

# **NO CHILD LABOUR**

A Handbook for employers

In preparation of this handbook the ILO publications concerning child labour, national legislative documents, the findings of the studies on child labour conducted by ASK in cotton sector of agriculture and other local and international organizations were used.

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## FOREWORD AND ACKNOWLEDGEMENTS

The economic power of each country is conditioned or determined by its human resources, and also by the good management and correct use of these resources. But the use of child labour causes serious socio-economic problems that harm to the future labour force of the country. The joining of children to labour force at early ages damages their health and education and deprives them of being skilled and qualified persons in the future. All these contribute to the deterioration of human resources, poverty in the country, decreasing welfare of population etc.

Today study of the problem and combating child labour, elimination of the worst forms of child labour remain to be in the spotlight of the United Nations Organization and other international organizations. In this respect, the ILO strategies developed to solve the problem of child labour, its numerous programmes and projects successfully implemented in the different countries should be especially distinguished.

Since 2004 the National Confederation of Entrepreneurs (Employers') Organizations of Azerbaijan Republic successfully joined the project of the ILO ACT/EMP Programme on elimination of child labour and built up its activity to enlarge capacities of employers in elimination of the worst forms of child labour in agricultural sector of Azerbaijan. If the matter is use of child labour, hence, the employer's position here is of great importance. The employers and the employers' organization should play a significant role in combating child labour. And so, the present handbook published within the framework of the project will respectively train the employers and, thus, arm them to join the combat against the worst forms of child labour.

We express our deep gratitude and so kind compliments for technical support in publication of this book to the whole staff of the ILO Bureau on Employers' Activities and especially to Mrs. Anne-Brit Nippierd, the Programme Manager.

Moreover, we thank all representatives of the organizations cooperated with us to assist in obtaining materials.

We hope, this handbook published due to our concerted efforts will be a certain contribution to the activity on the elimination of child labour in Azerbaijan and assurance of the normal development of children being the future of our planet.

Alakbar Mammadov  
President of the National Confederation of Entrepreneurs  
(Employers') Organizations of Azerbaijan Republic, professor

## Executive Summary

About tens millions of children in the modern world are being involved in different forms of labour in completely ineligible working conditions. Such work deprives them of joyful childhood, education, health and sometimes even life. By the ILO estimations, more 250 millions of children 5-14 years of age are exploited in the developing countries, among them 120 millions work full-time, but the other 130 millions part-time.

No doubt, child labour exists in Azerbaijan as well as in all developing countries of the world. Child labour in Azerbaijan as one of the negative phenomenons of transition period was caused by socio-economic problems faced the country.

Child labour is a global issue that requires global approach from the side of all members of community. And so, employers also have responsibility for hiring children and so they may play a key role in the elimination of child labour. To join the efforts made towards combating child labour, employers need help in preparing action plan to take concrete steps. The handbook "No child labour" developed by ASK for the purpose to help employers to be actively involved in eliminating child labour and to take immediate action, consists of the two main parts. The first part is a guideline for employers that entitled "Employers and child labour".

First of all, employers should realize the concept of child labour and make the difference between acceptable and not acceptable work for children according to national legislation, as well as they should be aware about the worst forms of child labour.

According to the Law of Azerbaijan on the Rights of the Child, adopted in 1998, a child means every human being between the moment of birth and the age of eighteen years.

According to the labour legislation of the Republic of Azerbaijan persons who are under the age of 15 shall not be employed under any circumstances, and children of 16-18 age groups are prohibited to be engaged in work with hazardous conditions.

The handbook identifies the "child labour" concept. And so, activities that harm physical, moral psychological development of children are considered as "child labour".

Basing on the ILO Convention No 182 on the Worst Forms of Child Labour, slavery or similar practices, such as sale and trafficking of children, debt bondage, and forced or compulsory labour including the forced recruitment of children for use in armed conflict; using or offering a child for prostitution or for pornography; using or offering a child for illicit activities, such as for the production and trafficking of drugs; work by its nature or because of the circumstances in which it is carried out is likely to harm to the health, safety or morals of the child, i.e. "hazardous work" are considered the worst forms of child labour.

As in many developing countries, in Azerbaijan children are being involved in the worst forms of child labour that include children employment in agriculture (cotton, tobacco and tea growing, fruit-growing, cattle-breeding), household chores, service sector and street trade. We have to say that child labour could find its wide spread in the informal sector in Azerbaijan.

There is legislative base on the rights of children in Azerbaijan. The Republic of Azerbaijan has ratified 57 ILO Conventions including ILO Convention Nr. 138 on the Minimum Age (1973) and Recommendation Nr. 146, Convention Nr. 182 on the Worst Forms of Child Labour (1999) and Recommendation Nr. 190 and UN Convention on the rights of children, as well as joined other international acts.

The children issues in the country are regulated by a number of laws, such as National Law on the Rights of the Child, Constitution of Azerbaijan Republic, Labour Code, Law on Citizenship, Law on the legal status of foreign citizens, Law on state youth policy, Civil Code, Marriage Code and Family Code.

However, children's labour is widely exploited in Azerbaijan. According to researches, the reasons of employers to apply to child labour are found out to be lack of labour force and wide use of manual labour, poor financial position of families, being children as cheap labour force etc.

Employers may play a key role in the elimination of child labour. First of all for the following reasons enterprises should be interested in combating child labour.

First, every employer is responsible to respect the requirements of the law.

Second, employers have economic interest in the elimination of child labour. They should realize that child labour has a negative impact on their business and economy of the country on a whole.

Finally, employer as a member of the community has ethical and moral responsibility for child labour. Each of employers when using child labour should bear in mind his/her responsibility for the health, education, physical and moral development of children.

To combat child labour employers need to have a strategy, and this section offers the following examples of employers' strategy.

#### Strategy 1 – Prevention

Prevention is the primary long-term aim that identifying children at potential risk and keeping them out of hazardous work..

#### Strategy 2 – Withdrawal

The withdrawal and subsequent rehabilitation of children includes identifying children in hazardous work, removing them from workplaces, and getting them into schooling.

#### Strategy 3 - Protection

The strategy of protection aims at measures to improve working conditions of older children continuing to be at risk and need to be protected.

The section highlights step-by-step activities of employers to combat child labour.

#### Step 1 - Analysis of the situation

#### Step 2 – Taking immediate actions

- ❖ Stop recruitment of children
- ❖ Remove children from hazardous work
- ❖ Reduce the hours for children under the minimum age

#### Step 3 - Supporting children and their families

#### Step 4 - Decreasing the need for child labour

- ❖ Application of technical equipment and mechanization of certain works implementing by children;
- ❖ Improvement of production layout;
- ❖ Review the wage differences children below and above minimum age;
- ❖ Replacement of child labour in family.

#### Step 5 - Awareness-raising actions

#### Step 6 - Building partnership

#### Step 7 - Monitoring child labour

Employers' organizations can help enterprises in the fight against child labour, because employers can ensure that their enterprises are free of child labour. They also play a powerful role in influencing those who hire children.

The second part of the handbook presents the National report on child labour in agriculture with an emphasis on cotton sector that includes the two chapters entitled “Child and society” and “Child labour in the cotton sector of agriculture” that in their turns divided into the relevant paragraphs.

The first chapter covers information on economy of the country, population's living standard, education, public health, etc.

The economy of Azerbaijan is predominantly non-agrarian, when dominates by industry followed by agriculture and construction. The economic growth for the most part occurred due to development of oil sector.

Despite of the economic development in economy of the country, poverty exists in Azerbaijan. According to the official statistics, 42% of population lives below the poverty line while 17% of population lives in the condition of extreme poverty.

Along with the low quality of public health care in the country the majority of population have no access to medical services that causes certain problems with the health of mothers and children.

The major problems with boys' and girls' compulsory education in Azerbaijan are for the most part connected to quality rather than to access to education. There are some reasons that decrease the quality of education including unsatisfactory state of material and technical structure of schools, low quality of teaching personnel, using the old curriculum and teaching aids that don't meet the requirements of modern market economy, and loss of the value of education.

It is worth noting that since 2005 the State of Azerbaijan has been implementing a number of serious measures to improve the situation in the education system and public health.

The difficulties faced in socio-economic life give a rise to some problems related to the situation of children in the country. As in developed countries, children are economically exploited in Azerbaijan and especially recent five years the use of child labour became more acute. The reasons for involving children into economic activity are understood by national, economic, socio-cultural and other factors.

more than 55% of the children in Azerbaijan currently perform some kind of work. More than 50% of these children spend over 4 hours on daily work. Unfortunately, here we fail to provide exact numbers and information about nature and scale of paid or unpaid work done by children.

The number of street children is increasing, particularly, in large cities, with the most severe concentration in Baku. The problem of "street children" is relatively new to Azerbaijan. The country first faced the problem in the transition period in the mid 1990s when deterioration of the economic and social status reflected on families. Children on the streets are engaged in many different types of work, from couriership of different products, to trade, the cleaning of residences, washing cars, collecting money in buses or even involved in theft and shoplifting.

There are currently no credible studies or statistics, concerning the sexual exploitation of children in Azerbaijan, but there is direct and indirect data, which confirm the existence of this phenomenon in the country.

Another serious problem is related to child trafficking. During recent years Azerbaijan has become part of the international network of the illegal trafficking of human beings, where most of the victims are women and children.

The further chapter of the handbook describes the issues on child labour in cotton production of agriculture. The findings of Rapid Assessment Survey carried out by ASK within the framework of the ILO ACT/EMP project on combating child labour were presented here. The choice of cotton-growing for combating child labour was not selected at random. Because one of the most hazardous spheres for use of child labour is the agrarian sector of economy, mainly cotton production that occupies a leading position in the country economy.

Through the survey the nature and extent of child labour in cotton production, the causes and consequences of child labour, as well as the impact of cotton-related work on children's health and schooling, legislative framework of child labour and other issues on child labour have been investigated.

According to the survey findings child labour is widely used in cotton production. The main reasons of child labour in agriculture are identified as poor living of population, low level of education, lack of labour force and need manual labour, specificity of cotton-related activities, low awareness on nature of child labour legislation on children's rights, indifference of society to the problem.

Referring to ILO Nr. 182 on worst forms of child labour and labour legislation of Azerbaijan Republic, the nature of child labour in cotton growing has been defined through the survey. It became clear that children engaged in cotton related work face hazards that damage their health, education, physical and moral development. As, long stay under sun rays, work in dusty, cold and windy weather and insanitation, unlimited working hours and working week, contact with chemicals, dissatisfaction of children's potable water requirement, etc. cause long-term diseases of children.

As to survey results, 35-40 % among working children kept away from school at all. Hence, cotton works cause children to be deprived of education and, thus, negatively impact their future life perspectives.

Interviews with children gave us an opportunity to reveal the negative impact of involvement of early children into cotton-growing works on their psychological state. Almost all children surveyed dislike for the cotton work, and explained their employment only by necessity to cover family needs. These children seemed to be quite hopeless, as they have no future life perspectives and even desires. As the survey findings reveal, not always children meet a good attitude from the side of employers. Children facing a

hard treatment at the early ages become unsociable and isolated from human environment. Hence, cotton works striking children's trust in future with a heavy blow negatively impact their moral development. Generalizing all the above-mentioned we should come to conclusion that cotton-growing is the worst form of child labour.

Consequently, we can sure that child labour is widely exploited in agrarian sector, especially in cotton growing, in Azerbaijan. The problem should be considered to be urgent that need to be immediately eliminated. However, the combat against the worst forms of child labour is too a large task that requires participation and commitment of a broad range actors. The section includes the relevant recommendations prepared by the Azerbaijan Employers' Confederation to submit to government, non-governmental organizations and international agencies.

## **Introduction**

### **About this handbook**

Child labour is a serious social problem that is caused by a number of factors. Employers and their unions may play a key role in the elimination of child labour. First of all enterprises should be interested in combating child labour. Because, the worst forms of child labour have a direct negative impact on business. Children who are involved in work at early age instead of schooling, will be deprived of a chance to be skilled or qualified workers in the future that harms human and labour resources of the country. On the other hand, the hiring of children negatively affects the image of enterprise or causes its boycott by community. Moreover, employer, as a member of community, has a legal, ethical and moral responsibilities for child labour. He/she must respect the norms of law and understand how the consequences of child labour can damage the economic development of the country. And so enterprises may contribute to this problem and they can thus play a role in helping to eliminate it, but they need strategy and clear plans.

The handbook „No child labour” has been prepared by Azerbaijan Employers' Confederation to assist its members and potential members in eliminating child labour in agriculture, mainly in the cotton sector in Azerbaijan. The handbook can be used as a source for self-study of employers and managers to take concrete actions in combating child labour. This manual provides some advice and guidance to employers on how they can address the problem of child labour and what they can do to solve it.

This guide explains what an enterprise can do to eliminate child labour in its operations, both as it relates to workers under the minimum age for and as it relates to those under the age of 18 engaged in hazardous work. By using the handbook employers should have strategy and a variety of ideas and examples of actions to be taken by them in the effective elimination of the worst worms of child labour.

### **How to use this handbook**

The manual is designed to be used for employers to take actions against child labour. It is comprised of Introduction and two main parts. The Introduction provides information about the aim of the manual, how to use this guide and intended users. Each of the main parts of the guide begins with introduction that explains the content or the issue include in it.

The first part of the handbook, “Employers and child labour” is divided 4 chapters and contains definition of a child and the concept of child labour, explains what the worst forms of child labour are, and also identifies the worst forms in Azerbaijan. This part also defines the role and interest of employers in combating child labour. Strategy and step-by-step actions of employers for eliminating child labour are dealt in this part. This section of the guide also provides recommendations prepared by ASK to submit to the government, international organizations and NGOs.

The second part of the handbook, National Report on child labour in agricultural sector in Azerbaijan (with an emphasis on cotton production), is divided, in its turn, into two main chapters that are based on the results of desk research and field survey conducted on child labour in the republic.

The first chapter entitled “Child and Society” provides information on issues which are directly linked to child labour, i.e. economy of the country, population’s living standard, education, public health, etc. It also highlights the current situation of children in the republic, including the economic exploitation of children, and previous interventions in addressing the problem of child labour.

The second chapter, “Child labour in the cotton sector of agriculture” describes the findings of Rapid Assessment Survey conducted by Azerbaijan Employers’ Confederation on child labour in the cotton sector in Azerbaijan. The questions on the extent and nature of child labour in cotton sector of agriculture, the reasons of child labour, and the types of activities that children involved in, the ways of involvement children in cotton production are dealt with in this section.

It also identifies the nature of child labour used in cotton-growing that is featured as the worst forms of child labour that has negative impact on health, safety, education and moral development of children.

## **Target groups**

The handbook is designed for employers – ASK members and potential members dealing with agriculture, mainly cotton production. This instrument will help them to understand the concept of child labour, to be aware on national law and international standards on child labour, to develop a strategy and action plan to eliminate child labour.

All stakeholders that are interested in eliminating child labour may also find this guidebook useful. Such groups can include local authorities, community leaders, parents of working children etc.

## **PART I**

### **EMPLOYERS AND CHILD LABOUR**

#### Introduction to PART III

Who is a child? And what are his prime responsibilities in the life? Will he enjoy his childhood or grow into “mini adult” untimely? According to the unofficial statistic data, today more half of children living in Azerbaijan are involved into various labour activities. Therefore, we face the question whether all works performed by children are right to be called “child labour”, as there is a clear-cut distinction between these activities of children. They are different in essence and can possess different impacts on children. Some of them are hard and exacting, but the other ones represent both physical and moral danger. Nevertheless, there are works which in some way become useful for a child.

This section details the types of child labour referred as the “worst forms”. These are the activities that are hazardous, detrimental and morally repugnant to children. Here a definition of the worst forms will be offered, and several occupations that are linked to the worst forms will be discussed, including the impact on the children health and safety. As well as, the part will focus on the incidence of the worst forms of child labour in Azerbaijan.

This section looks at the role of employers play in combating child labour, explains employers’ interest in combating child labour and describes a number of steps they can take.

The international standards and national law on child labour which will be discussed in this section provide a normative system which will help us to distinguish between child labour which must be targeted for elimination and acceptable activities and work for children.

The challenge of combating child labour requires the concerted effort of a number of key actors including government, international organizations, NGO etc. This will present the recommendations prepared by Azerbaijan Employers’ Confederation to submit to the mentioned bodies.

