

INTERNATIONAL LABOUR OFFICE

**A CONTRIBUTION TO THE UN SECRETARY-GENERAL'S REPORT
TO THE SEPTEMBER 2001 UNITED NATIONS GENERAL ASSEMBLY
SPECIAL SESSION ON FOLLOW-UP TO THE
WORLD SUMMIT FOR CHILDREN**



October 2000, Geneva

TABLE OF CONTENTS

	Page
Executive Summary	
Introduction.....	1
I. Achievements through Standards and Principles	1
II. Achievements through Action for Assistance	5
III. Other Actions Linked with Child Labour	8
IV. Other ILO Activities to Protect Children	10
V. Growing Partnerships	11
VI. Future Action and Challenges	15

Executive Summary

The ILO has been contributing to the protection of children through its normative, policy and technical cooperation work in a wide array of fields – ranging from maternity protection to youth employment. Most important, however – both in terms of overall impact and the depth of the problem – has been ILO's contribution to the worldwide struggle against child labour. The paper's focus on ILO's work against child labour reflects this importance.

In the field of child labour, the ILO's major contribution to the Plan of Action of the World Summit of Children over the past decade has been twofold:

1. In policy terms, the adoption of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up in June 1998, confirmed that the elimination of child labour is a fundamental right. Moreover, the unanimously adopted Worst Forms of Child Labour Convention, 1999 (No. 182) provided the international community with a new instrument for action, based on a consensus to eliminate, as a priority, the worst forms of child labour.
2. In terms of practical action, the ILO's International Programme on the Elimination of Child Labour (IPEC) created unprecedented awareness of and commitment for solving the problem of child labour. It is today the driving force behind a 100-country alliance working against child labour. IPEC's principal means of action include assisting partners in advocacy work; statistics and research; legal reform; policy analysis and formulation; as well as practical action to prevent child labour, withdraw children from the worst forms and provide them with rehabilitation and alternatives.

A number of important policy implications have emerged from this work, pointing to priorities for future action.

First, child labour needs to be mainstreamed into national and international action to achieve decent work for adults everywhere. It is a complex issue, inseparably linked to social development. It demands a comprehensive and integrated approach, so as to break the vicious cycle of poverty, social inequality and child labour. Such a comprehensive approach will serve as an example of how children's issues are to be integrated into social and economic development strategies in line with the spirit of the Plan of Action of the World Summit for Children.

Second, the worldwide consensus to tackle urgently the worst forms of child labour needs to be translated into immediate action. It is important to reach universal ratification of ILO Convention 182, followed up by swift and comprehensive implementation. Time-bound Programmes, identification of priorities and policy options, as well as mobilizing local and external resources to eradicate the worst forms of child labour within a defined period of time must be central building blocks of this effort. Key to their success will be the integration with national commitments to Education for All.

Third, child labour is a shared problem. No single institution will be able to tackle it effectively on its own. Broad partnerships are needed, between governments and workers and employers, within civil society, among those operating at an international level and between developed and developing countries.

INTRODUCTION

The ILO, with a mandate to promote social justice, works in a variety of fields involving child protection. Over the past decade, its main contribution to the implementation of the Plan of Action of the World Summit for Children has been in the struggle against child labour. Other child protection-related topics on which the ILO is active are maternity protection, work and family and youth employment. This paper mainly focusses on child labour, because it offers an excellent entry point for mainstreaming of child protection issues into national policies on economic and social development.

The 1990s were marked by significant global progress on child labour. *Child labour emerged a major social issue* for the ILO and its member States – and more generally at the forefront of the international agenda – in particular, confirming the urgency of tackling the worst forms of child labour. This progress in principles and rights has also been reflected in the *expansion of action and assistance* supported by growing *partnerships*. The challenge is enormous, but the achievement made in recent years show that the international community is in a position to bring about sustainable solutions to child labour.

