

**Moving ahead towards the
elimination of
the worst forms of child labour**

**International Programme on the Elimination of Child Labour (IPEC)
International Labour Office
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Introduction

Child labour works against human rights and investment in human development, against the provision of decent work, and against the reduction of poverty. Historically, the ILO has played a key role in international efforts to combat the abuse and exploitation of children through work. The ILO continues to strengthen its efforts to combat child labour with the adoption of the Worst Forms of Child Labour Convention, 1999 (No. 182) and its accompanying Recommendation No. 190, and the Declaration on Fundamental Principles and Rights at Work, 1998. The ultimate goal is the effective abolition of child labour, while the first steps are to eliminate the worst forms of child labour as a matter of urgency.

The Phuket meeting presented an opportunity for member States from the Asian region to exchange information and experiences on the worst forms of child labour and on appropriate and effective responses to the problem in terms of prevention, removal, and rehabilitation of child workers in the context of the new ILO Convention and Recommendation.

This paper provides an overview of the problem of child labour and responses throughout the world. It provides a global view of the problem, particularly describing the worst forms of child labour, such as slavery, bonded labour, forced participation in armed conflict, the use of children in prostitution and pornography, illicit activities, and hazardous work. It then focuses on means of action required to combat the problem. One of the tools used to combat child labour is international and national legislation. Therefore, a review of international instruments on child labour is provided, with a more detailed examination of the Worst Forms of Child Labour Convention, 1999 (No. 182) followed by a brief overview of national legislation and enforcement measures. Finally, the paper discusses strategic practical approaches taken by the ILO's International Programme on the Elimination of Child Labour (IPEC) aimed at eliminating child labour, especially and most urgently its worst forms.

The problem of child labour and its worst forms

What is child labour?

In all regions of the world, discussions of what constitutes child labour is complicated by national perceptions and cultural traditions regarding appropriate work for children in becoming productive members of families and societies. Focusing the argument on certain traditional practices that might be appropriate for children to engage in, can legitimise the exploitation of children where there is a failure to distinguish between normal family obligations and appropriate training on the one hand, and work giving rise to exploitation and abuse on the other.

Of course, children work; but from what age and doing what? These are the issues addressed by legal provisions on child labour. Looking at what constitutes child labour in international standards clarifies that some work by children at an appropriate age is allowed. Work that subjects children to exploitation and abuse, whether it is economic or non-economic, is prohibited.

The general criteria for determining child labour are the age of the child and the nature of the work. An over-riding principle is that work should not interfere with the education and the fullest mental and physical development of the child. Among other things, children are characterised by their age. As will be seen below, international labour standards establish various ages for different kinds of work. This is a crucial factor because, up to a certain age, the primary occupation of children should be obtaining an education and engaging in other activities appropriate for their healthy development. In addition, children are affected by work differently and more intensely than adults – and the younger the child the greater the vulnerability. The hazardous nature of work and the conditions under which work is carried out are also important criteria.

An emphasis on traditional practices over the potential hazards of work for children can result in ignoring or not fully appreciating the extent of the child labour problem. It is thus important that societies and families become educated regarding the dangers of child work, and that they recognise that what happens within the family context and training traditions cannot be totally excluded from the scope of legal instruments on child labour. In fact, some cultural traditions and practices, rather than being protective, are exploitative of children. The world wide movement towards recognising the rights of children, as embodied in the United Nations Convention on the Rights of the Child, challenges all cultures to re-evaluate their laws and practices toward children in view of the rights expressed therein. These include the right to freedom from exploitative and hazardous work and conditions.

Finally, it cannot be said that there are regional definitions of child labour. International instruments, while not advancing a fixed definition of all child labour, provide the basic minimum ages, conditions for work, and worst forms of child labour that should be prohibited for all children. These international instruments set minimum standards for countries throughout the world.

How many children are being exploited through child labour worldwide?

The ILO estimates that, in developing countries alone, about 250 million children between the ages of 5 and 14 years work in economic activities and at least 120 million of these children work full-time. Africa has the highest incidence of child labour, with approximately 41 per cent of children between five and 14 years old working, compared to 22 per cent in Asia and 17 per cent in Latin America. However, Asia has the largest number of child workers. It is important to note that statistical figures on child labour do not include children engaged in non-economic activities, such as domestic work in their own parents' or guardians' household. Although primarily a problem of developing countries, child labour also exists in many industrialised countries. In many East European and Asian countries in transition to a market economy, child labour has begun to emerge.

Of the 250 million working children, approximately 50 to 60 million between the age of 5 and 11 are working in circumstances that, considering their age and vulnerability, could be termed hazardous. In some cases, nearly 70 per cent of working children are engaged in hazardous work. From 5 per cent to more than 20 per cent of working children suffer actual injuries or illnesses, and some of these victims have to stop working permanently. Recent surveys at the national level have demonstrated that a high proportion of working children were physically injured or fell ill while working.¹

What are the worst forms of child labour?

Every day, children are being exploited in slavery and slave-like practices; in bonded and forced labour; in forced participation in armed conflicts; in prostitution, pornography and other illicit activities such as the trafficking of drugs; and in hazardous occupations.

Slavery and slave-like practices

Numerous children are trapped in slavery and slavery-like practices in many parts of the world. Some bondage practices are virtually indistinguishable from chattel slavery of 200 years ago, except that the markets are not so open. Children are sold outright for money. Sometimes landlords buy child workers from their tenants or, in a variant of the system, labour "contractors" pay an advance sum to rural families in order to take their children away to work in carpet-weaving, glass manufacture, or prostitution. Child slavery of this type has long been reported from parts of Asia and Africa. One of the most common forms of bondage is family bondage, where children work to help pay off a loan or other obligation incurred by the family. Perhaps most widespread of all are informal bondage agreements under which impoverished parents surrender their children to outsiders simply to have them work in exchange for their upkeep. This practice is based on the assumption that the children will be better provided for as unremunerated servants in an affluent household than they could be in their own families.

¹ K. Ashagrie: *Statistics on working children and hazardous child labour in brief* (ILO, Geneva, revised 1998), p. 10.

Sale and trafficking of children

Children are increasingly being trafficked by organised networks, bought and sold within and across national borders. Children are trafficked for prostitution, for begging and soliciting, and for work such as in construction sites, small shops, factories and domestic service. Such children are generally exposed to hazardous working conditions, confined in the workplace, and treated like slaves. It is believed that five major international networks are trafficking in children: from Latin America to Europe and the Middle East; from South and South-east Asia to North America, northern Europe, and the Middle East; a European regional market; an associated Middle Eastern regional market; and a West African export market in girls. Children are subject to trafficking for a variety of reasons: poverty, lack of alternative sources of income, limited education, and discriminatory practices. Inefficiencies in law enforcement, including a lack of political will and poor institutional capacity, perpetuate the problem. Urbanisation, consumerism, tourism, migration, and demand for prostitutes also play a role. Accordingly, certain groups are at special risk. These include children from politically disturbed areas, those living in economic hardship, street children, beggars, orphans, children in slums, and children from socially or economically marginalised groups. Gender discrimination results in girls being especially vulnerable to trafficking, particularly for commercial sexual exploitation.

Forced participation in armed conflict

Children are being forced to participate in armed conflicts and hostilities taking place in Africa, Asia, Latin America, the Middle East, the Pacific, and Europe. It is estimated that more than 300,000 children under the age of 18 are currently fighting in over 30 conflicts around the world.² Many of these children are forcibly recruited through abductions and press ganging, in situations and places where there is little or no rule of law. Boys and girls as young as 8, 9, and 10 years old are being given guns and sent to the front line to fight in wars which they lack the capacity to understand. These children are often physically and emotionally abused by their superiors, they are forced to beat and kill other children who do not obey orders or try to escape, and girls are often forced to have sex with fellow combatants. These experiences have both physical and psychological effects that seriously hinder a child's development. Children performing support services in armed conflict, such as domestic chores, guard duty, and acting as lookouts and messengers are also at risk. For example, children who serve as porters often carry heavy loads, including ammunition or injured soldiers, of up to 60 kilograms.³ Children also inhale toxic substances, and are exposed to land mines and long marches. As a result of support tasks, children have experienced serious injuries, such as deafness, blindness, burns, and damaged limbs that often require amputation⁴.

² *Stop using child soldiers! Coalition to stop the use of child soldiers*, Rädda Barnen (United Kingdom, 1998).

³ United Nations General Assembly Fifty-first session: *Promotion and protection of the rights of children: Impact of armed conflict on children*, A/51/306, 26 August 1996.

⁴ *Ibid.*, pp. 133-4.

