

Child Labour Guidance Tool

In 2008 the UN Human Rights Council unanimously welcomed the “Protect, Respect and Remedy” policy framework for business and human rights, developed by Professor John Ruggie, the UN Special Representative for Business and Human Rights. The UN Framework affirms that companies have a responsibility to respect human rights, that is, to avoid infringing on the rights of others and to remediate negative impacts with which they are involved. It also affirms that states have a duty to protect against human rights abuses by third parties, including companies, and that there is a need for greater access by victims to effective judicial and non-judicial remedy. In 2011, the Council endorsed Professor Ruggie’s Guiding Principles on Business and Human Rights, which implement the Framework.

This project will provide guidance on how companies can avoid child labour and contribute to child labour remediation, whether in their own operations or in their supply chains, through appropriate policies, due diligence and remediation processes. It will use the UN Framework and Guiding Principles to develop the guidance, particularly as it pertains to companies’ responsibilities in contributing to the elimination of child labour. The international standards with regard to child labour are ILO Convention No. 138 on Minimum Age and ILO Convention No. 182 on the Worst Forms of Child Labour. Ratified by 161 and 174 ILO member states respectively, these conventions and relevant national law constitute the baseline for the corporate responsibility to avoid child labour.

The project will build on the ILO-IOE publication “[Eliminating Child Labour: Employers Guides](#)” (2007), as well as relevant ILO-IPEC tools and methodologies such as the “[Resource Kit on Child Labour Monitoring](#)” (2005) and the papers and proceedings of the 2009 “Engaging Business: Addressing Child Labour” Conference, sponsored by the International Organization of Employers, the U.S. Council for International Business, and the U.S. Chamber of Commerce. The project envisages working closely with selected companies in the production of the guidance.

In the first stage, the project partners will work with Shift, an independent, non-profit centre for business and human rights practice - staffed by a team that was centrally involved in shaping and writing the UN Guiding Principles and chaired by Professor Ruggie - in developing a protocol for, and conducting assessments of, an initial group of companies. Each participating company will receive an individual assessment of how company practices already follow the key elements of the responsibility to respect, identified in the UN Framework and Guiding Principles, in relation to the prohibition of child labour. These elements include: a policy commitment, conducting due diligence (assessing impacts, integrating findings, tracking and communicating on performance) and, where relevant, remediation. The assessment will take into consideration past activities and policies, and will be placed in industry and country context. The assessment will identify which elements could be most strengthened, if any. Key staff will be interviewed and company documents studied. In addition to individual (confidential) company assessments, there will be an overarching report identifying common trends among the companies.

Subsequently, the project will organize peer-learning exercises and dialogue with experts for participating companies to facilitate implementation and integration of child labour concerns into company policies and practices. The preliminary format includes workshops for each of the key elements of the responsibility to respect. The individual assessments and the summary report developed in the first phase of the project will serve as input for the workshops. The project will then develop rigorous, evidence-based good business practices in the area of child labour. After endorsement by the participating companies, the good practices will be shared with other companies, using ILO and IOE networks and methodologies for dissemination.