### **Defining the child**

According to the Law of Azerbaijan on the Rights of the Child, adopted in 1998, a child means every human being between the moment of birth and the age of eighteen years. The legal status of the child in the national legislation corresponds to the definition of the child in Article 1 of the UN Convention on the Rights of the Child.

### **Defining child labour**

Not all work done by children should be classified as child labour that is to be targeted for elimination. Children's participation in work that does not affect their health and personal development or interfere with their schooling, is generally regarded as being something positive, and we should never approach the issue negatively. Moreover, if children help their parents with house works, if they are engaged in family household during school-free times and holidays, all these cases should be appreciated. These kinds of activities contribute to children's developing and to the welfare of their families; they provide them with skills and experience, and help to prepare to be productive members of society during their adult life.

The term "child labour" is often defined as work that deprives children of their childhood, their potential; and their dignity, and that is harmful to physical and mental development. It refers to work that:

- Is mentally, physically, socially or morally dangerous and harmful to children:
- Interferes their schooling:
  - By depriving them of the opportunity to attend school;
  - By obliging them to leave school prematurely;
  - By requiring them to attempt to combine school attendance with excessively long and heavy work.

In its most extreme forms, child labour involves children being enslaved, separated from their families, exposed to serious hazards, criminal/illegal/immoral activities and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age.

### **At what age should a child be allowed to work?**

Different countries have different age minimum age to the national legislation. ILO Convention No. 138, adopted in 1973, sets 15 as the minimum age for work for in developed countries, but a child can become an apprentice at a younger age (14 years) or undergoes vocational training. More than 130 countries of the world including the Republic of Azerbaijan have ratified this convention. The Labour Code of the Republic of Azerbaijan sets 16 as the minimum age for children to employment.

### **Defining the worst forms of child labour**

All human beings, adults and children alike, are entitled to certain rights by virtue of being human, and it is recognized that children have rights of their own. Public opinion worldwide has been outraged by the appalling extent to which some of these rights have been violated through particularly repugnant and unacceptable forms of child labour.

The effects of hazardous work on children can be even more acute than they are for adults because of physiological and anatomical differences.

Considering the growing international concern with the problem of child labour and the need identifying the worst forms of child labour the ILO has adopted the convention No 182 on the Worst Forms of Child Labour and Recommendation No 190 that requires immediate measures for the elimination of worst form of child labour.

The activities that are considered the worst forms of child Labour in Convention No. 182 are the following:

- Slavery or similar practices, such as sale and trafficking of children, debt bondage, and forced or compulsory labour including the forced recruitment of children for use in armed conflict;
- Using or offering a child for prostitution or for pornography;
- Using or offering a child for illicit activities, such as for the production and trafficking of drugs;
- Work by its nature or because of the circumstances in which it is carried out is likely to harm to the health, safety or morals of the child, i.e. “hazardous work”.

### What is hazardous work?

Various and many activities are fallen under the category of hazardous work that is specified by the national list of hazards of each country. These activities include exposure to abuse, work that is conducted underground or under water, work done at heights or in confined spaces, work that involves using dangerous equipment or tools, work that is carried out in unhealthy environment or involves hazardous substances, or any work carried out in particularly difficult circumstances. Working excessive hours or being confined to an employer’s premises, transporting, heavy loads or night work are also included.

### Hazards in agriculture

It is important to say that a main part of working children in Azerbaijan falls to the share of agriculture sector. Although, there is no exact statistics here, according to free investigations and observations, it can be said that all children living in the rural area are engaged in the various kinds of agricultural activity. The vast majority of these children are involved in hazardous spheres. In given the table below some examples of hazardous work in agriculture and its consequences on the health of working children are described.

Table Examples of hazardous work in agriculture and its consequences on the health of working children

Tasks	Hazards	Health consequences
Working with sharp tools; and power machinery; Handling and spraying of agrochemicals; Caring for farm animals; Crop picking and weeding; Collecting fodder; Loading;	Inadequate or unprotected machinery and tools; Driving tractors and farm vehicles; Motor vehicle accidents; Noise and vibration; Risk of falls and suffocation in grain elevators and silos; Dangerous animals; Biological toxic agents; Exposure to hazardous chemicals; Arduous work; Working without personal protective equipment; Exposure to extreme temperature; Heavy loads;	Laceration, cuts, injuries and death, fractures and amputation if fingers, limbs and toes, head injuries of other handicaps caused by equipment and farm machinery mishaps; Induced hearing loss; Eye injuries; Parasitic infections and other infectious diseases; Dermatitis; Thermal stress; Chemical poisoning (chronic and acute); Sunburn and cold.

### Worst forms in Azerbaijan

As in many developing countries, in Azerbaijan children are being involved in the worst forms of child labour. In order to touch these spheres of work or these forms of labour, first of all, the national law and

the national list of hazardous works prohibited for use of child labour, as well as International Conventions and other international legislative papers should be considered. On January 24, 2000 the Cabinet of Ministries of Azerbaijan Republic approved the national list of hazardous works prohibited for use of child labour. The present document provides for a long list of numerous activity spheres and strengthens principal clauses of international documents prepared in this field. Thus, based on labour legislation of Azerbaijan Republic and the above-stated list we enable to overview the worst forms of child labour specific only for Azerbaijan.

So, here we have a chance first to apply to **agriculture**, where child labour in Azerbaijan found its wide spread occurrence. According to different studies, 90,9% children in rural areas of Azerbaijan became involved into labour activity, which is explained, first of all, by socio-economic situation of regions, lack of manpower and traditional views and approaches to child labour. In rural areas children of both poor and well-to-do families become involved into labour activity.

Thus, another important problem will be quite appropriate here. Indeed, the national list of Azerbaijan Republic provided for spheres prohibiting use of child labour includes a very short division devoted to dangerous works in agriculture which doesn't fully cover spheres hazardous to children. However, labour legislation prohibits children to work at extreme temperatures and heights, in condition of unlimited working hours, week-ends and holidays, to work with different chemicals, to bear heavy loads and, thus, to be engaged in works damaging their health and impeding education. Moreover, the ILO Convention Nr. 182 on worst forms of child labour ratified by the Azerbaijan government declares that "any work dependent on its essence or condition of execution which may damage a child's health, safety or moral development is considered to be hazardous".

Children in agricultural sector of Azerbaijan are mostly occupied with cotton-, tobacco- and tea-growing, then, with fruit-and-vegetable-growing, cattle-breeding, family households and, thus, with all existing spheres.

Farming probably accounts for more hazardous child labour than manufacturing, and tends to have a high accident rate. The risks faced by children as agricultural workers, include exposure to the hot sun, rain as well as harmful animals and insects; they may be cut by the tools they use, rising early to work in the damp and cold, often barefoot and inadequately dressed, some develop chronic coughs and pneumonia. The hours in the fields are long – seven to ten-hour days, in harvest picking season even more, are common.

Children working on commercial agricultural plantations are known to pick crops still dripping with pesticides or to spray the chemical themselves. Skin, eye, respiratory or nervous problems can result from exposure to pesticides. Frequent awkward or heavy lifting and repetitive strains can permanently injure spines or limbs of children, especially if poorly designed equipment is being used.

Children are often included as part of hired family labour for large-scale enterprises production. In this case they are not formally hired and may be engaged in dangerous tasks. Management can plead in such situation that they have no direct responsibility for the health and safety of child workers.

### ***Children in the informal economy***

It is true, the use of child labour could find its wide spread in the informal sector of Azerbaijan economy covering numerous activity spheres. In developing countries, activities in the "informal sector" are mainly carried out by urban poor. Most people have to work in informal sector activities, which are more precarious and produce less income.

Working children tend to be concentrated in the informal sector of the economy. Their work is not official – there is no government employment agency or tax authority that knows the children are working because they are not officially registered employed. In many cases, the children receive no payment for some work, only some food and a place to sleep. Children in the informal sector have no job security, receive no payment if they are injured or become ill, and can seek no protection if they are maltreated by their employer.

The informal sector where children are involved in, covers numerous activity spheres.

### ***Household chores***

These forms of activities are widely spread both in rural and urban areas. Children in rural areas of Azerbaijan regardless of the fact that they are employed or not employed in paid or unpaid commercial works, they are obliged to keep family households. Of course, employed children seem to be in more grave condition here, as early in the morning before work and after work when return home they have to do housework.

At once it seems to be children occupied with family households are not subjected to risks. Actually, situation should be the worst here, as parent-farmer doesn't feel any legal responsibility before his child and doesn't suffer condemnations of legal experts or other persons. Such parents-farmers try to duck out when using their tradition phrase "this is my own child".

According to the studies conducted, these children for the most part do not go to school, which should be especially related to girls from many-children poor families. Boys and girls in family households share different responsibilities. As usual, girls are engaged in house works (washing, cooking, cleaning, etc.), concern for younger brothers and sisters. Besides, in the most cases they have to fetch water from a distance and work in homestead lands. Recent periods are observed by early marriage of girls at the age of 14-15 in rural areas, which arms their parents to insist that these works "prepare" girls for future family life.

Boys, on the contrary, become occupied with "outdoor works". Each rural family possesses even small household and cattle to earn its living. Boys in their turn look after the cattle, go to forest to bear and chop firewood, work in homestead lands, etc. So, these works go on from the very sunrise until sunset. As it became known from interviews with children, the majority of them consider everyday house works to be uninteresting and senseless, when they prefer to be engaged in paid works to earn some money for themselves.

But, in urban areas, boys are especially occupied with small family enterprises as repair shops (repair of cars, etc.), shoemaking shops (repair and sewing of shoes), mini-markets, and girls, with house works as usual.

### ***Service sector***

The frequent use of child labour occurs in many catering and consumer services operating in Azerbaijan. Of course, big restaurants and hotels functioning in compliance with international standards disregard use of child labour, which is for the most part exploited by small restaurants and tea-houses, suburban bars and clubs, etc. Here, children become involved in different works, as washing up, removing of garbage and cleaning of objects. Even children at the age of 15-17 cater for clients in tea-houses. Though the national legislation provides limited working hours for children, the workday in such objects lasts until night hours up to 2-3, but sometimes up to the morning. These jobs are widely spread in tourism objects placed in suburban areas and regions of the country.

### ***Street trade***

Recent years the number of children immersed in street trade is noticeably increased in Azerbaijan. They became more involved in sell of different goods at bus and railway stations, subways and trains, thus, everywhere in the streets. As usual, these children are dealing with sell of cigarettes and everyday consumer goods.

Moreover, children wash cars, help drivers to collect money at public transports, carry different goods and loads, clean premises, etc.

## Child labour in industry

The industrial sector of Azerbaijan covers oil-gas, chemical, ferro-metal and construction spheres, where in the main transnational companies and large enterprises are concentrated. Indeed, the present sector was iteratively investigated to reveal the prevalence of child labour, but, according to observations the direct use of child labour remains to be non-available here.

## CHAPTER 2 LEGAL FRAMEWORK

Among primary tasks of the Azerbaijan Republic's policy carrying out in the direction of economic and social development is to secure children who are more vulnerable group of the population. As a result of reforms conducted in the country within this purpose the legislation on children's rights has been substantially developed.

### International law

The Republic of Azerbaijan was admitted to the United Nations' Organization in 1992 and ratified the UN Convention on the Rights of the Child. The same year Azerbaijan joined the ILO, immediately confirmed the validity of all ILO Conventions ratified by the former Soviet Union and since then added ratifications of seven more important ILO Conventions. Altogether, until now Azerbaijan has ratified 57 ILO Conventions among which:

- ILO Convention Nr. 138 on the Minimum Age (1973) and Recommendation Nr. 146;
- ILO Convention Nr. 182 on the Worst Forms of Child Labour (1999) and Recommendation Nr. 190;
- ILO Convention Nr. 184 on Safety and Health in Agriculture (2001)

During the UN Millennium Summit held in 2000, two optional protocols of the UN Child Rights Convention – “Involvement of children into armed conflicts” and “Child trafficking, child prostitution and child pornography”, were signed by the president of Azerbaijan. In 2004, Azerbaijan joined the Hague Convention on International Adoption.

### National law

A number of laws and decrees were adopted by the government of Azerbaijan in order to bring the national legislation in compliance with the international standards, and at the same time to strengthen social protection of different groups.

In Azerbaijan, the issues concerning social and legal protection of children are regulated by a number of laws, such as National Law on the Rights of the Child, Constitution of Azerbaijan Republic, Labour Code, Law on Citizenship, Law on the legal status of foreign citizens, Law on state youth policy, Civil Code, Marriage Code and Family Code.

**The Constitution of the Republic of Azerbaijan** The Constitution of the Republic of Azerbaijan adopted on 12 November, 1995, stipulates that the State has the obligation to take measures in order to secure a decent living standard for all citizens, ensuring individual and family health and welfare, including food, clothing, housing and medical care, as well as necessary social services.

According to the **Article 12 of the Constitution**, the highest priority objective of the state is to provide rights and liberties of a person and citizen.

Article 17. Family as a basic element of society is under special protection of the state. Parents must take care of their children and their education. The state controls implementation of this responsibility.

Article 35. Labour is the basis of personal and public prosperity. Everyone has the right to choose independently, based on his/her abilities, kind of activity, profession, occupation and place of work. Nobody might be forced to work. Everyone has the right to work in safe and healthy conditions, to get

remuneration for his/her work without any discrimination, not less than minimum wages rate established by the state.

**Article 41.** Everyone has the right for protection of his/her health and for medical care. The state takes all necessary measures for development of all forms of health services based on various forms of property, guarantees sanitary-epidemiological safety, creates possibilities for various forms of medical insurance. Officials concealing facts and cases dangerous for life and health of people will bear legal responsibility.

**Article 42.** Every citizen has the right for education. The state guarantees free obligatory secondary education. The system of education is under the state control.

**Labour Code** National legislative norms of the country determining the role and regulating participation of children in the society create wide opportunities for children's education, salary, rest, etc., provide protection of children from exploitation and harmful impacts, and, thus, completely comply with international legal norms and principles. Legislation provides for children to possess labour rights according to their age, health, general education and vocational training. The features and conditions for appearance and realization of their labour rights are regulated by **the Labour Code of Azerbaijan Republic**.

**Article 247.** Due to their limited work experience, and limited choices for work, and factors related to their physiological development, the specifications of employing workers under the age of 18, and the benefits that they are entitled to are outlined in this law. An employer is to provide the benefits of the workers under the age of 18 as specified in this law.

**Article 249.** Persons who are under the age of 15 shall not be employed under any circumstances. In order to provide the youth with work experience, the students of high schools, vocational schools, lyceums or medium specialty education institutions who have reached the age of 14, upon the written consent of their parents or people replacing them, can work at after school hours in light duty works which pose no hazard to their health.

**Article 250.** Employment of persons younger than 18 years old in jobs with difficult and hazardous work conditions, also in underground tunnels, mines and other underground jobs, also in such places as night clubs, bars, and casinos which could be detrimental to development of his/her wisdom, and also in places where alcoholic beverages, narcotic components and toxic material are carried, kept, or sold is prohibited.

**Article 256.** In agriculture and other agrarian sectors, the bylaws and regulations of peasant (individual) farms, individual (family) enterprises, corporations and other legally established organizations or entities may not limit the Labour rights of employees hereunder. These documents may only consider the conditions and roles to regulate the Labour relationship in more progressive forms and styles.

In all agriculturally oriented enterprises, the Labour of women and persons under the age of 18 may be used only as stipulated herein.

**Article 258.** In special cases in family businesses, teenagers between the age of 14 and 15 may work. They may not, however, do heavy or dangerous work or work at night. At these ages, teenagers may perform only small jobs or apprenticeships.

**Article 91.** The following reduced working hours must apply: employees up to the age of 16, 24 hours per week; aged 16 to 18, category I and II disabled employees, and pregnant women and women with a child under the age of one-and-a-half, 36 hours per week.

**Article 119.** Employees under the age of 16 shall be eligible for 42 calendar days of vacation per year; employees aged 16 to 18 shall be eligible for 35 calendar days.

**Article 227.** Employees shall have the right to demand information about occupational safety in their workplaces, about the necessary occupational safety material which they should be given based on working conditions, and about concessions and guarantees. Employers shall be obliged to satisfy these requirements.

**Article 233.** When employees work at low temperatures, outside under windy conditions, during very cold weather, or when they work in closed, unheated buildings, they shall be given breaks to warm up or else the work shall be stopped.

