

ILO Interregional Tripartite Workshop on Employment and Working Conditions in the Gemstone Cutting and Polishing Industry

Bangkok, 20-22 November, 2001

Recommendations

Introduction

1. The Workshop, in making the following recommendations, stressed that the issues can only be comprehensively and effectively addressed in the gemstone (diamonds and other stones) cutting and polishing industry with the full involvement of all sectors of the industry, from mining through gemstone production, trading and retail sales. All future ILO activities related to the industry should take this into account.

Employment, working conditions, OSH, training

2. Governments, employers' and workers' organizations should collaborate to ensure that the gemstone cutting and polishing industry is monitored in the most effective way, starting with the registration of all units involved in handling gemstones.
3. Where necessary, the capacity of employers' and workers' organizations should be further developed so that they can effectively meet their obligations. Each should seek to increase its influence and membership in the sector with a view to improving labour standards and performance.
4. Labour laws and regulations that govern the industry should be reviewed and amended, where necessary, through social dialogue. They should be enforced and monitored, with outside assistance where needed. The specific issues of a predominantly informal industry should be kept in mind.
5. Following tripartite consultations and social dialogue all competent authorities should identify and quantify the occupational safety and health hazards and risks at each stage of the gemstone cutting and polishing process and establish and implement the means to eliminate, or at least control them and monitor implementation.
6. Employers' and workers' organizations should explore the feasibility of concluding sectoral agreements that address employment, working conditions, OSH and training in the context of the *ILO Declaration on Fundamental Principles and Rights at Work*.

Child labour

7. In addition to the foregoing, the following recommendations specifically concern child labour where it exists in the gemstone cutting and polishing industry.

8. The use of child labour in gemstone cutting and polishing cannot be justified for any reason; it is unacceptable. Its tolerance and continuation in any location risk jeopardizing the reputation and thus the future of the entire industry.
9. In every country, all sectors of the industry — from mining through gemstone production, trading and retail sale — including employers, workers' organizations, governments, the ILO and other relevant intergovernmental organization, and concerned NGOs, should work constructively together to eliminate child labour as a matter of urgency. A time limit for effective elimination should be established in each country following comprehensive social dialogue.
10. The removal of children from all gemstone cutting and polishing activities should be verified and their exclusion monitored. Removal should not worsen the situation of the children nor have an adverse affect on family income.
11. The steps towards the elimination of child labour should be taken in such a way as to strengthen the future of the industry.
12. Following tripartite consultations and social dialogue, all competent authorities should:
 - a. establish and enforce the minimum age for entering the sector (age 16-18 is normally appropriate considering the extent to which the safety and health of children can be jeopardized);
 - b. establish and enforce national workplace standards in line with the ILO's Core Conventions, including Convention 182 on the Elimination of the Worst Forms of Child Labour;
 - c. facilitate the access by children to free, quality basic education followed, wherever possible, by appropriate vocational training, and ensure that it is undertaken.
13. Governments should establish tripartite bodies to address child labour in the sector, including setting verifiable, time-bound targets for its elimination.
14. Codes of conduct can play a useful role in eliminating child labour. To be effective, they should be comprehensive, be negotiated between the social partners concerned, and cover all stages from mining through production, trading and retail sale They should be effectively monitored.
15. A "solemn declaration" that diamonds and gemstones have not been produced using child labour at any stage could be an important step forward, provided that it is universal and is backed by visible and credible monitoring. Those concerned should work together to develop and implement both a declaration and a monitoring system.

Role of the ILO

16. The ILO should organize in 2003 a preparatory meeting of all the key players as a precursor to holding a full sectoral meeting in 2004-05 for the gemstone sector that would address the key labour and social issues identified above.
17. In the meantime, the ILO should:
 - a. collect and disseminate information on best social and labour practices in the diamond and

- gemstone cutting and polishing industry;
- b. assist governments and employers' and workers' organizations to adhere to the principles contained in the ILO *Declaration on Fundamental Principles and Rights at Work*;
 - c. promote existing relevant ILO codes of practice, including on ambient factors in the workplace and the use of chemicals in the workplace;
 - d. prepare, publish and promote a practical handbook on occupational safety and health in diamond and gemstone cutting and polishing that is directed towards SMEs;
 - e. explore with employers' and workers' organizations the feasibility of setting up tripartite sectoral boards at the national, regional or international level, as appropriate;
 - f. support programmes to eliminate child labour in gemstone cutting and polishing and, together with the social partners, make sure that it is a source of decent work for all;
 - g. help create networks to combat child labour in gemstone cutting and polishing.

Bangkok, 22 November 2001