CHILD LABOUR


International Labour Office Geneva
INTRODUCTION

As in past years this Report is divided into two main parts. Part I deals with a special theme, child labour. Part II summarises the activities of the Organisation during the year 1982.

Part I of this Report focuses on one of the most vulnerable groups in society—children. Although more than 60 years have passed since the International Labour Conference adopted the Minimum Age (Industry) Convention (No. 5) in 1919, and ten years since it adopted a more comprehensive Minimum Age Convention in 1973 (No. 138), child labour remains a pressing problem in much of the world today. Its abolition is an objective long affirmed by the ILO; its persistence is a challenge to the conscience of the world community.

Virtually all countries have adopted laws and regulations governing the minimum age for admission to employment or work in some or all sectors of the economy. Such measures, which have often been influenced by ILO standards, have led to substantial progress in controlling and restricting work by children.

Yet child labour is still an enormous problem in many parts of the world. Statistics on the matter are not very reliable because of wide variations in the definition used, in methodology and in accuracy. For the purpose of indicating a broad order of magnitude, a figure of 50 million may be taken as a conservative estimate of the number of economically active children under 15 years of age. The overwhelming majority of these are to be found in developing countries—for a clear reason.

Child labour is rooted in poverty. Unemployment and underemployment, precarious incomes, low living standards, and insufficient opportunities for education and training are its underlying causes. Children work because they must—for their own survival and that of their families.

They may be found in many sectors. Those in which working children seem particularly concentrated are agriculture, small-industry workshops, retail stores, restaurants and similar establishments, street trade and domestic service.
Child work takes many forms. In some cases, such as traditional agricultural or handicraft production, it is carried out under the supervision of parents and is part of the process of growing up. At the other extreme, such as illegally bonded labour, it is undeniably exploitative.

Not all work is necessarily harmful for children. Some activities under regulated conditions may have positive effects for the child and for society. What is of concern is work that endangers a child’s safety, health or welfare; work that exploits the child as a cheap substitute for adult labour; work that prejudices education and training; work that deprives the child of the essential qualities of childhood and forecloses his future.

Because the problem is so deeply rooted, it does not lend itself to any simple or quick solution. The objective of the total elimination of child labour can only be attained as an integral part of the development process. Policies aimed at promoting adult employment, raising incomes and improving living standards must be the basis for long-term action to abolish child labour.

But I am convinced that immediate and direct action can also be taken to eradicate the most objectionable forms of child labour and, pending its total abolition, to protect children from unsafe or exploitative working conditions. In concluding Part I of this Report, I have set out a strategy for action in the light of the standards adopted in previous years by the International Labour Conference—which I submit to you as a starting-point for discussion in this Conference and for subsequent action both by the ILO and by member States.

10 March 1983

FRANCIS BLANCHARD
INTRODUCTION

It is now over 60 years since the International Labour Conference adopted the Minimum Age (Industry) Convention, 1919 (No. 5)—the first in a long line of such Conventions—which fixed a minimum age of 14 for admission to employment in industry. It is ten years since the adoption of the more comprehensive Minimum Age Convention, 1973 (No. 138), a general instrument aimed at the total abolition of child labour. Over all this time, the progress made towards the elimination of child labour has been in many ways impressive. Yet the situation remains disquieting.

Child labour is still a widespread and perhaps even growing phenomenon in much of the world today. While many of the children who are working are engaged in activities permitted by national and international standards, many more are working in violation of these standards. Such is the case, for example, of:

- young girls working in small industrial enterprises in tasks that involve handling microscopically fine wires, finally resulting in loss of eyesight within five to eight years;
- shepherd boys subcontracted to owners of large estates to work for as long as 15 hours a day;
- children working underground in mines;
- bonded children;
- children employed as seasonal and cheap labour in pesticide-soaked fields;
- children working in numerous small industrial workshops and service establishments;
- children in street trades practically ubiquitous in the developing world.

That is child labour. Not teenagers working for a few hours to earn additional pocket money; not children helping on family farms; not youngsters doing household chores. But children prematurely leading adult lives, working long hours for low wages under conditions damaging to their
health and to their physical and mental development, sometimes separated from their families, frequently deprived of meaningful educational and training opportunities that could open up for them a better future. Child labour of this kind is the object of national and international concern.

* * *

This concern has been manifested in several important policy statements adopted by the General Assembly of the United Nations. A fundamental text is the Declaration of the Rights of the Child adopted in 1959. Stressing that “mankind owes to the child the best it has to give”, the Declaration affirms the rights of the child to enjoy special protection, to be given opportunities and facilities to enable him to develop in a healthy and normal manner, to enjoy the benefits of social security including adequate nutrition, housing, recreation and medical services, to receive education, and to be protected against all forms of neglect, cruelty and exploitation. The Declaration specifies that “the child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development”.

These rights of the child were later reaffirmed in the International Covenant on Economic, Social and Cultural Rights adopted by the General Assembly in 1966. The Covenant called attention to the need for special measures of protection and assistance on behalf of all children and young persons. It stressed that “children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law”.

Efforts “to eliminate child labour in conformity with the relevant international labour Conventions” were also specifically called for by the International Development Strategy for the Third United Nations Development Decade, adopted in 1980.

* * *

For the ILO, the abolition of child labour and more generally the protection of children and young persons against work of a character or under conditions unsuitable to their age have been constant concerns since its foundation. A major part of the ILO’s work in this area has been the adoption by the International Labour Conference of a series of Conventions and Recommendations dealing with the employment or work of children and young persons. The first such Convention was adopted at the first session of the International Labour Conference, 1919. This instrument—the Minimum Age
Child labour

(Industry) Convention, 1919 (No. 5)—fixed at 14 years the minimum age for admission of children to industrial employment. Subsequently, many international labour Conventions and Recommendations were adopted prohibiting the employment of children under a certain age and regulating their conditions of work in particular sectors or occupations. A comprehensive statement of the problem and the types of action needed to deal with it was made in a Resolution concerning the protection of children and young workers adopted by the International Labour Conference in November 1945. This comprehensive approach was followed in the most recent instruments on the subject: the Minimum Age Convention (No. 138) and Recommendation (No. 146), adopted by the Conference in 1973.

A further policy statement was issued by the Conference in 1979, the year designated as International Year of the Child, in the form of a resolution concerning the International Year of the Child and the progressive elimination of child labour and transitional measures. This resolution called on member States to ratify and implement the relevant international labour standards and, above all, to take measures to ensure the proper protection of children with regard to work. It also called on the ILO to continue factual surveys of national situations and practices. Recognising that the abolition of child labour in practice will take time, the resolution stresses the need—during the transitional period until its elimination—for measures to regulate and humanise it.

This affirmation of the elimination of child labour as an objective coupled with a commitment to action, pending its attainment, to improve the conditions of working children are the two planks of ILO policy. In the long run, the progressive elimination of child labour requires a general improvement of living standards, a reinforcement of the educational infrastructure and, perhaps most basically, a greater consciousness of the need for change. In the short run, the protection of working children requires practical measures that can improve their working and living conditions.

This being the reality, national policies must be geared to the specific conditions that give rise to child labour and the most effective means of promoting the welfare of children.

The ILO’s policies and programmes take this diversity into account. They aim at:

(i) attacking the basic causes of child labour through employment-generating and poverty-eradicating policies;

(ii) providing vocational education and training opportunities for children and young persons;

(iii) restricting child labour by promoting the ratification and application of international labour standards and by encouraging member States to promote labour inspection; and

* The footnotes will be found at the end of the Part.
(iv) protecting children at work by introducing measures for their immediate protection from adverse working conditions and for the improvement of their working and living conditions.

The ILO’s experience and activities in these areas have impressed upon us the enormity and the complexity of the problem. But difficulty should not be cause for discouragement. The persistence of child labour is an affront to our conscience; the effective abolition of child labour is a challenge to the international community. It is therefore fitting that I should make this problem the focus of my report.

In the succeeding chapters, I will try to assess the extent of child labour, the types of work in which children are employed and where they are found, the factors that generate child labour, the conditions under which children work, the implications of child labour for health and physical and mental development, and the national and international measures required for the protection of working children and, ultimately, the elimination of child labour.

THE SCOPE AND NATURE OF THE PROBLEM

The magnitude of the problem

Statistics that try to capture in one number the manifold dimensions of a complex phenomenon can be treacherous. This is especially so in the case of child labour. Notwithstanding the vast literature on the subject, going as far back as the early days of the Industrial Revolution, there is a dearth of sound knowledge of the magnitude and dimensions of child labour.

A first problem is one of definition inherent in the notions of “child”, “work” and “labour”. This is compounded by differences in social perceptions. The notion of childhood, for example, is not as straightforward as it might appear. While in many societies age can be an adequate basis of definition, in others this may not be so. There may be socially and biologically defined life phases which may involve different obligations, behaviour and work patterns. The transition from one category to another may well be based on social and customary practices. For example, upon the completion of certain initiation rites “child play” may gradually be interpreted as “work”, even if the activity itself remains unchanged. Hence both age and cultural values influence societies’ perception of what constitutes child work. This in turn influences the inclusion or otherwise in statistical reporting of this category of employment.

A second difficulty is that, since much of the work performed by children is illegal, the collection of information on the subject is hampered by the tendency to conceal it. Not only those who employ children in violation of the law but also the parents who allow or even encourage them to do so and the children themselves are reluctant to supply information that could be used to suppress illegal employment.
Child labour

These difficulties are accentuated by the fact that most children who work do so in the informal and traditional sectors where the instruments for statistical collection and labour inspection are either non-existent or poorly developed.