I. ACHIEVEMENTS THROUGH STANDARDS AND PRINCIPLES

Child labour as a social issue

1. The Plan of Action of the World Summit for Children echoes the ILO's goal regarding child labour: Its effective abolition, with an urgent priority focus on its worst forms. Para. 23 of the Plan of Action states that all States should work to end child labour, which still exists worldwide in a large numbers, in contravention of international conventions. The ILO Conventions on child labour certainly constitute a dominant part of such international instruments.
2. It was at the very first international labour Conference when the ILO was founded, in 1919, that the first ILO Convention on child labour was adopted. During the 20th century, international labour standards on child labour evolved through the adoption of several Conventions focussed on specific economic sectors. Consensus was reached in 1973 that the aim should be the *effective abolition of child labour* in all economic sectors. The main principle is that children's work should not hinder their *education*. This, in turn, leads to the concept of a minimum age for admission to employment or work that should not be lower than the end of compulsory education, under ILO Convention No.138 (1973).

Copenhagen Social Summit

3. *The World Summit for Social Development* held in *Copenhagen* in 1995 made a major breakthrough toward promotion of the WSC Plan of Action, by stating that the elimination of child labour is one of the four fundamental principles of work to be respected by every country – alongside freedom of association, prohibition of forced labour and elimination of discrimination in employment. The international community thus placed child labour at the core of social issues for all States of the world. The

concern over “children in especially difficult circumstances” in the Plan of Action was effectively turned into a problem of a *fundamental right* pertaining to society as a whole.

ILO Declaration on Fundamental Principles and Rights at Work and its follow-up

4. The adoption in 1998 of *the ILO Declaration on Fundamental Principles and Rights at Work* was another landmark event, following in the steps of the Copenhagen Summit, as well as the 1996 WTO Ministerial Conference in Singapore. This Declaration reaffirmed the commitment of all ILO member States to eradicate child labour. It is a pledge by States – even if they have not ratified the relevant Conventions – to respect, promote and realise the principle of the effective abolition of child labour as one of four fundamental principles and rights globally accepted at the Copenhagen Summit.
5. The Declaration promotes these interconnected rights as an indivisible package, in which respect for any one of these rights contributes to acceptance of the others, as well as to the promotion of other workers’ rights enshrined in international labour standards. For instance, when applied to issues of education and health, the principles of freedom of association and collective bargaining have a major role to play in combatting child labour – enabling these critical social sectors to operate more effectively for poor people. These principles also encourage equal employment opportunities for women, thereby contributing to the elimination of child labour.
6. Under the Follow-up to the Declaration, Global Reports are to be produced by the ILO every year, on one of the four principles. These reports are discussed at the International Labour Conference (e.g. on child labour in 2002). In parallel, member States which have not ratified all or any of the fundamental Conventions¹ are requested to submit an Annual Report, explaining the situation in their country regarding child labour and other issues – as well as reporting on current initiatives to address the problems. The Follow-up to the Declaration is intended to promote its principles and to help the ILO plan and prioritise its technical cooperation activities. Also, with the Follow-up to the Declaration, field activities are conducted to support countries in their efforts to implement the Declaration. All activities systematically seek the best means of reinforcing relationships among the principles. This includes

¹**Forced and compulsory labour**

Forced Labour Convention, 1930 (No. 29)

Abolition of Forced Labour Convention, 1957 (No. 105)

Freedom of association

Freedom of Association and Protection of the Right to Organise

Convention,

1948 (No. 87)

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Non-discrimination

Equal Remuneration Convention, 1951 (No. 100)

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Child labour

Minimum Age Convention, 1973 (No. 138)

Worst Forms of Child Labour Convention, 1999 (No. 182)

the struggle to eliminate child labour, both in the formal and informal economies, within the broader context of economic and social development and poverty reduction.

New ILO Convention on the Worst Forms of Child Labour, 1999 (No. 182)