Children used in prostitution, pornography and illicit activities

The exploitation of children in prostitution and pornography appears to be on the rise. Child victims suffer extreme physical, psychosocial, and emotional abuse. They are exposed to sexually transmitted diseases such as HIV/AIDS. They are often introduced to drugs to control them, further endangering their lives and making recovery particularly difficult. Younger and younger children are being sought in the belief that they will be free of HIV/AIDS, yet it is they who are most likely to be infected, since younger children have a greater biological vulnerability to STDs. Case studies and the testimonies of child victims speak of traumas so deep that they are often unable to return to a normal way of life. Young girls are not the only victims of commercial sexual exploitation; there has been a notable increase in the number of boy victims, especially in “sex tourism” and in pornography. For example, Sri Lanka has been advertised as a centre for the prostitution of male children in American and European magazines. Girls, however, appear to be particularly vulnerable to physical coercion. In interviews they speak regularly of rape, the threat or use of physical abuse, the threat of harm to their families, the withholding of food and water, and physical confinement. They are at risk of early and unwanted pregnancy, and maternal mortality. Even if they do manage to escape the trade, they face social ostracism and have fewer opportunities to find alternative means of making a living, making them more vulnerable to being recruited again.

The prostitution of children tends to be closely linked to their exploitation in pornography. Being forced to take part in pornography often can be the initiating factor to their exploitation in prostitution. In addition, the use of the Internet to spread child pornography, promote sex tourism, and feed networks of paedophiles compounds the victimisation of the children involved and creates greater demand for such victimisation.

Another abhorrent situation is the use of children in illicit activities such as the sale and trafficking of drugs. Children can be engaged in the process at different levels, from smuggling drugs across borders to selling drugs on the street. Children are often exposed to violence and are given and use weapons, including firearms. Some children are lured into the drug trade by introducing, even addicting them to drugs, and maintaining their participation by “paying” them with drugs. Other children may be induced to sell drugs for the financial gains it promises.

Hazardous work

The effects of hazardous working conditions on children can be devastating, causing irreversible damage to their psychological and physiological development. The impact of physically strenuous work such as carrying heavy loads or being forced to adopt unnatural positions at work can permanently distort or disable growing bodies. There is evidence that children suffer more readily from chemical hazards and radiation than do adults, and that they have less resistance to disease. Children are also much more vulnerable than adults to physical, sexual, and emotional abuse, and suffer more devastating psychological damage from living and working in an environment in which they are denigrated or oppressed. It is necessary, therefore, in assessing the dangers of child labour to go beyond the relatively

limited concept of “work hazard” as applied to adults, and expand it to include the developmental aspects of childhood.

Exposure to hazardous conditions poses a serious threat to working children. Surveys of working children undertaken by the ILO found that most were exposed to hazardous work situations, and a very high proportion of these were physically injured or fell ill while working. For example, a recent large national survey of child labour for the 5- to 17-year age group revealed that, out of a total of 3.67 million economically active children, more than 2.21 million were exposed to hazardous conditions at work, including chemical, biological, and environmental hazards. Of these, more than 870,000 children – almost 40 per cent – experienced injuries or illnesses. Children suffered injuries such as punctures, broken or complete loss of body parts, burns and skin disease, eye and hearing impairment, respiratory and gastrointestinal illnesses, fever, and headaches caused by excessive heat in the fields or in factories.⁵

Children are regularly found working in manifestly hazardous and arduous situations. They haul wagons underground in coal mines, they draw molten glass in stifling temperatures, they squat on workshop floors for many hours making carpets. They suffer neuro-toxicity from contact with solvents and glue in the leather industry, and are particularly sensitive to lead poisoning encountered in glass works and mercury exposure in gold mining. Work in agriculture and fishing is equally dangerous. In *pa-aling* fishing (a variation of the now banned *muro-ami* fishing) on offshore reefs in South-east Asia, children dive to great depths – without protective equipment – to place and retrieve the nets; injuries and deaths occur regularly. In the agricultural sector, children suffer from exposure to chemical agents as well as injuries and death caused by machinery, tools, and other hazards associated with this environment.

Mining and construction. Although the number of children working in mining and construction is relatively small, the occurrence of injuries and illnesses is particularly high in both sectors. These are by far the two worst sectors for working children, especially for working girls. More than one girl in every three (35 per cent) and one boy out of four (26 per cent) are affected by injuries and illnesses, if they work in the construction sector; and, if they work in mining, the incidence is one in every five girls (21 per cent) and nearly one boy in eight (16 per cent).⁶ Children may work without adequate protective equipment, clothing, and training for up to 12 hours a day with only a 30- to 60-minute break. The physical and mental health of these child workers is jeopardised by deep and poorly reinforced pits, poor ventilation, loud noise, strong vibrations from machines, excessive heat or cold, high humidity levels, awkward working positions, and extremely arduous work. Deaths from explosions or cave-ins are not uncommon, and there is constant threat of respiratory illnesses and dust or gas poisoning. In many cases, first aid and medical facilities are not available near the workplace. Workers have no access to rehabilitation or social security schemes, no mandatory schooling, and no vocational training.

⁵ Ibid.

⁶ K. Ashagrie, *op. cit.*, p. 13.

Agriculture. Child labour is on average twice as high in rural as it is in urban areas. An estimated 70 per cent of all working children are engaged in agriculture. Occupational health and safety experts consider agriculture to be among the most dangerous of occupations. Climatic exposure, work that is too heavy for young bodies and accidents such as cuts from sharpened tools are some of the hazards children face. Modern agricultural methods bring further hazards in their wake: use of toxic chemicals and motorised equipment, usually without the benefit of training or safety precautions. While generally found only in larger agricultural enterprises, small family farms also increasingly make use of such methods. The hazards associated with agriculture are numerous, as is clear from the table below, and this is reflected in the numbers of injuries and illnesses recorded for children working in this sector. In many countries, the hazards and risks to health are compounded by poor access to health facilities and education, poor housing and sanitation, and inadequate diets of rural workers.

Table 1. Hazards and health consequences in agriculture

Tasks	Hazards	Health consequences
Working with agricultural tools and machinery, lawnmowers and circular saws; handling and spraying of agro-chemicals; caring for farm animals and herding sheep; crop picking and weeding; collecting fodder; loading.	Agricultural machinery and tools; 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 protective equipment; exposure to extreme temperatures; heavy loads.	Lacerations, cuts, injuries and death, fractures and amputations of fingers, limbs and toes, head injuries or 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).

Adapted from Forastieri, V.: *Children at Work: Health and Safety Risks* (Geneva, ILO, 1997).

Domestic service. Another area where children are among the most vulnerable and exploited is in domestic service. These children are the most difficult to protect, since they are largely “invisible” workers, hidden and ignored. Most come from extremely poor or single-parent families, or have been abandoned or orphaned.

Box 1**Child domestic service**

Because of the “hidden” nature of this work, the dispersal of the children in separate households, and the informal nature of the job arrangements, it is impossible to calculate accurately the number of children in domestic service. But there is evidence that the practice is extensive. Improved statistical survey methods pioneered by the ILO indicate how widespread the practice is. In Indonesia, for example, an estimated 5 million children are in domestic service, and 20 per cent of all Brazilian, Colombian, and Ecuadorean girls between the ages of 10 and 14 work as domestics. In rural areas, the percentages rise. For example, in Brazil 36 per cent of girls between the ages of 10 and 14 work as domestics; in Colombia it is 32 per cent; and in Ecuador as many as 44 per cent of girls in this age group work as domestics.

Source: *Child Labour: Targeting the intolerable*, Report VI (1), International Labour Conference, 86th Session, 1998 (Geneva, ILO, 1996), pp. 14-15.

While the majority of child domestic workers tend to be between 12 and 17 years old, some surveys have identified children as young as 5 or 6 years of age. Although boys work as domestic servants, perceptions of girls and their future roles as wives and mothers means that primarily girls work as domestics. Moreover, it is frequently assumed by parents that working within a home will be more secluded and safer for their daughters.

There is alarming evidence concerning the working conditions of child domestic workers. Many of them work in almost total isolation for up to 15 hours per day, frequently unpaid, as board and lodging are often considered sufficient compensation. They can be given work, such as the carrying of heavy loads, which is beyond their capacities, and made responsible for the care of the other children in their employer’s household, disregarding the fact that they are mere children themselves. In addition, there is significant evidence that domestic workers are subjected to physical, emotional, and sexual abuse. Court and newspaper reports in one country indicated that domestic service entails the highest risk of child abuse nationally.