For such reasons, global figures purporting to demonstrate the extent of child labour are not very meaningful. They may have dramatic effects but they do not offer a basis for policy. In view of these reservations, I hesitate even to advance any figures. Yet the statistics that are available may help to give a certain sense of perspective.

According to the best ILO estimate, and I stress the word "estimate", the number of children under 15 counted as being economically active in the world at the beginning of the 1980s was around 50 million. Of the total population in the 10-to-14 age group, roughly 11 per cent are economically active. It is possible that this estimate may be on the conservative side. Figures cited in various places go as high as 75 or even 100 million. Perhaps the 1980 round of censuses, when fully analysed, will permit a more confident calculation.

At any rate it is clear that virtually all of the economically active children—close to 98 per cent—are found in the developing world. In terms of activity rates, estimates for 1980 indicate that in the more developed countries only 1.4 per cent of the 10-to-14 age group were economically active; for the less developed countries, the corresponding figure was 13.6 per cent. There are, of course, wide variations among the different regions and among countries within each region. Estimates put the activity rates in some countries as high as 20 to 25 per cent. It appears that broadly speaking the highest rates are found in Africa (perhaps reflecting the lesser degree of industrialisation), followed by Asia and Latin America. Among the more developed regions, economic activity of children seems relatively extensive in southern Europe.

But again I do not think too much should be made of the global figures. At best, for the conceptual and methodological reasons outlined above, they are of limited reliability. They are also of limited utility. In themselves, they tell us nothing about the nature of the work children are doing or the circumstances and conditions under which it is being done. To what extent does it consist in traditional activities carried out mainly within the family circle? Or, on the other hand, to what extent is it more like wage employment? Are the children performing miscellaneous light tasks or are they engaged in more demanding labour? Are they working for their parents or self-employed or employed by an employer? How many hours and at what times are they working? Are they attending school or receiving some kind of formal training? Does their work fall outside the scope of national laws and regulations? Or is it essentially compatible with their provisions? Or is it in violation of those provisions?

More precise information on points such as these is needed for effective policy formulation.
Major forms of child work

Where do children work and what types of work do they do?

Most children in almost all societies work in one way or another, though the types of work they do and the forms of their involvement vary among societies and over time. The major forms of child participation in economic activities can be broadly summarised as follows.

There is, first of all, domestic work such as cleaning, cooking, child-care and other chores in the child’s own household undertaken by children in almost all societies. The intensity of their involvement varies among societies depending on their technological development and also among socio-economic classes. In general, these types of activities are characterised by a marked sexual division of labour. There is a disproportionate number of girls engaged in such activities and, even where there may be male participation, girls tend to carry a disproportionate share of the work burden. While some tasks are carried out on a daily basis, others may take place over an extended period of time, require little effort or active involvement, and can be compatible with other activities. In Bangladesh, for example, children begin to perform household and more directly productive tasks by the age of 6 and assume additional responsibilities as they mature physically. Thus, by the age of 11 boys will have begun participation in all but a few agricultural operations, and girls, by the age of 10, will have participated more or less actively in food processing and preparation activities. Similar examples of early involvement in domestic activities of varying intensity are reported elsewhere in Asia, Africa and Latin America.

A second and major form of child activity, especially in subsistence activities, is non-domestic but non-monetary work. This covers such activities as farm work, fuel and water collection, and hunting. In agrarian economies children form a major proportion of the workforce engaged in such activities and spend a significant amount of time on them. Thus, village studies conducted in Africa and Asia have shown almost uniformly early and intensive child participation in the household’s productive activities. Boys of 10 to 12 years of age were reported to be doing “productive” work for nearly seven hours a day, but those between 13 and 15 worked longer hours and put in as much time as older persons and adults, or even more, in farming and farm-related activities.

Non-domestic, non-monetary child activities can also be important in the urban sector. Many urban household production units engaged in trade and services as well as in artisanal manufacturing production rely on children for activities such as running errands, guarding goods, marketing, etc. These can be extremely valuable in complementing adult activities or in relieving adults for other directly productive activities.

A third form of child activity is tied or bonded labour. Usually illegal, this epitomises the most exploitative features of child labour in agrarian
societies. It arises either as one of the obligations to landlords whereby the provision of child labour is part of the family’s rent or in a situation where children are given in settlement of debts. In this situation, children are a currency of transaction among adults, unequal adults to be sure.

A fourth type of child activity is wage employment. Children working either as part of a family group or individually in agricultural work sites, in domestic services, in manufacturing and services activities, etc., are found throughout the developing world and, to some extent, in developed countries as well. They are found working under various types of employment relationships—on a piece-rate or time-rate basis, as regular or casual workers, in jobs that may or may not involve some training, legally or clandestinely, along with or at the expense of their schooling. Many work as apprentices with little or no pay, sometimes over an extended period of time and not infrequently as a cheap form of disguised wage labour.

A fifth type of child activity is a category which can be referred to as “marginal” work. The types of activities in this category vary in nature and intensity. They may be irregular or of a short-term nature, such as selling newspapers, shoe-shining, “looking after” cars, garbage collection and sorting out objects from garbage.

Then there are the altogether different forms of child activity such as theft, prostitution and other socially undesirable or illegal activities.

Another important aspect of children’s lives which is often ignored in much of the literature on child labour and in labour force analyses is idleness, not to be confused with play or recreation but resulting from the absence or lack of interest in more positive activities. Lacking access to or having dropped out of school and having no regular employment, many children drift into idleness or irregular and sometimes anti-social activities.

The activities identified above do not always exist or are not necessarily carried out independently or in isolation from each other. In fact, many are carried out or found complementarily; thus domestic work may be carried out along with farm work, which again may be carried out along with schooling. However, the identification of the dominant forms of child activity can be a useful basis for identifying the quantitative and qualitative dimensions of the problem of child labour in given situations and for effecting concrete improvements.

Sectoral distribution of child workers

The sectoral distribution of child workers depends on the structure of the economy and the associated distribution of employment opportunities.

In most developing countries and in many developed countries as well, child workers are found mainly in rural areas. In the Philippines and India, for example, as many as 87 per cent of the working children aged 10 to 14 were working in the rural areas. Similarly, in Greece a little over 54 per cent of child workers were reported as engaged in agriculture and related activities.
Within the urban sector, it appears from available evidence that services are a major sector of child employment. There is often a clear division of labour based on sex in the distribution of child work in urban areas. Girls tend to be concentrated in domestic service whereas boys are more evenly spread out among various activities. A study of Lima showed, for example, that 77 per cent of the girls but only about 15 per cent of the boys were employed as domestic servants.

As regards other urban activities, it is clear that most child workers are found in small-scale and informal sector enterprises. These are often outside the formal scope of child labour legislation or beyond the inspection services' capacity for effective enforcement. The employment of cheap, defenceless and flexible child labour can play a significant part in the survival of the enterprises. Child labour, though sometimes found in the organised sectors, can be considered to be a problem mainly of the unorganised sectors. The workforce of entire industries (mainly small-scale and informal sector enterprises) in some African and Asian cities consists largely of low-paid juvenile labour.

It should not be assumed that only the older children—say those between the ages of 10 and 14—participate in such activities. In many developing countries much younger children can also be an important part of the workforce. For example, an inquiry carried out among some child workers in India revealed that 24.7 per cent of the children had begun work between the ages of 6 and 9, 48.4 per cent between 10 and 12, and 26.9 per cent between 13 and 15. Similarly, evidence from other countries indicates a significant participation of children under 10 years of age in economic activities.

As disturbing as the large number of child workers found in many countries is the adverse qualitative change that has been taking place in the nature of children's work.

The growth of industrial and urban-based production, the rapid rate of rural-urban migration and the parallel growth in urban adult unemployment have led to increased child labour in urban-based activities. Many child workers are therefore engaged in wage or semi-wage employment in industrial or semi-industrial production and outside the orbit of the family. As a result, many of them are subjected to abusive employment practices and, worse still, are forced to work under conditions which are dangerous to their health and physical and mental development. Indeed, it is this radical transformation in the nature and forms of children's work with its concomitant harmful effects on the children concerned that makes child labour an even more pressing problem and a compelling cause for international concern.

CAUSES, CONDITIONS AND CONSEQUENCES OF CHILD WORK

Children in almost all societies do one kind of work or another. But the extent and nature of their work are influenced mainly by the structure of the economy and the level and pace of development.
In agrarian societies work by children is an integral part of the socialisation process and a means of transmitting traditionally acquired skills from parent to child. Moreover, in societies at low levels of technological development the participation of all those who can contribute to domestic or non-domestic production is essential for meeting the consumption requirements of the household. Child work is therefore an essential part of the farm household’s survival. This situation is still prevalent in many parts of rural Africa and Asia and, to some extent, Latin America. In such societies the division of labour is largely based on sex, age and physical capacity. Children, until they reach a certain age, are involved in light and time-intensive activities while adults usually take up effort-intensive activities.

To some extent, comparable patterns may be found in artisanal workshops and small-scale services. Children assist their parents in ancillary tasks, acquire skills and gradually become fully fledged workers in family establishments or trades.

Work of this kind is not without its problems, especially in relation to the health and safety of the children and to their schooling. But it is not what we usually mean by child labour.

