

Committee on the Application of Standards

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Commission de l'application des normes

Ethiopia (C138)

Comisión de Aplicación de Normas

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Fifth sitting, 12 June 2019, 5.50 p.m.

Cinquième séance, 12 juin 2019, 17 h 50

Quinta sesión, 12 de junio de 2019, 17.50 horas

Chairperson: Mr Rochford

Président: M. Rochford

Presidente: Sr. Rochford

Work of the Committee

PV – Opening sitting was adopted as amended.

Travaux de la commission

La commission a adopté le PV session d'ouverture, tel qu'amendé.

Trabajos de la Comisión

El acta de la sesión de apertura se adoptó en su tenor modificado.

Discussion of individual cases (*cont.*)
Discussion sur les cas individuels (*suite*)
Discusión sobre los casos individuales (*cont.*)

Ethiopia (ratification: 2002)

Minimum Age Convention, 1973 (No. 138)
Convention (n° 138) sur l'âge minimum, 1973
Convenio sobre la edad mínima, 1973 (núm. 138)

Government representative (Ms WOLDEMESKEL, Minister of Labour and Social Affairs) – I am taking the floor to provide information on progress made in light of the observations and comments made by the Committee on the Application of Standards with regard to the application of Convention No. 138 in Ethiopia. My Government took note of the observations of the Committee of Experts pertaining to the application of the Convention in Ethiopia based on a CSA standalone survey data in 2015 and published in December 2018. I just would like to provide necessary information on measures that are being taken and progress made in this regard after the survey was conducted. We highly value the importance of the ILO supervisory mechanism as a unique platform for assessing the application of labour standards in a manner that takes into account the universality, interdependence and indivisibility of human rights and labour rights. For a country like Ethiopia, which is undergoing a process of profound reform recently aimed at revitalizing the enjoyment of human rights, especially that of child rights, this platform will offer us a great opportunity to deliberate upon and learn from the progress we have made and the challenges that we have faced in our endeavour to protect labour rights in general and child rights in particular. It is with this spirit that I am going to deliver my intervention.

Ethiopia, with an estimated population of 100 million, is the second most populous country in Africa; and the country is experiencing a growing young population and children under 15 years of age that accounts for more than one third of the total population. The Constitution of Ethiopia, which is the supreme law of the land, incorporated the international human rights, including child rights instruments, ratified by Ethiopia into the national laws of the country. Furthermore, various national laws such as the Civil Code, the Criminal

Code, the Family Code, and the Labour Law contain provisions protecting children from child labour. A comprehensive anti-trafficking law was also passed by the Parliament to tighten existing anti-trafficking legislation, punish trafficking offences, and provide support to victims of trafficking including children. Our national law on overseas employment also calls for penalties for illegal recruitment, increases oversight of overseas recruitment agencies, and extends more protection to potential victims, including children.

Ethiopia also subscribes to the international instruments which are specifically concerned with the protection of the rights of children such as the United Nations Convention on the Rights of the Child (UNCRC), 1989; the ILO's Minimum Age Convention, 1973 (No. 138); the Worst Forms of Child Labour Convention, 1999 (No. 182); and the Forced Labour Convention, 1930 (No. 29), just to mention a few.

We also have national policies and programmes that deal with child labour, including the National Social Protection Policy, National Employment Policy, the National Occupational Safety and Health Policy, the Education and Training Policy, the National Plan of Action for Children, the National Plan of Action on Sexual Abuse and Exploitation of Children and the National Action Plan on the Elimination of the Worst Forms of Child Labour (WFCL), among others.

Though we have comprehensive and robust laws and policies at hand, still we are facing challenges in implementing them fully as it has been expected to be. Now, Ethiopia is on a reform journey to ensure peace, democracy and good governance, and to realize an inclusive and sustained growth. To this effect, the Government has been fully committed and making significant progress to improve the well-being of the Ethiopian people and expedite the country's march towards middle-income level by 2025. During this time, significant attention has been given to upgrading economic and social infrastructure and expanding pro-poor spending on education, health and other services to improve the well-being of the people. The Government of Ethiopia strongly believes that through strengthening the social protection system and reforming the system in place to protect children from labour

exploitation is the priority agenda of the Government to create a prosperous and stable nation.

With the above brief background on the reform that is taking place in Ethiopia, let me now revert to the achievements and progress made in advancing the application of the Convention in Ethiopia in view of the observations of the Committee. Concerning the observation of the Committee of Experts with respect to the gap between the scope of application of the Convention and the domestic laws, the Government is called for to review the relevant provisions of the Labour Law so as to address these gaps and to take necessary measures to strengthen the capacity and expand the reach of the labour inspectorate to the informal economy with a view to protect the rights of labour in general and that of children under 15 years of age in particular in this sector. The Labour Law under revision has been approved by the Cabinet and expected to be ratified by the Parliament very soon. In this regard, I wish to bring to the attention of the Committee that due to socio-cultural and economic differences around the world, addressing the issues of child labour remains a challenge not only for Ethiopia but also for the rest of the world, particularly for developing countries. That said, however, the Government is taking all possible measures to address child labour issues in Ethiopia.

Firstly, concerted efforts are made to strengthen the labour inspectorate system in the country so as to ensure that such services are effectively accessible to all enterprises and workplaces towards the full application of the Convention and the enforcement of national laws with more focus on child labour, forced labour and human trafficking. Secondly, there is an ongoing initiative to extend labour advisory services in the informal sector towards filling the gap between the scope of application of the Convention and the application of domestic laws, with the aim to protect the rights of all workers including young workers, and prevent children under 15 years of age working outside a formal employment relationship such as those working on their own account or in the informal economy. Thirdly, there is a supportive legal and policy framework in the country to facilitate the transition of

the informal economy to the formal economy so that labour inspection services can be accessible to this sector.

The second observation of the Committee is concerned with compulsory education. Recognizing that the right to education is a human right, Ethiopia is committed to achieve primary Education for All (EFA) and to this end the Government is working tirelessly in expanding access to education, minimizing wastage, ensuring equity and improving quality of education, which is clearly stated in the Education and Training Policy and in the Education Sector Development Programs (ESDP). The implementation of the Education and Training Policy and the Education Sector Development Programs, in conjunction with the national development plans, has witnessed the achievements of the following results in Ethiopia: (i) the number of primary schools has increased from 33,373 in 2014–15 to 36,466 in 2017–18; (ii) net enrolment rates have increased from 94.3 per cent in 2014–15 to nearly 100 per cent in 2017–18, with a gender parity index (GPI) of 0.9, which implies that more has to be done to improve girls' participation in primary education; (iii) the primary education drop-out rate has slightly improved from 11.7 per cent in 2015–16 to 11.3 per cent in 2016–17. Again, it implies the need for improving the quality of primary education in the country.

The aforementioned progress has been achieved by the strong commitment of the Government through making significant interventions so far. Among different interventions, the School Feeding Programme has been taken as one of the flagship programmes for primary school children. The evidence demonstrates that school feeding, supplemented by specific interventions targeted particularly at girl students, has significantly improved inclusiveness, participation and achievements in education. More specifically, enhanced school enrolment and a more favorable gender parity index is achieved and dropouts and grade repetition rates are consistently reduced. Considering that poverty is one of the factors inhibiting children from attending schools, our Government, in collaboration with different development partners, established a programme known as the Productive Safety Net

Programme (PSNP) aimed at enabling the rural poor facing chronic food insecurity to resist shocks, create assets and become food self-sufficient. Similarly, we have developed an urban Productive Safety Net Programme to improve income of targeted poor households and establish rural–urban safety net mechanisms that helped to put a social protection system in place, which has a positive impact on the livelihoods of households and increased utilization of education. Moreover, to address the gap in access to and quality of education, recently the Ethiopian Education Development Roadmap for the period 2018–2030 was developed and under discussion with the aim to enhance the country’s education system. On the other hand, as mobility is an inherent lifestyle and means to survive of the pastoralist and semi-pastoralist communities in Ethiopia, mobile schools among other Alternative Basic Education (ABE) modalities have become an alternative way of providing education for out-of-school and hard-to-reach children in such communities. That said, however, there are issues such as accessibility, equity, efficiency, quality and financing of primary education that should be further looked at and improved so that the goal of primary education for all is achieved and sustained in Ethiopia.

The third and final observation of the Committee is related to the minimum age for admission to, and determination of, hazardous work and application in practice. In this regard, I wish to provide the following information on progress made in addressing the issue in point: (i) the recently revised National Labour Law, which is submitted to the concerned authority for possible adoption, raises the minimum working age limit of young persons from 14 to 15 years and excludes them from the labour market with the intention to protect their well-being. Accordingly, the age limits of young workers as per the revised Labour Law will be in the age cohort 15–17. The revisions of the Labour Law in this regard serves to withdraw children that are already engaged in hazardous work and to prohibit new entries in such works; and (ii) as requested by the Committee, a directive that prescribes the list of activities prohibited to young workers was revised in consultation with the social partners

and issued by the Ministry of Labour and Social Affairs in 2013, and it has been applied since then. The copy of the list is ready for submission to the Committee.