In some countries, parents, believing that their children will be better off, give them to an employer to be brought up. The child becomes totally dependent on the employer for food, clothing, and shelter. Sometimes, when the employer no longer requires the child’s services or becomes dissatisfied with the services rendered, the child may simply be turned out onto the street.

Numerous other occupations also seriously threaten the health and safety of children, among them brick-making, carpet weaving, construction work, tanneries, deep-sea fishing, glass factories, matches and fireworks factories, scavenging, and slate-making. (See Annex II)

Especially vulnerable groups

The youngest. The younger the children, the more vulnerable they are to hazards in the workplace and to the economic exploitation of their labour. Children who start working at an early age have a longer period of exposure to cumulative hazards. For instance, exposure in early life to substances such as asbestos with long latency periods increases the possibility of contracting chronic diseases like lung cancer in young adulthood. Younger children are also less likely to be able to perceive danger or to know what to do if accidents occur.

Box 2: The special situation of girls

Girls are more likely to:

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

Girls. Boys and girls both suffer from exploitation in work, but girls have special vulnerabilities to exploitation and abuse. Girls are often discriminated against, resulting in a denial of rights such as that to education. They often work in hidden situations, and are exposed to physical, emotional and sexual abuse.

Girls work alongside boys in almost all sectors, including the most hazardous such as agriculture, mining, and construction. On average, they work longer hours than boys, but are paid less for the same type of work. Girls also frequently work in unregulated or hidden situations such as domestic work, and are more likely to be involved in prostitution and pornography, as discussed above.

Girls are frequently expected to undertake household work, even when working in paid employment. They are also less likely to be in school, since their education is often undervalued, a common perception being that education is not important for their roles as future wives and mothers. Thus, girls usually start working at a younger age. If they do go to school, they are almost twice as likely as boys to also work and are more likely to be removed from school, either permanently or temporarily, when additional work or income is required.

These serious violations of the health, safety, dignity, and human rights of children pose a particularly urgent challenge. Their occurrences must be identified and priority given to their elimination. At the same time, action must persist against the root causes of such child labour.

What are the factors that affect the supply of and demand for child labour?

Poverty is the most important, although not the only, reason that children work. Poor households need the money that their children can earn, and children commonly contribute around 20-25 per cent, in some cases even close to 40 per cent, of the family income. ILO experimental surveys indicated that there are instances where the child's earnings are the only family income.⁷ Since by definition poor households spend the bulk of their income on food, it is clear that the income provided by working children is critical to their survival. Although poverty is the major cause of child labour, other important motivating factors exist.

⁷ K. Ashagrie: *Methodological child labour surveys and statistics: ILO's recent work in brief* (ILO, Geneva, 1996).

Box 3: Children's reasons for working

Country studies found that children stated they work:

- ✓ To supplement family income or help in their household's enterprise;
- ✓ To help pay family debts;
- ✓ To gain experience or acquire training in a specific work area;
- ✓ To pay for their education or school materials;
- ✓ To gain economic independence;
- ✓ To build enough capital to start their own business;
- ✓ Because they have no parents, had been abandoned or are neglected; or
- ✓ Because they are frustrated with education, and affected by rising consumerism and changing life style.

Other supply factors affecting child labour are also important for understanding not only why child labour exists, but also why children from specific families, areas, and countries are more likely to be available for hazardous work. Traditional practices and cultural beliefs systematically favouring the education and development of boys over girls contribute to the large number of girl child workers. In addition, certain areas and families have a tradition of children following in their parents' footsteps. If the family has a tradition of engaging in a hazardous occupation such as leather tanning, then there is every likelihood that the children will be caught up in the same process. In industries and occupations where payment is on a piece-rate basis, children are frequently called upon to "help" the other members of the family, for example, in construction sites in many parts in the world and in home-based work such as *bidi*-making and carpet weaving.

Child labour in hazardous conditions is most prevalent in the most vulnerable families – those whose low income allows them little margin to cope with the injury or illness of an adult member of the household, or the distress and disruption resulting from abandonment or divorce. Not only do poor households have few financial assets, but, in many cases, they are in debt. Whatever the reason, debt or the threat of debt is very often at the root of hazardous and bonded child labour, children being in effect sold to pay off the family debt.

An understanding of the factors affecting the demand for child labour is critical in finding responses to the problem. The lower cost of child labour and the irreplaceable skills afforded by children (the "nimble fingers" argument) are not well substantiated, and do not provide sound reasons for hiring child workers.⁸ Rather, non-economic explanations for hiring children, such as perceptions that they are more docile and less likely to exercise their rights, seem to be more important.

⁸ ILO: *Child labour: Targeting the intolerable*, op. cit., pp. 18-20.

The response to the problem

There are no simple solutions to child labour. The problems are complex, and so are effective responses. Eliminating child labour means addressing the situation of millions of children who are working every day throughout the world, in many cases are working full time and not receiving an education. It means focusing on children who are currently working, but also preventing children from entering exploitative child labour. It means providing alternatives, such as education and training, to children and their families who may be relying on their labour due to the level of poverty. It means looking at the overall national situation, particularly the level of poverty, and finding ways to promote sustainable development and stimulate national action. It means using the tools a country has established, such as national legislation, and strengthening them to protect the human rights of children.

Effective poverty reduction policies and programmes and the provision of universal basic education are critical in ensuring the elimination of child labour. The need for preventive measures is paramount, if long-lasting results are to be achieved. Thus, preventing the next generation of child workers is a major goal. At the same time, child labour must also be tackled by other measures specifically addressing the current situation of millions of children already trapped in child labour. Special priority must be given to the most intolerable situations, such as children in slavery-like practices, forced labour and those forced to participate in armed conflict, those who are sexually exploited in prostitution and pornography, and those toiling in hazardous work and conditions. Governments have the primary responsibility, but must be assisted by a broad range of actors, including employers' and workers' organisations and civil society, particularly NGOs. The establishment of international standards that provide the broad framework for national legal and practical action has an important role.

This section of the paper examines international standards, with a focus on the new ILO Convention and Recommendation concerning the worst forms of child labour adopted in June 1999. This is followed by a discussion of national legislation and issues of enforcement and concludes with an overview of practical action, emphasising the types of action being undertaken by the International Programme on the Elimination of Child Labour (IPEC).

ILO standards on child labour

Box 4 ILO Conventions on child labour and forced labour

- No. 5 Minimum Age (Industry), 1919
- No. 7 Minimum Age (Sea), 1920
- No. 10 Minimum Age (Agriculture), 1921
- No. 15 Minimum Age (Trimmers and Stokers), 1921
- No. 29 Forced Labour, 1930
- No. 33 Minimum Age (Non-Industrial Employment), 1932
- No. 58 Minimum Age (Sea) Rev., 1936
- No. 59 Minimum Age (Industry) Rev., 1937
- No. 60 Minimum Age (Non-Ind. Emp.) Rev., 1937
- No. 112 Minimum Age (Fishermen), 1959
- No. 123 Minimum Age (Underground Work), 1965
- No. 138 Minimum Age, 1973
- No. 182 Worst Forms of Child Labour, 1999

One of the most important tools available to the ILO for improving the legislation and practice of its member States in the fight against child labour is the adoption and supervision of international labour Conventions and Recommendations. The ILO adopted its first Convention on child labour in 1919, the year of its foundation (The Minimum Age [Industry] Convention, 1919 [No. 5]). Subsequently, nine sectoral Conventions on the minimum age of admission to employment were adopted applying to industry, agriculture, trimmers and stokers, maritime work, non-industrial employment, fishing, and underground work. In 1973, the ILO consolidated the principles that had been established in earlier instruments and adopted comprehensive instruments on child labour, the Minimum Age Convention, 1973 (No. 138) and its accompanying Recommendation No. 146, which apply to all sectors of economic activity, whether or not the children are employed for wages. In June 1999, the ILO adopted its most recent instruments on child labour, the Worst Forms of Child Labour Convention and Recommendation, 1999, which target the worst forms of child labour as a matter of urgency. Convention No. 138 remains a fundamental instrument on child labour. However, it is recognised that total abolition will take time, and there is a need for urgent action to eliminate the worst forms of child labour.

Another recent important development is the adoption of the Declaration on Fundamental Principles and Rights at Work and its Follow-up by the International Labour Conference in June 1998. It is expected to contribute significantly to the fight against child labour in all member States, even if they have not ratified child labour Conventions.