7. In 1999, the International Labour Conference unanimously adopted another *fundamental ILO Convention*, concerning Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182). This Convention and its accompanying Recommendation (No. 190) express a global consensus that there are certain forms of child labour which cannot be tolerated, regardless of a country's level of development or traditional beliefs. The Convention calls for "immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency". The effective elimination of child labour – as enshrined in ILO Convention on Minimum Age of 1973 (No.138) – remains the ultimate objective.
8. During the years immediately preceding adoption of the new child labour Convention in 1999, several major international conferences took place (e.g. Amsterdam and Oslo in 1997). The ILO contributed substantially to each of them and to their regional preparatory meetings. The conclusions of these meetings, in turn, helped enormously in the consensus building that crystalized in the adoption of ILO Convention No. 182. In this sense, Convention No. 182 was nourished with views emerging from a variety of discussions and forums.
9. Convention No. 182 covers *all girls and boys under the age of 18*, in line with the definition of the child under the Convention on the Rights of the Child. It contains no exceptions for any branches of economic activity, or based on a country's level of economic or social development. Its definition of the worst forms of child labour comprises: (a) slavery and forced labour, including child trafficking and forced recruitment for armed conflict; (b) child prostitution and pornography; (c) production and trafficking of drugs; and (d) work likely to harm the health, safety or morals of children. Thus, the definition of the worst forms of child labour is *not limited to situations within traditional and formal employment relationships*. It includes, for instance, child trafficking, prostitution and pornography – echoing the Stockholm Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children (1996). Another example is the forcible recruitment of child soldiers – covered by Paragraph 25 of the Plan of Action regarding the protection of children during armed conflict.
10. Children require special protection and attention in situations of armed conflicts, where they continuously suffer from trauma resulting from violence and hostility. Following the adoption of ILO Convention 182, the ILO's InFocus Programme on Crisis Response and Reconstruction strengthened its programme on *child soldiers*. The explicit understanding that the forced or compulsory recruitment of children under the age of 18 is one of the worst forms of child labour allows the ILO to focus on the demobilization and economic and social reintegration of child soldiers. For example, in Democratic Republic of Congo (DRC), ILO has been collaborating with UNICEF and the World Bank on demobilization of child soldiers. Planned actions include rapid assessment to grasp the situation, and national workshops to develop a common policy framework.

11. This Convention does not only call for prohibition of the worst forms of child labour but urges action to design and implement *programmes of action* to eliminate the worst forms of child labour as a priority and to establish or designate appropriate *mechanisms for monitoring* implementation of the Convention. It requires effective and *time-bound measures* for: prevention; the removal of children from the worst forms of child labour and their rehabilitation; ensuring access to *free basic education* or vocational training for all children removed from the worst forms of child labour; identifying children at special risk; and taking account of the special situation of *girls*.
12. As one of its innovative features, ILO Convention No. 182 specifically calls for *international cooperation or assistance* in the efforts to ensure its provisions are effectively applied, including support for social and economic development, poverty eradication and education. By doing so, the Convention thus provides a basis for a global partnership that transcends borders and brings together different actors in the fight against child labour, with priority on its worst forms. International cooperation is also vital with such phenomena as trafficking in children or child pornography on the Internet, which often take place across borders.

Child labour and education

13. It is important to emphasize that because child labour can hinder access to education for many children, providing relevant educational opportunities is ILO's core principle for combatting child labour – an issue covered by Paragraphs 20 and 21 of the Plan of Action. The Minimum Age Convention, 1973 (No. 138) links the minimum age for admission to employment or work to the age for finishing compulsory education. Convention No. 182 similarly points to the importance of education by explicitly stating that it should be taken into account and that ratifying States should take measures to ensure access to free basic education for children removed from the worst forms of child labour. The achievement of basic education for all – confirmed as a global target for 2015 at the Dakar World Education Forum in 2000 – would be hard to achieve without simultaneous efforts and progress on the elimination of child labour, and especially in its worst forms.
14. More widely speaking, child labour is a hindrance to *human resource development*. It was reaffirmed by the ILO constituents at the 2000 International Labour Conference that “*Education and training are a right for all. Governments, in cooperation with the social partners, should ensure that this right is universally accessible. Free universal, quality public primary and secondary education must be made available to all children, and they should not be denied sustained access to education through child labour.*”²

International monitoring

²Conclusions adopted by the Committee on Human Resources, Training and Development, International Labour Conference, 88th session, June 2000, Paragraph 8