We learnt that full and sustained application of the Convention in all economic activities of the country calls for a vibrant and well-functioning labour inspectorate system, and effective tripartite social dialogue. To this effect, we look forward to the ILO's technical support in the full application of the Convention. There is also a need for ILO support in our endeavour to transform the informal economy to the formal economy. Based on the information that I have tried to provide above, my Government is of the view that significant progress has been made, in line with the comments and observations of the Committee towards advancing the application of the Convention in Ethiopia, although there are still areas for improvement.

Finally, I would like to seize this opportunity to affirm the commitment of my Government for the full application of the Convention in point and other ILO instruments to the extent possible. We believe that the ILO's technical support and other development partners' assistance in this regard are of great importance for advancing social justice and promoting decent work for all. As Ethiopia is a founding member of ILO, we are ambitious to end child labour and to ensure no one is left behind to make the future of work human-centred that ensures rights of all humankind.

Membres travailleurs – La lutte contre l'exploitation économique des enfants est au cœur du mandat de l'OIT. C'est une préoccupation centrale de l'OIT depuis sa création. En effet, dès 1919, une première norme régissant l'âge minimum d'admission à l'emploi dans le secteur de l'industrie fut adoptée, et au fil des années les normes internationales portant sur l'âge minimum se sont multipliées dans de nombreux secteurs.

C'est en 1973 que la convention (n° 138) sur l'âge minimum, 1973, à vocation intersectorielle fut adoptée. Cet instrument invite les Etats Membres à mettre en place une politique nationale visant à assurer l'abolition effective du travail des enfants. Fixer un âge

minimum d'admission à l'emploi, c'est s'assurer que les enfants sont en mesure de fréquenter l'école, réglementer les formes d'activités économiques qui leur sont permises et protéger leur santé et leur sécurité. Cette convention incarne la conviction profonde des mandants de l'OIT que l'enfance doit être une période de la vie consacrée au développement physique et mental, et non pas une période passée à travailler.

Comme la quasi-totalité des Etats Membres de notre Organisation, l'Ethiopie a également ratifié la convention n° 138. L'application de cette convention par l'Ethiopie fait l'objet d'observations de la part de la commission d'experts depuis 2009 et de demandes directes depuis 2003. Cette année encore, la commission d'experts a formulé des observations relatives à l'application par l'Ethiopie de la convention n° 138. La commission d'experts a par ailleurs estimé que le cas éthiopien devait faire l'objet d'une double note de bas de page soulignant la gravité et la persistance du problème.

L'économie informelle représente une grande part de l'économie en Ethiopie. C'est au sein de cette économie informelle que le travail des enfants se déroule. Les chiffres, révélés par l'enquête de 2015 publiée en 2018, sont extrêmement interpellateurs. D'après cette enquête, plus de 13 millions d'enfants âgés de 5 à 13 ans travaillaient. Cela signifie qu'une proportion significative des enfants qui travaillent dans le monde sont des enfants éthiopiens. La grande majorité de ces enfants étaient et sont encore probablement occupés dans des secteurs d'activité tels que l'agriculture, la forêt, la pêche, des secteurs particulièrement dangereux.

La convention s'applique à tous ceux qui exercent une activité économique dans le cadre ou non d'un contrat de travail, et que ce travail soit rémunéré ou non. Sont ainsi concernés tant les travailleurs de l'économie informelle que ceux qui travaillent à leur compte. En contravention avec ce principe fondamental de la convention, l'article 89-2 de la proclamation 42 de la loi sur le travail de 1993, qui interdit l'emploi des personnes de moins de 14 ans, ne couvre pas le travail accompli en dehors d'une relation de travail. Il s'agit d'une lacune qu'il convient de combler au plus vite.

Le gouvernement éthiopien indique que la Constitution éthiopienne garantit le droit de tous les enfants sans discrimination à être protégés contre toutes formes d'exploitation, qu'ils soient employés, à leur compte ou occupés dans l'économie informelle. Les dispositions d'une Constitution sont bien souvent rédigées en termes généraux, et il serait utile de répéter de manière explicite et précise l'application des dispositions de la loi sur le travail relative au travail des enfants dans l'économie informelle. Il indique par ailleurs que des outils sont mis à la disposition des services d'inspection afin de lutter contre l'exploitation économique des enfants. Il serait intéressant d'avoir des statistiques relatives au constat dressé par les services d'inspection éthiopiens en matière de travail des enfants.

Si nous ne doutons pas de la sincérité des engagements du gouvernement éthiopien au niveau international par la ratification de la convention n° 138, les résultats de l'enquête de 2015 démontrent toutefois qu'en pratique le travail des enfants en Ethiopie reste massif. Les initiatives du gouvernement en vue d'outiller les services d'inspection sont bienvenues, mais sont malheureusement encore largement insuffisantes. Comme l'y invite la commission d'experts, il convient, d'une part, que le gouvernement éthiopien renforce l'arsenal législatif en matière de lutte contre le travail des enfants en examinant la loi sur le travail afin d'en combler les lacunes et, d'autre part, qu'il renforce les capacités de l'inspection du travail, particulièrement pour renforcer son action dans l'économie informelle.

Il existe un lien très étroit entre la scolarité et la question de l'âge minimum d'admission à l'emploi. Priver les enfants de la possibilité de s'instruire et de se former nuit gravement à leurs perspectives de progression sociale et augmente le risque pour ces enfants de basculer bien trop tôt dans le monde du travail. La scolarité obligatoire est le moyen le plus efficace de lutter contre le travail des enfants. Il est donc fondamental que l'obligation scolaire soit introduite au moins jusqu'à l'âge minimum d'admission à l'emploi, à savoir 14 ans. Or il apparaît que l'enseignement primaire n'est pas obligatoire en Ethiopie. Le taux de scolarisation est ainsi très faible. Selon les chiffres de l'UNICEF, si un peu plus de six enfants sur dix suivent l'enseignement primaire, cette proportion chute à un peu plus d'un

enfant sur dix pour l'enseignement secondaire. C'est extrêmement préoccupant. Le gouvernement indique néanmoins travailler à l'élaboration d'un texte de loi visant à rendre l'éducation primaire obligatoire. Nous espérons que ce projet de loi verra le jour rapidement et sera effectivement mis en œuvre afin d'inverser les tendances observées jusqu'à aujourd'hui.

La convention prévoit par ailleurs que l'âge minimum d'admission à des travaux dangereux doit être de 18 ans. Or il apparaît des résultats de l'enquête de 2015 que près d'un enfant sur cinq âgés de 5 à 17 ans est employé à des travaux dangereux. Cette proportion est particulièrement élevée dans les zones rurales. Outre le caractère dangereux de l'activité en elle-même, ces enfants s'exposent à des dangers liés à leurs conditions de travail, telles que le nombre d'heures prestées très élevé, le travail de nuit, le travail dans un environnement malsain ou avec des équipements dangereux.

On le voit, les risques auxquels sont exposés de très jeunes enfants en plein développement sont nombreux. Les conséquences physiques et psychologiques d'un accident survenu à un jeune âge peuvent être dévastatrices et irréversibles. C'est pourquoi il est essentiel de préserver ces jeunes enfants de l'exercice d'une activité dangereuse.

L'Ethiopie contient dans son arsenal législatif un décret contenant une liste détaillée des types de travail dangereux que les jeunes travailleurs ne peuvent exercer. Une interdiction générale de tous les autres types de travail susceptibles de compromettre la moralité ou la santé des jeunes travailleurs est également contenue dans ce décret. Le gouvernement indique par ailleurs être en train de réviser la liste de travaux dangereux. Nous espérons que cette révision s'est déroulée en étroite concertation avec les organisations représentatives des travailleurs et des employeurs, comme le prescrit l'article 3, paragraphe 2, de la convention. Outre la révision de cette liste, nous espérons que des mesures seront également mises en œuvre afin d'assurer qu'en pratique aucun enfant âgé de moins de 18 ans n'est occupé à des travaux dangereux.

Employer members – The Employers’ group would like to thank the Government for the written submissions that were made, as well as for the information submitted here today, and would also like to thank the Workers for their submissions here today.

As the Worker members said, this is a case involving Convention No. 138, which Ethiopia ratified back in 1999. And today marks the first time that the CAS is examining Ethiopia’s application of this very important fundamental instrument in law and in practice. We note though that the Committee of Experts has made four observations in the past on Ethiopia’s application of this Convention in 2009, 2010 and 2011, as well as in 2014. Ethiopia has been a member of the ILO since 1923 and it has ratified, in total, 23 instruments to date, including all of the eight fundamental Conventions. And being the second most populous nation in Africa, with around 110 million people, according to the latest United Nations estimates, Ethiopia does face many significant development challenges.