Wage or quasi-wage employment is another matter altogether. Historically, the growth of wage labour and industrial expansion are associated with a decline in child employment. The early stages of industrialisation, however, are marked by a high incidence of child employment, often under extremely poor and indeed exploitative conditions. This is the case in much of the developing world today.

Thus, in many developing countries, children are found working in all types of industrial and service establishments in urban areas in both the formal and the informal sectors and also in commercial agriculture. Often they are working for low wages and for excessively long hours. Vulnerable, flexible and unorganised, child workers are used for reducing labour costs and maintaining competitive advantages and as a means of adapting and responding to economic uncertainties and fluctuations in demand.

The subordination of child workers to such pressures has been aggravated in many developing countries by the slow growth of urban employment. Urban unemployment rates of 20 to 25 per cent are not uncommon in many countries. In these circumstances, the employment of children becomes an essential means of generating or supplementing family income. The poverty or unemployment of their parents therefore forces children to work in households as domestic servants or in small enterprises or in street trades. At worst, they are drawn into such activities as beggary and prostitution.

The situation in the rural areas is in many respects similar. In a large number of developing countries technological innovations in agriculture have been accompanied by increasing landlessness and rural differentiation. This has led to the search for wage employment in commercial farms, especially plantations, as well as to a rapid migration away from rural areas. Children, especially from poor families, are forced into the labour market to work...
either individually or as part of contracted family labour. Given the need to meet subsistence requirements on the one hand and growing pauperisation resulting from land alienation on the other, the pressure on rural households to find alternative sources of survival by all means, including the labour of their children, whether under family control or under contract to prospective employers and labour recruiters, becomes almost insurmountable.

A particularly disturbing situation may arise in agrarian societies where land tenure patterns impose on tenants, sharecroppers and similar categories of workers obligations over and above household consumption requirements. In some cases, these obligations may take the form of providing the landlord a share of the farmers’ produce. But in others they might involve the provision of labour services, including those of children. The prevalence of such relations is known to lead to a severe and high incidence of debt bondage, giving rise to the phenomenon known as “bonded” labour which, while generally prohibited by law, is still found, for example, in parts of south and south-east Asia.

In short, the problem of child labour in both rural and urban areas is principally one of poverty and unemployment, themselves a result of unequal and low levels of development.

Conditions of work

Exploitative conditions

Exploitation is an over-used term; its existence and its extent in any given situation can always be points of contention. But few would quibble about the prevalence and severity of child exploitation in some parts of the world: the employment of children in tasks or under conditions that jeopardise their physical and mental well-being, the extraction of profits from child labour by paying low wages, the denial to children of their right to play, to learn, to enjoy a normal childhood. What makes such exploitation especially offensive and serious is that children are far more vulnerable than adults in physical, psychological and organisational terms and hence far more susceptible to extreme subordination than any other category of workers.

Low remuneration and excessive hours of work

The exploitation of child workers in terms of remuneration is reasonably well known. There are many reports of children receiving no pay. Such is the case of many so-called apprenticeship schemes found in small enterprises and informal sector settings. Where they are paid, they almost invariably receive low wages. This appears to be one of the reasons for the widespread use of child labour, especially in small enterprises, the informal sector and agriculture.
Children are also subjected to methods of remuneration, such as piece rates, that place undue strains upon them and are vulnerable to abuses, such as unjustified deductions or third-party payments, relating to the protection of their wages.

Another major problem is hours of work. Numerous reports indicate that children in many work settings, both in agricultural and non-agricultural sectors, are found working for long and, not infrequently, excessive hours. For example, in a number of African countries children between the ages of 7 and 15 are found intensively involved in farm work, especially during the busiest farming season. In Asia a study of a Bangladesh village noted that girls between 13 and 15 years of age did seven hours a day of domestic work, boys between 10 and 12 also did nearly seven hours of “productive” work and those between 13 and 15 did nearly nine hours of work per day, which was equal to and in some cases even higher than the amount of time older persons and adults devoted to farming and farm-related activities.

The situation in the non-agricultural sector is comparable. In the Philippines, for example, in 1976 over 57 per cent of the children (between the ages of 10 and 14) employed in non-agricultural industries worked for 40 hours or more per week. In India a Ministry of Labour survey of factories employing children found that, in 44 cases out of 50, daily working hours of children varied between six to eight hours, as against the four and a half hours prescribed under the Factories Act, 1948. In Brazil the official working day of eight hours is often disregarded, and nearly half a million children (10 to 14 years) work more than 49 hours per week. Girls in domestic service work especially long hours since they must be available at nearly all times.

Night work is not uncommon, especially in small workshops, service establishments such as eating places, and street trades. Other problems relating to working time are the absence or insufficiency of rest breaks during the day, of weekly rest and of annual holidays with pay.

Working time is also one of the main areas of abuse in the employment of children and young persons in industrialised countries. Among the most frequent violations of child labour laws is the working of hours in excess of the number permitted or at night beyond the times permitted.

Hazardous work and unsafe working conditions

Perhaps the greatest single cause for concern is the danger to their life and health posed by their employment on hazardous jobs or by the unsafe working environment in many agricultural and industrial undertakings where they work.

Underground work in mines has been in the past and continues in some instances even today to be a particularly flagrant example. But there are many others. In agriculture, which can be one of the most hazardous sectors for safety and health, child workers are exposed to dangerous machinery,
constant physical effort and contact with chemical products such as fertilisers and pesticides. In construction, where children are often used for fetching, carrying and similar tasks, they are vulnerable to falls, to injuries from falling objects, to damage from the lifting of heavy weights and other types of accidents. Their lack of training and experience in handling tools, their short span of concentration, the use of unguarded machinery, the unsafe use of electricity, the shortage of gloves, goggles and other protective equipment and the insalubrious state of workplaces resulting from dust, fumes, lack of hygiene, poor lighting and inadequate ventilation are all potential sources of accidents and diseases. Such dangers are compounded by fatigue due to excessive hours of work, undernutrition, and the physical weakness of children.

Children may be required to undertake:

(i) more hazardous tasks (for example, creeping under moving parts of machinery to collect dust, holding welding parts together without any protection while the welder may be using protective equipment, working in confined spaces to which they have easier access—such as the undercarriage of motor vehicles);

(ii) “dirty work” such as cleaning with solvents, cleaning sewers;

(iii) certain types of home work involving exposure to toxic substances (for example, glueing leather and footwear products).

It is also important to remind ourselves that children may be affected by exposure to airborne contaminants at levels that are much below what is considered safe for adults.

Physical abuse and other psychological problems

In addition to these sources of occupational hazards, children in some work situations are exposed to physical and mental abuse. This may take several forms, but perhaps the worst is that which involves separation from parents, isolation sometimes amounting to virtual imprisonment and physical cruelty.

Children can be traded or contracted out for long and often permanent separation from parents. They may be employed in a state of virtual bondage, as in the case of children who work and sleep in the same locked room. They may be sent as domestic servants, sometimes under the guise of “adoption”.

At worst, children may be subjected to harsh practices, such as beating or starvation.

These various forms of exploitation and abuse—excessive hours of work, low remuneration, exposure to unhealthy and unsafe working conditions, long and sometimes permanent separation from families, physical abuse and cruelty—are found in many work settings. They are not the only ones. There are also other kinds of deprivations from which child labourers suffer, including the absence of clear and written contractual agreements, the dearth
Child labour

of feeding programmes, health care facilities and other welfare services, and
the lack of insurance and social security. The effects of all these, together or
separately, on the physical and mental development of the working child can
be far-reaching and often irreversible.

Consequences of child labour

The world-wide concern with child labour arises in large part from the
implications for the child’s health, physical, educational and intellectual
development and for his lifetime opportunities. These can be influenced by a
number of factors. For example, the implications for health and physical
development depend on such factors as the nature and intensity of the work
and the working conditions. The impact on education and intellectual de­
velopment and lifetime opportunities hinges on the skill-intensity of the work
concerned and the availability of possibilities for schooling and training. Thus,
the welfare implications of economic activity by children must be viewed in the
light of the socio-economic context within which children grow and work.

In traditional and semi-agrarian societies, as pointed out earlier, child
work is viewed as a rehearsal for adult life. It is regarded as a way of
preparing and training the child for the tasks of adulthood. As such, it can be
a relatively painless initiation and transition. Given the absence of or the
limited opportunities for vocational training, it performs an indispensable
function in transmitting skills and in facilitating social adaptation. In
addition, since children often work under the supervision of their parents,
they do benefit from some form of protection. Child work of this kind is not
generally characterised by exploitative practices. Indeed, in this context, the
notion of child labour has little conceptual or policy relevance.

However, the situation changes when the system of work relationships
prevailant in traditional rural societies breaks down under the impetus of
commercialisation and urbanisation. The workload of children, the nature of
their work, the employment relationship, the working environment—all these
and others undergo fundamental changes. As a result, child workers are often
exposed to exploitation, unsafe working conditions and potentially serious
long-term socio-economic disadvantages. Indeed it is these aspects, namely
the exploitative aspects, the ill-effects for the health and personal develop­
ment of the working child, the deprivation in terms of education and training
and the resulting adverse consequences for their future, that form the basis
for national and international concern about child labour.

