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# Regional Initiative, Latin America and the Caribbean Free of Child Labour

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## ● ● ● Introduction

This paper is intended to provide some contextual elements to guide countries' activities to eradicate child labour within the framework of the *Regional Initiative Latin America and the Caribbean Free of Child Labour*. The framework of reference is conclusion 2.1 adopted at the 9th Meeting of the Caribbean Ministers of Labour (3-4 March 2015), which reads:

*Countries, not yet signatory to the Regional "Free of Child Labour" Initiative be provided with information sufficient to enable them to consider becoming a party to it.*

Section I presents the current framework concerning legislation and interventions on child labour and how the theme relates to the Sustainable Development Goal Framework. Section II briefly describes the Regional Initiative: Latin America and the Caribbean Free of Child Labour. To conclude, Section III proposes selected action points on which guidance of the Caribbean member States is sought.

## ● ● ● I. Context

**Key figures.** The latest estimates of the International Labour Organization (ILO, 2013)<sup>1</sup> show a worrying stagnation in reducing child labour. At the current rate, neither the world nor the region will achieve the original goals of eliminating the worst forms of child labour by 2016<sup>2</sup> and all forms of child labour by 2020<sup>3</sup>. For the Latin America and Caribbean region, children aged 5 to 17 in employment<sup>4</sup> are estimated at 12.5 per cent of the total children population, while child labour incidence is estimated at 8.8 per cent. Children in hazardous forms of labour<sup>5</sup> are estimated at 6.8 per cent for the Latin America and Caribbean region. In the Caribbean sub-region, the lack of relevant national statistical data prevents a more detailed and accurate understanding of the situation and inhibits effective and strategic action to address the issue. Efforts to address the dearth of data are seen in the recent launch of Child Labour Surveys in Jamaica and Suriname and Rapid Assessments in the Bahamas, Guyana, Saint Lucia and Trinidad and Tobago.

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1 Marking progress against child labour - Global estimates and trends 2000-2012 / International Labour Office, International Programme on the Elimination of Child Labour (IPEC) - Geneva: ILO, 2013.

2 Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016, 2010 The Hague Global Outcome Document.

3 The goal of eradication is one of the commitment of the Caribbean countries signatory of the Regional Initiative, see below.

4 Statistically, children in employment are those engaged in any economic activity for at least one hour during the reference period. They differ from child labourer because the latter include only those in worst forms of child labour and those in employment below the minimum age, i.e. those engaged in prohibited activities.

5 Hazardous work by children is any activity or occupation that, by its nature or type, has or leads to adverse effects on the child's safety, health (physical or mental) and moral development.

**Legislation.** Three main international Conventions – the United Nations Convention on the Rights of the Child (CRC), the Worst Forms of Child Labour Convention, 1999 (No. 182) and Minimum Age Convention, 1973 (No. 138) – set the legal framework for child labour. All ILO member States in the Caribbean are part of the CRC treaty and the majority have ratified (or have had the treaty’s coverage extended by the respective countries) ILO Conventions Nos. 182 and 138<sup>6</sup>. However, some gaps in compliance through national legislation remain. For example, although signatory States to C182 are called to take time-bound action to eradicate worst forms of child labour and work considered “hazardous” and damaging to the health, safety or well-being of children under 18 years of age, *as defined in national laws*, to date, only Guyana and Jamaica have legally defined such work. In Barbados, a list of hazardous work has been adopted by the Ministry of Labour, while in Belize a list is included in the Child Labour Policy (but is not enshrined through legislation). The regular update of the list -- also called for by the Convention -- is still a virtually non-existent practice among Caribbean member States.

**Sustainable Development Goals (SDGs).** Within the framework of Goal 8 of the SDG’s adopted in 2015, United Nations member States have agreed to directly and urgently tackle the child labour issue.<sup>7</sup> In particular, SDG Target 8.7 calls for countries to “*take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms*”. Indicator 8.7.1 “*Proportion and number of children aged 5-17 years engaged in child labour, by sex and age*” was globally agreed as the verifiable measurement of progress in the area.

**Interventions.** Together with their legal commitment, the actions of Caribbean countries in the past 20 years, have generated a series of relevant transformations to achieve a child-labour free region<sup>8</sup>. While the list is not exhaustive, some key interventions include awareness-raising on the child labour issue (Belize, Guyana, Jamaica, and Trinidad and Tobago), research (The Bahamas, Barbados, Guyana, Suriname, Trinidad and Tobago), capacity-building for policy makers and labour inspectorates (Barbados, Belize, Guyana, Jamaica, and Suriname), development of child labour policies and related advocacy (Suriname, National Action Plan forthcoming), rehabilitation programmes (Belize, Guyana, and Trinidad and Tobago) new legislation and enforcement mechanisms (Jamaica).

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<sup>6</sup>All CARICOM Member States have ratified ILO Convention No. 182 excluding Montserrat. Regarding ILO Convention No. 138, three Member States (Montserrat, Saint Lucia and Suriname) as well as four associate members (Anguilla, British Virgin Islands, Cayman Islands and Turks and Caicos Islands) have not ratified it, or the Convention is not declared applicable in case of overseas territories.