Box 5 ILO Declaration on Fundamental Principles and Rights at Work (excerpt)

The International Labour Conference “declares that all Members, even if they have not ratified the Conventions in question, have an obligation, arising from the very fact of membership in the Organisation, to respect, to promote and to realise, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions, namely:

- (a) Freedom of association and the effective recognition of the right to collective bargaining;
- (b) The elimination of all forms of forced or compulsory labour;
- (c) The effective abolition of child labour; and
- (d) The elimination of discrimination in respect of employment and occupation.”

Minimum Age Convention, 1973 (No. 138)

The cornerstone of Convention No. 138 is the requirement that ratifying States undertake to pursue a national policy designed to ensure the effective abolition of child labour, and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. It is a dynamic instrument aimed at encouraging the progressive improvement of standards and promoting sustained action to attain its objectives. Recommendation No. 146 provides guidance on necessary policy and enforcement measures.

Fixing the minimum age for admission to employment or work is the basic obligation of ratifying States within the framework of a national policy (see Table 2). The Convention stipulates that the minimum age should not be less than the age of completing compulsory schooling, and in no event less than 15 years of age. However, the Convention allows a developing country to specify initially a general minimum age of 14 years of age, instead of 15.

Table 2. Minimum age in accordance with Convention No. 138

General minimum age (Article 2)	Light work (Article 7)	Hazardous work (Article 3)
<i>In normal circumstances:</i>		
15 years or more (not less than compulsory school age)	13 years	18 years (16 years conditionally)
<i>Where economy and educational facilities are insufficiently developed:</i>		
14 years	12 years	18 years (16 years conditionally)

Source: *Child Labour: Targeting the intolerable* (ILO) op. cit.

Another important requirement is that a higher minimum age of at least 18 must be set for hazardous work – i.e. work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety, or morals of young persons. The determination of the specific content of these activities is the obligation of individual countries, after consultation with employers’ and workers’ organisations.⁹

The Convention also allows a lower age of from 13 to 15 years of age for light work, provided that the work is not hazardous to the child’s health or development, and does not hinder its education. A minimum age for light work at 12 instead of 13 can be set in countries where the basic minimum age of 14 is allowed, after consultation with the employers’ and workers’ organisations.

To date, 78 countries have ratified Convention No. 138, including 11 Asian countries.¹⁰ In addition, several Asian states are currently examining the possibility of ratification or have initiated the ratification process.

Forced Labour Convention, 1930 (No. 29)

Another fundamental ILO Convention protecting children against some of the worst forms of exploitation is the Forced Labour Convention, 1930 (No. 29). Convention No. 29 aims at suppressing the use of forced or compulsory labour – defined as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. This Convention is one of the most widely ratified of the ILO Conventions, with by 149 signatory countries. Since it applies to everyone, whatever their age, it protects children from forced or compulsory labour and is applicable to some of

⁹ A lower age of 16 is allowed where the health, safety, and morals of the young persons are fully protected, and where they have received adequate specific instruction or vocational training in the relevant branch of activity. Both conditions must be fulfilled to allow such a lower age, along with a requirement that employers’ and workers’ organizations be consulted beforehand.

¹⁰ Azerbaijan, China, Indonesia, Iraq, Jordan, the Republic of Korea, Malaysia, Nepal, the Philippines, Tajikistan, the United Arab Emirates.

the most intolerable forms of child labour, such as children in bondage and their exploitation in prostitution and pornography.

The Worst Forms of Child Labour Convention and Recommendation, 1999

It is a matter of great concern that children continue to be enslaved in bonded labour, isolated in domestic service, abused in the commercial sex trade, endangered in mines and quarries, and exposed to hazardous conditions such as toxic substances in agriculture. In response to this grave situation, the Government, employer and worker delegates to the International Labour Conference in 1999 unanimously adopted the Worst Forms of Child Labour Convention and Recommendation, promoting a concerted global effort to stop these practices immediately. They must, as a matter of urgency, be eliminated to protect the human rights of children, and ensure that a new generation can grow up healthy and educated. This is essential, if the poverty and underdevelopment that persist in so many areas of the world are to be eradicated.

Convention No. 182 aims at prohibiting and eliminating the worst forms of child labour everywhere. It contains no exceptions for any branches of economic activity. In this sense, the new Convention does not revise or replace Convention No. 138, but instead complements it. While Convention No. 138 sets standards of minimum age for admission to employment or work, the Worst Forms of Child Labour Convention, 1999 is focused on the need for immediate action to prohibit and eliminate the worst forms of child labour. It is a clear statement of the need to take immediate action to eliminate the intolerable conditions many children are in, to help them recover and lead a healthy life.

Box 6 The new Convention No. 182

- Focuses on the worst forms of child labour in one Convention;
- Defines what these worst forms are;
- Identifies priority areas of action;
- Aims at ensuring that immediate and effective action is taken, irrespective of the level of national development;
- Aims at ensuring protection for children at special risk, such as younger children and girls; and
- Promotes global co-operation and action.

The basic obligation of ratifying States is to take immediate and effective measures to prohibit and eliminate the worst forms of child labour as a matter of urgency for all those under 18 years of age.

The “worst forms of child labour” comprise:

- (a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) The use, procurement, or offering of a child for prostitution, production of pornography, or pornographic performances;
- (c) The use, procurement, or offering of a child for illicit activities, in particular for the production and trafficking of drugs;
- (d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.

Opposing compulsory recruitment in armed conflicts. Including the prohibition of forced or compulsory recruitment of children under 18 years of age for use in armed conflict in Convention No. 182 is a major step in international law. Other international instruments, such as the UN Convention on the Rights of the Child, prohibit the use of children in armed conflict under 15 years of age. However, efforts are currently being made by the UN working group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts, among other things raising the age for participation in armed conflict to 18 years of age. The inclusion of forced or compulsory recruitment of children for use in armed conflict in Convention No. 182 as one of the worst forms of child labour marks a step in the same direction that the working group on the draft optional protocol is taking. Furthermore, should a ratifying State decide that any participation of children in military service, armed forces, or in armed conflicts is harmful, it may choose to include this in the list of work that is likely to harm the health, safety, or morals of a child, and thus ensure that immediate measures are taken to prohibit and eliminate it.

Determining what represents “harmful” work. The Convention allows the determination at the national level of what constitutes work likely to harm the health, safety or morals of a child. The Convention stipulates that the national authority should, after consultation with the employers and workers concerned, make such determinations. It also provides that consideration should be given to Paragraph 3, *inter alia*, of the Recommendation as it provides further guidance on which types of work are likely to be harmful to children.

It suggests that particular attention should be given to:

- work that exposes children to physical, psychological, or sexual abuse;
- work underground, under water, at dangerous heights, or in confined spaces;
- work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- work in an unhealthy environment which may, for example, expose children to hazardous substances, agents, or processes, or to temperatures, noise levels, or vibrations damaging to their health; and

- work under particularly difficult conditions, such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

Effective implementation and enforcement. The Convention also obliges ratifying States to ensure the effective implementation and enforcement of the Convention, including the provision and application of penal sanctions. Moreover, Article 7, Paragraph 2, requires States, taking into account the importance of education in eliminating child labour, to take effective and time-bound measures to:

- prevent the engagement of children in the worst forms of child labour;
- provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
- ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
- identify and reach out to children at special risk; and
- take account of the special situation of girls.

Monitoring mechanisms. The establishment or designation of mechanisms, after consultation with workers' and employers' organisations, to monitor the implementation of the Convention is also required. Convention No. 182 does not specify what these mechanisms should be, as this will depend on the types of action being taken in a country to prohibit and eliminate the worst forms of child labour. Such monitoring mechanisms may be, for example, national committees or advisory bodies on child labour or other means of assessing and evaluating national programmes of action. In addition, they may be specially designed to oversee sectors such as the informal sector, where many children work, but where official institutions such as labour inspection cannot easily reach them.

Design and implementation of programmes of action. Another requirement of the new Convention is the design and implementation of action programmes to eliminate the worst forms of child labour as a priority. This should be undertaken in consultation with employers' and workers' organisations, and take into consideration the views of other concerned groups. The Recommendation adds that the views of children directly affected by the worst forms of child labour and their families should be considered. It also recommends that action programmes should identify and denounce the worst forms of child labour. Furthermore, they should aim – through measures to address their educational, physical, and psychological needs – at prevention, removal, rehabilitation, and social integration. Special attention should be devoted to younger children, girls, hidden work situations, and children with special vulnerabilities or needs. Communities where children are at special risk should be particularly targeted. In addition, society in general should be mobilised through awareness-raising activities.

