

## **FRAMEWORK FOR FOLLOW-UP ACTION TO COMBAT CHILD DOMESTIC LABOUR IN THE ASIA PACIFIC REGION**

The tripartite participants to the ILO/Japan/Korea Asia Meeting on Action to Combat Child Domestic Labour expressed their concern about child domestic labour in the Asia-Pacific Region. They recognised that it needs to be expressed as a priority. The participants also maintained the view that extreme poverty plays a crucial role in the perpetuation of child labour and thus child domestic labour cannot be effectively addressed overnight and in an isolated manner. "Extreme forms of poverty plays a crucial role in the context of child labour as children's work and earning becomes an integral part of the overall survival strategy of poor families." (World Bank) This issue has to be dealt with an integrated approach through a set of necessary legal, policy and programme interventions, including social protection aimed at human development. The participants further recognized the cultural, economic and legal differences across the countries and usefulness to study varying degrees of experiences in addressing child labour in general and child domestic labour in particular. Thus the participants agreed that the respective countries take flexible approaches in accordance with their own context within a basic framework of actions formulated by this tripartite meeting. This issue needs to be addressed in the developing countries with the assistance of the ILO and multilateral donor agencies. In this context, we expect ILO-IPEC to enhance the technical and financial assistance in addressing the issue.

The specific recommendations that emerged from the tripartite consultations are as follows:

### **1. ELEMENTS OF HAZARDS AND EXPLOITATIONS IN CHILD DOMESTIC LABOUR (CDL) TO BE ADDRESSED AS A PRIORITY**

CDL is an infringement of child rights:

- I. Children are deprived of their childhood;
- II. Children's best interest is ignored;
- III. Children are discriminated and isolated;
- IV. Children are denied to see or communicate with their parents;
- V. Children work under conditions not suitable to their level of development and maturity;
- VI. Children are sometimes subjected to physical, emotional, sexual and mental abuses; and
- VII. Pay special attention to the situation of girls.

Children and their parents and social partners concerned, and society in general are mostly unaware of child domestic workers' (CDWs) rights, which makes the situation of CDWs even more vulnerable.

Two issues were discussed in relation to hazards and exploitation of CDL:

(I)age and (II) working conditions.

- I. Age

- In principle, a general minimum age for employment should be set at 15 and no child younger than 15 should be employed in domestic work. However, some countries' national laws might apply a lower age, such as 12, 13 or 14.
- Children aged 15 to 17 employed under hazardous conditions are considered to be in child labour.
- Domestic work (age 0 to 17) falling under the specific conditions described in ILO Convention No.182 is considered within the Worst Forms of Child Labour (WFCL).

#### I. Working conditions

- Strenuous, long hours, unpaid/underpaid, no days-off (weekly, holiday), heavy load, unsafe working conditions, exposure to risk, inadequate food, deprived of family contact;
- Limited or no access to education, medical care, recreation and adequate lodging;
- Inhumane or unsanitary conditions in the employers' houses (at the discretion of employers), confinement;
- No defined terms of employment;
- Debt bondage; and
- Child abuse – physical, emotional, sexual and mental.

## 2. PROPOSED PRACTICAL STRATEGIES AND INTERVENTIONS

- Free compulsory basic education;
- Social responsibility of the employers to ensure children's access to education;
- Provision of free non-formal education, vocational training, evening and weekend schools;
- Provision of income generation and micro-credit facilities for parents;
- Job promotion for the parents;
- Promotion of family planning and welfare;
- Registration with local authority without compromising the privacy of the home;
- Survey and research to be done by involving all stakeholders;
- Establishment of rescue, crisis and care centres;
- Sensitising employers, parents and the public;
- Local "Community-Watch" as a mechanism to monitor CDWs;
- Time-bound strategy to reach compliance with the minimum age standard;
- Establishment of guidelines for employment of CDWs; and
- Recognition of the right to be paid appropriate wages.

## 3. SPECIFIC ROLES AND CONTRIBUTIONS OF GOVERNMENTS, EMPLOYERS AND WORKERS

### Governments

- Confirmation of political commitment;
- Enforcement of compulsory education;
- Allocation of financial resources in relevant budgets;
- Enforcement of applicable laws on CDL;
- Publicising existing or proposed legislation; and
- Monitoring of violations by local authority.

### Social Partners:

### Employers/Employers Organisations

- Developing of guidelines for drawing up informal Code of Conduct by mutual understanding;
- Provision of support for upgrading skills, vocational education and training; and
- Monitoring of violations.

### Workers/Workers Organisations

- Raising awareness among members on CDL;
- Monitoring of violations; and
- Tapping of strategic partners in advancing the issue (media, community leaders, etc)

## **4. AREAS OF COLLABORATION WITH OTHER STAKEHOLDERS**

- Social dialogue on policy and programmes;
- Joint collaboration and sharing of good practices among countries and organisations on implementation, monitoring and evaluation;
- International collaboration for funding and technical assistance; and
- Cooperation with other like-minded NGOs, media, donors and legal associations.

## **OTHER RECOMMENDATIONS**

1. Adoption of integrated and focused national strategies for economic, social and human development;
2. Increase government budget allocation and collaboration with donor agencies and private sector in the Asia-Pacific Region;
3. ILO should implement Memorandum of Understanding with the Asian Development Bank to support some pilot projects;
4. Recognise that micro-finance coupled with vocational training should be a key component of the national strategy;
5. Allow developing countries resources to adopt and implement national strategy with the assistance of the ILO and multilateral donor agencies; and
6. In view of CDL being a highly decentralised issue, it needs follow up workshops at the sub-regional and national levels.

*Adopted by the participants of the ILO/Japan/Korea Asia Meeting on Action to Combat Child Domestic Labour, 4 October 2002.*

*Chiang Mai, Thailand*