15. The ILO's own system of *supervising its standards application* has contributed to the international monitoring of WSC Plan of Action implementation. The ILO has been a pioneer in the development of international monitoring of treaties and has a long-standing experience at the **international** level, whereby the application of a ratified Convention is examined by the International Labour Organization's supervisory bodies. It is not a system of sanctions. But the international pressure – and encouragement – this system generates are proven forces for change.
16. There are two aspects to the supervisory process: Regular supervision and ad hoc procedures. First, *regular supervision* is based on Governments' reports received on actions they have taken to implement Conventions they have ratified. They must submit these reports to the ILO every two years, in the case of Conventions No.138 and 182. The independent Committee of Experts on the Application of Conventions and Recommendations reviews the reports and other information, such as a country's legislation, as well as employers' and workers' comments. If it is found that a country is not fulfilling its obligations under the Convention, the Committee may make a direct request for further information or publish an observation in the Committee's report urging that shortcomings are addressed. These comments can suggest not only legal review but practical measures. The Committee's report is submitted to the International Labour Conference, where it is discussed by a tripartite committee comprising delegates from governments, employers and workers. Some selected cases are discussed in this forum to draw special attention of the governments to points on which measures need to be taken. Some cases of children's forced labour, for example, have received international attention this way.
17. Secondly, in case of acute problems or persistent non-observance of a ratified Convention, the ILO Constitution provides for *ad hoc procedures* to allow employers, workers and other governments to submit an allegation, called "representation" or "complaint", which will be examined by designated bodies. It can be highlighted that such ad hoc procedures and the involvement of the social partners – employers and workers – in the supervisory system, constitute a valuable feature of the ILO standards, complementing more general instruments that do not have such a mechanism, such as the Convention on the Rights of the Child.

II. ACHIEVEMENTS THROUGH ACTION FOR ASSISTANCE

1. Besides standard setting and monitoring, ILO's means of action toward child labour elimination is three fold: It involves direct action through technical cooperation activities, policy guidance and knowledge enhancement through statistical data and research, and advocacy. Although these are treated separately in this report, for the sake of clarity they are in reality strongly connected and mutually reinforcing. The overall objective of IPEC³ is the elimination of child labour; it aims to ensure sustainability at the national level and true ownership of its programmes by the participating countries, within a framework of a broad social, economic and cultural alliance.

³IPEC Programme Implementation Report, and further information is available on the internet at: <http://www.ilo.org/public/english/standards/ipec/index.htm>

2. The InFocus Programme on Child Labour combines the implementation of the ILO International Programme on the Elimination of Child Labour (IPEC) with the global campaign for ratification and implementation of Conventions Nos. 138 and 182 and a strong research programme.

Operational activities

3. When ILO launched *IPEC* in the early 1990s, child labour was still very much a marginal issue, drawing the attention of a handful of specialized agencies and organizations, committed individuals and donors. Now, nearly a decade later, the situation has changed dramatically. From an original group of fewer than 10 countries, IPEC has expanded into a global partnership involving a total of nearly 100 participating and donor countries⁴. Progress in standard setting and nearly 10 years of experience with direct action have reinforced ILO's mandate and reputation as a key UN agency to which member States turn for advice and assistance on child labour.
4. IPEC's strategy always starts with a clear demonstration of political will by the partner countries to abolish child labour. As a result, the point of departure for ILO work on this issue is the signature of a Memorandum of Understanding with a Government, specifying areas of cooperation. Then a National Committee composed of public institutions, employers', workers' organizations and NGOs is established. The main objective of these committees is the preparation of Action Plans where objectives, priorities and concrete actions for the solution of the problem are included.
5. For example, four years of groundwork is now paying dividends in Brazil. The Government has given top priority in its social policy agenda to the struggle against child labour. Employers and workers organizations have begun to mobilize on an impressive scale. Spearheading this development is the National Plan on Human Rights, which puts firm emphasis on the eradication of child labour. An inter-ministerial working group has been set, resulting in a commitment of resources to improve labour inspection and a programme to give incentives to help families withdraw children from work and put them in school. Cooperation with Non-Governmental Organizations in this Programme has proven to be very successful.
6. Another example of successful strategies that can be replicated and expanded is that of the garment industry in Bangladesh. Under pressure from importers of their product, employers realized that a simple dismissal of children from their factory was no solution to the problem, because these children were left in even worse circumstances. Therefore, the Bangladesh Garment Manufacturers Association signed a Memorandum of Understanding with ILO and UNICEF, with support from the Bangladesh Government and the US Department of Labour, to work to eliminate child labour in the garment industry by providing credible alternatives, such as access to

⁴As of 30 September 2000, 51 countries have signed a Memorandum of Understanding with IPEC, while another 23 countries are involved in the programme in a less formal way. A total of 25 donor countries and contributing organizations provide support to the Programme.

education, stipends and skill training. Collaboration among different actors that offered viable alternatives was a key to the successful results achieved.

