held between the ILO High Level Team and the Uzbekistan coordination council. The results of the monitoring were presented to the government and the social partners, for discussion and follow-up.

1.2.6 CEACR notes with interest that monitoring had taken place

The results of the monitoring were submitted to the ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR) in December 2013. The CEACR was able to note with interest that the monitoring of the cotton harvest had taken place, and welcomed the Government's collaboration with the ILO in this regard. It also noted the Government's demonstrated political will to address the issue of child labour in the country and the progress achieved, including that forced child labour was not used on a systematic basis in Uzbekistan to harvest cotton in 2013.

This case demonstrates how the combination of the ILO supervisory system, coupled with effective technical assistance, can have a significant impact towards the effective application of ILO standards and the advancement of decent work. The ILO continues to work with the Uzbek government and the social partners to achieve further progress. In this regard, the ILO is currently undergoing discussions and planning of a Decent Work Country Programme to consolidate the progress achieved and to pursue further effective implementation of international labour standards.

1.2.7 Discussion

There was general agreement among private sector and trade union participants that engagement, rather than boycott or sanctions are more effective in addressing child and forced labour in Uzbekistan. There were concerns regarding the independence of constituent organisations being able to engage in social dialogue, as there has been evidence from, for example, Education International that public sector workers, including teachers, have been forced to work during the cotton harvest season.

Given the minimum age for employment in Uzbekistan is 16, the concern was raised in the context of occupational safety and health (OSH) that children above this age would be in danger of entering child labour through their engagement in hazardous work. This is reflected in the most recent global estimates that state that agriculture accounts for nearly 60 per cent of child labour globally and that 13 per cent of children above the minimum age are engaged in hazardous work.¹²

1.3 Lessons learnt through sourcing from the agriculture sector

A representative from a multinational enterprise sourcing from the agriculture sector presented the business' approach to tackling child labour in its supply chain that began in earnest when direct contractual agreements began to be made with suppliers beyond the first tier, including agricultural businesses.

In efforts to address this development challenge, the business became aware of the importance of "*counting*" the number of the direct child beneficiaries. The importance stems from the business imperative to measure progress in preventing and withdrawing children

¹² ILO-IPEC, 2013. *Marking Progress against Child Labour: Global Estimates and Trends 2000-2012*. Governance and Tripartism Department. ILO, Geneva.

from child labour, as well as keeping them in school to ensure that they do not enter another type of child labour.

Building trust with local NGOs and individuals speaking the local language was a key learning point for the business' effort to develop remediation mechanisms. Technology in the form of SMS-based diagnostics tools is also an important resource for the field technicians, acting on behalf of the business, to diagnose circumstances conducive to the use of child labour.

Discussion

The main area of discussion in this session centred upon the sustainability of the business' efforts and what happens once the business ceases its development initiatives in the area. The representative responded that each initiative also builds alongside the capacity of a local organisation (at times as part of state-mechanisms) to maintain the service in question. At times, it may be related to health; at others, it may be related to education, and an appropriate organisation would maintain the initiative beyond the business' intervention.

1.4 State implementation, enforcement and private compliance initiatives

The presentation focussed on the Brazilian experience of tackling child labour,¹³ with an emphasis on the Government's proactive engagement with employers.

The definition of child labour, according to the "[Plano Nacional de Prevenção e Erradicação do Trabalho Infantil e Proteção ao Adolescente Trabalhador](#)" (National Plan to Prevent and Eradicate Child Labour and to Protect Young Workers) is: "Any economic activity or an occupation for survival remunerated or not, carried out by children or adolescents below the age of 16, with an exception of professional training starting from the age of 14."

A national declaration to promote decent work in the private sector was signed in 2008, after which businesses were encouraged to become signatories of a pact to promote and realise decent work within their industrial sector. The example was given of working conditions improving in the sugar sector, in which businesses endorsed the pact to show their commitment to improving working conditions in their operations. In 2010 through a tripartite consultation, "The National Plan for Employment and Decent Work" was created and child labour elimination is one of its main aims.