We note that Ethiopia received support from the ILO Decent Work Country Programme between 2014 and 15 to improve implementation of international labour standards and social dialogue, to promote decent employment as a means towards poverty eradication, and to improve social protection for sustainable development. Furthermore, we note that Ethiopia has adopted the National Action Plan to Eliminate the Worst Forms of Child Labour and the Young Workers Directive since 2013.

The Committee of Experts have observed three issues in respect of Ethiopia’s application of the Convention, and we will discuss them individually in turn. The first one relates to the scope of application and the application in practice of the Convention and here we are looking at Article 2(1) in particular. The Experts have observed that there is a gap between the scope of application of the Convention and the domestic laws in Ethiopia, with a high number of children under the minimum age working in the informal economy and mostly as unpaid family workers. Article 2(1) states that each member which ratifies the Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory, and subject to Articles 4 to 8 of this

Convention no one under that age shall be admitted to employment or work in any occupation.

The Experts indicated some alarming figures from the 2015 ILO Child Labour Survey. More than 13 million children between the ages of 5 and 13 are working in sectors such as agriculture, forestry, fishing, as well as the wholesale and retail trade. The majority of these children, about 95.5 per cent, performing economic activities were working as unpaid family workers.

The Government noted in its report that the Constitution offers children the right to be protected from any form of exploitative labour and that a labour inspection manual has been prepared for inspectors to detect and protect children from child labour in both the formal and informal sectors of the economy.

We welcome the Government's use of the D document, and the information it provided on progress made so far in its written submission. We note that the Government highlighted three actions that it is undertaking to close the gap between the scope of application and application in practice, and this being: extending the labour advisory services in the informal sector; strengthening the labour inspectorate system in the country to make it accessible to all enterprises and workplaces; and taking initiative to the national child labour survey of 2015.

The Employers commend the Government for taking these measures which we believe are positive and a step in the right direction towards closing the gap. The Minimum Age Convention is one of the most important instruments to combat child labour, along with the Worst Forms of Child Labour Convention, 1999 (No. 182). It is important that it is applied to children working in all sectors of economic activity, not just the formal ones, and specifically it should address those informal sectors and family businesses where child labour is most common and often tolerated.

We fully support the Committee's recommendations for the Government to take the necessary measures to ensure that all children under 14 years of age benefit from the protection in the Convention. We also trust that the actions taken by the Government will yield concrete results and we encourage the Government to report any updates at the next Committee of Experts meeting scheduled for November 2019.

The second issue, as observed by the Committee of Experts, is the age of completion of compulsory school. Here the observation is that Ethiopia rather lacks free and compulsory education for children. There is also low attendance and enrolment rate as well as a very high percentage of school dropouts. We recall that Article 2(3) states that the minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling, and in any case shall not be less than 15 years.

The Committee of Experts indicates from the UNICEF statistics that only around 65 per cent of children attend primary schools and only 15 per cent of them continue to secondary school. A staggering more than 2.8 million children have dropped out of school. Statistics also show that there are more working children dropping out of school than those who do not work and this correlation is a clear indication of the impact child labour has on children's access to education. The Experts urge the Government to take the necessary measures to provide compulsory education, to increase school enrolment and decrease the number of dropouts among children under 14 years of age.

We welcome the information provided by the Government on this issue. The Government has indicated that it has started the process of drafting legislation, which aims at making primary education compulsory. In addition, we note that the Government has noted that some positive results have already been achieved in terms of the universalization of primary education, including an increase in the number of primary schools from 33,373 to 36,466; full achievement of the net enrolment rate for primary school levels; an increase in gender parity index from 0.7 to 0.9; and a decrease in the drop-out rate from 18 per cent to 9 per cent.

Furthermore, we are pleased that the Government has provided access to mobile schools for children of pastoral and semi-pastoral communities. In our view, this is particularly important as access to education is essential not only for the development of children's individual well-being but also for the well-being of the country.

More concretely, education and training can improve the skills of the young generation who can later contribute to the overall economic development of the country when they legally enter the workforce. So, we agree with the Committee of Experts' view that compulsory education is one of the most effective means of combating child labour. To this end, it is essential that all children, regardless of gender, class or age, should have access to free and compulsory primary and secondary education.

Finally, we welcome the Government's willingness to explore further ways of improving the accessibility, equity, efficiency, quality and financing of primary education in pursuit of the ultimate goal of achieving primary education for all in Ethiopia. We encourage the Government to consult with the most representative workers' and employers' organizations in Ethiopia in this process.

The final issue observed by the Experts is the minimum age for admission to and determination of hazardous work, in application and practice. This issue concerns a significant number of children under 18 years of age who are engaged in hazardous work in Ethiopia. Article 3 of the Convention requires that the minimum age for admission to any type of employment or work, which by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety or morals of young persons, shall not be less than 18 years. Based on the Child Labour Survey, the Experts report that 23 per cent of children are engaged in hazardous work on an average of 42 hours per week. They also report that the youngest group of children in the age range of 5–11 years is engaged in relatively longer hours than other age groups. In their observations, the Committee of Experts urges the Government to strengthen its efforts to prohibit children under the age of 18 years from engaging in any forms of hazardous work. The Government has previously indicated that

the Decree of the Minister of Labour and Social Affairs of 2 September 2017 would revise the list of hazardous work and general prohibition of dangerous work for children. We welcome the information provided in this regard by the Government indicating that some progress has been made on this issue. In particular, a revision of the National Labour Law to raise the age limit of young workers from 14–17 to 15–17 years old, as well as a directive that prescribes the list of activities prohibited to young workers, which was revised in consultation with the social partners in Ethiopia. We recommend in this regard the Government to provide copies of these instruments and to report updates on the progress made to the Committee of Experts at its next meeting.

The Employers strongly condemn the engagement of children in any form of child labour, especially where such activity also constitutes hazardous work. Being one of the most vulnerable groups in society, children need adequate protection and care from any type of work that poses serious physical and mental risks. The development of children, especially in terms of their education, is a worthy investment that any country would be remiss not to make. For governments to continuously work to eliminate child labour including hazardous work, while improving access to education for children is a moral imperative and a building block for future stable, economically productive societies. We urge Ethiopia to continue on the path of reform, by demonstrating full commitment to the Convention in its national laws and practice.

Worker member, Ethiopia (Mr FOLLO) – I will provide my comments on the observations of the Committee of Experts on the Ethiopia case on behalf of the Confederation of Ethiopian and Trade Unions (CETU). First of all, I would like to appreciate the observations of the Committee of Experts on the application of the Convention in Ethiopia. The situation of under-aged children working is a challenge in Ethiopia. However, we are optimistic that things will improve very soon. Our optimism is based largely on the new political dawn that Ethiopia is witnessing. The current Government is also conscious of

the incidence of child labour and has demonstrated and continues to demonstrate real intentions to overcome it.

Regarding the observations of the Committee of Experts on the gap between the scope of application of the Convention and the domestic laws, the Labour Law does not protect all children working outside the formal employment relationship, such as working on their own account or in the informal economy. As a matter of fact, the existing Labour Law does not apply to the informal sector.

With regard to compulsory education up to the minimum age of admission to employment of 14 years, the Ethiopian Education and Development Roadmap for the period 2018–30 is drafted and under discussion. It contains provisions to provide compulsory education up to grade eight. Furthermore, the recently revised Labour Law, which is submitted to the Parliament for approval, raises the minimum working age limit of young persons from 14 to 15 years. We want to inform this Committee that we participated actively in the amendment process as a member of Ethiopian social partners. Additionally, to exclude and withdraw children that are already employed and engaged in hazardous work, a directive which prescribes the list of activities to prohibit young workers was published in 2013 and circulated for the stakeholders to which we participated as representative of workers.

We have observed that, based on the severity and profoundness of the incidence of child labour, the Government will need to be assisted and supported to mount and implement a sustained effort to defeat the problem of child labour. We, therefore, urge this Committee to agree on ways and the measures that the Ethiopian Government will be encouraged to continue in her quest to defeat child labour and better protect the rights of children.

In conclusion, the CETU wishes to reiterate its call on this Committee to continue to provide measures and the means compatible with benchmarks and evaluation mechanisms to the Government of Ethiopia necessary for the effective implementation of the provisions

of this Convention. We are confident that this new Government will chart a path to the successful defeat of child labour in our country.

Worker member, Ethiopia (Mr CHEKORSO) – I am taking this chance on behalf of the Ethiopian Teachers Association, member of Education International which is a global teacher union federation of over 30 million members. I have read the observations and comments of the Committee of Experts which is very much useful in supporting Ethiopian children to remain in and/or attend school. It is, therefore, a huge cause for concern for us as teachers and parents when children who ought to be in schools are in farms and construction sites. This is because my organization, whose members are daily busy in nurturing children in schools, advocates for free and compulsory primary education.