Special attention to certain groups. The Convention and Recommendation call for special attention to be given to certain groups of children when designing programmes of action and taking measures against the worst forms of child labour. This is because certain groups, as suggested above, are particularly vulnerable to hazards and abuse. For example, the younger the children the more prone they are to injuries, as they are not mature enough to perceive danger or to know what to do if an accident occurs. Similarly, girls are more likely to start working at a younger age and to be working in industries that are hidden and unregulated, making them more vulnerable to exploitation and abuse. Special attention must be given to them to ensure that these more vulnerable groups are protected.

International co-operation. The Convention also calls for member States to co-operate and assist each other in effectively prohibiting and eliminating the worst forms of child labour. This is a new and significant element in the Convention, reflecting and reaffirming a consensus that these abuses are a problem that concerns all, and ratifying States should be working towards eliminating them wherever in the world they may exist. The Convention does not spell out precisely what international co-operation or assistance should be provided. In this way, the Convention provides flexibility, leaving it to individual member States to decide on the nature and level of co-operation or assistance. For instance, this need not only be in the form of financial help, but could involve co-operation on technical matters or assistance on legal issues.

The Convention does emphasise, however, that steps taken by member States to assist one another include “support for social and economic development, poverty eradication programmes and universal education”. This is because poverty is often the root cause of child labour, while universal education is important in preventing it.

Box 7 How can member States co-operate with one another?

The Recommendation contains the following suggestions:

- Exchanging information on criminal offences, especially concerning international networks;
- Detecting, prosecuting, and registering the perpetrators of criminal offences;
- Prosecuting citizens for offences even when they are committed in another country;
- Mobilising resources for national or international programmes;
- Providing mutual legal assistance;
- Providing technical assistance; and
- Supporting social and economic development, poverty eradication programmes, and universal education

The supervisory mechanism of the ILO

The reference to monitoring in the Convention pertains to national mechanisms. This is different from supervision at the international level, whereby a ratified Convention is supervised by the International Labour Organisation’s supervisory bodies, notably the Committee of Experts on the Application of Conventions and Recommendations.

Two key elements are involved in the supervisory process. Firstly, Governments submit reports on the action they have taken to carry out the provisions of the Conventions they have ratified. They have to do so on a regular basis, and must send copies of their reports to employers' and workers' organisations, who can make comments on the reports either directly to the ILO or include them in the government reports.

Following this, the independent Committee of Experts reviews the reports and other information, such as employers' and workers' comments, country legislation, information supplied by NGOs, and so on. If they find that a Government is not honouring its obligations under the Convention, they may make a direct request for further information or publish an observation in the Committee's report urging that shortcomings are dealt with. The report is submitted to the International Labour Conference, where it is discussed by a committee composed of members from the three groups – Governments, Employers, and Workers. They also discuss some selected cases to draw special attention of the Governments to points on measures need to be taken.

Secondly, in case of acute problems or persisting non-observance of a ratified Convention, the ILO Constitution provides for ad hoc procedures to allow employers, workers, and other Governments to submit an allegation, which will be examined by designated bodies.

United Nations Convention on the Rights of the Child, 1989

Several other international treaties are relevant to child labour and the protection of children from its most intolerable forms. Foremost among these is the United Nations Convention on the Rights of the Child, 1989.¹¹ This Convention is the most comprehensive treaty on the rights of children, whom it defines as persons under the age of 18, unless the age of majority is attained earlier. It seeks to protect a wide range of children's rights, including the right to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the children's education, or to be harmful to their health or physical, mental, spiritual, moral or social development. It requires state parties to take legislative, administrative, social, and educational measures to ensure implementation and, in particular, to provide for (a) a minimum age or minimum ages for admission to employment, (b) appropriate regulation of the hours and conditions of employment, and (c) appropriate penalties or other sanctions to ensure the effective enforcement of its provisions. In doing so, they are to observe the relevant provisions of other international instruments; among these, the Committee on the Rights of the Child has identified ILO Convention No. 138 as being of key importance.

The right of the child to an education is also recognised under this Convention, which provides that primary education should be compulsory, available and free to all. Several other articles have a particular bearing on various worst forms of child labour, such as sexual exploitation and sexual abuse, the abduction of, sale of or traffic in children for any purpose or in any form, their use in armed conflict, and all other forms of exploitation prejudicial to any aspects of the child's welfare. It calls on state parties to take all appropriate measures to

¹¹ Entry into force: 2 September 1990; 192 ratifications as of 18 April 1997. Other instruments include the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery; and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

promote physical and psychological recovery and social reintegration of child victims of neglect, exploitation, or abuse.

National legislation

International covenants and standards on child labour provide the basic legal framework for national legislation. Legislative action against child labour at the national level include laws on minimum age, compulsory education, hazardous work as well as other intolerable forms of child labour, such as slavery, sale and trafficking of children, age for compulsory recruitment into the armed forces, prostitution, and pornography.

Minimum age. Establishing a minimum age for admission to employment or work is the most widely used means of prohibiting child labour. National legislation on minimum age generally ranges from 12 to 16 years of age, and up to 21 years of age for hazardous work. Many countries, however, prescribe a basic minimum age limited to specified sectors or occupations, or in some cases totally exclude from coverage certain sectors or occupations in which children are likely to work, for example agricultural work, domestic work, home work in family enterprises, independent work, and work in the informal sector.

Compulsory education. The minimum age for admission to employment or work is linked with the age for compulsory education by the Minimum Age Convention, 1973 (No. 138). It is evident that children in school are less likely to be in full-time or close to full-time employment or work. Conversely, children who are not obliged to attend school or who realistically do not have access to education have little alternative to working or falling into begging, delinquency, or worse situations. Child labour legislation, in addition to protecting children from unsuitable work or working conditions, is aimed at ensuring that their education and development are not jeopardised. Thus, compulsory education laws and minimum age laws are interdependent; the enforcement of one contributes to the enforcement of the other.

Discrepancies between compulsory education and minimum age laws. There is a discrepancy in many countries, including in Asia, between the minimum school-leaving age and the minimum age for admission to employment. For example, in several countries, the age for compulsory education is less than the minimum age for admission to employment. Thus, children who leave school at the statutory age have to wait before they can lawfully engage in economic activity. A different problem presents itself if the minimum school-leaving age is higher than the minimum age for work. As soon as the law permits them to work, many children, particularly from deprived families, stop going to school and begin to work. In such cases there is a need to conform the school-leaving age to the minimum age for employment or work.

Minimum age for admission to hazardous work. Most national legislation, consistent with ILO Convention No. 138, fixes a higher minimum age for admission to hazardous work, most often not less than age 18. Effective legislation on hazardous work must designate which work is considered to be hazardous.

Box 8 Top 10 hazards in national legislation

1. Mining, quarries, underground work
2. Maritime work (trimmers, stokers, trimmers, stevedoring)
3. Machinery in motion and dangerous machinery
4. Explosives
5. Weights and loads
6. Construction and/or demolition
7. Noxious and radioactive agents or substances
8. Lead/zinc metallurgy
9. Transportation
10. Entertainment, alcohol production and/or sale

Source: *Targeting the intolerable*, op. cit., Tables 5, 7 and 8.

National legislation regulating hazardous work takes several approaches. Some specifically designate the hazards or sectors considered hazardous, while others use more general language such as that prescribed in Article 3, Convention No. 138. For example, some legislation designates a minimum age of 18 for work done on machinery in motion and underground work, and also contains a general provision prohibiting a young person from being employed in any type of employment or work, which, by its nature or the circumstances in which it is carried out, is likely to jeopardise the person's health, safety, or morals. Regarding the latter type of general prohibition of hazardous work, it is essential that the specific types of work that are prohibited be established in a regulation or otherwise.

Slavery, forced or compulsory labour, sale and trafficking of children. Specific legislative action has also been taken against such worst forms of child labour as slavery, forced or compulsory labour, sale and trafficking of children, prostitution, and pornography. Most countries in the world, including most countries in Asia, have provisions in their constitutions or general labour legislation prohibiting slavery, forced or compulsory labour. Two countries, India and Pakistan, have adopted legislation specifically outlawing bonded labour. The sale and trafficking of children have been dealt with by general legislation in most countries. Specific provisions on sale and trafficking of children exist in a number of countries, including Mauritius and Rwanda.

Child prostitution is most commonly dealt within penal legislation. Some countries have enacted specific provisions on child prostitution or on sexual exploitation and abuse which cover prostitution, the enticement of children into sexual acts, the procurement of children for prostitution, or the drawing of economic benefit from the sexual activities involving children. The demand for child prostitution has led to an increase in sex tourism, i.e. tourists who travel to engage in sexual relations with children. In an effort to deter such exploitation, a number of countries have recently extended their criminal legislation to cover the criminal acts of their citizens committed against children in other countries. Some are also adopting measures to prohibit the organisation of travel for sex tourism.