To conclude, four points were mentioned as crucial in the Brazilian experience in tackling child labour: the official recognition of the problem; its status as a national priority; tripartite commitment including that of civil society; and public policies and awareness-raising actions with employers' participation.

¹³ Brazil ratified ILO Convention No 182 on the Worst Forms of Child Labour in 2000 and ILO Convention No 138 on Minimum Age in 2001. The following year, a National Commission for the Eradication of Child Labour ([CONAETI](#)), constituting 34 regional institutions, was created. Subsequently, the national plan was developed in 2004 (revised in 2010). The list of the Worst Forms of Child Labour was developed in 2008.

Discussion

The subsequent discussion on this topic started with participants emphasising the need to monitor progress through the collection of quantitative data. Indeed, the Brazilian Labour Inspectorate has recorded a notable decrease in child labourers from 11 million in 1992 to 2.7 million in 2012. In response to experience offered to the CLP from Thailand, where the Ministry of Agriculture has been more forthcoming in terms of resource provision than the Ministry of Labour, a participating multi-stakeholder initiative encouraged businesses to 'be innovative': to concentrate on building capacity where supportive mechanisms already exist and to innovate where such systems do not, as in the example of working with other ministries.

Other comments included the need to develop and maintain targeted training for labour inspectors; and to develop the capacity to communicate with different industries to link relevant knowledge and mechanisms to the problem of child labour in their operations and create collaborative solutions.

1.5 Concurrent sessions

During the afternoon of day one, participants had the opportunity in break-out groups to exchange views and experiences within the context of three themes. Each theme was supported by two follow-up questions to stimulate discussion among the rotating groups of participants. These were:

- 1) Monitoring as part of knowing you are respecting rights and the challenge of informality:
 - Does your organisation have an experience to share about incorporating child labour concerns into compliance or monitoring initiatives?
 - Is your organisation facing any challenges with regard to production in the informal economy? How are you addressing these?
- 2) Building resilient supply chains:
 - Are child labour concerns integrated into the processes that your organisation uses to develop your suppliers? Do you have any examples to share of how they are incorporated?
 - What actions does your organisation take if a supplier is found to be non-compliant with child labour standards?
- 3) Effective engagement with government:
 - Does your organisation interact with government on the issue of child labour? If so, how?
 - Are you aware of mechanisms or opportunities for engaging with governments that other businesses would find beneficial?

A rapporteur was attached to each theme and tasked to report back to the group in plenary the main points of discussion across the three groups detailed below.

Theme 1: Monitoring as part of knowing you are respecting rights and the challenge of informality

Throughout the three group discussions, the implications of different aspects of the sourcing location emerged as an important consideration. One participating organisation, for example, had observed that there was a significant risk of a rise in the use of child labour when the nearest school was more than five kilometres away. With regard to the schools themselves, another participant contributed their experience of collaborating with the State in Ghana and Côte d'Ivoire to increase the sustainability of salaried, longer-term teachers.

Vis-à-vis the challenge of informality, a number of organisations are experiencing obstacles to reaching out to high numbers of unorganised farmers. Although as much as 51 per cent of food crop is sourced from cooperatives (thus organised farmers) there is still as much as 49 per cent sourced from atomised, hard-to-reach farmers. This presents the significant challenge of working to organise them. This challenge was also reflected in the comment that there is a significant lack of resources and capacity among small companies to implement compliance initiatives.

In response to these challenges, it emerged that, in the time until farmers become organised, incentives need to be developed specifically at the farm level. Other organisations also contributed knowledge that there is some evidence that certification boosts the level of organisation. It should be noted, however, that certification does not guarantee the establishment of grievance mechanisms. Other potential good practices to minimise initiative 'fatigue' include engaging in local multi-stakeholder initiatives, and collaborating with suppliers to work toward solutions rather than changing suppliers too frequently, thus affecting suppliers' income stability.

It emerged, with regard to the tourism sector, that human rights impacts go beyond the commercial sexual exploitation of children (CSEC) and that consideration also needs to be given to other hazardous work, such as street begging.