Employees shall be issued breaks in the manner established hereof when they are working

Breaks shall be counted as paid work time, and employee salary during these breaks shall be calculated on the basis of the employee's regular salary.

**Article 251.** Work duties (services) of workers between ages of 16 to 18 years can include manual lifting and carrying of only the heavy objects which their total weight is within the limits specified below:

a) for males along with performing other duties, lifting by hand and carrying to another place of objects which their total weight is no more than 15 kilograms, also lifting to a height of more than one and a half metre of an object which its weight is no more than 10 kilograms;

b) for females along with performing other duties, lifting by hand and carrying to another place of objects which their total weight is no more than 10 kilograms, also lifting to a height of more than one and a half metre of an object which its weight is no more than 5 kilograms;

Putting girls under age of 16 to works of lifting and carrying of objects during the entire work day (work shift) is prohibited.

**Article 252.** Workers under age of 18 are given employment only after passing medical examinations and until they reach age of 18 they must be medically examined every year with expenses paid by the employer.

**Article 254.** No employee under the age of 18 shall be permitted to work at night or perform overtime work, to work on weekends, holidays, or other days off, or to be sent on assignment.

**The National Law on the Rights of the Child** The National Law on the Rights of the Child was approved on May 19, 1998. This Law stipulates for children's rights and freedom, the fundamental principles of the state policy on children in the Azerbaijan Republic, determines responsibilities of state bodies, other legal and physical entities on protection of children according to the Constitution of the Azerbaijan Republic, Declaration on Children's Rights, Convention concerning Children's Rights and other international legal regulations.

**Article 1.** The children's rights and responsibilities provided in the Law concern every person below 18 years of age.

**Article 8.** Every child has a right to live and a right to normal physical, intellectual and moral development. In this respect, the state is responsible to carry out economic, social, legal and other measures to provide this condition for them, and create sound and safe environment.

**Article 22.** Every child has a right to be educated according to the education legislation of the Azerbaijan Republic.

The state education system should create sufficient condition for personal development of children and condition for they can obtain important knowledge and skills.

Averting children from general compulsory education and secondary education is prohibited by law.

**Article 24.** The children have a labour right in accordance with their age, health, general education and level of training.

The conditions for appearance and implementation of children's labour rights are determined by the labour legislation of the Azerbaijan Republic.

**Article 28.** The state protects children from all kinds of exploitation, hard, hazardous and dangerous labour by means of social, economic, medical and educative measures.

**Article 29.** The state provides children with social welfare as extraordinary grants, monthly relief and compensations.

The relevant executive authorities may apply additional grants and privileges to the needy children.

According to the **Family Code**, parents have both the right and duty to educate their children, care for their health, psychical, spiritual and moral development and their training and preparation for socially useful work.

The Family Code stipulates that "The family and family relationships in the Republic of Azerbaijan are protected by the State".

**The Civil Code of the Republic of Azerbaijan** covers such issues as protection of children's interests, definition of exact maturity age, responsibility of teenagers for property and material damage, etc.

According to the legislation of Azerbaijan Republic, the list of jobs where child labour is prohibited was approved on January 24, 2000 by the relevant executive body – the Cabinet of Ministers.

One of the main goals of the State Programme on "Improvement of children's upbringing and education, and protection of their rights" adopted in June 22, 2000 and Action Plan on "Solving problems of homeless and street children" adopted in April 14, 2003 is to combat child labour.

The Action Plan includes that the relevant state bodies should strengthen control of child labour regulations, coordinate activities of government and non-governmental organizations in elimination of the worst forms of child labour, conduct awareness-raising and educational activity among the population on challenges of child labour.

**What are the sanctions for infraction of the law?** Employers, employees and other physical persons violating the national labour legislation are brought to account in the cases and manner provided by the **Code on Administrative Infractions** of Azerbaijan Republic.

Persons which grossly violated labour protection rules or employers-and-employees' rights and legal interests provided in the legislation or requirements of this Code through socially dangerous acts anyway are brought to the criminal responsibility according to the cases and order provided in the **Criminal Code** of the Azerbaijan Republic.

**The Code on Administrative Infractions Article 53.** Employer who involved physical persons in any kind of work (services) without concluding labour contracts in the manner provided by the Labour Code of Azerbaijan Republic, will be penalized in the amount from 200 to 300 conventional units.<sup>1</sup>

**Article 54.** To employer who violated labour safety rules, i.e.:

not observed the standards, norms and regulations on labour safety;

not provided workers with necessary sanitary and prophylactic services;

not meet normal labour and rest regime for workers;

not provided workers with necessary special clothes and shoes and other individual protection means in the required period and varieties; and

not provided training for workers on labour safety standards and not publicized labour safety rules, a penalty in the amount from 70 to 90 conventional units shall be applied.

### CHAPTER 3 THE ROLE OF EMPLOYERS IN THE ELIMINATION OF CHILD LABOUR

#### Why do enterprises use child labour?

Based on results of our study on child labour conducted in cotton sector of Azerbaijan the reasons of employers to apply to child labour should be generalized as follows:

##### 1. Lack of labour force and wide use of manual labour

Though high unemployment level in the surveyed regions the labour force in cotton production fails, which should be explained by certain reasons. Non-availability of agricultural machinery in cotton-growing causes wide spread of manual labour and, thus, generates lack of important labour force. Moreover, as cotton-growing is a seasonal work and cotton picking is dependent on weather all population's levels irrespective of their age are involved into this process.

#### **Khalid Aliyev, employer from Bilasuvar**

About 10 years I have been engaged in cotton-production and possess a great cotton farm. In one of the brigades in the farm the 18 children 14-17 years of age work of which girls account 90 %. As a matter of fact, I employed them at the instance of their parents with bad financial situation. Most of the children don't go to school. Since I joined the project I was successful to return two children school, and to place another two children into boarding school. I try to make concessions to children, irrespective of their works I pay them salary of adult employees, and support their families.

Adult population, especially men, possess slight interest in cotton-growing which is justified by low selling price of cotton when today income from cotton-growing works can not provide family. Male population prefers to leave for other countries in search of earnings. And so, cotton-growing being

<sup>1</sup> 1 conventional unit is 1,1 AZN

dominant in agriculture and all surveyed regions falls on shoulders of women and children. By different investigations, majority of women above 40 years of age physically become incapable to work in cotton sector requiring hard work and physical force. In this respect, children should bear prime responsibilities. Here, situation with girls claims special attention. Thus, in the course of studies 90 % of girls among total children employed in cotton sector have been revealed to be occupied with cotton-growing works as weeding and picking. Besides, boys should possess wider scope of activity, as by rural traditions cotton-growing remains to be “decent activity” for girls. All interviewed employers adhered to the unambiguous position on girls to be more responsible for work.

2. The next reason of employers to use child labour was explained by poor financial position of families. Thus, employer renders assistance to poor families through recruiting their children.

3. The third reason consists in children are cheap labour force. As to employers, wages they pay to children do not satisfy adults, therefore it’s advantageous to employ children.

4. Another reason which arms employers to employ children is concerned with moral development of children. Anyhow most of them do not go to school, moreover, they can go astray (to take to drugs or cigarettes, criminality) in their free time during holidays. Thus, wish of children to be employed and earn money somehow can prevent them from wicked deeds.

**Kerim Penahov, employer from Agjabedi**

I employed three families for my farm and have agreements with family heads. The payment of salaries and other conditions of work are carried out according to these agreements. Actually, I know that these families with all their members, even small children, work here. Of course, the law prohibits young children to be engaged in such hard works, but in my opinion the parent should bear responsibility for that. Besides, I have no any information on their education, i.e. their school-attendance, or any other problems.

**Employers’ interest in combating child labour**

First of all, the employers should realize the concept of child labour and make the distinct difference between acceptable and not acceptable work for children according to national

legislation. They should become well aware of child labour may damage their business, economy and human resources of the country as a whole. Thus, it is very important for employers to be interested in elimination of child labour and join this activity.

The interest of employers in elimination of child labour is explained by the following reasons.

***The legislative interests of employers***

We tried to highlight the relevant clauses of the national legislation and International Conventions regulating child labour and strengthening their rights in the present handbook. As is obvious from the report prepared on the basis of the study findings conducted on use of child labour in agriculture, not all, but great majority of employers are well aware of legislative documents as regards child labour.

The employers primarily should be well informed on the relevant legislation and realize their responsibilities before the law. Every employer is responsible to respect the requirements of the law. The employer must surely bring in mind that he/she can be imposed to the deserved punishment if breaks the law.

***The economic interests of employers***

The employers possess the economic interests in the elimination of child labour which should be generalized as follows:

- The worst forms of child labour make a direct impact on business activity, as the early involvement of children in labour deprives them from an opportunity to grow into skilled

specialists, which in turn, will cause serious problems concerning future decent specialists for business;

- The use of child labour produces the unwanted image for the company, negatively impacts its public recognition and, as a result, the company's products become subjected to the boycott by the consumers;
- The low quality of the children's work reduces the productivity and competitiveness of the company;
- The employer may be imposed to a penalty when breaks the requirements of the law, which should make a negative impact on the company's activity;
- The use of more qualified labour force and farm techniques may increase the productivity of the company.

### ***The ethical and moral responsibility of employers***

Each of employers when using child labour should bear in mind his/her responsibility before children for their health, education, physical and moral development, as health of children working in agriculture, especially cotton-growing is subjected to the higher risk. The unlimited work hours and week, rapidly changing cold and hot weather, long stay under the sun rays, non-availability of any sanitary and safe measures for children, contact with chemicals, etc. generate long-term problems with the children's health. Studies conducted by ASK reveal that, the representatives of the adult generation already bear diseases which negatively influence their working capacity when in this age they become unable to work in agriculture, especially cotton-growing requiring the physical strength.

As is obvious from studies, 15% of children engaged in cotton-growing fully keep away from school.<sup>2</sup> It should be also taken into consideration that about 30 % of children with "I go to school" actually are officially registered at schools, but don't receive education. This removal from school negatively impacts the future of the children and restricts them to grow into decent citizens.

The negative influence of the worst forms of labour for psychology of teenagers is also well-known. Gradually it generates unbelief in child about his/her future and possibilities, when he/she thinks that fail to find another decent work for himself/herself.

Otherwise, the children isolated from their schoolfriends and deprived of childhood feel shy of this "offensive" situation, when it worsens their attitude towards family heads, i.e. fathers, which can not provide "good conditions" for their children, and, thus, negatively influence the interfamily relations and moral development of children.

So, the employers bear both moral and ethical responsibilities with respect to child labour.

### ***Employers as a member of the community***

In the conditions of market relations business appears the great factor of the economic development. The private company of the businessman is not only his/her source of income, but also a great contribution to the growth of the country's economy.

The employer using child labour should primarily remember that both he/she and child used belong to the same community. As is known, there are close community relations in rural areas of Azerbaijan, where certain part of children works for their parents, relatives, family friends and, at last, in most cases for the rural representative. Moreover, the activity of the rural employers is aimed at economic well-being of the village and community they live in.

Today the wide use of manual labour hinders the socio-economic development of rural areas.

Generally, in villages of Azerbaijan, there is a tendency that everyone is proud of the intellectual and famous persons of his/her own community. The use of child labour has a negative impact on the intellectual potential of the community.

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<sup>2</sup> ASK Rapid Assessment Survey, 2005

Employer using child labour in the presence of community members can serve as a bad example to other persons. Any person starting-up can repeat this experience that may give promotion to spreading child labour.

So, employers should be interested in the elimination of child labour as an active member of community.

## **CHAPTER 4            EMPLOYERS' ACTIONS AGAINST CHILD LABOUR**

The employers can play a great role in combating child labour. Today, parallel with moral aspects of the problem they become more aware of negative impact of child labour on human resources, economic growth and, at last, competitiveness of national economy. In this respect, employers possess a great opportunity leading to a problem-solving through joint implementation of certain activities. Thus, this section highlights activities of employers to combat child labour.

### **Employers' strategy**

#### ***Strategy 1 - Prevention***

- Prevention is the primary long-term aim. It means:
- identifying children at potential risk,
- keeping them out of hazardous work and stopping them from becoming child labourers in the first place.

Employer should ensure that parents see schooling as the best option for their children, families need, among other things, income security and social benefits, like health insurance, to survive short and long-term crises.

#### **Strategy 2: Withdrawal**

The withdrawal and subsequent rehabilitation of children already carrying out hazardous work includes:

- identifying those children in hazardous work;
- removing them from workplaces; and
- getting them into school and/or skills training.

Children in the worst forms of child labour need urgent actions for rescue and rehabilitation. Measures to withdraw children from hazardous work include may rely on persuasion through dialogue with parents, children, employers, law enforcement authorities and radical "rescue" operations.

#### ***Strategy 3. Protection***

The strategy of protection recognizes the reality that many children remain in the workplace in the short term whilst withdrawal strategies are pursued or because they have achieved the current minimum legal working age.

These older children continue to be at risk and need to be protected. This may require improving occupational safety and health (OSH) and working conditions and arrangements in the workplace.

### **Employers' activities for eliminating child labour**

#### ***Step 1 - Analysis of the situation***

First in combating any problem it is necessary to reveal scope of the present problem. Hence, employers in their struggle against child labour should be well aware of the problem, i.e. concepts of "child" and "child labour", when they are obliged to ascertain to what extent child labour is used at their enterprises. According to the labour legislation of Azerbaijan Republic, the minimum age limit was approved to be 16.

By legislation, children below 15 years of age are prohibited to be employed, where children of 15-19 age group can work on terms provided in the law. Therefore, employers should possess exact information on working hours and conditions, activity spheres prohibited for use of child labour provided in the law, when employing children in working age.

Then, the employer leaded by the law should obtain information on children at his/her enterprise including

- total amount of employed children at the enterprise;
- amount of children below minimum age limit;
- amount of children occupied with hazardous works.

### *Step 2 - Immediate actions*

#### **Stop recruitment of children**

The employer can immediately stop recruitment of children. Thus, the objective of this activity is aimed at to narrow the scope of child labour and prevent widespread occurrence of the problem.

#### **Remove children from hazardous work**

Children are required to be removed from works dangerous to their health. By national legislation and international labour standards, children are prohibited to be engaged in jobs dangerous to their life and health. The kinds of hazardous works highlights in the national list provided for activity spheres prohibiting use of child labour. In accordance with labour legislation of Azerbaijan Republic, children at the age above minimum age limit and below 18 can be employed for works not dangerous to their life and health. If any child becomes involved in such kind of hazardous works the employer leaded by the law should immediately remove him/her from the work.

#### **Reduce the hours for children under the minimum age**

According to the Labour Code of Azerbaijan Republic, the weekly working hours for employees at the age of 16 are determined to be more 24 hours, when for 16-18 years of age employees – more 36 hours.

The employer is obliged to reduce working hours for children within norms provided in the legislation. Taking advantage of shortened working hours the children will have sufficient time to go to school and to do home exercises. This activity will be opportune to be applied in cases when children are employees of their own parents.

Consequently, another problem becomes attracting deep attention that is reduction of working hours for children as far as possible should not impact their income or salary. It means to create opportunity for a child to support his/her family budget with previous amount of money.

### *Step 3 - Supporting children and their families*

An efficient way to eliminate child labour is to remove children from their jobs without detriment to their family budget. As, children's utter removing from work can have a negative impact on financial position of children and their families. Of course, to remove a child from work and, thus, support his/her material security require great efforts of small enterprises.

Besides, to remove child from work doesn't mean that his/her school attendance will be regular. As it became known from studies conducted in the project regions, employment of children was not the only reason for they failed to attend schools.

The employer can use different tools to support education of children. Thus, the successful implementation of the project activities by ASK promoted employers to acquire positive experience in this sphere. Today, based on this experience employers possess a great opportunity to carry out certain measures as regards education of children.

In rural places in Azerbaijan, entrepreneur-employer is a respectable and influential member of community. He/she is able to take part in solving problems with respect to community live, to influence on decision making and change the situation for the better. Any problem with the school attendance of children is sufficiently sharp issue. By using his/her authority, employer can have an influence on parents of children or school management, and thereby, together with them he/she can promote schooling of children.

For example, employer can check on school attendance of children employed at his/her enterprise through keeping in direct touch with a child's parents and school.