Nevertheless, I wish to recognize the attempt that the Government of Ethiopia is making to provide education by allocating about 25 per cent of the annual government budget from its scarce financial resource due to its commitment to providing education to its citizen.

With a huge reform in the education sector that is under way by the current Government leadership, education and training policy of the country which existed for more than 25 years without amendment is under revision. This is supplemented by a strategy termed Ethiopian Education and Training Roadmap 2018–30. Let me, therefore, point out that we as the Ethiopian Teachers Association are excited that part of the reform agenda will have compulsory and free primary education for children up to 15 years of age. No doubt this measure will help children stay in schools and prevent them from being engaged in work.

While the plan to have free and compulsory primary education is a positive measure to move forward to support children, we will work with our Government as critical stakeholders to ensure that the high drop-out rates, gender parity challenge and that of quality education are addressed positively in the interest of the children.

Further, the Committee must impress on the Government the need to consciously and genuinely mobilize all stakeholders in the education sector so as to aggregate their contributions in providing quality education for the children. To be able to effectively aggregate the contributions of teachers, it is important that they are allowed and accorded the full and unbridged right to organize and freely associate. An organized and representative teachers' voice will add value to education management and development in Ethiopia.

Employer member, Ethiopia (Mr ALEMU) – I would like to brief you on the background of our Federation first, and then go to air our statement. Convention No. 138 was of course ratified by the Ethiopian Government in 1999 and we have also seen and gone through the observation that the Committee of Experts have done. What we have mentioned earlier and what we are airing now is that the Experts have not seen what we have done the last two years. Recently we have achieved lots of programmes, awareness-creation trainings, and so on and so forth, to fulfil the situation on the ground. Of course all three issues have been discussed a lot in our Confederation. By the way, I am here as the President of the Ethiopian Employers' Federation, which was following the matter for the last four years, and now we have transformed our Federation into a Confederation, naming it the Ethiopian Industry Employers' Confederation.

The Confederation started seeing the observations and then tried to solve them from the grass-root level. The Ethiopian economy has been enjoying a double-digit growth for about ten years and now it is trying to maintain this, but the economy is a little bit shrinking for the last year and half or maybe two years. Because of that, a bigger appetite for employers was created, both at the formal and the informal market. The informal market of Ethiopia was to lead as a single mum-/parent-run business, with the family, and the other challenge in a low-resource economy where destabilization is still in its infancy, vital statistics are still mostly paperwork and distinguishing between 13-year-olds and maybe 17 year-old children will be very difficult. That has been observed even in our sportsmen and women. Knowing this, the Confederation has tried to do a lot from its side. Of course, the Government has also

cooperated on this with us. With the new Government in power, a reform is being taken and lots of positive changes are coming into the mission, especially on the economy side. Having said this, I would like to go and air the statement as the Ethiopian Industry Employers' Confederation.

The Ethiopian Industry Employers' Confederation has conducted a child labour study in four regional states in large farm areas via its founding federation, the Ethiopian Employers' Federation. Based on the recommendation of the study, it has conducted a number of awareness-creation programmes so that the employers will not hire children. The outcome of these programmes was a decline in the number of children working in large plantations. The Government of Ethiopia is also working to reduce the prevalence of child labour in the country and it has issued another law, which was discussed earlier by our social partners, which penalize employers who engage children in their firms. Recently, it has raised the minimum working age of youth from 14 to 15 years of age.

In addition to this, the Government has also expanded the primary school coverage in the country and thereby increased enrolment rates of primary education at a larger and significant amount. Poverty in Ethiopia is still prevalent. The Government is trying its best to boost the economy of the country by issuing a number of policies and programmes, which should be assisted by developed countries and developmental partners, like the ILO.

Thus, as I mentioned earlier, while the Experts pointed out three issues, we highly recommend that they come back and also see what we have been achieving the last couple of years as the Employers' Confederation.

Government member, Romania (Mr TACHE) – I am speaking on behalf of the European Union and its Member States. The candidate countries: the Republic of North Macedonia, Montenegro and Albania as well as the EFTA country Norway, member of the European Economic Area and the Republic of Moldova and Georgia align themselves with this statement.

The EU and its Member States are committed to the promotion, protection and respect of human rights, as safeguarded by the fundamental ILO Conventions and other human rights instruments. We welcome the new universal ratification of the UN Convention on the Rights of the Child, the ILO Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and continue to strive for universal ratification and implementation, including through dialogue with third countries.

A child is first and foremost a child and every single child has the right to grow up in a safe environment, with the right to education, with the right to a childhood free from abuse or any kind of exploitation. It is our collective responsibility to ensure those rights are respected. Provisions against child labour are part of the International Labour Organization's core labour standards and ILO Members have an obligation to respect, promote and realize the principles concerning such fundamental rights.

The elimination and prevention of child labour is an important priority for the European Union and its Member States reflected in its core acquis. Commitment to protect the rights of the child is embedded in the Treaty of the European Union and in the Charter of Fundamental Rights of the EU. The EU's overarching strategy to strengthen efforts to ensure every child, in particular, the most marginalized, is reached by EU policies and actions is set out in the EU Guidelines for the Promotion and Protection of the Rights of the Child, and implemented through many policies and projects undertaken in the region and worldwide.

We note with deep regret that child labour remains a prevalent problem in Ethiopia. The scale of the challenge is overwhelming. In the country, children aged 5 to 17 are more than a third of the total population and half of them are engaged in economic activities. Among them, 23 per cent are exposed to hazardous work. The number of children aged 5–13 years engaged in child labour was estimated at about 13 million with a higher representation of the youngest children. However, it should be noted that child labour in Ethiopia is one of the symptoms of pervasive poverty and its related problems, as shown by

the fact that the majority of children performing activities were actually working as unpaid family workers, 95.6 per cent in the rural, informal economy.

The European Union and its Member States and Ethiopia have been engaged in development dialogue and cooperation for more than 40 years. We recognize the progress made towards eliminating child labour. Ethiopia has made important improvements to its policy and legislation on eliminating child labour by endorsing the National Children's Policy in April 2018; developing Education Operational Response Plans for Oromia, Somali, and the Southern Nations, Nationalities, and People's Region for the 2017–18 school year; and has issued a Young Worker's Directive and has done so in partnership with UN agencies as well as NGOs to address the issue and related ones.

However, while the Labour Law Proclamation of 1993 prohibits the employment of persons under 14 years of age, its provisions do not cover work performed outside an employment relationship, such as children working on their own account or in the informal economy. Despite the fact that the Government of Ethiopia trained 110 labour inspectors on child labour issues in 2017, labour inspectorate is underfunded and still lacks very necessary means to ensure proper application.

Through development cooperation programmes such as the "Jobs Compact" to increase decent job opportunities in the country, we engage in policy dialogue with Ethiopia in order to strengthen labour law implementation, promote social dialogue and collective bargaining arrangements, conduct and disclose decent work country profile reports for Ethiopia.

The EU and its Member States support the Committee's recommendations and urge the Government to take the necessary measures for all children under the minimum age of 14 to be fully protected by the Convention. To this end, the scope of law should be increased as to include work performed outside an employment relationship, in particular children working on their own account or in the informal sector. The capacity of the labour inspection should also be increased to tackle these issues, especially in the informal economy.

The comprehensive education of children also remains a challenge even if Ethiopia has already committed to achieve primary Education for All. According to UNICEF's Demographic and Health Survey 2016, the primary school net attendance ratio for the population aged 7–14 is 71 per cent (72 per cent for girls and 71 per cent for boys). Rates are low even if considering that data do not fully capture access granted through “mobile schools” that are made available for children of pastoral communities. Importantly, the secondary school net attendance ratio drops drastically to only 18 per cent. Recognizing that compulsory education is one of the most effective means of combating child labour, we urge the Government to spare no effort to provide for compulsory education up to the minimum age of admission to employment of 14 years. We also encourage the Government to intensify its efforts to increase school enrolment rates and decrease drop-out rates in order to prevent child labour.

Additionally, we appeal to the Government to develop more comprehensive legislation on hazardous work to prohibit, in law and in practice, work in hazardous conditions for children under 18. As detailed in the report the rate of hazardous work among children aged 5–17 years is 23.3 per cent (28 per cent for boys versus 18.2 per cent of girls), which remains high. Moreover, rates are much higher in the rural areas. We urge the Government to address existing gaps in legislation in order to ensure compliance, both in law and practice.

Closely linked to the Convention, we are also deeply concerned that despite the continuous efforts, the worst forms of child labour also persist, in particular trafficking in children abroad and within the country for the purpose of domestic servitude, commercial sexual exploitation and exploitation in other worst forms. The Committee previously noted that there were approximately 6,500–7,500 child domestic workers in Addis Ababa, who were subject to extreme exploitation, working long hours for minimal pay or modest food and shelter, and that they are vulnerable to physical and sexual abuse. Although the EU and its Member States acknowledge the Government's increased enforcement efforts, we ask the Government to devote more work to the fight against domestic human trafficking and

commercial sexual exploitation as a result of child trafficking and to ensure that effective and dissuasive penalties are imposed to those engaged in child trafficking.