Theme 2: Building resilient supply chains

There was a common recognition in discussions on this topic that policy, what a business says it does or what it wants to do, is often not aligned with practice, what it actually does. Obstacles to this were often linked with ensuring internal coherence between strategy and operating policies and protocols. Practices of companies explicitly tackling this issue revolved around two main areas:

- 1) Be selective. Start where your business is going to have most impact.
- 2) Don't ignore other issues. Where child labour exists, there are often other social inequalities and addressing these could support the elimination of child labour as well.

As discussed in the session on child and forced labour in Uzbek cotton, the theme emerged across the three discussion groups that engagement with and building the capacity of suppliers were crucial activities in aligning policy and practice. Participants also went further as to highlight the support that can be found by raising the awareness of and working with members of the target community, not only suppliers. Engagement with international organisations, such as the ILO, plays an important role in stimulating buy-in from national and local government structures.

One participant from a multinational enterprise offered a detailed description of a well-established “traffic light” system, where the results of supplier assessments took the form of red, amber, yellow and green to represent the alignment of the supplier’s practices with the buying organisation’s standards. This assessment is systematic across the first tier of suppliers and beyond, into the second tier, assessments are carried as the result of a risk assessment. This practice was flagged by a participant from an investment management company, underlining the importance, from an investment point of view, of a systematic and demonstrably thorough internal management system to detect and remediate human and labour rights violations in the supply chain.

Theme 3: Effective engagement with government

Participants discussing this theme highlighted a number of good practices and challenges. Generally, current efforts to engage with governments are centred on participation in multi-stakeholder platforms and the development of toolkits to address child and forced labour. A recurring challenge to this engagement, however, is the lack of capacity and resources within governments. Some participants warned that governments may feel ‘fatigued’ when engaging with multiple corporate actors on an individual/bilateral basis. The good practice emerging from this challenge is to interact with governments as a sector.

Coordinating with UN agencies was also discussed to be beneficial in relieving a government’s ‘fatigue’. Participants recognised that engaging with the ILO’s tripartite structure of governments, employers’ and workers’ organisations engages local stakeholders, fosters local buy-in and ownership of initiatives, thus contributing to sustainability.

In the same vein, participants highlighted the need to work with employers’ organisations to address the apparent gap between the national minimum age of employment and the ‘accepted’ minimum age among employers: the ‘corporate’ minimum age of employment. This gap neglects the potential contribution of young workers, who, when employed in non-hazardous work, would be engaged in decent youth employment.

2. Day two

2.1 Opening session

This session was chaired by a representative of the [International Trade Unions Confederation](#) (ITUC), who initiated the discussion with some observations of the implementation of corporate social responsibility.

- 1) Philanthropy does not change responsibility and does not offset adverse impacts on human rights.
- 2) There is no such thing as shared responsibility.
- 3) Trade unions are an important part of the solution.
- 4) It is not possible to unilaterally define what is and is not your company's responsibility.
- 5) There is a business case *for* child labour, but either way, it is wrong.

Opening comments were also provided by the [International Organisation of Employers](#) (IOE), stating that their three main areas of action are at national level representation and advocacy; regional level capacity building; and participation in the international community, such as the UN and the G20. The CLP Secretariat (ILO-IPEC) also provided opening comments highlighting that ILO Conventions No. 138 and No. 182 and relevant national law represent the baseline for the corporate responsibility to prevent child labour. Attention was also drawn to the ILO's CSR instrument is the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy of 1977 (the [MNE Declaration](#)).

2.2 ILO-IOE Guidance Tool Project

The ILO and the IOE, with the close participation of selected companies, launched a project, in order to produce a guidance tool on good business practice with regard to child labour. The guidance tool will identify practical steps companies can take to conduct due diligence regarding child labour, in their own operations and their supply chains. This project has conducted five in-depth assessments of companies' systems to prevent and, where necessary, mitigate or remediate child labour, to develop and further test the tool.