Child pornography has also received specific references in national legislation, or has more generally been included in laws regulating pornography or obscene or indecent publications. It is a common practice to make it a crime both to produce and to disseminate child pornography, with generally higher penalties for commercialising it. Possession of pornographic material depicting children has also recently become a criminal offence in some countries. The use of new technologies to construct and disseminate child pornography, and to make it instantly available to a global audience through the Internet, presents a major new challenge to law-makers and law enforcement officials alike, and calls for new forms of international co-operation.

Enforcement of legislation

Legislative commitments require effective monitoring and enforcement measures to ensure the abolition of child labour, particularly in its worst forms. It is widely recognised that weak enforcement mechanisms present a major obstacle to effective legal protection against child labour. Even countries that have progressive child labour laws commonly find it difficult to put them into practice. Enforcement problems are acute in the informal sector, away from main cities and in agriculture, in small businesses such as shops and hotels, in street trading, and in domestic service and home-based work. Since most working children are found in agriculture, domestic service, and the informal sector, most of them work where child labour law enforcement is virtually absent.

Convention No. 138 requires Governments to take all necessary measures, including the application of penalties, to ensure effective enforcement of its provisions, and it requires employers to keep registers or other documents showing the names and ages of persons under the age of 18 who work for them. The accompanying Recommendation (No. 146) gives more detailed guidance such as training labour inspectors to detect and correct child labour abuses, focusing on hazardous work and measures to facilitate verification of ages. Most national legislation contains specific measures to facilitate enforcement of minimum age and other provisions relating to child labour. Virtually all countries have some form of labour inspection, and 122 countries have ratified the Labour Inspection Convention, 1947 (No. 81) which specifies that, among the primary duties of inspectors, is the enforcement of legal provisions relating to the employment of children.

In the majority of countries, the law holds the employer responsible for violations of child labour laws, although some national legislation also places a burden of responsibility on parents or legal guardians. Among the obligations imposed on employers in various countries is keeping records of all young persons employed, obtaining work permits for persons below a certain age, or displaying notices on the legislation governing the employment of children and young persons. Penalties for violation of the relevant laws can vary from monetary penalties to imprisonment or even cancellation of licences to operate.

In many countries, enforcement is hampered by weaknesses in the labour inspection system. Labour inspectorates, especially in developing countries, are understaffed and inadequately trained or specialised in child labour matters; they also lack transportation with which to reach and inspect establishments. Other constraints include difficulty of access to certain workplaces (e.g. private residences in the case of child domestic workers, family enterprises, and the small workshops of the informal sector, which generally operate in clandestine

conditions and are in any case frequently beyond the scope of much of the legislation relating to child labour).

Moreover, inspectors often operate in a particularly unfavourable environment. They tend to face public indifference, apathy from the public authorities, the hostility of powerful economic interest groups, and the complicity of children and their parents. Parents, in particular, are frequently unaware of the existence of the relevant laws and regulations, and are therefore do not recognise the illegal nature of their children's work. This ignorance, and their need for the income generated by children's work, may explain why so few complaints are filed regarding the employment of children in exploitative or hazardous conditions. In addition, the procedures for filing complaints can be so lengthy and complicated that they deter poor and often illiterate families from using them.

Action against the most intolerable forms of child labour requires improved and innovative enforcement mechanisms and measures. To improve enforcement it is essential to strengthen labour inspection and focus efforts on the most vulnerable groups of children and those activities that expose them to hazards. Methodologies for identifying and evaluating work hazardous to children also need to be developed or improved. Progress in enforcement is being achieved through action that includes targeted campaigns, training of inspectors and law enforcement officials, enactment and enforcement of stricter penalties, and increased international assistance.¹²

Laws, although indispensable in the fight against child labour, cannot by themselves solve the problem of child labour. They need to be complemented by socio-economic policies and programmes that provide for universal access to quality education, and which attack the root causes of child labour, namely the poverty of nations, communities, and families. They need to be complemented by programmes and projects that prevent child labour, remove children from work, rehabilitate, and reintegrate them into society.

The International Programme on the Elimination of Child Labour (IPEC):

The ILO's practical action response

New impetus with the creation of IPEC. The ILO offensive against child labour dates back to the creation of the Organisation itself in 1919, but its assistance to member States to combat the problems has intensified and expanded, since 1992, through the creation of its technical co-operation programme, the International Programme on the Elimination of Child Labour (IPEC). The programme is now operational in over 60 countries, with formal commitment in the form of Memoranda of Understanding (MOU) with 36 of these countries.¹³ The scope and intensity of these activities have been made possible by growing financial support from more than 20 donors¹⁴ to IPEC.

¹² For further discussion, see *ILO: Child labour: Targeting the intolerable*, op. cit., chapter 5.

¹³ **Africa:** Benin, Egypt, Kenya, Madagascar, Mali, Senegal, South Africa, Tanzania, and Uganda.

Asia: Bangladesh, Cambodia, India, Indonesia, Mongolia, Nepal, Pakistan, the Philippines, Sri Lanka, and Thailand.

Starting point for IPEC action. IPEC aims to work toward the progressive elimination of child labour by strengthening national capacities to address child labour issues, and by creating a world-wide movement to combat it. The political will and commitment of individual Governments to address child labour, in co-operation with employers' and workers' organisations, non-governmental organisations (NGOs) and relevant parties in society such as the media and universities, is the starting point for ILO-IPEC action. Member States confirm this by signing a MOU with the ILO to initiate action within the framework of IPEC to combat child labour. Tripartite National Steering Committees are set up to develop policies and programmes to be carried out in co-operation with employers' and workers' organisations and NGOs. The concept of sustainability is built in from the start by an emphasis on in-country "ownership".

Priorities. Recognising that the problem of child labour cannot be solved overnight, IPEC gives top priority to action that will bring an end to the worst forms of child labour, such as slavery and similar practices, the exploitation of children in prostitution, pornography, and for other illicit purposes, and hazardous working conditions and occupations. In addition, IPEC gives special attention to children who are particularly vulnerable: those who are very young, those in hidden work situations, girls, and children with special vulnerabilities or needs. Taking action to help children in the worst forms of labour is seldom simple or easy. Such children are generally invisible, and hard to reach because of their location, the illegal nature of their work, and the vested interests involved. Nonetheless, IPEC programmes in Asia and elsewhere have demonstrated that it is possible to reach these groups through strategically targeted programmes implemented by competent and dedicated partners in collaboration with relevant groups and agencies. IPEC support has been extended to the bonded child labourers in Nepal (Kamaiyas), where NGOs raise awareness on the issues, withdraw children from bondage, provide them with non-formal education, and then try to integrate them into the regular government school system. IPEC has also targeted children, mainly girls, who are trafficked for prostitution and other work in Brazil, Cambodia, Kenya, Nepal, the Philippines, and Thailand. IPEC support has as well been provided to children, again mainly girls, in domestic service in Brazil, Kenya, Pakistan, the Philippines, and Tanzania. In addition, all countries participating in IPEC have programmes targeting children in hazardous occupations, such as those working in gold mines in Peru and quarry mines in Tanzania, or those working in leather tanneries, mechanical workshop, or on the streets.

An approach emphasising prevention is likely to achieve the objective of the effective elimination of child labour much faster than one, which merely rescues and rehabilitates children already at work. In the long run, prevention is the most economical method. Affordable and accessible education and training of good quality,

Latin America & the Caribbean: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru, and Venezuela.

Europe: Turkey.

¹⁴ 1991: Germany; 1992: Belgium; 1995: Norway, Spain, France, Australia, and the United States; 1996: Canada, Luxembourg, the Netherlands, Italy, and Denmark; 1997: European Commission, Italian Social Partners, Switzerland, and the United Kingdom; 1998: Austria, Finland, Japan, Poland, and the Japanese Trade Union Confederation; 1999: Poland and Sweden.

relevant to the needs of children and their families, should be the centrepiece of any preventive strategy. Although preventing children from entering into all forms of exploitation is the goal, the millions of children currently trapped in the worst forms of child labour require measures of removal, rehabilitation, and social integration. Children working in the worst forms of child labour must be withdrawn immediately and services provided for their rehabilitation and social integration.

Strategic elements of effective action to combat child labour

ILO-IPEC experience in preventing child labour, withdrawing children from work, and providing services for their rehabilitation and social and developmental integration has proven that a phased, broad-based, and multi-sectoral strategy is the most effective approach to combat child labour. This multifaceted approach utilised by IPEC has several elements that contribute to its effectiveness.