The EU and its Member States will continue to cooperate with Ethiopia and stand ready to support the country in their continuous work towards achieving the sustainable elimination of all forms of child labour.

Membre gouvernemental, Mauritanie (M. BOWBE) – La délégation mauritanienne a suivi avec intérêt la déclaration de Son Excellence Madame la ministre du Travail de la République d’Ethiopie relative aux mesures prises par son gouvernement pour donner effet aux dispositions de la convention. Cet exposé a permis à notre honorable assistance de prendre connaissance des importants acquis réalisés par ces pays dans les domaines de la justice sociale, de la protection de l’enfance contre tout ce qui est de nature à altérer leur état physique, moral ou psychologique et, de manière générale, dans tous les secteurs de développement, plus spécialement ceux dédiés à la promotion des droits de l’homme.

En effet, il ressort de la communication que le gouvernement de l’Ethiopie a déployé des efforts titanesques pour rendre le système de l’inspection du travail dans le pays plus performant et plus efficient afin de couvrir les différentes entreprises, en particulier celles qui sont considérées comme informelles et donc difficiles à atteindre par le contrôle régulier des inspecteurs. Ces efforts devront permettre à terme l’application dans toute sa plénitude des instruments ratifiés par le pays, avec un accent spécial, parce qu’il en est question ici, sur la convention, pour faire reculer dans leurs derniers retranchements toutes les pratiques de travail des enfants, car le gouvernement demeure convaincu qu’un pays qui laisse pratiquer ce fléau à une échelle soit-elle minime condamne son avenir à rester à la traîne de l’humanité. D’ailleurs, pour booster ces mesures, le gouvernement s’emploie à assurer la transition de l’économie informelle vers l’économie formelle, où le recours au travail des enfants est exceptionnel, pour ne pas dire inexistant.

Dans la foulée de la mise en œuvre des actions qui viennent d’être citées, l’Ethiopie s’évertue à élargir l’accès à l’éducation, assurer l’équité et améliorer la qualité de l’enseignement dispensé, tout en accordant une priorité absolue à réaliser un enseignement primaire universel pour tous les enfants en âge scolaire, comme indiqué dans la stratégie de développement du secteur de l’éducation. Vous conviendrez certainement avec nous que cela contribuera à coup sûr à renforcer la protection des enfants contre le travail.

Pour toutes ces raisons, la délégation mauritanienne pense que le gouvernement de l’Ethiopie mérite d’être encouragé et, le cas échéant, accompagné pour lui permettre de traduire dans les faits les ambitieuses politiques qu’il a mises en place.

Membre travailleur, Togo (M. NOUWOSSAN) – Je fais cette intervention au nom des syndicats de l’Organisation des travailleurs de l’Afrique de l’Ouest (OTAO). Lorsque des adolescents et des enfants effectuent des travaux dangereux, leurs chances de voir leur santé ainsi que leurs conditions physiques et morales se dégrader et mises en péril peuvent être immédiates, directes et élevées. Il est également inquiétant de constater que les conséquences peuvent parfois être durables et irréversibles. Selon le rapport du comité basé sur l’enquête sur le travail des enfants, le pourcentage des enfants âgés de 5 à 17 ans employés dans des travaux dangereux est de 23,3 pour cent (28 pour cent pour les garçons contre 18,2 pour cent pour les filles). Il est de 9,2 pour cent dans les zones urbaines contre 26,4 pour cent dans les zones rurales. Ces chiffres sont bien significatifs. Néanmoins, le rapport présente également quelques lueurs d’espoir, comme en témoignent certaines des mesures concrètes prises par le gouvernement éthiopien pour lutter contre le travail dangereux des enfants. Certaines de ces mesures comprennent la fourniture de la liste des types de travail dangereux et l’interdiction générale de tout autre type de travail susceptible de compromettre le bien-être physique et physiologique des enfants, ainsi que l’indication de réviser ultérieurement la liste dans l’espoir de réduire davantage le travail dangereux des enfants. Ces mesures sont louables mais devront être certainement améliorées par une pratique constante afin de garantir que les enfants de moins de 18 ans impliqués dans des

travaux dangereux dans un environnement insalubre sont protégés contre de tels régimes de travail.

L'urgence de revoir et d'améliorer le régime d'inspection du travail, en particulier dans le secteur agricole et dans les zones rurales, devra être examinée et mise en route. Nous estimons que le gouvernement éthiopien doit faire davantage d'efforts pour que de réels progrès soient réalisés dans la pratique grâce à la combinaison d'un dispositif d'inspection du travail efficace et d'une sensibilisation constante de la population. Une manifestation plus sincère de la volonté de s'attaquer à cette menace sera visible si l'Éthiopie ratifie la convention (n° 81) sur l'inspection du travail, 1947.

En outre, la traite des enfants est un sujet de grave préoccupation. En Éthiopie, le comité a noté des mesures prises par le gouvernement éthiopien pour maîtriser cette menace. Ces mesures sont louables, notamment l'adoption de la loi de 2015 contre la traite des êtres humains, qui prévoit notamment une peine de vingt-cinq ans d'emprisonnement pour les trafiquants d'êtres humains et d'enfants. Par conséquent, nous souhaitons exhorter le gouvernement éthiopien à garantir l'efficacité de ces mesures en veillant à ce que les forces de sécurité chargées de lutter contre la traite et le personnel judiciaire soient bien formés et dotés de ressources nécessaires pour pouvoir identifier, enquêter, poursuivre les coupables et appliquer effectivement la peine de vingt-cinq ans de prison pour les auteurs de traite d'enfants à l'étranger et dans le pays aux fins de servitude domestique, d'exploitation sexuelle à des fins commerciales et d'exploitation dans les pires formes de travail des enfants.

La réadaptation et la réinsertion des victimes de la traite des êtres humains doivent être une priorité. Le gouvernement éthiopien doit être instamment prié d'assurer la création et le financement de centres de soins pour les victimes pour y recevoir une assistance médicale et psychologique tenant compte de l'âge.

Membre gouvernemental, Suisse (M. BLESS) – La Suisse partage les éléments soulevés par l'Union européenne et voudrait ajouter quelques points. L'éradication du travail des enfants, à laquelle participe la convention n° 138, figure parmi les objectifs les plus importants de l'OIT. La Suisse attribue une très grande importance à cette convention fondamentale ainsi qu'à la convention (n° 182) sur les pires formes de travail des enfants, 1999, et à la Convention des Nations Unies relative aux droits de l'enfant. Malgré les efforts déployés et pour combattre le travail des enfants dans le monde, notamment sur le plan législatif, de nombreux enfants continuent à travailler souvent dans des conditions difficiles en particulier dans l'économie informelle.

Tout en reconnaissant les grands efforts faits par le gouvernement éthiopien pour éliminer le travail des enfants et pour rendre l'éducation primaire obligatoire, le nombre d'enfants âgés de 5 à 13 ans qui travaillent reste important. Le faible taux de scolarisation est également une préoccupation majeure.

La Suisse salue les progrès accomplis ces derniers mois en Ethiopie, notamment au niveau politique. Dans cette perspective, elle encourage le gouvernement éthiopien à continuer ses efforts et à prendre au plus vite toutes les mesures nécessaires pour fixer l'âge minimum d'admission au travail de manière conforme à la convention n° 138.

Il est aussi crucial de veiller à ce que les enfants qui travaillent hors d'une relation de travail bénéficient de la protection consacrée par cette convention. En parallèle, les capacités de l'inspection du travail doivent être renforcées dans ce sens.

Enfin, la Suisse encourage le gouvernement à fixer l'âge de scolarité obligatoire de manière claire et conforme aux exigences de la convention et à intensifier ses efforts pour éliminer toute forme de travail des enfants.

Membre gouvernemental, Sénégal (M. BARRY) – Le Sénégal, par ma voix, remercie la délégation éthiopienne pour les informations qu'elle a bien voulu porter à la connaissance de la commission. Le gouvernement de l'Ethiopie nous a informés des efforts

concertés qu'il a déployés pour renforcer son système d'inspection du travail afin de le rendre accessible à toutes les entreprises et à tous les lieux de travail pour assurer une application intégrale de la convention et de sa législation nationale du travail. Un accent particulier a été mis sur la lutte contre le travail des enfants et le travail forcé. On espère que ces mesures seront rapidement et pleinement opérationnelles afin de respecter la protection prévue par la convention.

Le Sénégal note en outre que le gouvernement de l'Éthiopie a informé la commission des modalités prévues pour améliorer l'accès et la qualité de l'éducation. Nous l'encourageons vivement à poursuivre ces efforts et l'exhortons à développer les programmes prévus dans ce sens.

Par ailleurs, nous saluons les mesures prises par le gouvernement éthiopien concernant la révision, avec ses partenaires sociaux, de la liste des travaux auxquels les travailleurs, et particulièrement les enfants, ne devraient pas être soumis.