Under the positive impact of the meetings held in the project areas, two employers from Bilasuvar region restored two children to go on their schooling, and provided another two children with boarding school. At present, because of the poor material and technical basis of boarding school in the republic, the scanty number of children may be admitted in these schools. However, those employers could handle with this task and created a good opportunity for the children to continue their education. This experience can be applied and shared in another places.

During the round table meetings held in the project regions namely the representatives of local authorities have proposed to employers, parents and other stakeholders to coordinate joint actions for improving the education of children.

Since the beginning of 2006, the Regional Educational Department of Barda has began to undertake serious steps towards the promotion of schooling of children and set up Special Control Committee for controlling school attendance of children.

The employer can create alternatives for any family through employment of children's parents and other adult members of the family. Besides, to cover "lost earnings" of children removed from work the employer can raise wages of their parents.

#### ***Step 4 - Decreasing the need for child labour***

Pursuant to study conducted in cotton regions of Azerbaijan, as well as to interviews with employers the following fact has been revealed that use of child labour was quite disadvantageous to employers because of low quality of children's work.

In most cases elimination of child labour doesn't impact opportunities of the enterprise to derive an income, which is mainly experienced at large enterprises. The enterprises using child labour as usual possess poor management system, as child labour and poor management are interconnected factors. Thus, cost savings should be obtained through increase in wages costs bringing to better organization of production and replacement of children by adult employees.

But, this situation can not be applied to small enterprises, as they become dependent on incomes at the expense of low wages they pay or not pay children.

To improve this situation the employers should take advantage of the following proposals:

- Application of technical equipment and mechanization of certain works implementing by children;
- Improvement of production layout;
- Review the wage differences children below and above minimum age;
- Replacement of child labour in family.

#### ***Application of technical equipment and mechanization of certain works implementing by children***

Often children perform works which should be plainly replaced by machines. It is especially possible to be related to the surveyed cotton sector. For instance, children for the most part are involved into cotton-picking when application of mechanical cotton harvesters is well-timed here. Moreover, use of agricultural equipment decreases need in manual labour as well as child labour.

But, taking into consideration poor socio-economic situation of regions and limited financial capacities of small enterprises, the use of machines seems to be not so easy.

Therefore, it is important to note that in many regions of Azerbaijan the agro-leasings are already put into operation giving opportunity for employers to rent the appropriate techniques.

Unfortunately, there is no an agricultural federation or union for farmers that could help producers.

*Review the wage differences children below and above minimum age;*

Here, we aim at to estimate elimination of child labour. One of the reasons to use child labour is children remain to be cheap labour force. Is that really so? If yes, why there is a slight difference between wages of children below and above minimum age limit. In the course of interviews employers stated on salary they paid to children was nearly the same paid to adults.

*Replacement of child labour in family*

On small individually or family-owned farms, employers for the most part employ their own children. In this respect, the use of child labour by such enterprises becomes of great value. So, in this situation it is difficult to reconcile education of children with their labour activity. The farmer – head of family can resolve the problem through applying to above-stated proposals. For example some tasks done by children can be replaced with machinery. But it may be difficult for small farms to rent necessary machines. However, there is an experience in some regions in Azerbaijan when the heads of small farms and family enterprises do joint leasing of agricultural machinery for using in field work that decreases production cost.

As well as, they can review the wage differential between hiring a person below the legal work age and someone above. There may be little difference. They should also consider that older workers are likely to be more productive.

***Step 5 - Awareness-raising actions***

The employer can have a great influence on decision of parents as regards child labour. Moreover, employers possess opportunity to make better and correct estimation of economic values and risk, thus, negative impact of child labour on future human resources of the country.

Any employer recognizing educated and illiterate employees better knows worth of education. He or she can explain the value of education to parents and, thus, can prevent them from an idea to send their children to work. So, employers should carry out awareness-raising actions on value of education, legislative documents on child labour, impact of hazardous labour on a child's health and its fatal consequences. ASK in turn is always ready to join the awareness-raising campaign of employers and support them. It should be noted that the awareness-raising actions as regards child labour are among key objectives of the project "Role of employers in the elimination of child labour in agriculture" implementing by ASK by financial support of ILO ACT/EMP. As a result of joint activity of ASK and employers within the project there was obtained a good experience in this sphere.

***Step 6 - Building partnership***

The elimination of child labour is a quite complex issue, and in general, struggle of employers alone against child labour is impossible, as this problem is bound up with many global socio-economic problems which require compulsory involvement of interested parties into the problem.

In developing countries, including Azerbaijan employers face the real difficulties with respect to finance and organizational opportunities. That is why, the intervention of all interested parties is required. The positive fact was all interested parties during implementation of the project activities showed their response to the problem and readiness in combating child.

Employers and their organization can build partnership with the following bodies that are also interested in the elimination of child labour:

- ❖ Local authorities,
- ❖ Community leaders,
- ❖ Non-governmental organizations and charitable organizations, also international agencies

- ❖ Women organizations,
- ❖ Trade unions,
- ❖ Mass media.

The effective struggle against child labour and the elimination of its worst forms can be only realized due to the establishment of broad partnership between the mentioned institutions.

## **Step 7 – Monitoring**

### **The next step should be establishment of the system for monitoring child labour.**

The monitoring of workplaces is a good way to ensure that employers are not using child labour or that children under 18 are legally employed are not exposed to hazardous work. In Azerbaijan, there is some experiences of special monitoring and auditing with respect to multinational companies.

Such monitoring has been conducted by some multinational companies that are subcontractors of BP/BTC-SCP Azerbaijan. For an example, CCIC, the BP/SCP subcontractor, has undertaken the certain commitments regarding to the relevant ILO Conventions and UN fundamental principles and rights at workplaces during the construction of Baku-Tbilisi-Ceyhan pipeline. In the regions where the pipeline passed, the internal monitoring of the implementation of the company commitments, including social issues as the exploitation of child labour, occupational health and safety, human rights etc. has been carried out by the Company. At the same time, in 2005-2006, the special monitoring and auditing of the Company was conducted by some NGOs sponsored by Open Society Institute Assistance Foundation was conducted in the regions of BTC pipeline project.

Unfortunately, the above underlined example can scarcely be regarded to local companies, even more so enterprises operating in agricultural sector in Azerbaijan.

However, enterprises is important to check and analyze situation for evaluation of achievements and failures. As a result of monitoring it becomes known that the enterprise doesn't use child labour or children allowed to work are not subjected to dangers and risks. The employers should personally evaluate activities aimed at elimination of child labour. By that, they will firstly be informed on existence and extent of child labour at their enterprises, and its scales in a case of availability. The conducting monitoring is somehow assurance mechanism of the company; it is the evidence to buyers and consumers on child labour is not applied here.

The employer possesses an opportunity to evaluate the current situation of child labour at the enterprise through application of internal monitoring. However, it can be difficult to reveal how much the monitoring findings conform the reality. For an example, sometimes employers hiring children know that they break the law. And so they feel that monitoring is targeted against them, and therefore they didn't want to be monitored or the findings of monitoring don't reflect the real situation.

At the present time ASK is successful to create the monitoring system for evaluating and analyzing situation with child labour in the project target regions which will be carried out by the Committees on Child Labour consisting of the representatives of employers, relevant executive authorities and other interested parties.

### **The role of employers' organizations in solving child labour problem**

Employers' organizations represent business interests and help to create the conditions for their success. More and more employers now accept the fact that exploiting children is intolerable and has long-term human costs for their society. Many employers are farsighted enough to realize that putting children to work can limit the social and economic development of a country, since children who are working at a young age will hinder the formation of the well-educated and skilled labour force that is needed to use and even create new technology and new businesses. Thus, the economy will be stunted.

The cooperation of employers is crucial in the fight against child labour, because employers can ensure that their enterprises are free of child labour. They also play a powerful role in influencing those who hire children. Employers' organizations have a potential for:

- Providing specific information on the incidence of child labour in various sectors;
- Influencing the development of national policies on child labour;
- Working with trade unions and NGOs in the design of relevant vocational training programmes for working children;
- Changing public perception on the rights of children

## **Part I I**

### **NATIONAL REPORT ON CHILD LABOUR IN AGRICULTURE IN AZERBAIJAN (WITH AN EMPHASIS ON COTTON SECTOR)**

#### **Introduction to Part II**

The problem of child labour is a complex issue, where reasons generating this problem are in direct concern with socio-economic situation of the country. Azerbaijan as well as all transition countries faced series of intricate problems and its being at war more complicated the situation. Despite some achievements recent years occurred in the social and economic life of the country, numerous problems still didn't find their solutions.

This section covers the results of desk research that provides information on issues which are directly linked to child labour, i.e. economy of the country, population's living standard, education, public health, etc. It also highlights the current situation of children in the republic, including the economic exploitation of children, and previous interventions in addressing the problem of child labour.

The section further describes the findings of Rapid Assessment Survey conducted by Azerbaijan Employers' Confederation on child labour in the cotton sector in Azerbaijan. The questions on the extent and nature of child labour in cotton sector of agriculture, the reasons of child labour, the types of activities that children involved in, the ways of involvement children in cotton production are dealt with in this section.

This part of the handbook identifies cotton growing as the worst forms of child labour that has negative impact on health, safety, education and moral development of children.

#### **Chapter I Child and society**

##### **1.1. General Country Information**

###### **Population and human capital**

From January 1, 2005 the total population of Azerbaijan was estimated to be 8,347,000 persons of which 51.1% are women and 48.9% are men. About 13 % percents of the population are refugees and internally displaced persons (IDPs). 51.7% of the population of Azerbaijan live in urban areas while 48.3% in rural areas.

The age structure of the population is as follows:

0-14 years of age: 25.8% (male 1,046,501/female 1,011,492)

15-64 years of age: 66.3% (male 2,573,134/female 2,706,275)

65 years of age and above: 7.8% (male 246,556/female 377,661) (2005 est.)

Ethnically, the population comprises 5,805,000 Azerbaijanis and 1,625,700 representatives of more than 80 other nationalities.

According to statistical data from 1993, the average life-span is 69.5 years of age with an average of 65.3 years for men and 73.9 for women. For urban dwellers this average accounts 70.1 years (65.4 for men and 74.8 for women), but for people living in rural areas, it remains to be 69.1 years (65.1 for men and 73 for women).

The majority (57.6%) of the population is at working age. Over the last decade, the ageing of the country population has been observed. Thus, the number of the population of under working age has decreased while the population of over working age has increased in number.

The number of marriages has decreased while the number of divorces in Azerbaijan has increased by 15% during the last 5 years. The major increase occurred due to the increased number of divorces in urban areas, in comparison with rural areas.

Another important factor stands for the number of children being born out of wedlock has increased from 11882 births (10.5%) in 2003 to 26669 births (20.3%) in 2004.

Besides, the population's migration balance is negative, which in the main results in migration of the capable population to foreign countries.

The demographic situation in the country, as a whole, is characterized by falling birth-rate.

## **Economic overview**

Azerbaijan initiated its independent legal state structuring and economic transformation process in conditions of majority problems inherited from soviet times. The system of economic relations established by the Soviet Union could not promote entire development of the country's economic potential. Azerbaijan won its independence, but was confronted by heavy political, military and socio-economic difficulties. In the early 90<sup>th</sup> years the Azerbaijan economy was accompanied by the highest level of inflation. As a result, the country's economy fell into decay and, thus, caused population's low living standard.

One important change recent years emerged in the economic structure is the gradual shift from predominantly state controlled economy to market controlled economy, in which an increasing contribution of the private sector to the economy is registered Azerbaijan has faced serious economic problems since gaining its independence in 1991, particularly during the first half of the 1990s. Gross Domestic Product declined by over 20 percent in each of 1992, 1993 and 1994 and 17 percent in 1995. 67% and 24% of households were assessed to be poor and very poor in 1995.

Since 1995 the macro-economic stability became stronger supported by economic reforms and different state programmes implemented in the country, which were successful to yield remarkable achievements.

During the last 5 years GDP in comparative prices was increased by 77,8%, and it made 1429, 280 AZN<sup>3</sup> in the first half of 2006, increasing by 36.3% as compared with the same period of 2005.

In the first half of 2006, population's real money incomes was increased by 18.3% in comparison with the same period of 2005.<sup>4</sup> One of the main factors which could promote improvement of social and economic status of the country's population was development of private sector. Today the private sector has a leading position in the economy of Azerbaijan. According to the indices of 2005 the share of private sector in GDP accounts 73.3%.

The economy of Azerbaijan is predominantly non-agrarian, when dominates by industry followed by agriculture and construction. The economic growth for the most part occurred due to development of oil sector. The main industrial products – resources of Azerbaijan are petroleum and natural gas, petroleum products, oilfield equipment, steel, iron ore, cement, chemicals and petrochemicals, textiles.

Recent years the state has made great steps towards the development of non-oil sector, in particular, small and medium entrepreneurship in the regions due to agrarian sector.

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<sup>3</sup> 1 AZN = 1,2 \$

<sup>4</sup> State Statistics Committee of the Republic of Azerbaijan, Socio-economic development, January-June, 2006

## **Living standards of population**

Despite of the recent achievements in economy of the country, poverty exists in Azerbaijan. With absolute poverty line defined at 24 AZN per capita, 49% of population live below the poverty line. With relative poverty line defined at 14,4 AZN per capita, 17% of population live in the condition of extreme poverty.

The greater the number of family members the higher is the risk of poverty. The poverty level in families with more than 6 members is 61%, but in families with one or two members the poverty risk is much lower – 8-18%. Having two children in family doesn't significantly increase the probability of poverty, but the risk is higher in families with three or more children.

The risk of poverty is higher for children than adults. This is reflected in increasing vulnerability of some categories of children, in increasing number of children left by their parents and sent to social institutions and street children.

The risk of poverty is higher for women than men. The high level of unemployment among women, their engagement in sectors with salary below the average makes them vulnerable in the labour market.

According to the data of employment agencies from the beginning of 2006 the number of officially registered unemployed persons in the republic accounts 55,9 thousands. By that, unofficial data revealed 515 000 of unemployed economically active population, which proves unofficial unemployment level to be higher (15.8 %). Unemployment level among men is 14.2 %, when among women 18.6 %.

Women and youth below 30 years of age prevail among officially registered unemployed ones, where the number of persons with higher education is also rather high. According to the data, more 60 % of unemployed persons possess higher and specialized secondary education.

It should be noted that at present the government of Azerbaijan is taking some measures to improve population well-being and especially to better the socio-economic condition of rural places. Suffice to say that by finishing the first stage of the Poverty Reduction Strategic Programme, the proportion of the population living in poverty decreased from 49% to 42%.

## **Health conditions**

In Azerbaijan, health services are in a state of near collapse; despite the increase of health sector from different grants and loans as well as increase of state budgetary, the access of the population to health care services and the quality of these services have dramatically decreased. Several years ago the introduction of fee-based services of state-run polyclinics, clinics and other medical points has decreased public access to health services due to the inability of over 42% of the population living under the poverty line to get necessary medical assistance.

The protection of mother and her child in the Republic of Azerbaijan is declared by law as a priority in the activity of state agencies. But, mothers and children have not been appeared yet to benefit from wide access to health services. The quality of health services to the mother and child is poorer in remote regions and villages. More and more mothers are delivered of their children at home, as the cost (bribes) for delivery in hospitals ranges from 250\$ to 400\$ in Baku (capital) and 100-150\$ in rural areas.

The indicators on the infant and child mortality rate in Azerbaijan considerably vary depending on the sources. It is difficult to compare the figures provided by the Azerbaijan State Statistic Committee with the information from international organizations. According to the data provided by UNICEF and US Population Census Department the infant and child mortality rate in Azerbaijan is triple the European

average and although the rate has stabilized recently, in 1996 the infant mortality rate was 79 deaths per 1000 live births and 82 deaths in 2001. The child mortality rate for children under 5 years old was 93 deaths per 1000 live births in 1996 and 102 in 2001.

According to the official statistics, in 2004 the infant mortality rate was 12 deaths per 1000 live births

In comparison with other groups of population the level of infant mortality among poor layers is considerably high. The sharp decrease of reproductive ability is observed in all age groups except for 15-29. The generating ability of this age group was increased twice. At the same time, it causes anxiety, as girls give birth at an early age, which anyhow can prevent them from compulsory education and, thus, negatively impact their further employment opportunities.

The maternal death rates associated with the health conditions during pregnancy, delivery and the immediate post-partum period, have increased in recent years from 19.9 deaths per 100,000 live births in 2001 to 25.8 deaths in 2004.<sup>5</sup>

The incidence of different diseases among children has increased recent years.

