



IPEC+



International
Labour
Organization

CHILD LABOUR (CL):

- INTERNATIONAL LABOUR STANDARDS:
C.138 and R.146
C.182 and R.190**
- AN OPERATIONAL CONCEPT**

Minimum Age Convention, 1973 (no 138) and Recommendation (no 146)

170 ratifications/187 Member States



MINIMUM AGE FOR ADMISSION TO EMPLOYMENT OR WORK

Requires a specification of minimum age (Art. 2)

	GENERAL	EXCEPTIONS FOR DEVELOPING COUNTRIES
Basic Minimum Age (Art. 2) MANDATORY	15 years (NOT less than end of compulsory schooling)	14 years
Hazardous work (Art. 3) MANDATORY	18 years (16 years conditionally)	No exception
Light work (Art. 7) OPTIONAL	13-15 years	12-14 years



HAZARDOUS WORK

(Art. 3.1 y 3.3)

- Any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals
- The minimum age for admission shall not be less than 18 years
- National laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned (...) authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.



LIGHT WORK

(Art. 7. 1)

National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is:

- (a) **not likely to be harmful to their health or development**; and
- (b) not such as to prejudice their **attendance at school**, their participation in vocational orientation or training programmes (...) or their **capacity to benefit from the instruction received**.



ADOPTION OF ALL NECESSARY MEASURES

(Art. 9)

The competent authority shall take:

- All necessary measures, including the provision of **appropriate penalties** to ensure the **effective enforcement** of the provisions of this Convention
- define the **persons responsible** for compliance with the provisions giving effect to the Convention
- prescribe the **registers** or other documents which shall be kept and made available by the employer



ADOPTION OF A NATIONAL POLICY

(Art. 1)

Each Member for which this Convention is in force undertakes:

- 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



Worst forms of child labour Convention, 1999 (no 182) and Recommendation (no 190)

181 ratifications/187 Member States



OBLIGATION

(Art. 1)

Each Member which ratifies this Convention shall take **IMMEDIATE** and **EFFECTIVE** measures to secure the prohibition and elimination of the worst forms of child labour (WFCL) as a matter of **URGENCY**.



DEFINITION OF A CHILD

(Art. 2)

For the purposes of the Convention, the term **child** shall apply to :

all persons (boys and girls) **under the age of 18** (irrespective of the country's level of development)



DEFINITION: WFCL

(Art. 3)

(a) **all forms of slavery or practices similar to slavery,**

- such as the **sale** and **trafficking** of children,
- **debt bondage** and **serfdom** and
- **forced or compulsory labour**,
- including forced or compulsory **recruitment of children for use in armed conflict**;



DEFINITION: WFCL

(Art. 3)

- (b) the use, procuring or offering of a child for **prostitution**, for the **production of pornography** or for **pornographic performances**;
- (c) the use, procuring or offering of a child for **illicit activities**, in particular for the production and trafficking of drugs as defined in the relevant international treaties;



TO BE DETERMINED: WFCL – HAZARDOUS WORK

(Art. 3)

- (d) **work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.**



C.182 Art. 4 (Hazardous work)

- The types of work referred to under Article 3(d) shall be **determined** by **national laws or regulations** or by the **competent authority**,
- after consultation with the organizations of employers and workers concerned,
- taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of R.190,
- The competent authority, after consultation with the organizations of employers and workers concerned, **shall identify** where the types of work so determined exist.
- The list of the types of work determined under paragraph 1 of this Article shall be **periodically examined** and **revised as necessary**, in consultation with the organizations of employers and workers concerned.



HAZARDOUS WORK

RECOMMENDATION no. 190 (Par. 3)

- **(Hazardous work) C.182 Art 3d)** in **determining** the types of work referred to under Article 3(d) of the Convention, and in **identifying where** they exist, consideration should be given, inter alia, to:

(a) work which exposes children to physical, psychological or sexual abuse;

(b) work underground, under water, at dangerous heights or in confined spaces;

(c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;



HAZARDOUS WORK

RECOMMENDATION no. 190 (Par. 3)

- **(Hazardous work) C.182 Art 3d)** in **determining** the types of work referred to under Article 3(d) of the Convention, and in **identifying where** they exist, consideration should be given, inter alia, to:

