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Inter-Regional Knowledge-Sharing Meeting on Child Labour and Working Conditions in ASGM

Manila, Philippines
28 – 30 May 2019



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ITC 
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Inter-Regional Knowledge-Sharing Meeting on

Background

The ASGM Sector

The artisanal and small-scale gold mining (ASGM) sector accounts for 15 to 20% of annual global gold production and provides employment to an estimated 10 to 15 million miners and supports their 100 million dependents worldwide.¹ It remains a major source of livelihoods and a substantial means of generating income in many developing countries.

The sector is associated with a myriad of labour issues such as hazardous working conditions that have led to high numbers of work-related injuries, diseases and deaths. Other labour rights such minimum wage, freedom to form unions, social protection, among others, are also being violated. Discrimination against females in employment is also present in the sector. The poverty of families in mining makes them vulnerable to forced labour and human trafficking. It is also reported to be host to social ills like prostitution, drug abuse and illegal gambling.

Child labour is present in the different stages of mining in ASGM. Children can be found inside the tunnels or on the surface collecting gold and hauling sacks of ore or smelting gold. Evidence from various surveys and research studies demonstrates that mining is by far the most hazardous sector for children with respect to fatal injuries.² Aside from the work-related hazards, being in a mining site exposes the children to the different social ills previously mentioned above and thus affects them emotionally, mentally and morally.

There are various global and local-level organizations working to address issues in ASGM. The global private sector has increasingly been paying attention to issues associated with child labour in gold production through the implementation of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals. This standard clarifies how companies can identify and better manage risks throughout the entire mineral supply chain, from miners, local exporters and mineral processors to the manufacturing and brand-name companies that use these minerals in their product.

However, work to address child labour and other labour-related concerns could better coordinated. There is the need to expand knowledge and action to eradicate child labour in line with the principles of the relevant ILO Conventions, i.e., C138 on minimum age and C182 on worst forms of child labour, tackling the difficult small scale mining contexts on the ground. Current efforts to address child labour in ASGM are not disseminated enough to guide the work of other groups working in the sector.

ASGM is also a major emitter of mercury globally, and the Philippines is a leading emitter. The use of this toxic substance poses grave danger to the people working or living in the mine site and in surrounding areas and contributes to environmental destruction. In the Philippines and in seven other countries, the GEF GOLD Programme - which will be launched in February 2019 - aims to reduce the use of mercury in artisanal and small-scale gold mining (ASGM). It will contribute to addressing mercury pollution from Artisanal Gold Mining by helping gold miners replace toxic mercury with cleaner techniques. The GEF GOLD Programme will also help to improve access to finance and facilitate formalization of the sector. Aside from mercury contamination, ASGM operations are also blamed for deforestation, land degradation and water pollution. The ban of small scale mining in Ghana, for example, came out of these environmental issues supposedly caused by small scale mining.

A major factor underlying all these ills associated with ASGM is the informality in the sector. Most operations in the sector are without permits and not covered by government regulation. Needless to say such a condition allows operations to continue without any regard for safety and health standards and technically-sound environmental practices. Governments and communities do not benefit from the mining operations as a result and corruption runs rampant. As ASGM operations avoid government contact, they are in most cases deprived of access to government technical support and important social services.

The sector is thus an arena where the Fundamental Principles and Rights at Work, i.e., elimination of child labour, abolition of forced labour, freedom of association and the elimination of discrimination in employment, and other relevant ILO standards, particularly those related to occupational safety and health, such as Convention 176 on occupational safety and health in mines, Convention 170 concerning safety in the use of chemicals at work, and Recommendation 194 concerning the List of Occupational Diseases need to be heavily promoted.

CARING Gold Mining Project

ILO is implementing a Project funded by the US Department of Labor (USDOL) called, Convening Actors to reduce child labour and improve working conditions in ASGM (CARING Gold Mining). Its aim is to provide a venue for a whole range of stakeholders to develop solutions to address the issues of child labour and poor working conditions in the sector. This is a Global Project with pilots in the Ghana and the Philippines.

1. United Nations Environment Program (UNEP), Reducing Mercury in Artisanal and Small-Scale Gold Mining (ASGM). <http://bit.ly/1JUroa3>. See U.S. Environmental Protection Agency, Reducing Mercury Pollution from Artisanal and Small-Scale Gold Mining, <http://1.usa.gov/1Gp3v7Z>.
2. ILO/IPEC, Children in hazardous work (what we know; what we need to do), Geneva, 2011.

Child Labour and Working Conditions in ASGM

The Project's four components are: 1) improving laws, action plans and enforcement mechanisms; 2) increasing access of vulnerable ASGM communities to social protection and livelihood programs; 3) developing monitoring systems along ASGM supply chains; and 4) developing and supporting global networks that address labour issues in ASGM.

While objectives 1 to 3 are to be achieved through country-level action in Ghana and the Philippines, objective 4 requires both country-specific and global action, including in other countries engaged in ASGM and with partners operating at the regional and global levels. This International Knowledge-Sharing Meeting on Child Labour and Working Conditions in ASGM is being organized under this component.

The Event

The focus of this Knowledge-Sharing Meeting, organized under the auspices of the International Training Center (ITC) of the ILO, will be on the issue of child labour and working conditions issues in ASGM as they are linked to decent work and compliance with Fundamental Principles and Rights at Work for the workers, families and communities involved.

ILO Recommendation No. 204 concerning Transition from the Informal to Formal Economy underpins CARING Gold Mining Project's strategy to promote formalization; this is seen by stakeholders as a key solution to address deficiencies associated with the sector as well as a crucial step towards reducing mercury use and improving safety and health in ASGM. ILO's standards and tools on occupational safety and health (OSH), sustainable enterprises, child labour and international due diligence guidelines (in particular, the OECD Due Diligence Guidance) will also be highlighted.