The number of students suffers from diseases of the central nervous system and mental disabilities, and this category ranks second on the morbidity list.

A significant number of school children smoke and are consumers of alcohol and drugs. Another cause of concern is the extremely high rate of sexually transmitted disease.

Good standards of hygiene are not promoted among children, which in combination with poverty and a reduced accessibility to health-care service, contributes to the emergence of cases of dysentery and viral hepatitis.

Children often face reproductive health problems occurred due to possession of insufficient information about family planning issues, when sexual education is not included in the school curriculum and reproductive health clinics are unavailable for young people. The need of wide-spread education campaign in secondary schools is compounded by the fact that the number of young people under 19 years of age who have had abortions (in most cases due to unwanted pregnancy) has doubled from 2000 to 2004.

Schools do not have adequate facilities for the annual medical examination of children. Offices of school doctors do not meet standards. School doctors and nurses are paid miserable salary and usually they work several shifts in different schools. Moreover, parents have to pay money for medicines. Medical equipment in the majority of schools is outdated and has not renovated or replaced since the Soviet era. A number of schools have their psychologists. But, their work had been observed by less 5% of the schoolchildren interviewed. Besides, none of interviewed children knew what a psychologist was, why there was a need for the position and how they might help children.<sup>6</sup>

Water sanitation and access to potable water is of major concern when considering the rights of the child to survival and development. Only 37 % of the population has access to sanitation/sewerage facilities and 63 % to safe water. The rural population, especially in the southern regions of the country, has a lot of problems with access to safe water that is one of the main reasons of child's death.

The incident of suicide among children and adolescents has increased over the last 5 years. However, the State Statistic Committee has no the relevant indicators about these incidents.

Environmental degradation such as air pollution, soil contamination, soil erosion, deforestation, water pollution and depletion of fisheries and its consequences on health of the population are of major concerns to sustainable development of Azerbaijan.

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<sup>5</sup> Year-book of the Azerbaijan State Statistic Committee, 2004

<sup>6</sup> Research Study on the rights of children to education in Azerbaijan, Debate in Civil Society NGO in cooperation with the Azerbaijan Parent-Teacher Association through the sub-grant of the Azerbaijan NGO Alliance for Children's Rights, 2005

Another major threat to the survival of children is the situation regarding landmines in Azerbaijan. During the last 7 years, more than 14 million sq. meters of Azerbaijan territory, near the frontline, has been cleared of mines and prepared for cultivation. However, despite this fact, recent years the number of people, particularly, children killed and damaged from landmines has rapidly increased. Of the total number of people killed by a landmine, 13 per cent have been children.

Certain problems of public health are in direct concern with population's mode of life. Thus, irregular nutrition, non-observance of sanitary rules, strong inclination to alcoholic drinks, use of cigarettes and drugs, dangerous sex are considered to be global problems. From this point of view, the Ministry of Health by support of several international organizations provided for development of programmes oriented on population's awareness campaigns.

With the purpose to improve the existing situation the serious measures started to be implemented since 1995. Starting with last year certain measures, especially connected with personnel and structural changes, are carrying out to improve quality of public health services for population.

To prevent infantile mortality the comparatively wide immunization system is carried out in Azerbaijan. Today, the Ministry of Health by support of donors implements the project on "Safe maternity and care of new-born children" aimed at to render best public health services to mothers. To increase potential of public health servants, especially the ones who are engaged in fist aids services, to carry out awareness increase campaigns on sound mode of life for pregnant women and young girls, to improve public health opportunities for mothers, etc. are among important activities of the project.

## **Educational background**

In general, education in Azerbaijan can be divided into two periods: the Soviet education system and the education system during the period of independence, when Azerbaijan inherited a strong and comprehensive education system. With 11 years of compulsory and free education and provision of schools in all villages and towns, literacy rates were near universal in the 1989 census. However, since independence the economic difficulties arisen from the war conflict that Azerbaijan involved in and the upheavals caused by the transition to a market economy have led to two types of problems within the education system: the first was the declining expenditure in education in real terms; the second one - increasing evidence of prolonged non-attendance of school among the poorest population.

Even though eleven years of compulsory primary and secondary education are free, the official statistics say that school attendance of children under the 6-16 age group is 86%, that is, 14% of children are out of school. It is likely that many of those failing to attend school are poor urban/rural children, refugees and internally displaced children, street and working children who are not in school due to financial hardship/opportunity cost of schooling. Girls in these categories are more likely to be disadvantaged as girls' labour in domestic activities and household production are more valuable for poor families.

The 1996 World Bank Poverty Assessment study estimated that budgetary expenditure on education as a share of GDP had fallen from 6.4% in 1992 to an estimated 3.6% in 1996. Despite the recent increase of budget allocation to the education, 85% of these allocations go to the payment of teachers' salaries. It means that there are only 15% financial resources for keeping schools, which, of course, are lacking for to meet even half of the requirements of schools and education process.

In Azerbaijan, the right of every child to education is regulated by the Law on Rights of Children and the Law on Education. This right takes three forms: first, the right of every child to a free education in comprehensive schools, and to continue their studies in vocational schools, high schools, colleges and higher education institutions; secondly, the right of every child affected by a physical disability, to be educated in special schools; and lastly the right of every orphaned child, deprived of his/her family environment, to an education and full coverage of all expenses during their schooling.

About 97-99% of primary school children in Azerbaijan are enrolled in primary schools. More than 98% of children enrolled in the first grade go on to attend the fifth grade. The vast majority of the population

over 15 years of age (96%) is literate.<sup>7</sup> Despite this, the current condition of the educational system raises serious concerns, about accessibility and the quality of education.

Poor, refugee, internally displaced persons (IDP) and rural children are less likely to be enrolled in the educational system. Children from rural families with two or more children are at the highest risk of being excluded from schooling.

Many children from remote locations (rural areas, villages) do not have adequate transport to reach the nearest schools.

The lower access of rural population to education may amplify poverty rates in the future. The poverty is far greater in families where parents lack a certain level of education.

The major problems with boys' and girls' compulsory education in Azerbaijan are for the most part connected to quality rather than to access to education. The findings of the survey conducted among the first-year students of different higher institutions in 2005, indicated that 95% of these students, out of school, have had an additional educational preparation on different subjects to enter higher schools<sup>8</sup>.

Besides, in condition of numerous problems the image and value of education go down.

Problems occurred in the education sector should be summarized as follows:

1. At all education levels, especially elementary and secondary education, the quality of teaching is low. This is explained by unsatisfactory state of material and technical structure, lack of text-books, elementary teaching materials and accessories, lack of teaching personnel or their low level of preparation at rural areas.

According to the law, state provided 1-4-grade pupils, but starting from 2005 academic year all secondary school pupils with free teaching aids. Owing to lack of teaching aids only 35-40% of pupils could possess free teaching aids. Especially in rural areas there is no sufficient quantity of schoolhouses and classrooms, when the existing schools are in worst condition: the classrooms are cold, lighting is insufficient, the furniture is old and broken and the dormitories are overcrowded.

Low quality of teaching personnel is in direct concern with low real wages, aggravation of teaching conditions at schools and weak pedagogical preparation. According to the Ministry of Education of Azerbaijan Republic, today secondary schools of Azerbaijan fail 6000 teachers of which 90 % fall at rural areas. First of all, it stands for bad living conditions, infrastructure problems and low wages.

2. While talking about quality of education, secondary and vocational school teachers first of all note that education still has not been fully separated from soviet education system. The present curriculum and teaching aids do not satisfy requirements of modern market economy.

Old programmes still take place both in secondary and higher education institutions. Instead of disciplines might be necessary for children taking into account their talent, scope of interest, they are taught numerous disciplines and it is very peculiar that each of these disciplines is included to the curriculum.

3. The current needs of Azerbaijan require a different approach to education with more emphasis on inculcating independent thinking amongst the children. It is thought that a new approach – with a curriculum that is less purely academic - may make education more attractive and relevant to the needs of a market economy, and to the poorer sectors of the population. At the same time, the development of closer ties between parents, the community and the school, is thought to be crucial.

4. In general, there is social passiveness the education system subjects: teachers, parents and pupils. Passiveness of the subjects in the changes to the education system and development, mainly explained with unawareness of pupils about these processes, not fully understanding them by parents and indifference of teacher-school leadership.

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<sup>7</sup> MICS Survey, 2000

<sup>8</sup> Alternative Report of Azerbaijan NGO Alliance for Children's Rights, 2005

Involvement of pupils in the life of school and social life of the society/community is restricted. Events in the schools are conducted with initiatives and under management of teachers and school leadership, where children only become executors. In this context, expression of child initiatives, involvement of children in the preparation and organization of events are very weak.

5. There is no any link between education and labour market. The requirements of labour market are not studied and, thus, numerous specialists of certain professions are graduated that causes growth of unemployment among youth and loss of the value of education.

6. There are a lot of problems with respect to leisure of children. The opportunity for benefiting from extra- curricular educational components, such as arts, sports and technical education, have considerably reduced during the last few years and the phenomenon has mainly affected children in the villages and vulnerable families.

The non-provision of the children's spare time and rest impedes their normal physical and moral development.

It is worth noting one positive point with respect to education. Since 2005 the State of Azerbaijan has being implemented a number of serious measures to improve the situation in the education system. The actions taken in secondary and higher schools, also in other education institutions to improve the quality of education and to bring it in compliance with modern standards, promise to change the situation for the better in this sphere.

## **1.2 CHILDREN IN SITUATION OF EXPLOITATION**

### **Economic exploitation of children**

As in many other countries, children are economically exploited in Azerbaijan. The reasons for involving children into economic activity are understood by national, economic, socio-cultural and other factors.

Especially recent five years the use of child labour in Azerbaijan became more acute, that was revealed first of all in the course of studies conducted by different organizations concerning with child problems. Though studies on direct use of child labour never conducted in the republic, projects implemented with the purpose to study child problems, to reveal situation with street children promoted the problem of wide use of child labour to be notorious.

According to the NGO Alliance Survey, more than 55% of the children in Azerbaijan currently perform some kind of work. More than 50% of these children spend over 4 hours on daily work.<sup>9</sup> Unfortunately, here we fail to provide exact numbers and information about nature and scale of paid or unpaid work done by children.

In rural areas, the situation is worse – the majority of families engage their children in work on farms and in the agricultural field. Some part children are forced by the situation and/or encouraged by parents, to leave their place of residence, to travel to Baku and other big cities and earn money to support themselves and their families. The school-children in villages and rural areas are engaged in seasonal job son a daily basis. Children particularly, work in the collection of agricultural products and often work for several hours under the hot sun, without any safety measures or precautions, including protection from sun stroke, or any accidents, from the use of different tools and preventive measures against snakes.

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<sup>9</sup> Alternative Report of Azerbaijan NGO Alliance for Children's Rights, 2005

The problem of “street children” is relatively new to Azerbaijan. The country first faced the problem in the transition period in the mid 1990s when deterioration of the economic and social status reflected on families.

The number of street children is increasing, particularly, in large cities, with the most severe concentration in Baku. Children on the streets are engaged in many different types of work, from couriating different products, to trade, the cleaning of residences, washing cars, collecting money in buses or even involved in theft and shoplifting. Very often, these children are beaten and abused by adults who often extort money from them.

The figures indicating number of children in the street fluctuate according to the season. The information from non-governmental organizations states that approximately 2000 street children were registered in several big cities of Azerbaijan, out of which 80% are children who are not attending school.

Street and working children are very vulnerable to abuse and live and work in unsafe conditions. UNICEF, UAFA and the NGO Alliance for Children’s Rights studies revealed that 55-70% of interviewed working children, have been abused, beaten and faced inhumane treatment.<sup>10</sup>

### **Sexual exploitation and sexual abuse**

There are currently no credible studies or statistics, concerning the sexual exploitation of children in Azerbaijan, but there is direct and indirect data, which confirm the existence of this phenomenon, both inside the country and with human trafficking abroad.

On April 2, 2002, Azerbaijan joined the Protocol on “Child trade, child prostitution and child pornography” of UN Convention on “Human Rights”. Basing on the provisions of the Protocol, the national law prohibits sexual exploitation of children and youth, the production and sale of child pornography.

Recent years one of the unpleasant incidents in Azerbaijan is that children are often abused by their parents. The number of children sexually abused by their parents is on the increase. These cases happen more than three time per month. Even in regions where there are strong community ties, there are criminal facts on children sexually abused by their parents. The analysis indicates that the children living with single-fathers, step fathers and in the guardianship of relatives are at highest risk of being sexually abused and exploited.<sup>11</sup>

Online enticement of children for sexual acts, “Internet grooming or luring”, is becoming an alarming phenomenon. According to the findings of the Survey on internet grooming services in Azerbaijan carried out by the NGO Alliance for Children’s rights in 2004, of the 82% of Azeri children using the Internet, or using the online services, 75% of them have received proposals to meet off-line and 25% accepting this proposal met a stranger. 38% of children have been coerced into unwanted sexual conversation accompanied by the sending of pornographic images (10%), requests to send pictures (76%) and meeting proposals (79%).

It is a positive fact, that some internet providers carry out relevant measures to prevent child pornography.

### **Sales, and trafficking**

During recent years Azerbaijan has become part of the international network of the illegal trafficking of human beings; it has become a well organized and extensive phenomenon, where most of the victims are women trafficking for prostitution.

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<sup>10</sup> Alternative Report of NGO Alliance for Children’s Rights, 2005

<sup>11</sup> “Ejednevniye Novosti” newspaper № 18, ^May, 2005

The problem of child trafficking as well as women trafficking has attracted the urgent attention of society like an emerging social and criminal problem since 1997, when civil society organizations started to work in this area. However, local and international organizations operating in this sphere fail to make real efforts and to trace the actual number of trafficking victims because of the covert operations.

In 2004, a number of NGOs carried out a series of studies on this problem. According to the studies which carried out in 4 cities of Azerbaijan, 110 victims of trafficking were revealed, of which 73 were women aged 18-53 years old, 7 were children aged 12 – 13 years old, 20 were adolescents between 14 – 17 years old and 10 were men aged 30 – 40 years old.

A survey conducted by the local NGO “Clean world” with the support of OSCE revealed that recent years there were 500 women who had been the victims of trafficking and 11 of them were children, out of which 87% were trafficked to UAE and Turkey.

The children involved in the survey, aged between 10 – 13 years old, were involved in street begging and have been almost always sold by parents, relatives or neighbours and half of them are refugees. The vast majority of these children were forced to use drugs and all the girls and some of the boys, said that they have been raped.<sup>12</sup>

It should be noted that the government undertakes certain measures to prevent this situation. The Law on Trafficking and Sale of Persons was discussed in parliament in April 2005.

A special centre within the Ministry of Internal Affairs has been established and a national action plan has been approved by the President’s Decree.

### **Efforts made towards eliminating child labour**

Today there are a lot of international and local organizations, among them UNICEF, Canadian International Development Agency, World Vision, Save the Children, Baku SOS Children’s Village, Azerbaijan Children’s Foundation,

Republican Children’s Organization, League of Children’s Rights Protection, Azerbaijan NGO Alliance for Children’s Rights, as well as non-governmental organizations as “Umidli gelejek” (Hopeful Future), “Umid yeri” (Gleam of Hope), Centre “House of Light” and other non-governmental organizations, which are engaged in child problems in the Azerbaijan Republic. At the same time certain embassies and representations of foreign companies functioning in the republic carry out different activities with regard to children.

These organizations carried out various research projects and surveys related to children’s problems. It should be noted that they mainly focus on the problems of street children, children with disabilities, refugee and IDP (internally displaced person) children, children’s rights, education and health problems of children.

Over the period of 2002-2003, UNICEF jointly with the Ministry of Education and Ministry of Youth, Sport and Tourism of Azerbaijan Republic carried out two research projects on “Street children in Azerbaijan”. The first research on “Street children in Azerbaijan” comprehended 180 children from 3 big cities and Guba region. The survey focused on prophylaxis and prevention of this negative phenomenon, analysis of “street children” phenomenon by means of identification of general and specific reasons for implementing measures of problem-solving concerned the negative results both for individual and society.

The second research on “Street children” covered 100 children in Baku.

The Republican Children’s Organization conducted sociological survey among children-refugees and internally displaced children and children of poor families and deprived of parental care in order to reveal

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<sup>12</sup> Victims of human trafficking, report by Clean World Social Public Union, 2004

the causes of “street children” concept and ways for its prevention. However, the findings of the survey were not publicized.