Safety and health

The effects of poor and unsafe working conditions on working children
can be direct and visible. These take the form of fatal accidents or accidents
that result in deformities. In view of the inadequacy of statistics on
occupational accidents, especially in developing countries, it is difficult to
obtain reliable figures, particularly data stratified by age. But information from some industrialised countries shows that the incidence of occupational accidents among child workers can be high. For example, according to one study, between 1969 and 1972, out of 517 people killed on British farms, 105—that is, over one in five—were children under 15. An official report covering the year 1976 cited 108 fatal accidents, of which 31 were to children.

Less dramatic but no less serious are the occupational health risks—which are often intertwined with socio-economic-related health problems and may be detected only after a long gestation period—to which working children are exposed.

The vulnerability of children is increased by the high incidence of malnutrition and undernourishment. When children are required to perform heavy work activities that use up scarce reserves of energy, an imbalance arises between their energy needs and supply, thereby weakening them further and making them less resistant to debilitating diseases.

There are also many other features of unregulated factory or sweatshop environments which lead to major health and safety problems for working children. In certain manufacturing processes—in glass works, for example—children are known to suffer from heat stress and run the risk of sustaining cuts and burns. In carpet-making factories children are known to work doubled-up, squatting on planks, and as a consequence suffer from bone deformities in their lower limbs. In many electronics factories girls working for 12 to 14 hours a day on joining extremely fine wires suffer damage to eyesight within five to eight years. In charcoal and construction industries, children are engaged in loading and unloading or doing work too heavy for their physical strength. Child workers are also found in mechanical repair shops and foundries working in crowded, poorly ventilated, polluted and noisy surroundings. In many industries they work with machinery, tools and equipment designed for use by adults rather than by children. The risk of accidents is heightened by a lack of safety training and by failure to provide or to use guards for the machinery and personal protective equipment.

Excessive noise leads to hearing loss; excessively hot, damp or dusty conditions are also likely to create a milieu which favours the transmission of communicable diseases such as tuberculosis. Some diseases—such as rheumatic fever—may have long-lasting effects on the cardio-vascular system. Gastro-intestinal diseases thrive and spread in the absence of potable water and toilet facilities. Prolonged exposure to chemicals or toxic substances such as lead, mercury and benzene can also have serious consequences.

Education and intellectual development

If the consequences of child labour for safety and health represent the most serious cause for concern about the immediate welfare of the child, the consequences for education and training are a major reason for concern for the child's future development.
Child participation in labour force activity clearly reduces the potential for schooling and educational development. Children from poor families obviously do not have as much access to education as those from wealthier families. Even where educational facilities are available such children cannot take sufficient advantage of them, either because their parents cannot afford the direct and indirect costs of schooling or because they cannot accept its opportunity cost. The chances of benefiting from education diminish even further when they work, the more so the greater the degree of drudgery of the work. Given the low educational or skill content of many of the jobs in which working children are involved, the possibilities for acquiring remunerative or satisfying skills become still more remote. Children thus find themselves locked in unskilled, low-paying, unpleasant and unsafe work situations and permanently disadvantaged in the labour market.

Evidence from industrialised countries suggests that the education and development of children who are combining school attendance with outside employment can suffer considerably if the work is fatiguing or the hours do not leave sufficient time for rest, recreation and school assignments.

In almost all societies the labour market is segmented, with higher status, higher paying jobs clearly differentiated from those which involve unskilled work. In general, the possibilities for movement from the lower to the higher segments are limited. Often access to higher status jobs is determined by the point of entry, which in turn is determined by educational and social qualifications. Hence schooling assumes an increasingly important and indeed decisive role in determining labour market entry and subsequent life-time opportunities.

Children who are obliged to work in activities or in circumstances that prevent them from acquiring education or skills may be excluded from such possibilities and opportunities.

Unemployment and poverty

Child labour has several consequences for unemployment and poverty. Looked at from the point of view of the household, it can be considered as a means of improving incomes or at least of somewhat restraining deterioration in incomes and consumption levels. Indeed, the contribution of child workers to family incomes can be substantial and it therefore can be viewed as a means of alleviating poverty at the level of the household. At the macro-level, however, child employment is associated with higher levels of adult unemployment and greater inequality of income and wealth.¹¹

Levels of adult unemployment may be raised by the participation of children. The employment of children may also help to maintain low wages for the labour force as a whole since, as cheap labour, they can be substituted for adults. Hence, through its impact on both the level of unemployment and the wage rate, child employment reduces the total income share of working households and thus leads to increases in the degree of income inequality within society.
Report of the Director-General

Child labour can also accelerate differentiation and wealth inequality through its effect on demographic behaviour. The micro-economic theory of fertility and empirical evidence suggest that child labour has a positive influence on fertility. Children in agrarian societies, in particular, are economically valuable to their parents in at least two ways: as a source of labour contributing to the household economy, and as a source of social insurance and support in old age. The economic value of children therefore favours larger families. But this in turn leads, in the longer run, to greater subdivision and fragmentation of land and possibly also to landlessness. At the same time, to the extent that child labour is readily available for employment by wealthier peasants, it leads to greater differentiation within the peasantry.

Finally, there is the impact mentioned earlier on access to schooling and subsequent performance in the labour market. Manual work or work that involves little skill acquisition is likely to leave children permanently disadvantaged in the labour market. Aside from the repercussions on health and on physical and mental development and the impact of these on the child’s future performance, such employment conflicts with and is often carried out at the expense of schooling—and this at a time when education has increasingly become a major vehicle for access to opportunities for earning more satisfactory incomes and rising to better jobs.

POLICIES ON CHILD LABOUR: ECONOMIC AND SOCIAL MEASURES

A general framework for policies on child labour

Effective policies aimed at the protection of children at work and the gradual elimination of child labour must be adjusted to the socio-economic situation of each country. Child labour cannot be approached as an isolated problem; its reduction and elimination will require a set of direct and indirect, albeit inter-related, measures.

Where work by children is truly part of the socialisation process and a means of transmitting skills from parent to child, it is hardly meaningful to speak of child labour. Nor can such work be divorced from the poverty and underdevelopment and the absence of alternatives to child work which together generate and sustain it. For the overwhelming majority who assist and work with their parents at home or on the farm, it is almost impossible to address their situation through formal measures as such; nor would such measures, if successful, necessarily be in the interest of many child workers and their families. Child labour is rooted in poverty: the progressive elimination of unacceptable labour by those too young to undertake it requires a general improvement in the economies of the countries concerned. In this context, the impact of policies or measures which may not be specifically addressed to children but which do try to bear on the causes of
poverty and inequality can have a significant and even decisive impact on the incidence and extent of child labour. Such policies may include agrarian reforms, employment creation schemes, greater access by the poor to improved technologies, informal sector promotion policies, creation of co-operatives and social security programmes. These and similar measures can lead to broad-based growth, a more egalitarian structure of asset and income distribution and, consequently, a reduction in the incidence of child labour.

Another set of policies which can have a bearing on the incidence and extent of child labour relates to education, training and apprenticeship. The extension and application of universal compulsory education and the provision of training and apprenticeship schemes can have significant potential because they could not only reduce the number of children out of school but also provide opportunities for skill acquisition and later employment.

In addition, there is a third set of complementary policies which needs to be conceived parallel to these medium- to long-term macro-economic and educational policies. This consists of measures which address the worst forms of child exploitation and lead to better working conditions.

Pending the improvement of economic conditions to the point where it will no longer be necessary or profitable for children to work, efforts must be made to complement long-term employment and development policies with progressive measures aimed at regulating and humanising child work so that children are provided with some protection against conditions that jeopardise their normal physical and mental development, deny them educational and skill development and block their lifetime opportunities. Such measures include the adoption and enforcement of protective labour laws, the implementation of improvements at the work site and the provision of welfare facilities.

At this juncture, I should like to stress some points in respect of the role of labour laws in preventing or suppressing child labour, since they have been a subject of misunderstanding and even distortion in recent years.

The aim of such measures is not to supplant long-term structural reforms and anti-poverty-oriented policies but to reinforce and complement them wherever possible, to deal with the worst forms of child labour wherever they exist, and to provide minimum levels of protection where such labour is unavoidable. There is a risk that labour legislation, especially child labour laws, without supporting socio-economic changes may lead to greater clandestine work and more exploitative work situations. Such laws must therefore never be conceived or implemented in isolation from the socio-economic setting.

By the same token, the dynamic character of child labour laws must also be recognised. Standards and laws must be based on specific country situations and must therefore take into account the socio-economic realities of each country. At the same time, these standards should be raised progressively over time; hence, laws must be revised accordingly as the countries concerned develop their economies and institutions.
Yet it must also be stressed that there are certain absolutes arising from
the inherent dignity of the human person and recognised in international
covenants which nations, irrespective of their level of development, have
accepted and should therefore adhere to both in the formulation of labour
laws and in their subsequent enforcement. Every effort must be made at the
national and international level to persuade and assist governments to adopt
and enforce labour laws that can protect children at least from the worst
forms of exploitation and dangerous working conditions. Such laws need not
and should not await structural changes or significant improvements in
general standards of living. To dismiss in a cavalier way, as some do, the
potential role of child protective laws, or to invoke the pretext of poverty and
underdevelopment for the continued transgression of universally accepted
values is to accept the perpetuation of universally condemned abuses.