<sup>7</sup> SDG Goal 8 calls for member States to “Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.”

<sup>8</sup> The list included activities carried out in the framework of ILO technical cooperation projects such as TACKLE (2008-2013 for Guyana and Jamaica) or CLEAR (2014-2017, for Suriname) or the 2001-2008 ILO Regional Child Labour Project which benefitted the Bahamas, Barbados, Belize, Guyana, Suriname, Trinidad and Tobago.

## ● ● ● II. Regional Initiative: Latin America and the Caribbean Free of Child Labour

**Origins.** Within the framework of the Third World Conference on Child Labour (Brasilia, October 2013), a group of countries in the Americas region decided to establish an alternative joint mechanism that would allow for a more direct and coordinated approach to tackling child labour and enable them to maximise the reducing assistance from donors and international organizations. To that end, in December 2013 priority lines of work were defined and embodied in the “*Regional Initiative for Latin America and the Caribbean Free of Child Labour*” (RI). In October 2014, the RI -- an intergovernmental platform for cooperation with active participation of employers’ and workers’ organizations -- was formalized with the signing of a Declaration by 25 Ministers of Labour in the region, including five from the Caribbean: Bahamas, Guyana, Jamaica, Suriname, and Trinidad and Tobago. In 2016 Grenada and Saint Lucia, also joined.

**Structure.** The Regional Initiative operates across a network of focal points that consists of representatives from the Ministries of Labour of member countries and from employers’ and workers’ organizations. In addition to the network of focal points the Regional Initiative is made functional through:

- A Technical Secretariat provided by the ILO Regional Office for Latin America and the Caribbean at the RI member countries request;
- A documented Framework, Regulations, Tasks and Responsibilities of Focal Points, and Work Plan for 2014-2015 (recently updated for 2016-2017), as the result of the coordinated work among the RI member countries;
- A roster of 12 jointly identified, regional high-priority and urgent projects, which have also informed the agreed Acceleration Factors (8)<sup>9</sup>; and
- A common strategy for mobilizing public and private resources.

**Objectives and commitments.** The Regional Initiative has two strategic objectives:

1. To accelerate and intensify the pace of prevention and eradication of child labour (the target set by the Hemispheric Agenda is to *eliminate child labour completely by 2020*<sup>10</sup>) and;

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<sup>9</sup> Acceleration Factors that contribute to the reduction and elimination of child labour are areas which are considered common challenges, where little work has been previously done or which have not been traditionally included in public policies on the prevention/elimination of child labour. <http://www.iniciativa2025alc.org/acelerar/>

<sup>10</sup> Decent Work Hemispheric Agenda 2006-2015 (Brasilia, Brazil), adopted at the Sixteenth American Regional Meeting of the ILO by the tripartite delegations from the countries of the region. The Agenda includes two specific goals on child labour: eliminate the worst forms of child labour by 2015 and child labour in all its forms by 2020.

2. To increase the countries' perception of the negative consequences of child labour, especially its worst forms.

To achieve the above, the focus is put on eight priority areas of action. These include work at the policy level with the collaboration of the tripartite partners, targeting most vulnerable groups, strengthening labour inspection and compliance mechanisms, development of databases and monitoring systems and support protected employment for and qualification of youth above the minimum age for admission to employment.

**Outputs.** The following are outputs of the Regional Initiative to date:

- Advocacy and awareness-raising activities, both about the initiative itself and the child labour issue as such.
- Regular virtual and physical interactions of the focal points.
- A South-South technical cooperation project between Brazil and the Caribbean members of the Initiative, through which:
  - Rapid Assessments of Child Labour have been carried out in the Bahamas, Guyana, Saint Lucia, and Trinidad and Tobago.
  - Sharing and capacity-building on the Brazilian regulated apprentice system as a tool for preventing child labour are ongoing.
- A number of research essays (meta-analysis of programmes, good practices and linkages between Target 8.7 of the SDG Agenda and other Goals and targets).

### ● ● ● III. Considerations for Future Action

**New accessions to the regional initiative.** Formal talks had been initiated with Labour Ministers in Barbados and Belize during the 2014-2015 biennium with the aim of encouraging their accession to the Regional Initiative. Those efforts should be renewed and expanded to other members States not yet signatories.

**Child labour and CARICOM.** Similar to what is being discussed with Central American Integration System (CICA) modalities to mainstream child labour in relevant bodies, priorities and policies of CARICOM could be discussed and support envisaged.

**New formal declaration.** Promote a Declaration of Heads of Government and Heads of State of the member States about child labour (or inclusion of a paragraph in a future declaration) confirming their engagement in the fight to eradicate the worst forms of child labour and efforts to increase the general rate of reduction.

**Convention 182 and list of hazardous work.** Provide support to member States not yet compliant to define and regularly update their list of hazardous forms of work in agreement with ILO Convention 182.

**Common position and proposals for the IV Global Conference on Child Labour (Argentina November 2017).** Caribbean member States could provide a consolidated list of recommendations and interventions during the next Global Conference and common positions could be defined.