The Centre “House of Light”, a local NGO, operates a special centre for street children and runs programmes for up to 300 children. The number of children registered with the Transit Centres within the Ministry of Internal Affairs is about 700.<sup>13</sup> Over than 700 children are yearly clients of the “Umid yeri” – another NGO operating the day care center for street children.

The survey by International Organization on Migration (IOM) conducted in 2003 reiterates an urgent need to take actions towards protecting vulnerable children (street children, children in institutions) and women from trafficking.

Azerbaijan NGO Alliance for Children’s Rights, which is an umbrella agency of 60 NGOs and children and youth groups working through the country for the improvement of children’s welfare, and promoting and protecting children’s rights, conducted survey and prepared the report on the situation of children and on implementation of the UN Convention on the Rights of the Child between 1998 and 2005.

According to this report, despite of ratification of various international documents by Azerbaijan Government and joining international protocols and adopting State Programmes and Action Plan on the subject, no specific and effective measures have been adopted.

Generally, no attention is paid by the State to ensure the right to life or the survival and development of children who are working or living in the streets. One of the recommendations (article 44) made by the UN Committee on the Rights of the Child in 1997 recommended that “the State party to adopt a strategy on the problems of children working and living in the streets”. In this regard the Cabinet of Ministers of Azerbaijan Republic on April 14, 2003 adopted and confirmed with decree No 60 the “Action Plan for solving problems of orphans and street children in Azerbaijan Republic”. The Plan provides for large measures to be taken to improve conditions of children and solve their problems. But despite this, big progress in this field has not been made. On the contrary the number of street children is continuously increasing. Absence of a data bank on children in Azerbaijan Republic makes inaccessible to get comprehensive and updated information about working and street children.

Nor is any substantial program being developed for the rehabilitation, medical treatment, social reintegration or education of children who live or work in the streets. Although there is no exact data on the numbers of street children in Azerbaijan, the available figures are cause for major concern, regarding the growth of the population of street children, during the last 5 years.

The main problem is that there is no enough statistics and data base on working children at the state level. However, since 2005, the State Statistic Committee with financial and technical assistance provided by ILO/IPEC, has conducted the first National Child Labour Survey in Azerbaijan. The NCLS was conducted in two stages. The first survey was conducted together with the National Labour Force Survey, which interviewed 18,000 households to obtain estimations on employment and unemployment of adults and child labour data by sex, age, economic activity, occupation, employment status, hours worked, etc. The second survey was conducted in November 2005 and focused on the causes and consequence of child labour. In this survey, 5,000 households were interviewed. The results of the Survey will be made available through a national workshop to be held in November 2006.

## **Chapter 2**

### **CHILD LABOUR IN THE COTTON SECTOR OF AGRICULTURE**

#### **2. 1. RAPID ASSESSMENT SURVEY ON CHILD LABOUR IN THE COTTON SECTOR IN AZERBAIJAN**

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<sup>13</sup> Children in Azerbaijan, State Statistics Committee, 2004

## **Agriculture**

The large part of cultivable lands in the South Caucasus region falls to the share of Azerbaijan. Agriculture is Azerbaijan's second largest sector after oil and gas.

The main agricultural crops are cotton-, tea-, tobacco-, grain-, fruit-and-vegetable-growing and cattle-breeding.

As a result of land reforms 1.3 million ha agricultural lands were allocated among population. Implementation of rural agrarian reforms created the best opportunity for development of agriculture, and, thus, promoted achievement of high indicators of recent years. Since there has been observed quantitative increase of persons engaged in agricultural sector. If in 1991 they accounted 31,8 % of general economically active population, in 2005 that figure increased up to 41 %. Growth of these indicators is in direct concern with land reform enabled most rural people to possess their own small lands. This sector accounts for 14.1% of GDP.

But, as a whole, agriculture is held back from view point of investments.

Thereby, brief energy and gas supply in rural areas, low level of infrastructure and limited opportunities for availability of important elementary health and education services cause rural population to face difficulties. Though possession of land plays a great role in preventing rural people from poverty, in majority cases it can cover only daily living needs than bring extra income.

### ***Cotton – growing***

After collapse of the Soviet Union, like all spheres of the economy of the independent Azerbaijan Republic, cotton industry went into a decline. The development dynamic of cotton growing sector in the country declined from its maximum level to minimum during the last 20 – 25 years. In comparison with the 1980s when in Azerbaijan more than 1 million tons cotton was being produced, in 2001 only 84,000 tons cotton was supplied.

It should be noticed that there were some people who referred the reason of the lack of product supply to the absence of market subjects. It means that, the entrepreneurs who cultivated cotton couldn't find markets for product realization. The reason of decline in cotton growing sector was the absence of infrastructure. At the same time thousands hectares of agricultural land became useful as a result of overflows during last years.

Due to the measures taken by the Azerbaijan government the development of cotton growing sector is being observed since 2003. According to the information of the Ministry of Agriculture, in 2005 the cotton lands were extended and went up to 103,7 ha from 66,8 ha, and the production volume reached up to 135, 700 tons from 99,500 tons in 2003.

Cotton is planted in many regions of Azerbaijan Republic. The majority of lands suitable for planting are used for cotton-growing in these regions. Consequently, this branch of agricultural production holds a leading position there. The majority of the population residing in these regions is engaged in cotton growing, as it remains to be a main resource of population income. That is why, nevertheless this sector had a lot of negative changes, as decrease of productivity, use of hand work because of the lack of agricultural technique, drop in sale prices of raw cotton and therefore minimum income level, and also hard and insufficient labour conditions, they are obliged to be engaged in this sector.

In agricultural sector in Azerbaijan, the cotton production is dealt by large local and foreign enterprises, and also small farms. Large local and foreign enterprises are mainly engaged in the purchase and processing raw cotton, while cotton growing is dealt by small farms or family enterprises that owned land areas as a result of economic reforms regarding privatization process. So, these farms grow raw cotton and delivery it to large cotton processing companies. According to the heads of such small farms, the selling of raw cotton at the low prices disables their farms to reach high income.

It is true that last years some cotton processing enterprises reorganized their operation and were reconstructed, as well as selling-price of raw cotton increased that caused the development of cotton

production. But economic underdevelopment on the whole of the republic caused unemployment problems. As in many regions of Azerbaijan the high level of unemployment makes the population in the targeted regions to be engaged in cotton production.

### **ASK survey on child labour**

In the previous divisions we touched on social and economic situation in Azerbaijan, including living standard of the population and their opportunities to use education and public health services, problems concerned with children, etc. Difficulties in the above-stated spheres generates series of problems for our society, where the problem of child labour is the very urgent to be solved. Because, future economic potential and intellectual level of each country depends on children's today's status, their education and sound physical and moral development.

Children work in illegal and adverse working conditions in Azerbaijan. Officially, the rights of children are protected by legislation of the Azerbaijan Republic, where laws on restrictions on minimum age limit of children for work, on spheres permissible for their employment and on duration of their workday are available. But, children work without any contract and are not paid in time, their rights become infringed and, thus, child labour widens its illegal scales and doesn't appear in official data.

NGOs dealing with the children's problems in Azerbaijan have never conducted the systematic and in-depth researches on analysis of child labour. Their activity didn't go beyond trainings and seminars on awareness-raising and health of children, exhibitions and medical assistances, and 1-2-days workshops on child labour. Child labour remains to be a social problem when should be globally approached. So, there was need to conduct comprehensive survey on child labour.

Therefore, National Confederation of the Entrepreneurs (Employers') Organizations of Azerbaijan Republic being the country's apex organization representing the interests of employers, joined the ILO ACT/EMP Project on combating child labour. The key objective of the project was to strengthen the capacities of employers in the elimination of child labour in agricultural sector. In order to achieve the objectives of the project, first of all, it was necessary to identify the extent and nature of the problem. With this purpose, the survey on the use of child labour has been conducted on cotton plantations of 8 regions of Azerbaijan as Sabirabad, Bilasuvar, Imishli, Agjabedi, Ujar, Kurdamir, Barda and Beylagan.

### **Why agriculture, even cotton-growing does cause such anxiety?**

One of the most hazardous spheres for use of child labour is the agrarian sector of economy. Just children employed in this sector are usually disregarded by the society. According to the latest statistical data, 41 % of the total population is concentrated in agriculture. As usual, children become involved in agrarian sector in 12-13 years of age with unlimited working day.

Children employed in agrarian sphere unlike others are more subjected to environmental impact, and their risk to contract a disease or any accident during work with pesticides is several times more. From this point of view, especially such spheres as tobacco-, tea- and cotton-growing represent a danger to health and future development of children.

Because cotton-growing indeed generates danger for health and future development of children. Children engaged in cotton-growing in comparison with others become more subjected to the environmental impact, and being in direct contact with pesticides in the work process their risk to have an accident or any disease is higher. The child labour is applied to the works requiring namely physical strength and hard labour. The harvesting period where child labour is mostly used lasts 2-3 months, when children work 10-12 hours each day including week-ends. Despite the cotton-growing is a seasonal work, but processes here cover 6 months. Moreover, in non-cotton season children become involved in other agricultural works, which seriously damages the children's education and restricts their opportunities to grow into future skilled specialists.

Therefore, the choice of cotton-growing for combating child labour was not selected at random.

## The objectives of the survey

The following issues have been investigated and found out through the survey:

- ❖ the nature and extent of child labour in cotton production, the causes and consequences of child labour, as well as the impact of cotton-related work on children's health and schooling;
- ❖ working and living conditions of children, the ways of the involvement of children in cotton-related activities, the type of activities and tasks children involved in, working environment and work regulations;
- ❖ attitude of community members' towards child labour and role of employers in the attraction of children to cotton-related activities, public awareness on child labour;
- ❖ the efforts made by the Government and NGO's towards child labour and children's problems;
- ❖ legislative framework of child labour issues;

## 2. 2. CHILDREN'S ACTIVITY

### Employment of children in cotton growing

According to the findings, more than 90% of children living in cotton producing regions are involved in the process of cotton production.<sup>14</sup>

20 % of interviewed employers stated that they never used child labour, where 48 % involved 5-15 age group children, but 74 % - 16-17 age group children into cotton-production processes.

#### **Samir, 12 years old, from Bilasuvar**

I have been working in cotton-growing for two years now, and since that time I haven't been going to school for lack of time. My family is poor and I am forced to help my parents with my daily earnings accounting 2 AZN, and sometimes 3 AZN. After cotton season I become engaged in other works as I tend a herd, draw and chop firewood, fetch water, etc. I get very tired, but sometimes work at nights. At the first opportunity I'll return school. And if I have luck to get education I wish to grow up to be a doctor.

Among employed children 23 % accounted girls 5-15 years of age, 8 % - boys 5-15 years of age, girls and boys 16-17 years of age – accordingly 49 % and 20 %. As is obvious, the prevailing majority of girls are peculiar to each age category. In spite of minority boys, they should be considered as to be involved into other agricultural activities (cattle-breeding, husbandry, etc.) parallel with cotton-growing.

According to the interviews of parents, child labour is widely used in cotton growing processes, and it contributes to

family budget and plays a key role in well-being of family. According to the majority of parents (86%), the working of children does some contribution to family budget and they estimated this as positive. As well as parents listed the problems that can be arisen if their children are not engaged in economic activity. 67% of respondents said that living standards of family can get the worse. Only 20% of parents stated that the engagement of children in work does not contribute to family income and nothing will happen if their children don't go to work. The interviews obtained show that the engaging children in labour occur with the consent of their parents.

Children are engaged in the various spheres of cotton production. 97% of the interviewed children working in cotton production are involved only into physical labour that directly related to cotton-growing. Only 3% of children (one person from 5-15 age group and 3 persons from 16-17 age group) work in intellectual sphere with respect to cotton production.

However, the survey fails to provide information about what is meant under "intellectual work".

<sup>14</sup> ASK Rapid Assessment Survey on child labour, 2005

Through the survey, the main activities carried out for cotton growing were identified. As well as, there has been determined in what types of the cotton-related activity and to what extent children are involved in.

So, the activities carried out for cotton growing were identified to be as follows:

- ❖ Ploughing. This process is carried out in November-December. As cotton has stalky roots there is a necessity in soil softening. The lands are ploughed and softened in depth of 30-35 cm. For implementation of this process the technical equipment is used, where child labour is not applicable.
- ❖ Watering ploughed soil. This process is especially carried out in January. The plowed area is irrigated. Naturally, after frosts the plowed area becomes soft under the ice crust, besides it exterminates vermin. The child labour is partially used here.
- ❖ Harrowing. The preparatory works for sowing start from March. The lands are smoothed to sow seeds. Here, equipment is rarely used; for the most part it is hand labour (child labour is rarely used).
- ❖ Sowing. The sowing of seeds is started from the second ten-days of April. About 50-55 kg seeds are sowed per 1 ha. The seeds are planted into depth of 3-5 cm. The sown area is irrigated to provide growth of the plant. During sowing process there widely used sowing-machines and hand labour.
- ❖ Cultivation. A week after cotton planting the cultivation works are carried out. To provide further growth of the plant the bottom of cotton sprouts is softened. Here technical equipment is used, but when it becomes inapplicable, the work is done by hands, and hence, child labour is used. Besides, the cultivation process is carried out several times.
- ❖ Thinning. This work is carried out beginning from May. As cotton grows thick the productivity is low. Thus, it takes place the thinning process, where the sound plants are kept and the weak sprouts are weeded out. About 110-120 cotton plants are kept per each hectare, the distance between plants is 10-12 cm and distance between rows is 60-90 cm depending on growth of cotton. This process requires just hand labour, hence, child labour is widely used.
- ❖ Irrigation. This process is repeated 4-5 times after planting cotton. During irrigation the boys' labour is used.
- ❖ Weeding. The cotton weeding is carried out 3-4 times before the harvesting period. The other grasses impeding growth of cotton plants are weeded out. This process is realized by hand and child labour is widely used.
- ❖ Cropping. This process is taken to increase the cotton productivity. In this connection the cotton bushes are cropped to prevent their lengthwise growth and achieve rich harvests. All of these are done by hand and as a matter of fact child labour is widely used.
- ❖ Harvesting. Beginning from the end of August up to the end of November the cotton is gathered. This process is implemented by means of hands, where child labour is widely used.
- ❖ Drying. As the crop is still wet, it may lose its quality and decay. That's why the wet cotton is subjected to drying by natural method for a certain period. Here there used the child labour.
- ❖ Loading and transportation. The tractors are loaded with gathered cotton which is delivered to gin houses. The loading process is also accompanied by boys.
- ❖ Cleaning of cotton fields. When the cotton gathering is over, there started cleaning of cotton fields from cotton straws and dry bushes. This process is realized by means of children.

Evidently, the labour of children is widely used in cotton-related work. It is important to say that they are mainly engaging in activities that require physical labour or hard efforts.

### **Reasons of child labour in cotton production**

The Survey conducted among employers and children engaged in cotton production of Azerbaijan, including parents and teaching staff, the studies carried out through interviews, personal conversations

and monitoring meetings gave us a great opportunity to learn reasons for use of child labour and its wide spread in Azerbaijan.

Thus, reasons of child labour used in cotton production should be generalized as follows:

1. First of all, a primary reason of use of child labour is a consequence of economic situation. So, the economic situation in regions, where the survey was held, is more difficult as compared with other regions. Low level of living standards as a result of poverty and unemployment forces the population to use all possible means to meet its financial needs and provide for family living. People entirely work to provide for their life without inquiring about difficulty or easiness of work, sometimes, they try to involve in this work their family-members not depending of their age. It causes the wide use of child labour in cotton production, which is a main activity sphere of these regions. If based on the results of the Survey, the majority of respondents including 86% of employers, 82% of children and 78% of parents refer the reasons of child labour to the poor economic condition of families. Taking into consideration the official statistics with 42% of the population living below poverty line there is no doubt it seems to be reality.
2. Another reason of the children's tendency to labour underlies the low level of education. There are serious deficiencies in the numbers of teachers' personnel in the regional areas. On the other hand, low level of salary in this sphere and efforts of teachers to look for additional earnings for increasing their material capabilities, deficient quantity of schools and low level of communal services reduce the quality of education. Besides, the lack of means of families to buy school accessories causes the involvement of children in labour to meet their needs. The poor quality of education on the one hand, and failure of highly educated youth to find professional jobs for themselves, and thus, high unemployment level among them, reduce the value of education, and so, interest of children to be educated. Therefore, children and their parents often prefer labour to education.
3. The most important reason for wide use of child labour in cotton-growing and agriculture, on the whole, is explained by lack of labour force. The high unemployment level in the regions on the one hand and lack of labour force on the other hand seem to be contradiction, but it is a simple truth. This, it turn, becomes dependent on different factors.