Socio-economic and labour policies

Employment and growth

The effective abolition of child labour requires vigorous action primarily
in the sphere of macro-economic policies, including policies aimed at
improvements in specific target areas or the conditions of certain groups. No
doubt by far the most important area of action, both for its urgency in the
context of the current economic difficulties facing large parts of the world
and for its long-term impact on the incidence of child labour, lies in the field
of employment. As pointed out earlier, given that child labour is associated
mainly with poverty and that child workers generally come from poorer areas
and poorer families, increased employment opportunities and improvements
in standards of living are therefore fundamental for a lasting solution to the
problem of child labour.

I have tried to draw attention on several occasions, especially at the
World Employment Conference in 1976, to the seriousness of the incidence
and depth of poverty around the world and the imperative of concerted
national and international action to deal with it. A significant proportion of
the world’s population, especially in Asia and Africa, lives under the most
abject conditions of material deprivation. Hundreds of millions are estimated
to be destitute, malnourished and suffering from debilitating diseases.

The evidence from various ILO studies of the development of Asian and
African countries strongly suggests that poverty, far from decreasing, has in
fact been increasing in many countries.

The incidence of poverty is not evenly spread across regions or sectors.
Poverty is more pervasive and acute in rural than in urban areas, incomes are
lower and more uncertain for rural than for urban people. Social poverty
seen in terms of relationships of dependency and exploitation reflecting basic
inequalities in incomes and wealth is also greater in rural than in urban areas.
Even though rural people—as producers of food, cash crops and raw
Child labour

materials—provide the wherewithal for accelerated industrial development and capital accumulation, they have much less access to educational and other social services. Rural areas tend to have higher illiteracy rates, shorter life expectancies, reduced productive capacities and a higher incidence of child labour, including work outside the framework of the family.

Just as there are disparities between sectors, there are also sharp differences among socio-economic groups in income levels and access to assets and services. In rural areas poverty is concentrated among subsistence and small farmers and landless labourers. In urban areas it is mainly a problem of those who work in the informal sectors. And it is among these socio-economic groups that the incidence of child labour is highest. Children are important as a source of additional labour power and income and, if they live long enough, as a source of security in old age. It is therefore by addressing the specific problems of those who live in the rural and informal sectors, especially those who belong to the poorest groups, that the problem of child labour can be effectively controlled and eliminated.

It is obviously difficult to spell out the types of specific policies and measures that need to be pursued in view of differences in situations. However, at a general level, the essential elements of a strategy of growth aiming at the eradication of unemployment, underemployment and poverty have been articulated in the Employment Policy Convention and Recommendation of 1964 and, more recently, in the Declaration of Principles and Programme of Action adopted by the World Employment Conference, 1976, and the resolution concerning the follow-up to this Conference adopted by the International Labour Conference in 1979.

It therefore suffices at this point to stress once again the importance of balanced regional development programmes and of rural employment-generating policies, including those that increase the access of the poor to land, credit, improved seeds and technology as well as to better water, health and sanitation services. Similar efforts at improving the conditions of those who work in the informal sectors must be made. Here, too, increased access to improved technologies, economic and social services is required. Improved productivity coupled with measures that reduce work drudgery and time-intensity will be an effective means of making child work uneconomical and redundant.

Educational expansion

Measures that relieve the poverty and work burden of parents, though important, are not sufficient by themselves. Together with poverty, another important element bearing on child labour is the lack of educational infrastructure. Where schools are non-existent, distant or expensive, there obviously is no alternative to work or idleness. It is well known that the poor in many countries are disadvantaged in terms of educational services, as in health and related areas, either because schools are not within easy reach or
because they are expensive. This is not a problem confined to those who live in rural areas; it also applies to the poor in urban areas. Therefore the expansion in educational and training facilities should be an integral part of anti-poverty development policies and programmes. Attention should also be paid to making the education and training provided responsive to the felt needs of the people concerned. Even where facilities do exist, children often fail to take advantage of them because they and their parents see little practical value in attending and are reluctant to forsake opportunities for immediate income.

Educational expansion is known to have a significant impact on the incidence and extent of child labour. This close correspondence between school attendance rates and the incidence of child labour therefore gives greater weight to the proposal made in the Minimum Age Recommendation, 1973 (No. 146), that “full-time attendance at school or participation in approved vocational orientation or training programmes should be required and effectively ensured up to an age at least equal to that specified for admission to employment”.

In addition to these macro-economic and global social policies, there are several specific areas of action which may be given special consideration in policy formulation because of their potential significance on the incidence of child labour.

Emancipation of women

One promising area of action for the effective reduction of child labour lies in the greater emancipation of women. In several societies women’s economic participation is confined to activities that are carried out within the domestic framework. This seclusion of women from participation in non-domestic activities and the associated rigid social and spatial segregation of the male and female domains have implications for child labour participation rates and child work patterns. Specifically, where there are restrictions on women’s participation in specific or in non-domestic activities, children are often the only ones who can complement adult male and female roles. They are exceptionally suited to perform certain tasks because they can cross the boundaries between male and female domains. They thus perform activities that women are not allowed to perform, such as street trading, purchasing and carrying cooked food from one house to another, and marketing. Therefore, the emancipation of women and their increased participation in non-domestic economic activities could be a positive means of reducing the need for children to engage in such activities. Such action could bring further benefits in the long run by breaking the pattern according to which girls are from a very early age channelled into a narrow range of activities and occupations.
Special action on areas of exploitation

Another promising area for improvement lies in direct and concerted government action on those sectors or activities where pockets of child exploitation persist. In some parts of Asia and Africa, for example, a large number of children are in effect hooked as bonded labourers. In many more, they are found as sweated labour under a system of fake apprenticeship schemes. In still others, they are trapped by middlemen, through a system of subcontracting, in work situations devoid of any parental or legal protection. These and other obvious forms of exploitation must be attacked both directly through enforcement action or indirectly through repeated public exposure and information campaigns. They certainly need not await the implementation of structural changes or large-scale development schemes.

Raising public awareness and information campaigns

The role of information gathering and dissemination in raising public awareness of the evils of child labour and in exposing the sectors or activities where it is prevalent should not be underestimated. In many developing countries there is a surprisingly high degree of ignorance about the consequences of child labour in general and the ill-effects of unsafe working conditions in particular. Child work is often accepted as part of the natural state of things, and the rights and needs of the child are not always fully appreciated. A great deal of effort, therefore, needs to be made to generate and promote public awareness of the consequences of child labour and the rights of the working child and to expose unacceptable conditions wherever they exist.

Welfare services and improvements at the workplace

The need for welfare programmes

Unfortunately but surely, child labour cannot be abolished and controlled all at once, though this must remain the long-term objective. The impact of anti-poverty-oriented macro-economic policies and the effective and full enforcement of existing legislation can be felt only over a long period of time. In the short to medium term, therefore, efforts must be made to complement long-term policies and child labour laws with new and innovative programmes which can bring about improvements in conditions at the workplace, especially in small-scale and informal sector enterprises. Children in such enterprises often work under unacceptably poor conditions. These include long hours of work, absence of rest periods or holidays, lack of feeding facilities and services, safety and health hazards, exploitative remuneration practices, and physical or psychological abuse. While certainly legal measures should to the extent possible be extended to protect the working child and effect improvements, it must be recognised that the
possibilities for the enforcement of protective laws in the unorganised sectors are limited. Besides, there is the danger that, ironically, over-zealous protection and enforcement may mean condemnation to an even worse situation both for the child and his family. Hence the importance of supportive and positive actions that can bring about improvements in the conditions under which children work and live.

The design of new and innovative programmes which can immediately and substantially improve the working and living conditions of child workers is no doubt a difficult task. It requires not only imagination but also the cooperation of employers, unions, parents and governments.

**Education and training programmes**

There are several activities which can be undertaken to bring about improvements in the over-all conditions of working children. A starting-point is education and training.

As things stand, most working children have little or no opportunity for education and training, as a result of which they are more or less permanently locked in their current work station. This may be either because the facilities are not available or, even if they are, because the children and their parents are unable or unwilling to sacrifice the income from the children’s work to take advantage of them. Yet only through education and training can children have the possibility of improving their lifetime opportunities.

This therefore requires action in at least two areas. The first is to inject special literacy and vocational training programmes into the existing network of the formal educational system. Another area of potential significance may lie in strengthening existing apprenticeship opportunities which are commonly found in many parts of the world. To be sure, there are many which are a disguised cover for exploitative practices but there are also others which can and do offer genuine opportunities for skill acquisition at little cost to the government or the employer. For this reason, the possibilities for enhancing apprenticeship practices by either providing support to existing ones or introducing new ones should be given consideration. No doubt existing formal vocational and technical institutions can have an important role to play in this regard.

It should be pointed out, however, that efforts to provide improved access to minimum levels of education and training can be successful only if there are corresponding changes at the workplace by way of reduced hours and workloads. If children work for long hours or are engaged in fatiguing work, they will certainly be unable to follow or to derive the full benefit from educational and training activities. The co-operation of those for whom children work and the introduction of improvements at the work site are therefore crucial. In short, efforts in the educational area are unlikely to be effective if carried out in isolation from the necessary changes at the workplace. The two must be viewed jointly.
Health programmes

A second related area is health. Health and safety risks for working children arise from two sources: the workplace and the living environment. The special vulnerability of children to accidents and serious health risks arising from work is a compelling reason for exceptional emphasis on this group of workers in the formulation and establishment of occupational safety and health programmes. As most of these children are found in small and informal sector enterprises, innovative delivery systems must be designed if existing occupational safety and health programmes are to reach the largest number possible and to provide effective services.