Au regard de tous ces efforts fournis par le gouvernement éthiopien, le Sénégal apprécie la volonté exprimée par ce pays et invite la commission à prendre en compte dans ses conclusions ces différentes initiatives, tout en demandant également au BIT d'assister l'Éthiopie dans la mise en œuvre de programmes et de projets qui donnent plein effet aux principes énoncés par la convention.

Membre gouvernementale, Maroc (M^{me} ADMI) – Je voudrais tout d'abord remercier le gouvernement de l'Éthiopie pour les informations qu'il a fournies et qui montrent l'effort déployé par ce pays pour répondre aux différents commentaires et observations formulés à cet égard par la commission des experts.

En effet, les commentaires de la commission d'experts portent sur un certain nombre de sujets en relation directe avec la mise en œuvre de la convention, notamment en ce qui concerne: le nombre des enfants travaillant dans le secteur informel; l'obligation d'assurer une éducation gratuite; l'interdiction des travaux dangereux pour les mineurs.

Madame la ministre du Travail de l’Ethiopie a indiqué dans son intervention que des mesures significatives ont été prises par le gouvernement, que ce soit en matière de législation, de renforcement de l’inspection du travail ou d’éducation et de formation. Ces différentes mesures prouvent l’existence d’une volonté de la part du gouvernement de l’Ethiopie de mettre en conformité la législation et la pratique nationales avec les dispositions et les principes la convention. A cet effet, nous appuyons les efforts déployés par le gouvernement de l’Ethiopie et nous l’encourageons à les poursuivre.

Observer, Education International (EI) (Ms MARLET) – Education workers welcome the Government’s information about the current legislative process of extending the age of compulsory schooling which will become the minimum age for employment. Teachers also welcome the Minister’s commitment that the Government intensifies efforts to invest in new school infrastructure and in training opportunities, to increase school enrolment rates, and to decrease dropouts, particularly focusing on girls.

As representatives of teachers worldwide we know that making schools more attractive and learning more relevant are key in eradicating child labour. Increased public funding to make more educational institutions available, completely free of charge, to children and youth, particularly those from disadvantaged and marginalized communities, is a priority.

Providing professional development programmes to headmasters and teachers is also important to raise awareness on child labour in education settings and among communities and parents. Schools are at the heart of communities and having the whole education stakeholders commit to make schools welcoming and relevant to working and out-of-school children makes a real difference. But teachers must be trained to interact with children and students who have been exploited, or those who have never come to school. The practice of corporal punishment for example needs to be addressed. Education and training are also central components of rehabilitation programmes.

Education unions have developed expertise in supporting education authorities, at local and national level, to develop plans of action to eradicate child labour. Education unions also develop programmes on health education to raise awareness about HIV/AIDS and other transmittable diseases.

But as stated by the representative of the Ethiopian Teachers Association, unions are willing to share their expertise and partner, through social dialogue, with the Government and with employers to help and support children and youth whose education is hampered by child labour practices.

However, in Ethiopia today, teachers do not yet enjoy the right to form a union. The Ethiopian Teachers Association affiliated to Education International is a professional association and not yet a union. The Labour Act should therefore be reviewed to allow teachers, as public servants, to form unions and enter into collective bargaining to address issues such as child labour.

We trust that with the technical assistance requested by the Minister, the new Government will implement robust and time-bound programmes to meet the recommendations of the Committee of Experts.

Education International supports the initiatives taken by the current Government to defend and promote the human rights of children, including the right to quality, inclusive public education for all. Education International will also continue to advocate for freedom of association and collective bargaining rights being extended to Ethiopian teachers.

Membre travailleuse, France (M^{me} SCHLACTHER) – Dans ce pays essentiellement agricole, la plupart des familles rurales ne peuvent se permettre d’envoyer leurs enfants à l’école parce que les parents pensent que si les enfants sont scolarisés ils ne peuvent ni contribuer aux tâches ménagères ni exercer un travail. Malgré ce constat alarmant corroboré par le rapport des experts, l’Ethiopie a toutefois réalisé des progrès tangibles dans le secteur de l’éducation; le système est passé de 10 millions d’apprenants il y a une décennie à plus

de 25 millions aujourd'hui. Pour renforcer cette tendance à la hausse, l'Ethiopie a élaboré un plan sectoriel couvrant la période 2015-16 à 2019-20, et le programme de développement du secteur de l'éducation est guidé par la vision de maintenir l'élan, d'élargir l'accès équitable et une éducation générale de qualité.

Toutefois, malgré des éléments qui laissent à penser que le gouvernement actuel promeut l'émancipation éducative comme gage du développement tous azimuts, il reste toutefois évident qu'un fossé existe entre la volonté qui semble animer le gouvernement et la mise en œuvre sur le terrain; et nous notons avec inquiétude que, au-delà de la question de l'éducation en général et malgré le plan national pour l'égalité des gens mis en place par le gouvernement de 2005 à 2010, les disparités entre filles et garçons en terme d'éducation restent importantes. Soixante-quatre pour cent des jeunes Ethiopiens sont analphabètes dont 77 pour cent sont des filles. Même s'il y a eu des progrès dans l'accès à tous les niveaux à l'éducation en Ethiopie, les hommes en bénéficient davantage. Ce constat sur l'application de l'âge minimum fait ressortir des difficultés de différents ordres qui majorent les conséquences de la non-application de la convention n° 138 en ce qu'elle ne respecte pas l'égalité des genres.

L'Ethiopie a ratifié la Convention des Nations Unies sur l'élimination de toute forme de discrimination à l'égard des femmes en 1981. Cependant, l'Etat n'a ratifié ni son protocole facultatif ni le Protocole relatif à la Charte africaine des droits de l'Homme et des peuples relatif aux droits des femmes en Afrique. En dehors d'une nécessité incontournable de légiférer en matière d'éducation pour instaurer la gratuité et l'obligation scolaires, il est clair que la législation doit aussi se préoccuper de lutter contre toute forme de discrimination, dont celle du genre, et ce travail législatif d'élaboration d'un code de l'éducation assorti de programmes de lutte contre toute forme de discrimination devra se faire en pleine et authentique consultation des partenaires sociaux, particulièrement les organisations syndicales.

Ces consultations que nous préconisons doivent garantir un dialogue social constructif et porteur des valeurs susceptibles de faire émerger les transformations sociales indispensables au développement du pays à travers l'éducation de sa jeunesse. Aussi je vous prie, Monsieur le président, de bien vouloir souligner dans vos conclusions la gravité du cas qui obère l'avenir du pays. J'espère aussi que vous proposerez au gouvernement une aide technique appropriée du Bureau pour l'aider à mettre à jour sa législation afin de la mettre en conformité avec les normes et pour nous informer de progrès substantiels dès l'année prochaine.

Interprétation de l'arabe: Membre gouvernemental, Algérie (M. MEKHAZNI)

– L'Algérie voudrait remercier l'Ethiopie pour la présentation de son rapport. Nous prenons note avec satisfaction des progrès réalisés dans la mise en œuvre des recommandations de la commission d'experts pour lutter contre le travail des enfants et respecter l'âge minimum au travail.

L'Algérie voudrait saluer les mesures prises par l'Ethiopie afin de prévenir et combattre la violence à l'encontre des enfants en vue de respecter pleinement les droits des enfants. En outre, la délégation algérienne tient à féliciter l'Ethiopie pour les efforts consentis en vue de renforcer le système d'inspection du travail, et cela afin de promouvoir la pleine application de la convention. Nous apprécions particulièrement l'attitude ouverte et constructive du gouvernement éthiopien qui a entrepris de réviser la législation du travail en la matière.

L'Algérie estime que le BIT devrait tenir compte des réalités ainsi que des spécificités nationales dans son évaluation de l'application de cette convention. Le BIT devrait également prévoir d'accompagner l'Ethiopie dans sa mobilisation sociale contre le travail des enfants en mettant l'accent notamment sur la nécessité d'intégrer la problématique du travail des enfants dans les politiques et les stratégies nationales de développement durable.

Government member, Mozambique (Mr SILIYA) – Mozambique would like to congratulate the Government of Ethiopia for the comprehensive report it has provided on

the measures taken to address child labour issues. The Government of Mozambique noticed that the Government of Ethiopia has revised its labour laws in consultation with the social partners towards addressing child labour issues among others. We want to commend Ethiopia in this regard. The Government of Ethiopia is also committed to expanding universal primary education for all and legislative achievements in this regard seem to be impressive. Mozambique would want the Office to walk with the Government of Ethiopia and the social partners in addressing any issues that may be outstanding.