The income derived from cotton-growing can not provide a family due to the lowest selling prices of cotton. Of course, it reduces interest of population in cotton sphere. Family heads with the purpose to earn more money leave for large cities or foreign countries, and, thus, promote increase of migration level. Moreover, we should always bear in mind the traditional approach to cotton-growing existing here. As, from the earliest times cotton-growing has been considered "occupation of women and children" in rural areas, when men implemented only one or two works in the long process of cotton-growing. Thus, household and cotton activities fall on shoulders of women and children. But, cotton-growing requires more physical strength, and so, adult and old women in most cases become incapable to work in this sphere, or they become obliged to do other family works. Therefore, children have no choice but to bear this burden.

Another factor is concerned with a specific character of cotton production. Cotton-growing is a mass work, as it depends on weather and requires involvement of broad population. Otherwise, slight use of equipment or its unavailability encourages wide use of manual labour, which increases the need for labour force.

4. In Azerbaijan, particularly in rural areas, national peculiarities play an important role in application of child labour and this factor must be studied on the background of parent-children relations. According to the religious and national traditions these relations are built on implicit obedience of children to their parents. In many Azeri families parents during lifetime always control their children and make a direct impact on children's life decision-making. For example,

parents nearly participate in solution of problems like prospective education of children, choice of professions, marriage, possibility to work, etc., and for the most part take a decision disregarding opinions of own children. Namely such strict obedience encourages early children to be involved in family households and paid agricultural works. Parents perceive normally the attraction of their children for domestic works at early ages. It should be remarked that in many cases parents, with a view to prevent the laziness of their children for the future, appreciate their attraction in labour since childhood served to be as an important factor for getting used with work. Moreover, parents in all families of rural areas explain the necessity of involvement of their children in housekeeping as the important criterion to instill affection towards home and motherland in children.

5. Low awareness or lack of information on nature of child labour and its grave consequences, including legislation on children's rights stands for another reason of use of child labour in cotton-growing. As it became known from studies, the community was difficult to understand the concept of "child labour" at all, when people could not make difference between "permitted" and "prohibited" works for children. They didn't realize fatal consequences of "child labour" on children's health and future life perspectives. Neither children nor their parents possessed information on children's rights. Being relatively informed on legislation the employers didn't realize their responsibility before law and society, and teachers forgot their professional ethics.
6. The factor of indifference plays a special role in application of child labour. In most cases indifference of parents, employers, school and society, as a whole, causes wide expansion of child labour.

Some parents don't know how their children spend the day. The part of these children is bound to work for meeting their demands, the others are detained by legal – administrative bodies for mendicancy or stealing, and, then, returned to their families or sent to boarding-schools or reformatory colonies.

It's necessary to notice the particular role of employers in child labour. Explaining this situation as a positive factor, i.e. to provide "good condition" for children to hold them away from faulty actions, to help living of their families, to provide their daily expenses, etc., employer isn't interested in such problems of children, as reasons of non-attendance of school, continuation of education for the future, professional education, impact of work on their physical and moral development.

Sometimes employers with a view to decrease the net cost of production attract children as cheap labour force, and appreciate the use of child labour as a positive situation and as means of getting used to the working.

Of course, indifference of teaching staff makes also its "negative contribution" on a problem. Teachers show disregard for children, wishing indeed to acquire knowledge, and often they consider sufficient to submit official figures on children's school-attendance; even teachers are not shy when give false information on their school-attendance.

### **The ways of involvement children in cotton production**

The involvement of children into economic activity related to cotton production occurs through the different ways. The survey findings revealed that in most cases children find a job by the help of their parents. As well as, the interviewed employers have confirmed this fact saying that they usually employ children by the request or insistence of their parents.

These children account 65% of total number of children working in cotton production in the selected areas. According to the survey 28% of children find jobs independently, 6% - through their friends, and only 1% of them find a job through other ways.

According to the employers, the majority of children (40%) employed by their own request belong to into the age group of 16-17 years compared to the 5-15 age group that makes 20%.

Generally, three main ways in which children get involved in child labour in the cotton sector were determined as follows:

- ❖ Tenant farmers lease the land from an employer in order to produce cotton. The farms are usually small and in order to make ends meet, all member of family have to chip in – including the children.
- ❖ Child labour is also commonly used by “brigadiers”. Brigadiers or team-leaders, who are usually women, enter agreements with employers to carry out seasonal work for them. The brigadiers then recruit children in so-called “brigades” to do the work.
- ❖ The third category who commonly use child labour are migrant farmers, who usually come from mountainous areas of Azerbaijan and bring their own and other children along with them to work. The survey revealed that 90% of these migrant workers are girls between the ages of 13-17 years.

### Children in household activities

As the survey findings shown, almost all children living in rural areas are involved in household activities not depending whether they work as paid or unpaid labour force.<sup>15</sup>

95% of the interviewed children said that they are involved in household activities, 49% of which are female, 51% are male children.

#### **Ilham Aliyev, 14 years old, from Sabirabad**

My father has died. We are six children in the family, where I am the third one. My mother fails to provide us with food and clothes. I and my two older sisters work in the cotton farm of our uncle without any payment. Most likely, he gives money to our mother. Cotton works are bad. The whole day we work in the sun and hot weather; once my hands and legs become scabbed, and I have a headache. I go to school in winter, but sisters fail. When I come of age I'll leave this village. My uncle lives and works in Moscow, and, thus, I'll leave here for Moscow in search of a job.

The answers indicated that household activities in which children are engaged are varied. So, 20% of children are engaged in all types of housekeeping, 14% - in domestic work, 20% - in family economy. Approaching this question differently, the answers will be as 20% of respondents are engaged in all types of housekeeping, 43% in domestic work and family economy, 1% in

domestic work and others, 3% in family economy and others

### Age of entry into labour force

The survey enabled to investigate children's age when they started working in cotton-growing activity. Children join the labour force at an early age that is prohibited by the national labour legislation.

As shown from the survey, the minimum age was identified as 8, but maximum age as 16. So, an average children started working in 12,2 years old with little gender difference (12,3 for boys and 12,1 for girls).

No children younger than 8 years old were reported as working. Moreover, the vast majority of children (more than 50% or 52 persons) working in cotton production are in 12 years old.

### Work regulations

Taking into consideration the seasonal character of cotton production and engaging children in specific types of cotton-growing, the working hours of children have been studied in the framework of the survey. 3% of children were engaged in regular work processes, 81% remained to be only seasonal workers, 15% were engaged in odd jobs, 1% - in other cases.

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<sup>15</sup> ASK Rapid Assessment Survey on child labour, 2005

Moreover, there have been determined working hours of children on weekly average. This number makes up 30,2 hours a week (30,7 hours for children in 5-15 age group, 29,7 hours in 16-17 age group). While studying these parameters it has been defined that weekly average working hours of female children (32,7 hours: 36,8 hours in 5-15 age group, 29,9 hours in 16-17 age group) are more than male children (27,8 hours: 26,6 hours in 5-15 age group, 29,3 hours in 16-17 age group).

### **Living conditions**

The survey enabled to reveal living conditions of children interviewed. The majority of children – respondents, i.e. 92%, live in families which have private property with a family plot. 4% of children live in families which have private property in block of flats, and only 3% in temporary residence.

It is important to note that rural areas of Azerbaijan, including the project regions, suffer from poor infrastructure. The survey enabled to reveal the situation with availability of the interviewed families to the necessary public utilities. In the surveyed regions there observed more painful situation with the mentioned issue. It must be said children concurred with parents when they expressed their opinions with respect to the issue.

Thus, 3% of children (3% of parents) were not supplied or had problems with electrical energy, 49% (47% of parents) problems with water, where 98% (95% of parents) were not provided with heating system (gas), 94% (94% of parents) - with sewerage system, 65% (61% of parents) - with telephone line at all. Only one child among total number of respondents was supplied with all necessary public utilities, and 2 ones (2 parents) enjoyed all public facilities except for telecommunication. All these facts show that children live and work in very heavy conditions negatively impacting their health and future development.

### **Education impacts**

The problem of involving children into economic activity remains to be among fundamental problems of education, as it suffers great losses owing to existence of child labour. Cotton-related works start from March and last to nearly December. With the exception of summer holidays children do not attend schools during other months too. They become involved into work processes beginning from March, especially, in cotton gathering period in September-November, which all have a negative impact on their level of education.

#### **Besti Kerimova, parent – mother, from Bilasuvar**

My husband became disabled in the Garabag battles, and after long illness he has died. I remained with my four boys. My older son is 16 years of age. For several years we rent a cotton plot to subsist. I work together with my children. Our earnings are enough only to feed a family. Nevertheless, we obtain a welfare payment. I well understand that children should get education, but I have a chance to send only two of them to school. I try at least to control their education. As I got secondary education, and can somehow help them with lessons.

During the interrogatory 15% of children-respondents said that they have never attended school (among them 11% were under 5-15 years of age, but 89% under 16-17). 38% of children aged 5-15 (58% were female and 42% male) and 26% of children aged 16-17 (58% were female and 42% male) both attended school and worked at the same time.

It proves that children engaged in cotton-related works during schooling period become drawn away from the education.

### **Health impacts**

Children were questioned about their health and the level of medical care rendered to them. The sick rate among children working in targeted areas is as follows: 75% of children fall ill sometimes, 6% - often, 12% never fall ill. 7% of respondents have difficulty to answer. The majority of respondents (94%) regarded the reasons of their illness as cold weather conditions, which should be explained by changeable

climate of Azerbaijan recent years and problems observed in the sphere of energy and gas supply. Cease of gas supply in regions and long-term breaks in transmission of electrical energy pose a threat for children's health. At the same time, according to the statistics, recent years infectious diseases were widely spread namely in the surveyed regions. As is obvious from survey findings, 2% of the total number of children-respondents got physical injury during their employment.

It is fine to note that children, injured or fallen ill, were rendered medical cure. But, when we went through investigations in more detailed manner, the distinctive picture was discovered. While addressing to children with the question "Where have you got medical service", only 5% of children said that they have received the medical treatment at hospitals. 95% of them underwent the cure at home with primitive methods. First of all, it shows the low level of medical service in rural areas and poor economic condition of rural population in general.

Unfortunately, only 1% of children got medical service at the expenses of employer. 95% of children were healed by their parents and 4% - at the expenses of other persons. As shown, in many cases, the expenses of children's healing are paid by their parents. That is why, not to face additional expenses, children refuse to apply to hospitals for healing.

### **Relationship with employer**

The survey findings provide the information about relationship with employer. The majority of working children are not related to their employer. Only 17% of them work with their relatives or friends of family.

Regarding the relations between children and employers, 86% of children reported satisfaction with their employer, 33% of which explained their satisfaction with well-timed salary payment and 17% called his/her employer "a good person". According to given answers, 14% of interviewed children stated no satisfaction with their employer, 84% of them associated their dissatisfaction with the low level of salary, and 12% of respondents called their employer "a harsh person".

Unfortunately, the survey fails to provide explanation on what "a harsh person" concept means. The children working with their relatives fail to express their attitude to them as employers.

### **Attitude to child labour**

#### **Sail, parent – father, Sabirabad district**

We came here from Yardymly region, as it is difficult in our region to find a job and to farm. My wife with small children stayed there on our little farmyard. But, I with my three children and children of my brother and neighbour came here. We work like this for several years; we work and live here from May to November. I possess an agreement with the owner of this cotton plantation. Of course, our accommodation conditions are not satisfactory, when children find difficulty, and sometimes fall ill, but I am pleased of employer, as he feeds us good and pays in time. My two elder daughters 15 and 16 years of age do not attend school; they possess only six-form education. As I see there is no point in their further school-attendance, as in any case they have no a chance to get higher education. My other children go to school only in winter months.

The survey enabled to reveal attitude of each group of respondents to child labour. Of course, the vast majority of respondents possessed negative attitude to child labour. Nevertheless, there were sufficient respondents positively approached the problem. Thus, the question "Should children irrespective of their ages be involved into labour?" was given negative replies by 52 % of employers, when 34 % of respondents gave positive

replies, but 14 % ones disregarded the question.

There is no doubt that each parent providing for the future of his child should possess negative attitude to child labour. The same approach to child labour was observed among parents-respondents. Thus, 52 % of interviewed parents gave positive replies to the question whether age limit played a role in the

involvement of children into cotton-growing works, when 33 % of respondents specified insignificant role of age limit in the given situation.

The next question was put to reveal opinions on how future life of children involved into labour could be impacted. So, 35 % of respondents thought that impact should be positive, but 38 % asserted that the impact should be negative. 70 % among parents positively approached the problem insisted that by involving children into labour they became adapted to labour, they could support family budget (25 %), and, thus, could satisfy their own requirements (5 %). Replies of respondents negatively approached the problem should be distributed in the following manner: 51 % think that employed children are future illiterate persons, when 49 % think that this labour will have a negative impact on health of children. 76 % among parents-respondents which were in difficulty to answer the question (15 %) accented on children could benefit only from education, but 4 % - from labour activity.

### **Knowledge about legislation on children's issues**

As to the knowledge of respondents about the national legislation of Azerbaijan Republic children's rights and child labour issues, the findings show that the answers vary with respondent's groups. Generally, the teaching staff and the employers are more aware than parents are. The majority of employers (71%) and teachers (90%) possess information on the issue. Regarding parents, 47% of them are aware on the issue.

According to given answers, the vast majority of respondents (approximately 95%) wanted to increase their knowledge on the legal framework of child labour.

### **The nature of child labour used in cotton-growing**

#### *Cotton growing as the worst forms of child labour*

Studies conducted as regards child labour have revealed the concept of "child labour" to be the most disputable issue. The interesting point is that majority respondents considering cotton-growing for children to be traditional work approached the problem as it seem to be the everyday occurrence.

But, how realistically should we approach the engagement of children in cotton-growing?! Is it a work acceptable for children indeed or is it possible to be considered as "child labour"? Thus, referring to ILO Conventions Nr. 138 on minimum age limit and Nr. 182 on worst forms of child labour, including labour legislation of Azerbaijan Republic, we'll try to highlight these questions.

The ILO Convention No 182 states that "work by its nature or because of the circumstances in which it is carried out is likely to harm to the health, safety or morals of the child, i.e. "hazardous work" is considered to be the **worst forms of child labour**.

#### *Hazards with respect to children's health*

In the course of studies conducted in cotton regions it became known that working hours of children engaged in agriculture, including cotton growing, was unlimited. According to the survey results, 17% of children 5-15 years of age work 9-10 hours per day, but 64% - 5-6 hours, 27% of children 16-17 years of age work 9-10 hours per day, where 1% works even more hours, and 10%-5-6 hours. By other indicators, 8% of children 5-15 years of age and 15% of children 16-17 years of age work all weekdays.

Here, it should be certainly noted, that during cotton-picking time covering 2-3 months the prevailing majority of children are obliged to work 12-14 hours all weekdays.

According to the labour legislation of Azerbaijan Republic children below 16 years of age are prohibited to work more than 4 hours per day. Children below 16 years of age are allowed to work 24 hours a week, but children under 16-18 years of age - 36 hours. Moreover, legislation prohibits children to work at weekends and holidays.

It became possible to reveal working conditions of children through both survey and observations. Children work in very dusty and unsanitary conditions without use of any protective means. Here, situation with migrant working children is more complicated, as they live and work straight at cotton plantations in terrible conditions.

Children engaged in different cotton activities, mainly weeding and cropping processes, use old and primitive tools of adult workers.

The labour legislation of Azerbaijan Republic prohibits children to work at high temperatures, in conditions of cold and windy weather. As the surveyed regions are the hottest regions of Azerbaijan, here summer temperature, especially in time of cotton picking with involvement of majority children, reaches more 45<sup>0</sup>C in a shadow. Moreover, children are forced to work under uninterrupted working condition at this temperature, where in March-April they become subjected to very changeable, cold and windy weather.