Statistics, information and research

1. As child labour has increasingly become an important issue globally, the lack of reliable information has become evident, especially detailed and up-to-date statistics. A robust situation analysis and monitoring mechanism are indispensable for effective intervention programmes. To meet this need, the Statistical Information and Monitoring Programme on Child Labour (SIMPOC) was launched in 1998, to help member States collect comprehensive quantitative and qualitative information on child labour. Information and data generated so far are widely disseminated, especially via the Internet. The data – disaggregated by sex – serve as essential tools for several purposes:
 - § Identifying the magnitude and nature of the problem of child labour and analysing its causes so that relevant policies and programmes are formed accordingly;
 - § Informing the public and generating awareness on issues at the global and national levels;
 - § Monitoring trends so that intervention measures can be assessed and adjusted.
25. In total 53 countries have requested assistance; of these 35 countries have been programmed for 2000-2001. In 18 countries, child labour surveys are in various stages of project implementation. New surveys will shortly be launched in 15 other countries. The majority of the child labour surveys will be carried out for the first time as benchmark surveys. To ensure that trends are established and analysed, a second-round survey is envisaged in some 19 countries before the end of 2003.
26. The urgent focus on the worst forms of child labour poses a great challenge for information gathering, since many of the worst forms are hidden from public view, are often illegal and would not be captured by normal surveys based on workplace or households. To fill this gap, ILO and UNICEF have developed a *rapid assessment* methodology on child labour, seeking to strike a reasonable balance between statistical precision and data gathering based on impression. It can quickly generate information that is realistic and useful for raising public awareness, programming, planning, in-depth research and for complementing findings of national household-based surveys. A 10-month project is being implemented to conduct rapid assessment of selected types of the worst forms of child labour in 38 locations (21 countries and one border area). The lessons learned from these studies will be applied quickly to improve the methodology and meet increasing demand for information on the worst forms of child labour.
27. Demand for child labour research and policy analysis has been building up steadily over the past decade. To further efforts to obtain improved data on child labour, IPEC carries out policy-oriented research to close the knowledge gap that exists regarding factors that underpin child labour and contribute to its elimination. Topics currently under research include, for example, the effectiveness and outcomes of child labour-specific social labelling programmes, child labour issues in developed countries and the economics of child labour. The special situation of the girl child and the linkages between child labour and development also are being analysed.

Campaign and Advocacy

28. Following the Copenhagen Summit, the ILO launched a campaign for universal ratification of the seven ILO Conventions regarded as fundamental to the rights of human beings at work, and which should be implemented and ratified by all member States of the Organization. The Minimum Age Convention, 1973 (No. 138) is among these fundamental ILO Conventions as a framework for the elimination of child labour. It started to receive an increasing number of ratifications in the latter half of the 1990s: 47 ratifications at the beginning of 1995 was more than doubled to reach 99 ratifications as of 29 September 2000. This is well over half of the ILO member States.
29. In June 1999, the ILO launched a global campaign for universal ratification of the new Convention (No. 182) as soon as it was adopted. Since Convention No. 182 is considered fundamental, the advancement of its campaign is closely followed up together with the other seven fundamental Conventions. It is recording the fastest rate of ratification in the ILO's standard-setting history and had attained 37 ratifications as of 29 Sept. 2000. Convention No. 182 will come into force on 19 November 2000.
30. This campaign for Convention No. 182 is being conducted on an unprecedented scale for an ILO Convention, targeting much wider audiences than the ILO constituents - i.e. government officials, employers and workers organizations. This campaign also targets parliamentarians, inter-governmental and non-governmental organizations and national and international media. A wide range of communication technologies and campaign materials are used, including those addressed to children. In addition to direct lobbying, speaking and exhibits at some 70 major international and regional events during the last twelve months, many campaign activities were carried out in partnership with employers and workers organizations and non-governmental organizations. For example, international workers' organizations such as the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL) are carrying out international campaigns for the ratification and application of Convention No. 182. By linking up with networks of various organizations, such as the Global March against Child Labour, ILO aims to further develop a social movement against child labour. For example, A partnership with Anti-Slavery International is supporting distribution of materials on the worst forms of child labour in developing countries. In addition, ILO/IPEC is presently supporting national campaign activities in more than 60 countries. In summary, the campaign for Convention No. 182 focuses on encouraging ratification, while at the same time promoting awareness raising, social mobilization and the need for strong implementation. The ultimate goal of the campaign is to nurture a wide democratic debate at all levels of society in order to bring changes in social attitudes in favour of the sustainable prevention and abolition of child labour.