The second day of the meeting was the first peer-learning exercise and dialogue with experts for participating companies to facilitate implementation and integration of child labour concerns into company policies and practices. It was also the goal of this session to generate further learning, and thus input, for the guidance tool. The individual assessments and the summary report developed in the first phase of the project will serve as input for the workshops. The project will then develop rigorous, evidence-based good business practices in the area of child labour. After endorsement by the participating companies, the good practices will be shared with other companies, using ILO and IOE networks and methodologies for dissemination.

2.2.1 Protect, respect and remedy

This project uses the [UN Guiding Principles on Business and Human Rights](#) (the Guiding Principles) as a foundation to develop the guidelines on how to do business with respect for children's right to be free from child labour.

The Guiding Principles were endorsed by the Human Rights Council in 2011 after a six-year multi-stakeholder consultation process and are built on three pillars:

- 1) the State's duty to protect Human Rights;
- 2) the corporate responsibility to respect human rights;
- 3) access to remedies.

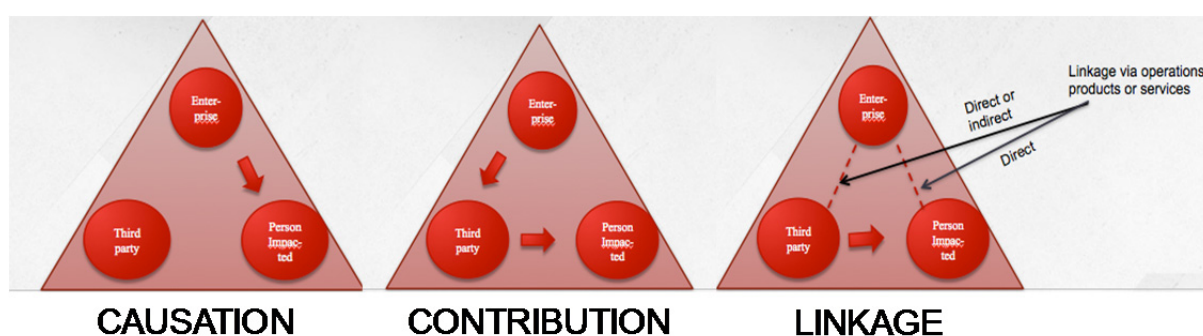
The Guiding Principles assert that businesses must respect the rights of people in their operations, supply chains and communities in which they operate. They must engage in thorough, timely and systematic due diligence mechanisms; and recognise both their sphere of influence and their 'linkage' to human rights violations through complicity. Access to remedies calls for the development of remediation mechanisms at various levels including judicial, non-judicial, company level, and state-based non-judicial. The important aspect of remediation is that it entails putting the affected individual back in the original situation s/he was in *before* the violation of her or his human rights.

In terms of the second pillar, the Guiding Principles help businesses when national law of the country in which they operate does not reach international standards. The Guiding Principles are also of use in the analysis of internal processes and the alignment between international standards and company policies/practices.

Businesses can be involved in negative impacts on human rights primarily through one of three 'modes' (Figure 3):

- 1) direct causation: e.g. hiring a worker under the minimum age or requiring an employee under 18 to engage in hazardous work;
- 2) contribution: e.g. incentivising a third party to violate human rights or if purchasing practices incentivise outsourcing to a sub-contractor using child labour to meet demand;
- 3) linkage: e.g. child labourers in illegal artisanal and small-scale mining (ASM) on a company's land or children involved in scavenging e-waste from electronic products.

Figure 3: A business' causation of, contribution and linkage to child labour



2.2.2 Discussion

The main questions with regard to the application of the guiding principles to the elimination of child labour in global supply chains through the use of a guidance tool centred upon the methodology. Participants queried the lack of SME participation, which was recognised as a primary limitation. Other questions included the guidance tool's applicability, given the scope of input from, up until this point, five companies. In this regard, companies were chosen for their operations in an industry where child labour and hazardous child labour are known to be prevalent social problems, e.g. mining and cotton harvest/manufacture. Companies were also selected for being domiciled in the Global South. In general, the headquarters of each company was avoided, as risks are found more often further down the supply chain.