Broad alliances. It is essential to establish a broad alliance of partners. Governments or international support alone cannot solve the child labour problem. In order to take concerted and effective action, broad local and national social alliances, based on the concept of synergies and complementarities, are essential. In general, actors in this alliance should include a wide range of governmental organisations and departments, employers' and workers' organisations, a broad group of NGOs (including those working on development, social welfare, legal, educational and medical fields), research institutions, and community, cultural and religious leaders. Above all, the working children and their families must be vibrant partners in the alliance. IPEC supports the various partners and actors in the alliance through capacity building and institutional strengthening activities, and through encouraging networking at various levels.

National policies and programmes of action. The complexities of child labour and the need for many actors require that it be tackled on the economic, educational, social, and cultural fronts simultaneously. The ILO thus promotes the development of national policies and programmes of action against the exploitation of children as a crucial starting point for meaningful action. An effective national policy at a minimum contains:

- a definition of national objectives regarding child labour;
- a description of the nature and context of the problem;
- the identification and description of the priority target groups;
- a description of the main programme areas and type of intervention to be used; and
- the designation of the institutional actors to be involved.

Situational analysis. National policies and programmes require reliable information to improve the knowledge base. Thus, situational analysis to assess the nature and magnitude of the problem is essential for effective policies, action, and monitoring of

the situation. To this end, the ILO's Bureau of Statistics, together with IPEC, developed specialised methodologies for the collection of statistical data and situation analysis. The ILO further established the Statistical Information and Monitoring Programme on Child Labour (SIMPOC) to intensify and expand methodologies for collecting child labour surveys. The survey methodology will be applied in 40 countries in the near future. SIMPOC will maintain databanks on institutions and organisations active in the field of child labour, on child labour projects and programmes, on legislation, indicators, and other aspects.

Institutional development and capacity strengthening. Since child labour is essentially a national problem, solutions must be rooted at the national level. Thus, institutional development and strengthening of capacity are critical to implement action effectively, and to sustain the impact of the action. Establishing National Steering Committees on Child Labour is generally the first step in streamlining institutional mechanisms for guiding, co-ordinating, and assessing action within the country. ILO-IPEC supports the strengthening of existing organisations and institutional arrangements. This is done by providing the tools and training – i.e. methodologies, manuals, and know-how – for understanding and assessing the child labour situation, for designing, implementing, monitoring, and evaluating action on child labour, by encouraging networking, and identifying linkages of child labour issues with other issues and programmes. Governments seek ILO-IPEC support in training their labour inspectorates. Employers' and workers' organisations start with creating awareness among their memberships, and then move on to other capacity-building activities such as networking, or to direct action such as prevention, withdrawal, and rehabilitation programmes.

Protective legislation. Action at the national level includes the development of protective legislation. Although child labour cannot be combated through legislation alone, the long-term fight cannot be won or the results sustained without effective and efficient legislation and labour inspection systems. ILO-IPEC promotes the development and application of protective legislation as measures that will prevent children from starting work at an early age and that will ensure protection to children who are working at an appropriate age. ILO-IPEC also encourages the translation of national legislation into local languages, and its presentation in simple terms that can be understood by the various groups, including the working children and their parents. It does so with the expectation that a dialogue will ensue, leading to discussion of the application and improvement of legislation and to its effective enforcement.

Education. The link between education, both formal and informal, and child labour has been well established. Educational interventions constitute one of the most effective means of action in the fight against child labour. Thus, IPEC has supported many initiatives at the local and international levels, aiming to bring former working children into the educational fold, and highlighting the importance of relevant, affordable, and accessible universal primary education for children and systematic training programmes for older children. Support for educational initiatives extends

beyond integrating children into school systems to sensitising and motivating school teachers and administrators on the concerns and needs of working children. IPEC has prepared teachers' information kits, which are being adapted for use in many countries. In some countries, IPEC supports activities with the school systems in creating awareness and improving the regular school curricula to include child labour concerns. At the policy level, IPEC advocates higher government allocations to the education sector and the use of innovative approaches to education that will help attract working children to the classroom rather than the workplace, reducing the number of dropouts.

Direct action programmes. An essential part of any overall policy and programme to eliminate child labour is the implementation of direct action programmes to prevent child labour, remove children from work, and provide rehabilitation and social integration. IPEC supports direct action programmes that test and demonstrate viable strategies, which can be mainstreamed or replicated. Strategies need to be tested within the relevant contexts before they are put to action on a large scale. Such programmes often provide the opportunity to take ideas and programmes to the communities on a small scale, without disrupting their routines, gradually engaging concerned groups and communities in more participatory action with sustainable impact. Caution and sensitivity with respect to local beliefs, traditions, and practices are important considerations when seeking meaningful involvement of target groups. It is also important to have implementing partners who are not only competent but also acceptable to the communities, and who have good negotiating skills. After these strategies and approaches have been tested successfully, it is necessary to advocate their expansion and replication.

Comprehensive, integrated approach. Larger-scale programmes targeting specific industrial or employment sectors or geographical areas take a more comprehensive and integrated approach. These programmes generally include workplace monitoring and social protection components. They establish systems that withdraw children from specified workplaces, seek to keep these workplaces child labour free, and provide children withdrawn from work and their families with feasible developmental opportunities, either directly through the programme or by establishing linkages with facilities and services in the communities. Initiatives in this area have led to new forms of collaboration between national and international agencies and partners to achieve common objectives. The activities have also led to positive changes in the attitudes and practices of communities, as families and employers begin to approach their child labour practices with new perspectives.

Workplace monitoring and verification systems. The comprehensive programmes referred to above usually include workplace monitoring and verification systems. ILO-IPEC's first three monitoring and verification systems involved the active participation and involvement of the concerned employers' and manufacturers' groups. These include initiatives developed with the Bangladesh Garment Manufacturers' and Exporters' Association (BGMEA), the Sialkot Chamber of Commerce and Industry

(SCCI), in Pakistan, and the Pakistan Carpet Manufacturers' and Exporters' Association (PCMEA), in their respective sectors. Forthcoming ILO-IPEC programmes will establish variations of the original three systems, and will integrate community level monitoring mechanisms, which are particularly significant when targeting the worst forms of child labour, often hidden and beyond the easy reach of the formal inspecting and monitoring systems. Forthcoming projects are expected to include programmes in the following areas: the informal sector in selected geographical areas in Bangladesh; commercial agriculture in Kenya, Tanzania, Uganda, Zambia, and Central America; coffee plantations in Central America; fireworks in Guatemala; domestic service in Haiti; footwear in Indonesia; the Philippines, and Thailand; fishing in Indonesia and the Philippines; and glassblowing in Firozabad, India. (For basic components of workplace monitoring and social protection, see Annex III.)

Awareness raising should be at the basis of all efforts. Once parents, the children themselves, their employers, and the communities are convinced that children should not be involved in hazardous or exploitative work, the most important condition for finding long-lasting solutions to child labour problems has been fulfilled. Experience has shown that the wide dissemination of information on child labour and its harmful consequences, as well as other forms of awareness raising, particularly through making hitherto invisible child labour visible, can lead to remarkable changes in attitude. These in turn encourage policy reform and facilitate programmes and projects. These salutary effects can be bolstered by informing government officials, policy-makers, and those working in international development, of the problem and issues as well as the solutions. ILO-IPEC lends its support to numerous awareness-raising activities, such as disseminating information, advocacy, and media campaigns at all levels. Such activities help to advocate the elimination of child labour, increase understanding of the complex issues involved, initiate dialogue, create alliances, and prompt action.

Mainstreaming child labour policies. ILO-IPEC experience suggests that, if child labour issues and concerns are to be addressed effectively, these concerns and issues must be placed high on the socio-economic and political agenda. Thus, it is essential to mainstream child labour policies, programmes, and budgets into those of other national and international agencies and departments within the country. A number of ILO-IPEC participating countries have made specific allocations toward ILO/IPEC-supported programmes and/or initiated their own child labour elimination programmes. Pakistan is making substantial financial contributions to IPEC programmes, and has established schools and centres for the rehabilitation of working children along the lines of ILO-IPEC strategies demonstrated in the country. In India, a fund was established in 1994 for the elimination of child labour in hazardous industries. Other countries, such as Indonesia, have incorporated ILO-IPEC strategies in national development programmes. Employers and manufacturers in Bangladesh and Pakistan are contributing to child labour elimination programmes, and trade union efforts in financing include the Italian Social Partners' Initiative for programmes in

Bangladesh, Nepal, and Pakistan, and the Japanese Trade Union Confederation (RENGO) contribution to a programme in the Philippines.