It would also appear that such programmes should, to the extent possible, be carried out in conjunction with and perhaps as part of the network of primary health care services. This is desirable for at least two reasons. First, many countries have embarked on extensive programmes of primary health services which can be used to reach a very large number of children and to provide them with protection from occupational safety and health risks. The organisational and technical structure and expertise already available in such programmes provide a propitious framework for this purpose.

Secondly, the strong link between the working environment and the living environment in the urban informal and rural sectors may well justify an integrated approach in the provision of general and occupational health services. In many informal sector settings in particular, much work is undertaken at home, which therefore means that the occupational health risks to which workers are exposed can be best dealt with in conjunction with those that arise from their living environment. In addition, since child workers generally come from poor families and live and often work in generally unhealthy environments, actions aiming at protecting them from work-associated diseases can have a more lasting effect if they are carried out as an integrated programme that bears both on the working and on the living environments.

Nutrition programmes

A third area of action which is very much related to health is nutrition. Again because of the poor socio-economic background from which most child workers come, they often suffer from severe malnutrition or undernourishment and consequently from debilitating diseases as well. Reports from various countries indicate that working children in particular suffer from acute nutritional deficiencies because of the energy imbalance arising from malnutrition and the additional energy requirements of working for long hours. The provision of supplementary feeding programmes for children should therefore be given a primary place in efforts directed at enhancing the nutritional status of children and the improvement of their working conditions.
Improvements at the workplace

Many of these activities, especially those in the fields of health and nutrition, would be in vain if they were not accompanied by parallel improvements in conditions within the workplace. Some of the major problems facing working children at the workplace have already been pointed out and need not be repeated. It suffices to stress that there are several areas in which improvements can be made if the will is found. These include improvements in working time, work organisation, ergonomics and simple hygiene. For example, the provision of rest periods and holidays and the elimination of overtime and night work, the reduction of the work pace, the elimination of piece-rate payment systems, the provision of tools and equipment suitable for children, the provision of simple protective clothing and stools—these and other simple and inexpensive improvements can significantly enhance the health and well-being of working children and concurrently improve their productivity.

I do not claim that the introduction of such improvements will be easy. But it can be done if sufficient efforts are made by governments to provide supporting services. An important step, especially for small employers, would be the provision of simple instruction in the benefits they can derive from small improvements in working conditions and from a more rested, better-fed and healthier workforce.

Need for innovative and flexible organisational structures

Clearly the provision of welfare and social services and the promotion and implementation of improvements at the workplace require organisational and institutional structures that are appropriate to the unorganised and small enterprise sector. This is a sector which is heterogeneous, vast and institutionally diffuse. It is therefore a sector in which it is most difficult to effect changes. The design of organisations, institutions and delivery systems that can reach informal sector and unorganised groups without at the same time stifling their energy and enterprise is surely among the most challenging tasks in social and development policy. The need, therefore, for greater work in this area cannot be sufficiently emphasised. The delivery of welfare services and improvement of the working and living conditions of working children requires innovation and flexibility, including the use of traditional and semi-traditional local institutions, co-operative forms of organisations and local-level administrative and community organisations. No less important is the use of grass-roots organisations, such as women's groups and workers' organisations, both as pressure groups and as a channel for delivering certain services vital for the welfare of working children.
POLICIES ON CHILD LABOUR: LEGISLATION AND ENFORCEMENT

Aims and role of child labour laws

As I stressed earlier, the gradual elimination of child labour and the improvement of the well-being of working children require co-ordinated action in the fields of economic and social policy, working conditions and welfare services. Action in each of these areas should be viewed and carried out in support of and in relation to the others. So it must be with child labour laws as well.

The aim of such measures, I should emphasise once again, is to reinforce and complement long-term structural and anti-poverty-oriented policies, to deal with the worst forms of child labour where they exist, and to provide minimum levels of protection where such labour is unavoidable. Child labour laws can play a catalytic and supportive role in efforts aiming at the establishment of a more humane socio-economic order. That is why the ILO and indeed national governments attach so much importance to the setting and implementation of international and national labour standards. It is therefore useful to look, even if briefly, at the objectives and requirements of international labour standards as well as at national experiences and lessons in the adoption and enforcement of these standards.

International labour standards

The Minimum Age Convention and Recommendation: Background and scope

The International Labour Conference has over the years adopted a series of Conventions and Recommendations dealing with the employment or work of children and young persons, starting with the adoption in 1919 of Convention No. 5, which fixed at 14 years the minimum age for admission of children to industrial employment. Since then, many such Conventions and Recommendations have been adopted regulating the employment of children in particular sectors and occupations. In 1973 the Conference re-examined the problem in depth and adopted the comprehensive standards laid down in Convention No. 138 and Recommendation No. 146 concerning minimum age for admission to employment.

The adoption by the Conference of this Convention and Recommendation was guided by several considerations. The instruments on minimum age adopted before 1973 concerned only limited economic sectors. While these facilitated attacking specific problems, and thus would continue to offer useful guidance in that respect, it was felt that the time had come to replace them with a general instrument which could establish clearer, more systematic and more up-to-date international standards.

The scope of the new instruments is general: they cover in principle all economic sectors and all employment or work. Their objective is to ensure
the effective abolition of child labour in the long run and, for this purpose, to secure the progressive raising of the minimum age for admission to employment or work. The formulation of the objectives in these terms is intended to address the diversity of situations obtaining in different parts of the world. It is also clear that the Convention is not intended simply as a static instrument prescribing a fixed minimum standard but as a dynamic one aimed at encouraging the progressive improvement of standards and of promoting sustained action to attain the objective. In addition, the obligations assumed by ratifying States are flexible and conditioned by national circumstances and the level of the standards already achieved in the country. Provision is therefore made for several kinds of exclusions or exceptions in coverage, scope and standards.

Significantly also, the regulation of the minimum age for employment is viewed as an integral part of a comprehensive set of national policies aimed at the protection of working children and the progressive abolition of child labour.

National policy, legislation and enforcement

Because of the fundamental importance of Convention No. 138 and Recommendation No. 146 as the basis for ILO policy aimed at the protection of working children and the gradual elimination of child labour, it is worthwhile to spell out what, in the light of the provisions of those instruments, are the major elements that should inspire national policy and legislation.

First and foremost is a strong commitment 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. The elements of such a policy may vary from country to country but should in general include:

(a) firm national commitment to full employment and measures designed to promote employment-oriented development in rural and urban areas;
(b) the progressive extension of other economic and social measures to alleviate poverty wherever it exists and to ensure family living standards and income which are such as to make it unnecessary to have recourse to the economic activity of children;
(c) the development and progressive extension of social security and family welfare measures aimed at ensuring child maintenance;
(d) the development and progressive extension of adequate facilities for education and vocational orientation and training appropriate in form and content to the needs of the children and young persons concerned;
(e) the development and progressive extension of appropriate facilities for the protection and welfare of children and young persons, including employed young persons.
Secondly, national laws or regulations should specify a minimum age for admission to employment or work. This minimum age should not be less than the age of completion of compulsory schooling and, in any case, according to the Convention, should not be less than 15 years. However, countries whose economy and educational facilities are insufficiently developed may initially specify a minimum age of 14 years.

The minimum age set for employment or work must also be linked to the nature of the work. Thus it is necessary to specify the ages of admission to heavy and light work. The Convention fixes at 18 the minimum age for admission to employment or work which is likely to jeopardise the health, safety or morals of young persons. However, this may be lowered to 16 on condition that the health, safety and morals of the young persons concerned are fully protected and that they have received adequate, specific instruction and training in the relevant branch of activity.

On the other hand, national laws or regulations may permit the employment or work of persons 13 to 15 years of age (or 12 to 14 if the basic minimum age is 14) on light work which is not likely to be harmful to their health or development and will not prejudice their attendance at school or their participation in vocational training programmes.

A third element that needs to be given special attention in legislation and indeed as a focus for national action relates to coverage. Although every effort must be made to provide protection in as many sectors as possible, the existence of serious constraints and hence the need for flexibility in coverage must be recognised. For these reasons, it may well be, and often is, necessary for national laws and regulations to exclude certain categories of employment or work where there could be special and substantial problems of application. Moreover, where the economy and administrative facilities are insufficiently developed, the scope of application of national laws and regulations may be initially limited to certain branches of economic activity or types of undertakings. Which activities or sectors should be included depends once again on the country’s situation. But national laws should cover, as a minimum, mining and quarrying, manufacturing, construction, electricity, gas and water, sanitary services, transport, storage and communication, and plantation and other agricultural undertakings mainly producing for commercial purposes. The Convention also provides for the possible exemption, under certain conditions, of work done in educational establishments for vocational training or work in undertakings if it is part of a training, guidance or orientation course.

A fourth important area for national policy is conditions of work. Given the fact that the total abolition of child labour is unattainable in the short run in many developing countries and that therefore millions of children will continue to be working, the conditions under which they work should be a focus of policy. Special efforts should be made to ensure that children are not employed under conditions involving use of dangerous substances, agents or processes, the lifting of heavy weights and underground work. Special
attention should also be paid to the provision of fair remuneration and its protection, the strict limitation of daily and weekly hours of work and the prohibition of overtime, the granting of a minimum consecutive period of 12 hours' night rest and of customary weekly rest days, the granting of an annual holiday with pay of at least four weeks and, in any case, not shorter than that granted to adults, coverage by social security schemes, including employment injury, medical care and sickness benefits schemes, and the maintenance of satisfactory standards of safety and health.