During survey the employers stated on working children never used pesticides. But, interviews proved the existence of such facts. Despite some enterprises possessed the protective means, nobody used them and even knew rules of their usage.

Children's transportation (maximum limit for boys is 15 kg, for girls – 10 kg) and lifting (maximum limit for boys is 10 kg, for girls – 5 kg) of heavy loads are prohibited by labour legislation of Azerbaijan Republic. But, studies have revealed that children of both sexes carry heavy loads of 40-50 kg in time of cotton picking and transportation.

The great problem of cotton regions remains to be pure water problem. During monitoring the project regions there were villages failed to be provided with pure water more a week. Then, population, including children, used non-potable water from pools and canals.

Besides, children live at cotton plantations under the risk to face poisonous snakes and other insects. Indeed, according to the interviewed children there occurred only two such cases. But, it is striking, when girls 12-16 years of age said they repeatedly faced poisonous snakes and could “conquer” them. All of these make us clear the risk the children's life is subjected to.

Thus, all the above-mentioned problems represent a danger to health of children. As, long stay under sun rays, work in dusty, cold and windy weather and insanitation, unlimited working hours and working week, contact with chemicals, dissatisfaction of children's potable water requirement, etc. cause long-term diseases of children.

Hence, cotton-growing represents a danger to life and health of children.

#### ***Hazards with respect to children's education***

As to survey results, 15% of interviewed children engaged in cotton growing don't attend a school. This indicator is sufficiently high, but doesn't reflect the real situation. Thus, in the course of monitoring and in-depth interviews with respondents it became known that majority of children called themselves pupils are only officially registered in school and actually do not get education. In fact, 35-40 % among working children kept away from school at all.

Hence, cotton works cause children to be deprived of education and, thus, negatively impact their future life perspectives.

#### ***Hazards with respect children's psychological and moral development***

Interviews with children gave us an opportunity to reveal the negative impact of involvement of early children into cotton-growing works on their psychological state. During in-depth interviews with children all of them, except for one boy, said about their dislike for the cotton work, and explained their

employment only by necessity to cover family needs. Even, the single boy liked to be engaged in cotton-growing saw in that occupation the only way to earn money for himself.

These children seemed to be quite hopeless, as they have no future life perspectives and even desires. Situation with children 15-17 years of age is the worst one. Unlike young children (9-14) wishing to select another occupation for themselves at a mature age, they have more real views for the future life and do not possess any alternative. At best, boys see themselves as traders in Russia when become “teenagers with passports”, and girls see their “salvation from cotton” in marriage.

Indeed, girls are in more grave condition. Unlike boys which sometimes run away from work and find “amusements” for themselves, girls, on the one hand, must do hard work, on the other hand, behave properly by rural traditions. Then, girls even at age of 13-14 feel and behave themselves adult women, when can not enjoy their joyful childhood.

Hence, cotton works striking children’s trust in future with a heavy blow negatively impact their moral development.

Generalizing all the above-mentioned we should come to conclusion that cotton-growing is the worst form of child labour.

### **2.3. Lessons learned**

The Study was successful to reveal the child labour to be widely exploited in agrarian sector, especially in cotton-growing, of Azerbaijan. The problem of child labour in the country has arisen as a phenomenon of transition period justified by various reasons.

The collapse of old economic system dilapidated different spheres of the national economy, and occupation of Azeri lands endowed the country with millionth refugees and forcibly displaced population, and, thus, numerous socio-economic problems. On the other hand, the poor mechanism of economic reforms carried out in the country and weak regional development, the need of children and women to bear family burden owing to unemployment and mass migration of male population, the non-availability of social maintenance and other reasons created an opportunity for wide exploitation of children changed into the more weak and vulnerable strata of society. Thus, child labour in Azerbaijan developed into the social calamity when requiring its solution at a national level with involvement of all society to combat child labour.

The use of child labour in cotton production and family household has its own traditional peculiarities. For example, in Soviet times the involvement of schoolchildren in cotton-growing processes was a kind of state policy. But, this traditional dependence of rural families on cotton as the main source of income encourages children to be used as the labour force. Today this tradition still persists for rather more distinct reasons found their comprehensive explanations in the previous division of the book.

Cotton-growing has a negative impact on health of children. Here, as in many other agricultural branches the manual labour is widely applied. As, abolition of the collective farm system, i.e. kolkhozes and sovkhoses, failure of old equipment and unavailability of new ones created real possibility for use of manual labour. Therefore, all population, including children, irrespective of their age, skills, physical ability and vocational orientation are involved in cotton works.

According to the survey results, child labour for the most part is applied to spheres (thinning, weeding, harvesting, etc.) demanding manual labour and physical strength. So, unlimited working hours, long stay under the sun rays, dusty, cold and windy weather, unsanitary working conditions, contact with chemicals, etc. cause lingering diseases in children.

Besides, it should be concluded from the survey findings that cotton-growing has its negative impact on education of children spreading high illiteracy among them. Though cotton-growing is a seasonal occurrence, works, here, last from March to November, which occupies at least 4-5 months of a school year. The other months children become involved in different agricultural spheres and work in their family households. 30-40% of children do not go to school, when the others combine education with job which reduces the quality of education.

It should be learnt from here that cotton-growing is right to be declared as a sphere applying the worst forms of child labour. Hence, its immediate elimination remains to be the essential requirement of the day.

Children which are permitted to work on certain terms provided in the labour legislation of Azerbaijan Republic become employed non-officially and fail entering into a labour contract, when it makes impossible to fix date of the first labour activity of children and to reveal their time record. Above all, education, rest and labour rights of children, working without a contract, remain unprotected by law. In this respect, the legal assistance of children should be secured through strengthening the control of relevant authorities on observance of the law.

Though the majority employers possess certain information on national legislation as regards child labour and its grave consequences, it doesn't prevent them from wide use of child labour. They become at a loss for realizing their legal and ethic responsibility before children. Otherwise, neither employers nor other community members make full aware of negative impact of labour on children's further development into skilled workers and worthy social members, even they accept child labour to be of usual occurrence. This situation prevails on the score of unavailability or weak awareness-raising campaign in the specified sphere.

As a whole, regional population doesn't receive any information on children's rights. In most cases parents make a decision instead of their children disregarding their interests and desires, and incite them to be engaged in family households or other paid jobs, which is explained by their ignorance of the laws of Azerbaijan Republic and International Conventions on children's rights.

Thus, it is necessary to carry out the awareness-raising campaign among employers and other interested parties, where the employers' organizations jointly with executive authorities and trade unions may play a great role.

Nevertheless, apathy towards child labour still reigns in the society. Therefore, to put an end to this apathy the awareness-raising campaign on negative impact of child labour on society, economic interests and permanent development of the county is required to be conducted on a large scale, which will give a great opportunity to extirpate the wrong attitude of society towards the problem. The role of mass media in this campaign should be especially remarked.

The availability of sufficient strong legislative base on children's rights in Azerbaijan is an incontestable fact. But, there is no state control on execution of these laws, which is, of course, urgent to be done.

## **2.4. RECOMMENDATIONS**

As the Child Labour Study carried out in cotton industry - one of the important branches of commercial agriculture in Azerbaijan has shown that child labour remains to be a serious problem that needs to be immediately solved. The combat against the worst forms of child labour is too a large task that requires

participation and commitment of a broad range actors. The investigations carried out on the current situation of child labour in the surveyed regions, also awareness raising meetings held with the participation of local authorities, community leaders and other stakeholders have shown that the intervention of the is required to address problem of child labour. Therefore, Azerbaijan Employers' Confederation recommends to the Government of Azerbaijan Republic, its relevant ministries and agencies the followings:

- ❖ The participation of the government is necessary to paint a complete picture of the status and extend of child labour in the country; in order to effectively combat child labour there is need the comprehensive national picture of the extent or level of children's activities in the country;
- ❖ The government is important to develop national action plan that will be directed to eliminating the worst forms of child labour including preparation of national development strategies, poverty reduction, education and employment promotion;
- ❖ The government has the responsibility of improving the existing compulsory education system; as compulsory and universal education for all children would effectively eliminate child labour;
- ❖ The participation of the government is crucial for providing enforcement of existing laws on child labour; and as well as effective labour control of children allowed for employment by law; if national legislation is adequate, the government should monitor and examine its enforcement. The ministry of Labour and Social Protection of Population can play a central role in this through coordinating efforts of all government agencies responsible for national development, public health, social protection, education and law enforcement.
- ❖ The government can design projects and programmes aimed at provision of alternatives for the families of working children; this might involve determining the best ways to introduce social protection and other measures to sustain family incomes.
- ❖ The government has the responsibility of improving public health sector, especially in rural areas where a broad range of population has no access to medical services. It can carry out and supervise medical examination of working children; and provide medical-prophylactic assistance for children through expansion of system of medical ambulance stations in rural areas; Ministry of Health, National Academy of Sciences, the relevant research institutes should study the factors of hazardous work, (mainly in agriculture) which harms the health of children, especially sexual development of female children who will have reproductive function in the future;
- ❖ The government has to cooperate with local authorities, International and local NGOs dealing with child labour issues and other stakeholders on reducing and combating child labour. National authorities can work with NGOs and community leaders how to raise awareness and change the prevailing attitudes about child labour - the attitudes communities, employers, families, teachers and children themselves.

The elimination of the worst forms of child labour is too large a goal to be left to government authorities alone. Joint actions by government, international organizations and non-governmental organizations are of great importance to effectively combat against child labour. International organizations can dialogue with the government to take positive action about child labour. International organizations such as ILO-IPEC, UNDP, UNICEF are essential in bringing together all actors who can help to eliminate child labour and encourage their combined efforts. Hence, Azerbaijan Employers' Confederation has prepared the following recommendations to submit to international agencies and NGOs as:

- ❖ ILO-IPEC should continue its support to the solution of the problem of child labour in Azerbaijan through various projects and programmes;
- ❖ Organize trainings and seminars on child labour;
- ❖ Promote capacity-building of social partners to address the issue and perform practical work, to strengthen social dialogue and decision-making processes;

- ❖ Ensure new projects directed to improving educational environment for children and their vocational training;
- ❖ International organizations, such as ILO, UNDP, UNICEF, should establish and increase their contacts with other organizations and institutions dealing with children problems, facilitate their exchange of information and create possibilities for collaboration with local organizations;
- ❖ Stimulate changes in local culture for better understanding of the risks and dangerous of child labour and the value of education;
- ❖ Create a coordinating network between the local organizations dealing with child labour and promote an exchange of experiences and achievements;

As mentioned above, employers' unions may play a significant role in mobilizing and sensitizing their members' to take action against child labour. Under the ACTEMP Programme on Child Labour, National Confederation of Entrepreneurs (Employers') Organizations of Azerbaijan Republic (ASK) is implementing a project aimed at strengthening the capacity of employers to enable them to combat child labour in commercial agriculture, with special emphasis on cotton production. Within the framework of the project implementation, a successful awareness-raising campaign among employers is conducted by ASK to sensitize them towards the problem of child labour.

ASK held a number of awareness-raising meetings in the cotton producing regions of Azerbaijan with the participation of employers, local authorities and other stakeholders on essence of child labour, and its negative impact on the children's health, safety and moral development; the damage of economic exploitation of children on business, human resources and future economic development of the country; the national legislative documents, including international legal regulations and relevant ILO Conventions on child labour ratified by the Azerbaijan Republic with the purpose to expand the employers' responsibility before the law.

ASK closely cooperates with mass media that is an effective tool to raise public awareness on child labour and sensitize society towards the issue.

The Azerbaijan Employers' Confederation is necessary to continue the activities on sensitizing employers on child labour. Therefore, the followings are recommended to Azerbaijan Employers' Confederation:

- ❖ To extend awareness raising activity among employers;
- ❖ To raise public awareness on International labour standards especially ILO conventions No 138 and 182, including other International papers on child labour;
- ❖ To organize trainings and seminars on understanding of the concept of child labour;
- ❖ To influence the development of national policy on child labour;
- ❖ To mobilize the participation of business in national programmes against the worst forms of child labour;
- ❖ To collaborate with the government, trade unions and International and local NGOs in combating child labour;
- ❖ To join and contribute the relevant vocational training programmes for working children;
- ❖ To join other ILO projects contributing the problem of child labour;
- ❖ To closely cooperate with Mass media in order to attract it to take an active part in the solution of the problem;
- ❖ To develop guidelines and policies for employers towards the elimination of child labour

## **BIBLIOGRAPHY**

1. Action Plan on "Solving problems of homeless and street children", 2003
2. Alternative Report of Azerbaijan NGO Alliance for Children's Rights, 2005

3. ASK Rapid Assessment Survey, 2005
4. Children's Rights: international standards and national law, 2000
5. Children in Azerbaijan, State Statistics Committee, 2004
6. Civil Code of the Republic of Azerbaijan
7. Constitution of the Republic of Azerbaijan 12 November, 1995
8. Code on Administrative Infractions of the Republic of Azerbaijan
9. Family Code of the Republic of Azerbaijan
10. International Labour Organisation (ILO), International Programme on the Elimination of Child Labour (IPEC). 2001
11. International Labour Organisation (ILO), Minimum Age Convention No. 138 and Recommendation No. 146
12. International Labour Organisation (ILO), Convention on the Worst Forms of Child Labour No. 182 and Recommendation No. 190
13. International Organisation of Employers (IOE). 2005. Challenges in addressing child labour: an IOE approach, April 2005
14. International Organisation on the Elimination of Child Labour (IPEC). 2004. Manual for child labour data analysis and statistical report (Geneva, ILO)
15. ILO Bureau for Employers' Activities (ACT/EMP) and the International Organization of Employers (IOE), Employers and Child Labour, Part One, 2006
16. ILO Bureau for Employers' Activities (ACT/EMP) and the International Organization of Employers (IOE), How enterprises can eliminate child labour, Part Two, 2006
17. ILO Bureau for Employers' Activities (ACT/EMP) and the International Organization of Employers (IOE), The role of employers' organizations in combating child labour, Part Three, 2006
18. Labour Code of the Republic of Azerbaijan
19. MICS Survey, 2000
20. National Law on the Rights of the Child May 19, 1998
21. ***Rapid Assessment Survey on Child Labour in the Horticulture Sub-sector in Moldova, 2004***
22. Research Study on the rights of children to education in Azerbaijan conducted by Debate in Civil Society, Azerbaijan Parent-Teacher Association, Azerbaijan NGO Alliance for Children's Rights, 2005
23. State Programme on "Improvement of children's upbringing and education, and protection of their rights" adopted in June 22, 2000
24. State Programme on Poverty Reduction and Economic Development, 2003
25. Statistical Yearbook of Azerbaijan, 2004
26. Statistical Yearbook of Azerbaijan, 2005
27. State Statistics Committee of the Republic of Azerbaijan, Socio-economic development, January-June, 2006
28. UNICEF, Formative Evaluation Active Learning School Leadership Project, Azerbaijan, 2002
29. UNICEF, Reaching the Last Few: Girls' Education in Azerbaijan, 2001
30. UNICEF, Report 2004
31. UNICEF, Report 2005

**National Confederation of Entrepreneurs  
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**Membership:** At present time more than 2000 entrepreneurs' subjects including about 35 Associations and Unions of economic and social orientation are united in AEC. The Confederation has its representatives in 30 regions of Azerbaijan Republic.

***Objectives:***

Within its goals the Confederation carries out the following functions:

- To protect rights of the entrepreneurial subjects, their property and other legal interests before the corresponding state structures, municipality bodies and other organizations;
- To assist strengthening of the market infrastructure and development of entrepreneurship relevant to the trends of the State Entrepreneurship Development Programme;
- To participate in the collective negotiations with the Azerbaijan Government and Trade Unions Confederation with the purpose of regulation of the labour relations according to the Labour Legislation in the country, to sign the tripartite General Collective Agreement together with the Azerbaijan Government and Trade Unions Confederation;
- To provide the establishment of permanent business relations among its members, to assist work out of the investment, innovation and other initiative projects and formation of sound entrepreneurship environment;
- To participate in preparation and realization of various social-economic oriented sector, regional and country programmes;
- To assist local entrepreneurs in search of partners in the country and abroad, participate in their information supply;
- To realize the preparation of the social-economic oriented draft laws and other normative-legal acts related to the development of entrepreneurship;
- To create conditions for study of the world experience of entrepreneurship and its available application in Azerbaijan;
- To assist the establishment of social-economic oriented organizations.