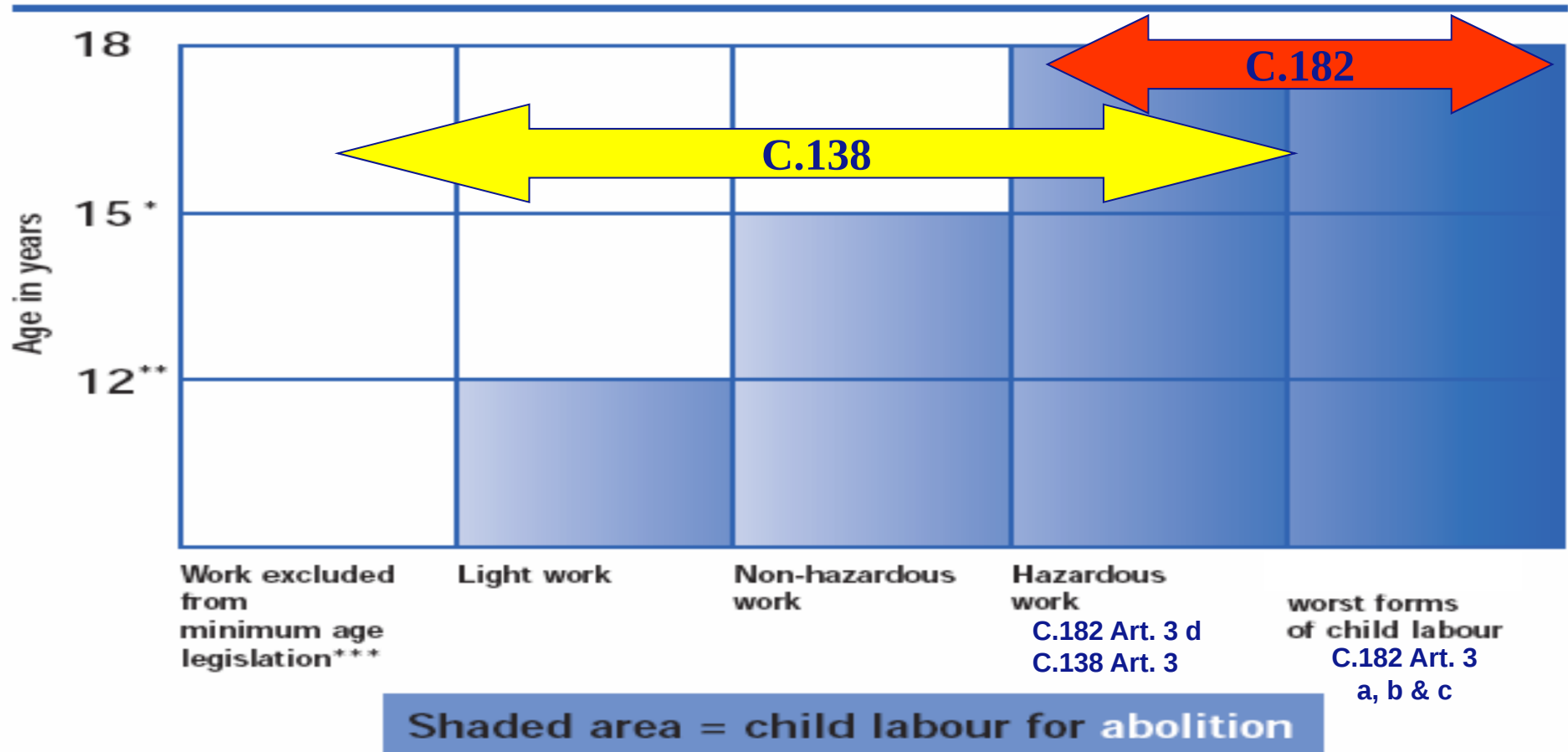
(d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;

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



CHILD LABOUR: AN OPERATIONAL CONCEPT

Figure 1.1: Basic distinctions in ILO child labour standards



* The minimum age for admission to employment or work is determined by national legislation and can be set at 14, 15 or 16 years.

** The minimum age at which light work is permissible can be set at 12 or 13 years.

*** For example, household chores, work in family undertakings and work undertaken as part of education.