What is to be done now?

Experience demonstrates that child labour is not an insoluble problem. Given the political will on the part of Governments and the mobilisation of sufficient public support, much can be done to reduce the extent of child labour and its harmful effects on children. At the national level, this political commitment should be reflected in national legislation and plans of action, including strategies for the eradication of child labour and to ensure the necessary resource allocation for their implementation on a sustainable basis.

Ratification and implementation of Convention No. 182. Even though the complete elimination of child labour is a long-term goal and cannot be achieved overnight, practical steps can be taken now. First, Governments can demonstrate their commitment by ratifying and implementing the Worst Forms of Child Labour Convention, 1999 (No. 182) and its accompanying Recommendation (No. 190) and the Minimum Age Convention, 1973 (No.138) and its accompanying Recommendation (No.146). Employers' and workers' organisations, together with NGOs and the public at large, can lobby for the speedy ratification and implementation of the new Convention. Through ratification of the new Convention, States will commit to ensuring that the worst forms of child labour form the priority area for action.

Wider and more effective legal protection. Second, wider legal protection can play an important role in protecting children, both in preventing unlawful work and in ensuring that legal safeguards are provided for those who work in conformity with international standards. Three sectors – agriculture, the urban informal sector, and domestic service – account for the vast majority of child labour in the world, and present serious enforcement difficulties. They are the sectors which national Governments most often exempt from minimum age standards. National legislation needs to address the situation in these sectors. It is important that national Governments harmonise existing legislation (state and local) on minimum age for access to employment with that relating to the completion of compulsory education. It is also essential that national legislation prohibits all child labour below a minimum age in line with the Minimum Age Convention, 1973 (No. 138). The enforcement of national legislation could benefit from improved national systems for birth registration and collection of information regarding the scale, distribution, and characteristics of child labour.

Action programmes. Third, the elaboration of programmes of action for the elimination of child labour and for achieving free and universal compulsory primary education should be given priority by Governments. These programmes should focus

on the progressive elimination of child labour, with particular attention given to the immediate elimination of the worst forms of child labour. The programmes should focus on prevention, removal, rehabilitation, and social integration with special attention to younger children, girls and other vulnerable groups.

Broad social alliances. Fourth, the design and implementation of such programmes will require the commitment and involvement of large sections of the population, including the children and their parents. Social alliances against child labour need to be built, and national authorities designated with the necessary power and influence to act effectively.

Protection and rehabilitation. Fifth, a preventive approach proves to be the most effective way of combating child labour. However, it should not be forgotten that the urgent removal of all children from the worst forms of child labour is imperative. This will require a massive investment in protection and rehabilitation schemes, for which additional resources will need to be mobilised. This will also require employment and income-generation activities for the parents of child labourers, with the goal of reducing the family's dependence on their children's contribution to household income. Given that costs of proper rehabilitation measures can be high, there is scope for international agencies and donors to join hands in supporting Governments in the removal and rehabilitation process.

International co-operation. Sixth, international co-operation and assistance is vital. While child labour is essentially a national problem, assistance of the international community in the form of technical and other co-operation is crucial to the success of national efforts. Many of the national actors have neither the technical capacity nor the financial resources to address a problem of such a magnitude effectively. Most, if not all, countries have gone through phases of child labour in their history. Today's rich countries thus have valuable experience to share, and some are also contributing to the global efforts in eradicating this scourge on humanity. In addition, with the increasing flow across national borders, child labour, especially in such areas as trafficking for domestic work, prostitution, and other work, is rapidly becoming a transnational phenomenon. It can only be solved by effective international co-operation.

Much has been achieved in the past few years in raising the awareness of world public opinion, of Governments and of powerful interest groups to the scandal of child labour, and in deepening understanding of its causes and consequences. It is now increasingly recognised that the battle against child labour is inevitable and irreversible. The children of the Global March against Child Labour set in motion a global movement expressing great hopes and expectations for a better future for children around the world. The challenge now is to ensure that these hopes and expectations are not disappointed. Following the unanimous adoption by the International Labour Conference, in June 1999, of the Convention on the Worst Forms of Child Labour, 1999 (No. 182) and its accompanying Recommendation, ILO Director-General Mr. Juan Somavía said this:

With this Convention, we now have the power to make the urgent eradication of the worst forms of child labour a new global cause. This cause must be expressed, not in words, but deeds, not in speeches, but in policy and law.

Many delegates who spoke at the Conference pledged early action for the ratification of the new Convention.

Annexes

Annex 1: Some indicators of the extent of child labour in countries where national surveys were conducted recently

Indicators	Proportion of children 5-14 years of age		
	Both sexes	Boys	Girls
	%	%	%
Economically active children	25	27	22
Boy/Girl ratio at work	100	56	44
Children attending school	39-87	49-90	23-84
of whom			
with economic activity	00-33	00-25	00-42
Not attending school	13-61	10-51	16-77
of whom:			
in economic activity only	39-56	56-74	23-38
in housekeeping activity only	12-32	8-14	15-49
working 40 hours or more per week	37-38	41-42	24-32
working 49 hours or more per week	14-17	11-19	12-17
working 56 hours or more per week	11-13	9-15	8-13
completely idle (not going to school, nor with economic or housekeeping activity)	29-32	27-37	23-37
Children whose work is hazardous	34-68	33-67	27-69
Sectors where actual incidence of injuries/illnesses is higher than 10%:			
Construction	26	26	35
Mining/quarrying	16	12	21
Transport/storage/communication	18	19	n/a
Agriculture	12	12	16
Children:			
whose work is stressful		up to 50% of working children	
who came home from work exhausted		up to 60% of working children	
who have no day off/no free time		up to 80% of working children	

Source : ILO Bureau of Statistics (Geneva 1997).

Annex II

Examples of hazardous occupations

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

Annex III: Basic Components of Workplace Monitoring and Social Protection Programmes

Basic components of a workplace monitoring programme without prior formal agreement with the industry¹⁵	Basic components of a workplace monitoring programme with prior formal agreement with the industry¹⁶
<ul style="list-style-type: none"> ❖ Conducting initial and subsequent surveys to generate and update information needed for establishing and maintaining an independent workplace monitoring system; ❖ Establishing contact and collaboration with the local administrative authorities responsible for workplaces in the target sector, local trade associations and workers' groups and other community-based welfare groups in the programme areas; ❖ Establishing and implementing a workplace monitoring and verification programme to identify children at work, to withdraw children from work and to ensure that the workplaces remain free of child labour ❖ Establishing a monitoring database: to collect, analyse and synthesise data, to indicate schedules for surprise visits, and to prepare reports on progress; ❖ Establishing linkages with the social protection component of the programme. 	<ul style="list-style-type: none"> ❖ Ensuring co-operation and collaboration of concerned employers/manufacturers, workers' organisations, district administration and others concerned; ❖ assessing the extent of child labour in the particular sector/industry; ❖ assisting the participating manufacturers in setting up their internal monitoring system; ❖ establish and train external monitoring teams; ❖ establishing a monitoring database: to collect, analyse and synthesise data, to indicate schedules for surprise visits, and to prepare reports on progress; ❖ Establishing linkages with the social protection component of the programme.

Basic components of a social protection programme
<ul style="list-style-type: none"> • Establishing linkages with the workplace monitoring programme (if it is part of the project); • awareness raising, social mobilisation and counselling of families through one-to-one contact and group meetings; • facilitating the organisation of parent and other committees at the community level to enhance interest and involvement in the children's education and welfare; • provision of non-formal education to provide literacy, basic education, numeracy, practical skills training to the children withdrawn and their younger siblings; • organisation of recreational activities to foster social and physical development; • integrating the younger children into regular school systems; • basic skills training, particularly for the older children; • integrating children of employable age and trained adults into the labour market; • establishing linkages with health and welfare facilities and services in the community; • initiatives to shift the economic responsibilities from the children to the adults by capacitating the adults through training in income-generation activities and providing/linking them with credit/loans/saving facilities and through improvement of the work processes through introduction of basic appropriate technology and enhanced skills for better production.

¹⁵ Examples of forthcoming programmes: Southeast Asia in the footwear and fishing sectors, Bangladesh in the informal sector; Africa in commercial agriculture.

¹⁶ Examples of on-going programmes: Bangladesh - MOU with Bangladesh Garment Manufacturers' and Exporters' Association; Pakistan - Separate Agreements with the Sialkot Chamber of Commerce and Industry, and the Pakistan Carpet Manufacturers' and Exporters' Association.