There is a growing global movement to support the review and transformation of ASGM, from supporting formalization, review of ecological and societal impact, to promoting the use of social dialogue and due diligence tools at the downstream level, as a means of resolving different issues in the sector. There has been no gathering on ASGM up to now that has been focused solely on labour issues, especially child labour. This meeting will be the first-ever that will tackle this theme and it is hoped to be contributing to rapid practical responses in a sector that has one of the worst records in terms of social and ecological sustainability.

The activity intends to provide global actors with the awareness and tools needed to better address child labour and labour issues in ASGM as it relates to other fundamental rights at work and themes like mercury-use in the context of the Minamata Convention, environmental impacts, and poverty as a whole. The Conference is envisioned to be a gathering of experts on ASGM and those working on child labour and other labour issues. It will also serve as a platform to exchange knowledge and technologies and put forward

concrete solutions to address the issues the CARING Gold Mining Project is concerned about.

The event to be conducted in Manila, Philippines, is organized by the ILO with support from the following partners who will constitute the Technical Working Group (TWG) along with ILO:

- US Department of Labor (USDOL);
- Organization for Economic Cooperation and Development (OECD); and
- UN Environment.

An Expanded Working Group (EWG) which will tackle broader concerns related to the event and which will be consulted on important issues will also be constituted. It will be made up of the TWG members and the following:

- Department of Labor and Employment (DOLE) of the Philippines;
- Department of Environment and Natural Resources (DENR) of the Philippines;
- BanToxics;
- Ghana National Association of Small Scale Miners (GNASSM);
- University of Mines and Technology (UMaT) of Ghana;
- International Council on Mining and Minerals (ICMM);
- IndustriAll;
- Levin Sources;
- Pact;
- Human Rights Watch; and
- Alliance for Responsible Mining (ARM)

Objectives

The overall objective of this Knowledge-Sharing Meeting is to provide a platform for global actors to learn about ILO standards and policy guidance and discuss issues of child labour and working conditions -, particularly occupational safety and health - in ASGM and to further explore how these can be addressed.

The specific objectives of this meeting are as follows:

- Clarify concepts of child labour, and increase awareness of hazardous working conditions and other decent work compliance issues in ASGM;
To set the tone for subsequent discussions, a common understanding among participants about key concepts related to the child labour and working conditions issues in ASGM is needed. It will also serve as an opportunity to clarify the implications of ILO Conventions relevant to these issues on the work of stakeholders on the ground.
- Build agreements on mechanisms to increase coordination and cooperation on resolving labour concerns in ASGM;
Child labour and working conditions issues can only be addressed effectively if stakeholders improve coordination

at the global, national and local levels. An agreement is needed on a knowledge sharing platform, possibly through Delta 8.7 and Alliance 8.7, to develop and foster greater collaboration in this regard

- Disseminate knowledge and tools on how to identify and address issues of child labour and hazardous working conditions in ASGM;
Actors engaged in the fight against child labour and working conditions issues at various levels of the gold supply chain need to know what standards, tools and knowledge are available for application of due diligence in their work; and
- Exchange information on good practices and operational or intervention models to address child labour, working conditions and related issues in ASGM;
Actors engaged in the fight against child labour and working conditions issues need also to hear the actual success stories of practitioners dealing with these issues on the ground and the innovative models they have developed.

Expected Outcomes

At the end of the Knowledge-Sharing Meeting, it is expected the following will be produced:

An Outcome Document containing the highlights of the meeting and a summary of action points that will be pursued after the activity by ILO, its partners and the participants;

- Agreements around the setting up of a knowledge-sharing platform to continue discussions on issues and actions related to child labour and hazardous working conditions in ASGM; and
- A draft compendium of tools and good practices on addressing child labour and working conditions issues in ASGM for eventual publication as a guide for practitioners.

Agenda and Methodology

The Meeting will be for three days with the first day devoted to understanding the ASGM sector, clarifying concepts on child labour and working conditions and setting the international cooperation framework in terms of relevant international standards and instruments, e.g., ILO's Fundamental Principles and Rights at Work, relevant International Labour Standards (particularly those related to occupational safety and health such as C176 and C170), the Minamata Convention, ILO MNE Declaration and OECD Due Diligence Guidance for Responsible Supply Chains

of Minerals. These sessions are meant to familiarize the participants about key concepts in preparation for the succeeding discussions. The second day will be focused on sharing tools, approaches and good practices through interactive sessions and panel discussions. These will be designed to equip participants with the knowledge to develop their own solutions to problems of child labour and working conditions in ASGM in their own contexts. The third day will be devoted to the planning of joint action, including a knowledge sharing platform and other actions moving forward.

A Technical Working Group composed of ILO and the organizations supporting the meeting will be organized to help in planning the details of the activity, especially on the theme of the different interactive sessions and panel discussions.

Prior to the meeting, participants will be invited to share findings from research, promising practices, lessons learned, and on-the-ground experiences of their respective organizations on ASM and Human Rights, Child labour, forced labour and other Fundamental Principles and Rights at Work.

Venue, Date & Participants' Logistics

The Conference will take place at the Hilton Hotel, Newport Boulevard, Newport City, Pasay, Metro Manila, Philippines from 28 to 30 May 2019.

Up to one hundred (100) participants representing government, employers' and workers' organizations, civil society organizations, miners' groups and their communities, ASGM supply chain actors and international organizations engaged in efforts to address child labour and working conditions in ASGM will be invited to attend.

Among this number, some fifty (50) national actors, from countries where child labour and/or working conditions in ASGM is known to be problematic, are expected.

FOR FURTHER INFORMATION PLEASE CONTACT

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