Worker member, South Africa (Ms LOSI) – We are excited about the recent developments and promising news coming out of and from Ethiopia as a result of the renewed and focused dedication of the current Government to improve the social, economic and political situation in the country. It is from this background that we make this intervention so that the children can also be direct and real beneficiaries of the intentions of the Government to improve the situation on the ground. Given the various figures, the Committee of Experts' Report pointed to the number of children engaged in child labour, those not in school and those that dropped out of school for sundry reasons. One can see that the situation of children in Ethiopia is dire and profound. Of course the Report did not talk about the 120,000 street children in major cities, notably Addis Ababa, that are begging for survival. Thus, one can infer that dealing with the plight of children in Ethiopia will need a concerted, real, steadfast, strategic and well-resourced response which in fact is doable and winnable.

In terms of a concerted response, the Ethiopian Government is urged to consider infrastructure and amenities development in rural areas so as to check the influx of rural dwellers to the city. Most of these new city arrivals have been reported to deploy their children onto the streets as beggars, largely because they were led by the push to see and feel the good life of the city. When children are subjected to hard and harsh conditions, their physiological, mental and social development are arrested and their future can be blank and blighted.

Further, for economies such as Ethiopia, striving for a better and developed society, the children, as its heritage, resource and future must be protected and secured. We are excited that the Ethiopian Government has pledged its commitment to include the national minimum wage adoption in application in its proposed labour law reforms process. This is because we know that aside from the fact that concentrated infrastructure development lures people away from the rural areas to the cities, poor wages equally drive migration and movement from rural to urban areas and also induce and exacerbate child labour. It is equally imperative that the Ethiopian Government considers upscaling its labour inspection duties so as to be able to better identify, reverse and tame child labour. In the cases where children are engaged in workplaces and by unscrupulous employers, an effective and responsive labour inspection regime will be able to identify, investigate and sanction such offenders.

Government member, Namibia (Ms NICODEMUS) – Namibia takes note of the several legal instruments that were adopted by the Government of Ethiopia since 2013. This is a step in the right direction as the legal instruments will assist the eradication of child labour, forced labour and human trafficking in Ethiopia. The results as presented by the Government of Ethiopia in their reply today, on the universalization of primary education, it yielded positive results as there are increases in both the number of primary schools and the net enrolment rate as well as improvement in the drop-out rate.

The efforts undertaken by the Government of Ethiopia in the advancement of the application of Convention is commendable. Thus, we encourage the ILO to avail technical assistance to compliment the Government's robust efforts to strengthen the labour inspectorate system in the country and ensure the full application of the Minimum Age Convention. Finally, the Committee in its conclusions should take into to consideration the efforts taken by the Government of Ethiopia.

Government member, Zimbabwe (Mr WUTAWUNASHE) – The Government of Ethiopia has informed us of the concerted efforts that they have made to strengthen Ethiopia's labour inspectorate system, so as to ensure that related services are more

effectively accessible to all enterprises and workplaces towards the full application of the Convention and enforcement of national labour laws, with a distinct focus on child labour, forced labour and human trafficking. We derive full confidence from indications given that this will soon be fully operational in compliance with the protections laid down in the Convention.

The Government of Zimbabwe further notes that the Government of Ethiopia has informed this Committee about the modalities that it is going to employ to expand access to education and also to improve the quality of education for its people. This is a development which other governments are encouraged to emulate. Most significantly, it is encouraging to note that the Government of Ethiopia has also provided information to the effect that it is currently revising its labour laws with a view to setting the minimum age for admission into employment. This is a positive development which will go a long way in enhancing compliance with the Convention, which forms the basis of our discussion.

The Government of Ethiopia has informed this august house that it worked with social partners in revising the list of the hazardous work to which children and young people should not be subjected. This in itself demonstrates that the Government of Ethiopia has not only embraced the principle of social dialogue, but also applies it when addressing socio-economic issues, including child labour situations.

Finally, the Government of Zimbabwe applauds the readiness of the Government of Ethiopia to continue working with its social partners and indeed with the ILO in implementing programmes and projects that give effect to the principles enshrined in the Convention.

Government member, Nigeria (Ms UDEME AKPAN) – Nigeria takes the floor to support the progress made by the Government of Ethiopia in improving the application of the Convention. As already presented, the Government of Ethiopia has embarked upon an ambitious labour law reform aimed at addressing the observed gaps and discrepancies with

a view to reinforcing the existing capacity of labour inspection in the informal sector of its economy. This will go a long way to protecting the rights and improving the general working conditions of workers as well as reducing the prevalence of child labour. Ethiopia has also embarked on improvement of its children school enrolment rate in recent years through the adoption of the Education and Training Policy and the Education Sector Development Programmes, respectively. The adoption of the School Feeding Programme as done in Nigeria is another laudable programme of the Ethiopian Government aimed at improving the school enrolment rate as well as a reduction in the rate of dropouts. Furthermore, the establishment of mobile schools in line with the demands of its pastoral communities further attests to the Government's desire to improve on the education opportunities to children of all ages regardless of their socio-cultural background. In the matter of the minimum age of admissibility to work and the determination of hazardous work, Ethiopia has also made appreciable progress as presented in the current review of its national labour law exercise that has raised the minimum working age of young persons from 14 to 15 years. In the light of the foregoing, Nigeria is of the view that these programmes and reform measures should be given the opportunity to take root with a view to complying with the required standard of the Committee.

Membre gouvernemental, Angola (M. FRANCISCO) – Le gouvernement de l'Angola reconnaît que l'Éthiopie a fait de grands efforts en ce qui concerne la convention sur l'âge minimum à travers le renforcement du système d'inspection du travail, la réglementation dans le secteur informel, la mise en œuvre du programme d'éducation. Donc notre gouvernement encourage l'Éthiopie à continuer de progresser.

Interpretation from Arabic: **Government member, Egypt (Mr NAZMY)** – First of all, we would like to thank the representative of the Government of Ethiopia for the information provided with regards to the implementation of the Convention. We have taken note of all the measures adopted by the Ethiopian Government in order to respect, in practice, the provisions of this extremely important Convention and we await the review of the Labour

Code and the strengthening of the labour inspections system ensuring coverage of the informal and formal sectors. We also await news of the further developments of the national education strategy to reduce dropouts and increase schooling levels. We also welcome the recognition of the principle of social dialogue in Ethiopia and all of its dimensions. So we wish to underscore our appreciation of all the initiatives taken by the Government and urge the ILO to take all measures necessary to support the Government in its efforts to ensure full respect of the Convention.

Government member, Uganda (Mr ONZOMA) – My delegation has taken note of the steps that the Ethiopian Government is taking to improve application of the Convention, which include among others, the education road map and it informs the municipal laws to bring them into conformity with international labour standards. The Ethiopian Education Programme will go a long way in addressing the problems of lack of access to education which is a key driver for eliminating all forms of child labour. We urge the Ethiopian Government to continue on the path and therefore call upon the Committee to take note of the progress made.

Government member, Kenya (Mr MWANZIA) – The Kenyan delegation welcomes the comprehensive statement made by the Government representative from Ethiopia in regard to the issues raised by the Committee regarding the country's compliance with the provisions of the ratified Convention. We have taken careful note of the statement and are encouraged by the efforts that are under way with a view of ensuring full compliance with the Convention. Just like many other developing countries, various challenges sometimes impede the full realization of the objectives of the Convention, but what is needed is unwavering commitment on education to overcome the challenges, something which the Ethiopian Government has demonstrated in its statement. The Kenyan delegation wishes to call upon this Committee to exercise a little patience with the Ethiopian Government and allow it to complete the various reforms and programmes that are being undertaken with respect to the Committee's observations.

Finally, because of the ambitious and expansive nature of some of the programmes, it will be useful for the Organization working with the Government to consider areas where technical cooperation support can be availed to help in addressing the identified gaps.

Government representative – I have been listening carefully to the discussion inspired on our case. I would like to thank the social partners and those governments for their constructive interventions that are insightful for advancing the application of the Convention in point. We have benefited a lot from the discussion that will help us to improve our effort to mitigate the gaps so far identified by the Committee with respect to child labour.

As the survey was done in 2015, a lot has been done by the Ethiopian Government but still we have a long way to go and we are left with assignments to do. Considering that lack of awareness among the public is contributing to child labour, we have been organizing campaigns to mark the annual Day Against Child Labour– which is today – to sensitize the public with the aim to promote an integrated approach to tackle the root causes of child labour and engagement of stakeholders including our social partners to strengthen workplace safety and health for all workers with the specific safeguarding to young workers between the ages of 15 and 18. That said, I would like to reflect on some of the issues raised in the house.

So one of the issues raised is related to free and compulsory education in Ethiopia. Let me be clear on this point, achieving universal primary education is one of the public policies in Ethiopia and public spending on education has increased over the decades. In this regard, beside the interventions that I have mentioned earlier, the education sector has been receiving more than 24 per cent of the total national expenditure meeting the global benchmark which is 20 per cent of the national budget spent on education as put forth by Education for All. This is an impressive achievement which calls for maintaining a share of Government expenditure being spent on education.