The Platform also heard about the internal management mechanisms of three multinational enterprises operating in the sugar cane, cocoa industries, and an integrated supply chain manager processing agricultural products and food ingredients. All three contributions highlighted the development challenge posed by the depth and breadth of their supply chains. The number of farmers not formally part of the supply chain numbered up to 1.2 million family farms in the Ghanaian and Ivorian cocoa industry (less than 20 per cent of which are organised or affiliated to a representative organisation) and up to 3.9 million smallholdings in the case of the supply chain management company.

All three interventions emphasised the importance of quantitative data to measure impact and progress and that such data collection can contribute to easing the friction between commercial timescales (often set at quarterly intervals) and the timescale applicable to a development challenge, such the elimination of child labour.

Questions from the floor focussed on how each company dealt with suppliers found to be in breach of company policy on respect for human rights. Answers varied from the provision of training on good agricultural practices and capacity building to increase yield to a broader, more inclusive approach of working at community level, as demonstrated by ILO-IPEC's integrated area-based approach. Another business recognised that this approach would help children withdrawn from one form of child labour to not enter into another. Working with this approach also helps to identify other root causes of child labour, the remedy to which can facilitate other direct efforts to eliminate child labour, such as improving food security and encouraging innovation in crop rotation.

Participants recognised, however, that such interventions would be more effective when suppliers are empowered to own the solution and are part of discussions to shape actions addressing this development challenge. Suppliers' actions in isolation may not be sufficient, as the majority are small and medium-sized enterprises (SMEs) and, in the absence of organisation, do not have the economic and referent power (thus supply chain leverage) necessary to affect change. With reference to the government's duty to 'protect' human rights and the concept of 'linkage' (Figure 3), some CLP participants commented on the 'linkage' between business operations and potential support that can be provided to build governments' capacity to combat child labour.

Appendices

Photographs taken at the opening session



CHILD LABOUR PLATFORM AGENDA



Meeting of the Child Labour Platform, International Labour Organization, March 6-7, 2014

Agenda

6 March, Day 1 Morning—Elimane Kane Room, M-3 level (south) Take the stairs at R-3 South near the Delegates' Bar; **Afternoon**—Room VII, R2 South.

Hours	Event
9.00-9.30	Welcome and Introduction by ILO Director-General Guy Ryder Opening Remarks by IOE, UN Global Compact HRLWG, ILO and UN Global Compact
9.30-10.00	Participant introductions CLP Work plan 2014 Peer review of company policy and practice Topics of ongoing and potential research: <ul style="list-style-type: none"> • Age verification (ongoing) • Compilation of Hazardous Work Lists Meetings Website
10.00-11.00	Open plenary discussion action to prevent and remediate child labour, including assessing company impacts Company presentation
11.00-11.15	Break
11.15-13.00	Child and Forced Labour in Uzbek Cotton Presentation by ILO monitoring mission participants Discussants: CLP Business Participants <i>Discussion of the 2013 ILO monitoring mission to Uzbekistan and the recently released report of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) on Uzbekistan's application of Convention No. 182 on the Worst Forms of Child Labour, as well as the CEACR's observation on the application by Uzbekistan of Convention No. 105 on the Abolition of Forced Labour. The discussion will address child labour in cotton production, child labour monitoring and how the ILO supervisory mechanism can prompt state action to address child and forced labour.</i>
13.00-14.00	Lunch (venue: ILO Restaurant, R2 North)
14.00-15.30	State Implementation and Enforcement and Private Compliance Initiatives Presentation by Brazilian Ministry of Labour Discussants: CLP Business Participant and an ILO representative <i>Effective coordination between public and private organizations has resulted in significant progress against child labour in a number of countries and sectors. The meeting will explore the nexus between state enforcement mechanisms, public services, and private compliance initiatives. A representative of the Brazilian Ministry of Labour, Mr. Leonardo Soares de Oliveira, will inform the CLP about Brazilian government's experience in engaging proactively with employers to tackle child labour.</i>
15.30-15.45	Break
15.45-16.45	Break-out Groups around Selected Themes 1. Monitoring as part of knowing you are respecting rights and the challenge of informality <ul style="list-style-type: none"> • Does your organisation have an experience to share about incorporating child labour concerns into compliance or monitoring initiatives? • Is your organisation facing any challenges with regard to production in the informal economy? How are you addressing these?