III. OTHER ACTIONS LINKED WITH CHILD LABOUR

Child labour and youth employment

31. The 2000 International Labour Conference was presented a report submitted by the Office entitled “Training for employment: Social inclusion, productivity and youth employment”⁵, containing analysis of the employment of youth (aged 15-24 years). The report refers to the ILO’s serious commitment to the elimination of child labour, which is at the root of poor working conditions for youth. It points out that the eradication of hazardous and other worst forms of child labour by all *adolescents* under 18 years old is particularly important, so as to ensure them a safe and dignified introduction to the world of work.

Child labour and women’s employment

32. Promotion of women’s rights both in general and at work has an important effect on the elimination of child labour. Globally, women make up nearly 70 % of the world’s poor. Poor single parent families, which are often headed by women, need to rely on child labour. Many children also enter the labour market through their mothers, who are compelled to take their children to the workplace. Eventually, these children in turn begin to help their mothers at work. As a result, activities for promoting *decent work for women* have a strong link to the elimination of child labour. As an example of ILO actions in this field, surveys are being conducted in Bangladesh and Tanzania to shed light on the characteristics and conditions of women’s employment and the kinds of support that positively or negatively affect child labour. Such analyses will determine how women’s socio-economic empowerment can improve family and child welfare.
33. Efforts in aid of gender mainstreaming have been pursued, such as in technical programmes on child labour. This has meant, for example, ensuring that country programmes define gender equality as a main objective. It also has meant:
34. Producing data which separates out the impacts on girls and boys – to be analysed in the light of documented differences of perceptions, needs and survival strategies;
- § Investing in research on household dynamics and patterns of division of labour;
- § Basing policy, programming, research and advocacy efforts on detailed gender analysis and planning;
- § Providing gender training and briefings for staff and partners.

Child labour and small enterprise development

34. A wide range of activities carried out by the ILO – from employment promotion to social protection – are indirectly contributing to the effective elimination of child labour. Providing parents with decent work is one way to help children attend school. Examples of initiatives *addressed to adults and communities* with a high prevalence of child labour include activities of the InFocus Programme on Boosting Employment through Small Enterprise Development. Because this Programme focuses is on facilitating and promoting business and enterprise development, few interventions directly target children, except for some test cases of business awareness training packages, or training of trainers. The interventions, however, include parents of children engaged in economic activities with two sets of objectives:

⁵Report V, International Labour Conference, 88th session, June 2000

- § First, help parents of child labourers engaged in business and income-generating activities to withdraw their children from work;
- § Second, work with the business community – in particular micro and small-scale enterprises – which constitute the most frequent employer of children, in order to improve working conditions and eventually phase out the use of children in production processes.

Activities to protect indigenous and tribal children

35. One clear example of *communities where children are at special risk* is that of indigenous and tribal peoples. In this area, the general framework is set by a comprehensive ILO Convention – No.169 on Indigenous and Tribal Peoples adopted in 1989 – with special provisions drawing attention to children belonging to these peoples. Regarding technical cooperation aimed at them, the ILO's interregional programme called INDISCO ("Support to Self-Reliance of Indigenous and Tribal Communities through Cooperatives and other Self Help Organizations") has 20 projects in eight countries in Asia, Africa and Central America. Several of them include specific support to indigenous and tribal children. In Gujarat, India activities counter the impact of migration on tribal children; in Northern Thailand, activities support local curriculum development on indigenous knowledge systems and practices for hill-tribe children. In the Philippines, ILO is undertaking an assessment of child labour practices among indigenous peoples. Finally, the cross-cutting theme of indigenous-driven development models broadly involves child protection through strengthened community organizations and cooperatives, improved livelihoods and socio-cultural continuity.