Finally, an area that deserves to be conceived of as an integral part of national efforts is that of enforcement. Laws and regulations, if they are to be effective, must be backed by effective enforcement machinery. This therefore calls for the strengthening of labour inspection and related services, for instance by the special training of inspectors, so as to detect and correct abuses in the employment or work of children and young persons, especially in respect of employment in hazardous types of work. In order to facilitate the verification of ages, it is necessary (a) that the public authorities maintain an effective system of birth registration, (b) that employers be required to maintain registers and documents indicating the names and ages of all employed children and young persons and of all those receiving training, and (c) that children and young persons working in the streets, in outside stalls, in public places, etc., be licensed. Attention should be drawn here to the desirability of ratifying and applying Conventions Nos. 81 and 129 on labour inspection services.

These are some of the elements that are at the heart of the international labour standards on minimum age of admission to employment and should serve as a guideline in the setting of national standards. To what extent are these international norms and standards reflected in national laws and practices? How much progress has been made? What are the problems faced and what kinds of improvements need to be considered by countries in the area of regulation and enforcement?

National experiences

A striking fact that emerges from a recent survey of national law and practice carried out by the Committee of Experts on the Application of Conventions and Recommendations is the enormous influence of international labour standards. The principle of a minimum age for admission to employment is generally well recognised.

A number of countries have also incorporated into their legislation provisions of the ILO's earlier Conventions on various aspects of the subject.

As of January 1983, 26 States had ratified the Minimum Age Convention, 1973 (No. 138). A number of other countries have expressed the intention of ratifying it or have stated that there are no obstacles to its ratification. Several others have indicated that its ratification is under study. In addition, more than 100 countries have ratified one or more of the
Conventions which provide protection for child workers in specific occupations or sectors.

Pending further ratifications, there are a number of areas in which measures could be taken to comply with the basic principles of the Minimum Age Convention and Recommendation, even where it is not possible to implement them fully at this stage.

Scope of national legislation

One area in which improvement could be made is the coverage of national legislation. There are three fundamental ways in which national legislation frequently does not cover all employment or work: exclusion or omission of persons working otherwise than under a contract of employment, exclusion of categories of employment from the coverage of the legislation, and exclusion of branches of economic activity.

A large number of countries have adopted legislation which applies only to persons who are working under a contract of employment. However, this fails to regulate the conditions of work of many persons in the country who are economically active and is particularly inadequate in relation to the kinds of work in which a significant proportion of child workers are engaged.

There are also many countries which exclude from the application of their legislation, or simply fail to cover, some categories of employment. For example, domestic work is quite often excluded. In many cases, this is due to the special and substantial problems that arise in the application of the legislation. Where it might not be possible to supervise the application of legislation concerning some categories of employment immediately, it might well be possible to do so in the course of time; efforts should be made correspondingly to expand the coverage of national legislation.

A third area for possible action is the extension of sectoral coverage. In many countries the sectoral coverage of the legislation is far from comprehensive. This is in some cases due to the difficulty of adopting and enforcing legislation with regard to some sectors. There may, however, be a possibility in some countries of extending the coverage of their legislation in this respect, at least by adopting minimum-age provisions regulating to some extent the work of children in these sectors, even if it is not possible to regulate the sector fully.

Detailed indications of the gaps in the legislation and practice of most member States can be found in the above-mentioned 1981 General Survey by the Committee of Experts. I reiterate the Committee’s call for governments to review their legislation in the light of the Survey’s findings, and to fill these gaps whenever possible.

Establishment of a general minimum age

The establishment of a general minimum age for admission to employment or work is a necessary though difficult step in any programme aiming at
the elimination and regulation of child labour. Countries adopt a wide variety of measures to fix the ages below which children shall not work. Some countries fix a general age; some fix ages only for some sectors; and others link admission to employment or work in some manner to the completion of compulsory schooling. While each of these measures may be justified by the special problems of each country, it is important that measures be taken to fix minimum ages in all economic sectors and categories of employment for which it is possible to do so.

The relationship between schooling and admission to work is another area for consideration. The Convention requires that the age of admission to employment be no less than the age of completion of compulsory schooling and the Recommendation calls for the effective provision of compulsory education or training up to the minimum. In other words, a gap in either direction between the school-leaving age and the minimum age should be avoided. A number of countries comply with this objective, at least in some sectors or occupations. Many others, however, have problems in this regard because the educational infrastructure is not sufficiently developed to provide facilities for all children to attend school. It is apparent that many countries have been unable to achieve the goal of providing schooling for all children. However, where these facilities are available, it is necessary to make sure that children’s schooling is not interfered with by beginning to work too early.

Light work

Children often undertake some form of economic activity at a lower age than that at which they should be allowed to perform regular work.

Often, the aid of children is important to the family economy, especially during harvest time or for helping in some light tasks connected with the family business. While such work may not be harmful in itself, there is a certain danger that children will be looked upon by the family as an economic asset and will be called upon to undertake work that is too heavy for them, or for too many hours. Measures are therefore necessary to try to ensure that their work is truly limited to helping the family instead of becoming a major element in the family’s work. It must be admitted, however, that this is a difficult area for supervision, especially when so many small family farms or undertakings are within the informal and traditional sectors and thus outside the capabilities of inspection of most countries.

Another basic situation is a phenomenon of developed countries, where young persons undertake occasional work outside school hours to earn money and experience for themselves rather than for their families. In such cases, they undertake jobs such as delivering periodicals, assisting in shops during holidays, etc. The extent to which such activities are regulated varies considerably among countries, some having made an effort to define what types of work shall be permitted in this framework and under what conditions
while others have apparently decided that abuses are unlikely or that this type of work cannot adequately be regulated. However, an attempt should be made to define what sort of activities are permitted for younger children, to ensure that their work does not interfere with their schooling, to regulate the conditions under which it may be performed and, above all, to fix an absolute minimum age for such work.

Dangerous work

The need for action is all the more vital in respect of dangerous work. A number of countries have adopted detailed regulations concerning types of work that may be dangerous to the health, safety and morals of young persons. But there are far too many countries which have taken only very limited measures to protect young workers in this respect. The areas in which measures should be taken and the appropriate ages for different sorts of dangerous work should therefore receive legislative priority. Special attention should be paid to industrial work as a first step, but the dangers found in agriculture and other forms of activity should by no means be ignored. Even in sectors or types of undertakings where it has not been possible to enforce a general minimum age for employment, it should be possible in most countries to prohibit work which by its nature or by the conditions under which it is performed is hazardous to children and young persons.

Work in connection with education or training

Work performed in undertakings under an apprenticeship or other training scheme can be a most effective means of acquiring skills and experience. But such work should be subject to close supervision. This is because of the possibility that a "training" relationship may be a subterfuge for normal, continuous work by children before the legal minimum age for employment, permitting lower labour costs. Governments should take special care to ensure that, when an apprenticeship programme is in operation in a country and allows children under the legal minimum age to become apprentices, supervisory and inspection activities are carried out to safeguard and supervise the conditions in which children and young persons undergo vocational orientation and training.

Conditions of work

There are a great number of differences among member States and gaps in the measures they have taken to regulate the conditions of work of young persons and children who have begun their working life. While some of the ILO's standards have found wide recognition, others have been the subject of regulation by only a few countries.
The limitation of hours of work and overtime, the prohibition of night work and the fixing of daily and weekly rest periods have been undertaken to some degree in most countries, though there are still a number which have not adopted any measures to regulate these important aspects of the work of young persons. It is essential that young workers be protected with regard to the time and duration of the work they are allowed to perform. The standards adopted by the ILO do not set definite limits in most of these areas, so the determination of the specific measures which may be appropriate must be left to national authorities. It is clear, however, that ILO norms intend that young workers should not be allowed to work for the same duration as adults. In the first place, those young persons who are still attending school, on a full-time or part-time basis, should have enough time to garner the benefit of the instruction they are receiving. In addition, their limited strength as compared to adult workers should be taken into account by ensuring that they have sufficient time to rest between work periods. This issue merits close examination by national authorities.

Enforcement

The need for effective measures to enforce the provisions of national legislation in connection with the work of children and young persons is apparent. Yet there are serious problems of enforcement in many countries. An essential step in the enforcement of legislation adopted in this connection is that registers of young persons employed be kept by every employer. Some countries have no requirement that this be done, and a number of others have only limited application of the principle.

Other measures of enforcement are less simple to implement but are even more necessary if the provisions of national and international standards are to be respected. The importance of a trained and effective force of labour inspectors cannot be stressed too strongly if labour legislation is to be translated into practice. This applies, of course, to the implementation of all labour legislation but is particularly important in the supervision of the work of children and young persons, who are often unable to exercise any control over their own situations. It is also apparent that, when different kinds of inspection services have responsibility in this field, their activities must be coordinated. It is recommended that governments study closely, with a view to ratification and implementation, the Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), along with their corresponding Recommendations.

SOME AREAS FOR FUTURE WORK

In spite of the growing awareness of the prevalence and harmful effects of child labour and the vast literature on the subject, policy and programme-oriented research remains surprisingly meagre. Yet knowledge of the context
of child labour, the causes, the conditions under which children work and the impact of various policies and programmes is essential if informed and comprehensive policies are to be designed. I shall, therefore, try to point out some of the areas which should be given priority in future research and some of the possibilities for technical co-operation. The areas indicated are by no means the only ones that deserve attention. They are rather illustrations of the types of work needed to fill the existing gap in research and to provide a basis for the design and implementation of action programmes.