Though I have mentioned some progress earlier, it is important to mention some of the unexpected reforms made by the Government that could tell us that it is not impossible to change any backlogs that we had. My Government in this regard is working a profound reform journey and working strongly to empower women in education, politics and economy believing that empowering women is empowering the society in which children would enjoy fully their rights to education, health-care and other social services.

In cognizance of this, it is just recently that 50 per cent of the Cabinet members become women, of which I am one of them. Besides, for the first time in Ethiopian history, a woman has been appointed as a President of the country. It is in this reform movement that both the President of the Supreme Court and Spokesperson of the House of Federation become women. Such a reform was never told of to happen in the past. This political empowerment of women will lay down a foundation for other reforms for women in different spheres that could bring a significant change in the lives of society in general and the lives of children and girl children specifically.

It is my stronger conviction that the profound reform that is taking place in Ethiopia would help to change the prevailing scenario of child labour in line with the national and international instruments that intend to protect them. I would also like to inform the Committee that Sustainable Development Goals, particularly Goal 4 which aims at ensuring an inclusive and equitable quality education and promoting lifelong learning opportunities for all, are integrated into our national development plan and progress has been made in this regard.

In conclusion, I would like to once again affirm the commitment of my Government for the full application of the Convention in point taking into account the discussions inspired in this august house and we are open for the ILO's technical support and other development partners' assistance in this regard.

Employer member, South Africa (Mr MOYANE) – Having listened to all the submissions from the Government and the interventions from the Workers as well as from the floor, as Employers, we are encouraged that significant progress has been and is being made by Ethiopia in harmonizing its national laws and practice with the Convention.

We are equally encouraged by the commitment of the Ethiopian Employers' Confederation to work closely with the Government to ensure that employers do not take any under-age child into employment. We believe this will go a long way to tackling and finally eradicating the problem of child labour in Ethiopia. The Employers recognize that child labour deprives children of their childhood, their dignity and it is often harmful to their physical and mental development. With a global record of 152 million children in child labour and 73 million of them in hazardous work, it is one of the most serious challenges we face today in the world. The United Nations 2030 Agenda for Sustainable Development has called upon the international community to respond urgently to this challenge. In particular, we note that under the SDG on decent work and economic growth, all countries commit to achieving target 8.7, namely “take immediate and effective measures to eradicate forced labour and 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 child labour in all its forms”. Convention No. 138 provides the legal framework for the elimination of child labour. As primary objective, as indicated in Article 1, is the pursuit of 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. This Convention, together with Convention No. 182, constitutes the most authoritative international normative framework to address this problem. We welcome the Government's commitment to full application of the Convention and its willingness to seek support from the ILO and other partners in combating child labour. Considering the severity of the present situation in Ethiopia, we suggest that the Committee recommend the Government of Ethiopia to take the

following actions: first, the Government should strengthen its national legal framework and enforcement of laws aimed at abolishing child labour, including the periodic review and update of a national list of hazardous work prohibited for all children. This should be done in consultation with the most representative employers' and workers' organizations in that country. The Government should also seek to align its legal framework with the policies relevant for the eradication of child labour in line with the Convention.

Second, the Government should strengthen the capacity of labour inspectorate and other enforcement services, regarding both material and human resources, and conduct training for inspectors to better detect and address child labour to promote and ensure compliance with legislation. Third, the Government should strengthen its policies aimed at ensuring equal access to free, public and compulsory education for all children in quality and inclusive education systems. Furthermore, the Government should seek technical assistance from the ILO in developing a plan to promote lifelong skills training, quality apprenticeships and a smooth school-to-work transition for its youth population. Finally, the Government should deepen its efforts to promote partnerships with employers' and workers' organizations and other relevant stakeholders to eliminate and prohibit child labour through social dialogue and strong cooperation. While we believe that the situation of child labour in Ethiopia is very serious, we recognize that the Government of Ethiopia has demonstrated its commitment and desire to combat this issue head on. With technical assistance from the ILO and support from the international community, we have confidence that the Government of Ethiopia will be able to implement the recommendations of the Committee and to fully apply the Convention.

Membres travailleurs – Je remercie l'ensemble des intervenants, et particulièrement la représentante du gouvernement éthiopien pour les éléments d'information qu'elle a pu transmettre à notre commission.

Les enfants éthiopiens sont le futur du pays. Il est donc fondamental de leur assurer une éducation de base qui leur permettra de contribuer significativement au développement

social et économique du pays. Leur garantir cette éducation de base implique de les éloigner de l'emploi en observant scrupuleusement la convention.

Sur la question du champ d'application de la législation relative à l'interdiction du travail des enfants, il est fondamental qu'une disposition explicite de la loi sur le travail précise que les dispositions relatives à l'interdiction du travail des enfants s'appliquent au-delà des relations qui se nouent dans le cadre d'un contrat de travail et couvrent tant les travailleurs de l'économie informelle que ceux qui travaillent à leur compte. Une disposition légale qui étend explicitement le champ d'application de cette législation à ces catégories de travailleurs sera également de nature à légitimer l'action des services d'inspection.

Le renforcement des capacités de l'inspection du travail, particulièrement dans l'économie informelle, nous semble indispensable. Le respect dans la pratique de l'interdiction du travail des enfants ne pourra se faire qu'avec la mise en place d'un corps d'inspection qui dispose des moyens nécessaires à l'efficacité de son action. Le gouvernement a d'ailleurs lui-même appelé à recevoir une assistance du BIT en vue de travailler au renforcement des capacités de ces services d'inspection.

Il serait par ailleurs utile que le gouvernement éthiopien communique les résultats obtenus par les services d'inspection dans le secteur informel en matière de lutte contre le travail des enfants. Dans les informations qu'a pu nous fournir le gouvernement, de nombreuses initiatives sont mises en avant pour démontrer que des avancées ont été enregistrées pour améliorer la couverture de la législation sur le travail des enfants. Nous ne retrouvons toutefois pas, dans ces informations transmises par écrit à la commission, d'initiatives du gouvernement en vue de combler des lacunes législatives mises en lumière en ce qui concerne le champ d'application de la législation sur le travail des enfants.

Nous avons par contre entendu que des projets de réforme législative en vue de combler ces lacunes sont en cours d'élaboration. Il sera utile que le gouvernement transmette toute information utile à cet égard par écrit à la commission d'experts. Nous invitons dès lors le

gouvernement à mettre en œuvre une modification législative qui vise à étendre l'application de la législation au-delà des relations de travail qui se nouent dans le cadre d'un contrat de travail.

Nous l'avons vu, le lien est étroit entre l'obligation scolaire et l'abolition du travail des enfants. Il est donc essentiel que l'Ethiopie introduise l'obligation scolaire au moins jusqu'à l'âge minimum d'admission à l'emploi, à savoir 15 ans. Il est à cet égard positif que le gouvernement ait annoncé avoir introduit un projet de loi qui vise à augmenter l'âge d'admission de 14 à 15 ans en Ethiopie. Nous espérons que cette modification législative aboutira.

Le gouvernement éthiopien a également confirmé qu'un processus législatif est en cours en vue de rendre l'enseignement primaire obligatoire. Nous suivrons attentivement la mise en œuvre effective de cette obligation scolaire et nous invitons le gouvernement à fournir toute information à cet égard dans le futur. Il s'agira d'une étape bienvenue. Il faudra ensuite continuer ces réformes et rendre l'enseignement obligatoire jusqu'à 15 ans afin d'assurer une pleine conformité avec la convention sur ce point.

Une autre difficulté en Ethiopie concerne les travaux dangereux. De nombreux jeunes enfants sont encore occupés à de tels travaux. Une liste des travaux dangereux et interdits aux enfants de moins de 18 ans existe et est en cours de révision. Le gouvernement éthiopien veillera à consulter les partenaires sociaux au cours du processus de révision de cette liste. Au-delà de l'établissement d'une telle liste, il conviendra de prendre les mesures nécessaires afin qu'en pratique les enfants de moins de 18 ans ne soient plus occupés dans le cadre d'activités dangereuses.

Nous sommes confiants que le gouvernement prendra au sérieux l'appel de notre commission en vue de la mise en place d'une véritable politique nationale visant à l'abolition effective du travail des enfants en Ethiopie. Le travail des enfants est encore massivement présent en Ethiopie, et il est temps d'inverser cette tendance.

Le gouvernement éthiopien peut croire en la volonté de tous les acteurs présents dans cette salle en vue de l'assister dans ce défi colossal, mais néanmoins indispensable à relever. Le gouvernement s'est déclaré ouvert à recevoir l'assistance technique du BIT. Nous saluons l'esprit constructif dont fait preuve le gouvernement en vue de s'engager dans la résolution des manquements que nous devons encore constater dans le cadre de l'application de la convention. C'est pourquoi nous recommandons au gouvernement éthiopien de solliciter l'assistance technique du BIT.

The sitting closed at 8.30 p.m.

La séance est levée à 20 h 30.

Se levantó la sesión a las 20.30 horas.