Hours	Event
	2. Building resilient supply chains <ul style="list-style-type: none"> Are child labour concerns integrated into the processes that your organisation uses to develop your suppliers? Do you have any examples to share of how they are incorporated? What actions does your organisation take if a supplier is found to be non-compliant with child labour standards? 3. Effective engagement with government <ul style="list-style-type: none"> Does your organisation interact with government on the issue of child labour? If so, how? Are you aware of mechanisms or opportunities for engaging with governments that other businesses would find beneficial?
16.45-17.15	Report Back from Break-out Groups
17.15-17.30	Closing Remarks, IOE
17.30	Reception (Gobelins)

7 March Day 2 Room VII, R2 South.

Hours	Event
9.00-9.20	ILO-IOE Child Labour Guidance Tool Project Welcoming Remarks by IOE, International Trade Union Confederation (ITUC) and ILO
9.20-9.45	Introduction to ILO-IOE Child Labour Guidance Tool Project Project scope and methodology: <ul style="list-style-type: none"> Introduction to Shift, purpose of the workshop, and key elements of UN Guiding Principles on Business and Human Rights Overview of methodology <i>Background information on the project can be seen here: http://www.ilo.org/pec/projects/global/protect-respect-remedy/lang--en/index.htm</i>
9.45-10.15	Identifying and Assessing Child Labour Risks <ul style="list-style-type: none"> Case examples of how companies may be involved with child labour, focusing on linkage situations Questions and discussion
10.15-10.30	Coffee Break (Gobelins)
10.30-11.30	Responding to Child Labour Risks <ul style="list-style-type: none"> Experience from company project participant Experience from other companies Experience from the room and discussion
11.30-12.00	Key issues for the Guidance Tool to Address <ul style="list-style-type: none"> Discussion of opportunities and challenges for developing the guidance: what would add most value?
12.00 -12.15	Wrap-up: Conclusions and next steps
12.15-13.30	Lunch (Gobelins)

List of participants

Organization	Name
ABM ANRO	Maria Anne van Dijk
Association of Cotton Merchants of Europe (ACME)	Guy Hogges
ACME/ Cargill	Carl Peltzer
ACME/Olam	Chris Brett
Bata	Nicole Voillat
Brazilian Government - Labour Inspection	Leonardo Soares Barbosa
The Coca-Cola Company	Cindy Sawyer
International Cocoa Initiative	Nick Weatherill
ECLT	Sonia Velazquez
ECLT	Daria Cibraio
Ethix	Oshni Arachchi
Hagen Resources International	Katherine Hagen
ILO ACT/EMP	Anne-Brit Nippierd
ILO ACTRAV	Faustina Van Aperen
ILO-IPEC	Beatriz Caetano Pinto
ILO-IPEC	Benjamin Smith
ILO-IPEC	Simon Steyne
ILO-IPEC	Adam Adrien-Kirby
ILO/NORMES	Deepa Rishikesh
ILO/SECTOR	Elvis Beytullayev
ILO/MULTI	Yukiko Arai
IOE	Brent Wilton
IOE	Amelia Espejo
Japan Tobacco International/ARISE	Elaine Mckay
Kuoni travel	Sibylle Baumgartner
Mars, Inc.	Jeff Morgan
NBIM	John Tore Vatnar
Nestlé	Yann Wyss
Shift Project	Rachel Davis
Shift Project	David Vermijs
Stop Child Labour	Leonie Blokhuis
Stop Child Labour	Gerard Oonk
UN Global Compact	Venu Keesari
UNICEF	Subajini Jayasekaran
WFSI	Marc-Ivar Magnus