Although general estimates of the magnitude and scope of the problem of child labour at the global level can be made, we have insufficient detailed knowledge of the true incidence, dimensions and trends at the country and regional levels. Such information is necessary for formulating and monitoring policies and programmes and for determining priorities in the area of child labour. Moreover, in view of the variety of situations in which child work is carried out and the different implications for child welfare, future research should also try to determine the characteristics of child labour in specific work situations. These include the nature of the work, the conditions of work and the working environment and the employment relationships.

Generally speaking, the root causes of the persistence of child labour lie in poverty and underdevelopment. Yet it may well be that these are not a sufficient explanation in all cases. We therefore need to study in greater depth the various causes in different situations so as both to understand better the reasons for differences in the incidence of child labour among socio-economic groups, regions and countries and to identify the appropriate points of intervention. The role of land-ownership patterns and agrarian relations, socio-cultural values and educational systems in influencing the incidence of child labour and the division of labour between boys and girls deserves to be better known. Similarly, the inter-relationships between child labour and the structure and behaviour of labour markets are a virtually unexplored area which requires serious research. The Committee of Experts recommended in 1981 in its General Survey that pilot programmes be carried out for specific areas where the incidence of child labour is the highest, in order to test different strategies for eliminating it.

A related area is the impact of various macro-economic and employment policies on child labour. As I pointed out earlier, policies not specifically intended to deal with child labour can have a greater impact than direct measures. Case studies of the implications of macro-economic policies and employment programmes can be illuminating in the selection of effective policies and programmes for reducing child labour.

The evaluation of policies in relation to child labour should not be confined to economic policies alone. Important also are the lessons that can be learned in the area of legislation. Virtually all countries have adopted some laws and regulations concerned with the employment and work of children. But understanding of the practical impact of such measures and the conditions for their success or failure remains insufficient. Better knowledge
of experiences in this regard can be extremely useful in the revision of existing laws or the formulation of new ones.

One of the most frustrating aspects of work in the area of child labour, especially for those who wish to undertake action programmes directed at improving the living and working conditions of children, is the lack of information on action programmes already carried out at the local level or at the enterprise level in the provision of welfare services, vocational education and training, etc., for working children. Such experiments and programmes have indeed been tried by governmental or non-governmental organisations in various countries. However modest these may be, the experience gained from them can be an invaluable guide in the design of schemes for the provision of minimum levels of health, feeding, vocational education and training and other services for working children.

Similarly in the area of working conditions, given that a large proportion of working children will continue working in one form or another for a long time to come, the elimination of exploitative, unhealthy forms of employment or work assumes central importance in any programme concerned with the well-being of children. For this reason, ways and means of introducing and promoting improvements in working conditions at the workplace must be studied, identified and made known. This requires and indeed lends itself to integrated research and technical co-operation activities. New and intensive work, in the form of research and pilot programmes concerned with the diagnosis of working conditions in different sectors and enterprises and the appropriate means of effecting changes, is vital. Such work can be of special practical significance in protecting children working in small enterprises and the unorganised sectors, where working conditions are among the worst.

There is a particularly urgent need to focus on those groups of child workers who are especially vulnerable to abuse and exploitation. Among these are bonded labourers, domestic servants, workers or "apprentices" in small factories and workshops and children in the street trades.

Perhaps one major reason for the prevalence and persistence of poor working conditions and abusive practices from which children suffer lies in ignorance. It must be pointed out, in the first place, that many parents and others employing children do not have harmful intentions. They genuinely consider work by children as part of the natural state of things, necessary for the welfare or even the survival of the family and also for the child's discipline and personal development. This may be true within certain limits. It is equally true, however, that in reality the nature of the work and the conditions under which it is carried out may be detrimental to the health, the well-being and the future development of the child. There is thus a clear need, not only for policy measures and legislation, but also for more effective dissemination of information to create greater awareness of the potential damage that inappropriate work, poor working conditions and insufficient education or training can do to children.
The resources required to make a dent in the problem of child labour are enormous. Every effort must therefore be made both to mobilise and to economise on resources. Simple projects at the grass-roots level can not only serve the immediate target for which they were intended but also provide lessons for more extensive programmes in the same country or in other countries which have the will to deal with the problem. Therefore pilot programmes accompanied by dissemination of information and exchange of experiences among countries should be given considerable attention.

Similarly, there can be significant benefits from close inter-agency collaboration in this area. The problem of child labour has manifold dimensions and can therefore be best dealt with only with the application of the full force of the various agencies of the United Nations system. Research and documentation, advocacy of the rights of the child, more effective regulation, expansion of adult employment and alleviation of poverty, provision of minimum levels of nutrition, health, education and training—all these and others provide a solid basis for fruitful collaboration and joint programmes by such agencies as the ILO, WHO, UNICEF, UNESCO and FAO.

CONCLUSIONS

Although its extent and nature vary among countries and regions, child labour remains a widespread phenomenon. The magnitude of the problem, especially in developing countries, is great and the task of attacking it is urgent.

Not all work is harmful for children. Some types of activities under regulated conditions can have positive effects for the child and for society. Work experience of the right sort can be a means of acquiring skills, of learning responsibility, of becoming a full member of the community—in short, a valuable part of growing up.

What gives cause for concern is work that places too heavy a burden on the child; work that endangers his safety, health or welfare, work that takes advantage of the defencelessness of the child, work that exploits the child as a cheap substitute for adult labour, work that uses the child's effort but does nothing for his development, work that impedes the child's education or training and thus prejudices his future.

Child labour of this kind must be the target of national and international action.

To be effective, such action must be realistic. Children in the developing world work out of necessity. Without their earnings, however small, the already low living standards of their families would be still lower. Large numbers of them do not even have families or cannot count on their families
for support: they must rely on their own efforts. For many children in the developing world the chances of receiving serious education and training are minimal. The facilities are inadequate, the direct and indirect costs are prohibitive and, perhaps most discouragingly, the relevance and practical value of the education offered are doubted by parents and by the children themselves. Many children do not go to school; many drop out very early; and many more attend but only sporadically and without drawing much benefit. In these circumstances, the alternative to work might be idleness, begging or crime.

Thus the elimination of child labour and the progressive raising of the minimum age for admission to employment must be regarded as objectives to be attained gradually and as an integral part of a process of development designed to overcome the scourges of unemployment and destitution. Formal measures alone will not work; if applied in isolation from over-all measures to improve the economic and social context, and especially in the absence of alternatives to work, they may even be harmful. Child labour is embedded in poverty and it is through sustained increases in standards of living that it will be abolished.

But recognition of this reality must not serve as a pretext for inaction. The problem of child labour is so grave and is often manifested in forms so unacceptable that it cannot be left aside until economic conditions and social structures are fundamentally improved.

I am convinced that, even under existing conditions, direct action can be taken and significant progress can be made. Long-term development policies can be complemented by immediate measures aimed at regulating and humanising work by children so as to protect them against practices or conditions that jeopardise their normal physical and mental development, deny them the possibility of acquiring knowledge and skills and block their opportunities for the future.

I urge giving priority to:

- the review of existing legal standards on minimum age for admission to employment or work with the aim of identifying any significant gaps in coverage and, where possible, adopting laws or regulations for some or all of the sectors concerned;
- the adoption and strict enforcement of laws or regulations prohibiting the employment or work of children in hazardous activities;
- the promotion of occupational safety and health and the improvement of the physical environment at the workplace in sectors where children are known to be engaged;
- the regulation and improvement of other conditions of work of children, especially in respect of hours of work, night work, weekly rest and holidays;
- the regulation of levels and methods of remuneration and the protection of wages;
Child labour

- the strengthening of labour inspection and other enforcement measures for the regulation of child labour;
- the provision of welfare facilities and services for children at or near the workplace;
- the expansion of educational facilities to permit the extension or more effective implementation of compulsory education;
- the introduction of schemes by which children who are obliged to work can combine remunerative activity with education or training;
- the encouragement of action by employers, trade unions and voluntary organisations to promote child welfare;
- the exposure of particularly abusive or exploitative practices;
- the dissemination of information designed to create greater public awareness of the adverse effects of child labour.

I reiterate the appeal made by the Conference during the International Year of the Child for member States to ratify the Minimum Age Convention, 1973 (No. 138), if they have not already done so, and to apply the provisions of that Convention and its supplementary Recommendation (No. 146).

The protection of children at work and the ultimate abolition of child labour require concerted action by governments along many fronts, but they are not tasks for governments alone. They also require the commitment and the active co-operation of employers' and workers' organisations and indeed of the world community as a whole.

As I said at the beginning of this Report, it is a matter of conscience.

Notes

1 See my Declaration concerning the International Year of the Child. This Declaration was endorsed by the Governing Body at its 209th Session in February-March 1979.


3 See, for example, Moni Nag, B. N. F. White and R. C. Peet: "An anthropological approach to the study of the economic value of children in Java and Nepal", in Binswanger et al., op. cit., and John C. Cleave: *African farmers: Labour use in the development of small-holder agriculture* (New York, Praeger, 1974).


6 Cain, op. cit., p. 232.

Report of the Director-General


10 James Challis and David Elliman, in association with the Anti-Slavery Society: Child workers today (Sunbury, UK, Quartermaine House, 1979), p. 28.


12 Supplementary measures relating to these instruments are being discussed at the present session of the Conference.