Child labour and HIV/AIDS

36. Echoing para. 10 of the Plan of Action, ILO recognizes that "HIV/AIDS has a direct impact on child labour. The tremendous pressure on households and families often forces children to work. As a result, it is difficult for them to attend school, they do not receive proper care and guidance, and easily fall victim to all kinds of exploitation."⁶ ILO is responding to this pandemic through the cross-sectoral Task Force on HIV/AIDS and the world of work, in which IPEC is involved.
37. When withdrawing children from work, there is no need to distinguish child labour caused by HIV/AIDS from child labour caused by other factors. However, in preventing or providing alternatives to child labour, special attention to social assistance and other protection relating to HIV/AIDS could have a decisive importance, especially in areas deeply touched upon by the pandemic and where children have in practice become the bread-winners of the family.
38. Child victims of commercial sex exploitation – referred to in para. 22 of the Plan of Action – are among the most vulnerable to HIV/AIDS infection. Not only has the

⁶"HIV/AIDS: A threat to decent work, productivity and development" — document for discussion at the Special High-Level Meeting on HIV/AIDS and the World of Work, June 2000

pandemic made child prostitution even more dangerous, but the completely unfounded belief that children are less likely to be infected with HIV/AIDS also has increased the demand for child prostitution. Urgent attention to HIV/AIDS, as both a cause and a consequence of child labour, is one of the emerging challenges for coming years. Research activities on the topic are under way.

IV. OTHER ILO ACTIVITIES TO PROTECT CHILDREN

Maternity protection

39. *Maternal health* is a subject explicitly highlighted in the Plan of Action, Paragraph 16-17. The ILO's activities on behalf of maternal health support children's rights. Women today are working in greater numbers than ever. By 2010, approximately 80 percent of women in industrialized countries and 70 percent globally will be economically active throughout their childbearing years.
40. The very first ILO Convention on maternity protection was adopted in 1919, as was the first Convention on child labour. On 15 June 2000 the International Labour Conference adopted a revised *Maternity Protection Convention, 2000* (No. 183) and its accompanying Recommendation (No. 191).
41. These new standards considerably extend the scope and substance of maternity protection for women workers and thus mark an important step in establishing conditions for gender equality in employment. They reinforce health protection for both mother and child and set forth the right to maternity leave, to leave in the case of illness or complications, to medical benefits (prenatal, childbirth and postnatal care, as well as hospitalization care when necessary), and to breaks or reduced hours of work for the purpose of breastfeeding.

Parental responsibilities - Work and family

42. The new Maternity Protection Recommendation, 2000 (No. 191) supports the principle that "both parents have common responsibilities for the upbringing and development of the child", as expressed in Article 18 of the Convention on the Rights of the Child, and echoing Paragraph 18 of the Plan of Action on the role of the family. It encourages member States to provide parental leave, available to either parent, following the expiration of maternity leave. It recommends that adoptive mothers and fathers have rights to leave and to benefits and employment protection similar to those granted under the Convention. It also urges member States to provide leave for an employed father to care for the child in the case of the death of the mother or in case she is unable to look after the child due to sickness or hospitalization before the expiration of her maternity leave.
43. More generally, ILO standards have paid attention to the rights of *workers with family responsibilities*, reflecting the ILO's long-standing commitment to work and family issues. It is important to mention ILO efforts to promote *the Workers with Family*

*Responsibilities Convention, (No. 156) and Recommendation (No.165), 1981*⁷. In 1993, a general survey⁸ was carried out by the Committee of Experts on the Application of Conventions and Recommendations, based on the reports submitted by Governments, including those which have not ratified the Convention. It pointed out the vital need to sensitize decision makers at the national and international level to the need to apply the principles contained in the standards, in order that real gains are made towards achieving equality. The ILO provides policy guidance to governments and the social partners on such topics as parental leave, flexible work arrangements, part-time work and child-care facilities. It also publicizes family-friendly, practical and cost-efficient employment practices, which enable workers to balance their work and family responsibilities.

V. GROWING PARTNERSHIPS

Inter-agency collaboration

44. While the ILO has a major role to play at the international level in the fight against child labour, there are certain underlying causes (e.g. poverty, inadequate economic growth, shortcomings in education system, general child protection) that are part of the mandate of other international organizations – UNICEF, the World Bank, UNDP, UNESCO and international NGOs. It is only natural that intensified international concern about child labour requires cooperation among different actors at various levels.

UNICEF

45. In October 1996, the ILO and UNICEF signed a Letter of Intent to strengthen cooperation between both organizations. It confirmed that both institutions have complementary and mutually supportive roles to play in the progressive elimination of child labour and protection of working children. This Agreement provides a framework for cooperation actions: i) to ensure coherent positions on policy and practice in child labour; ii) to convene joint regional and subregional workshops and research for purposes of disseminating and exchanging experiences; iii) on technical cooperation; iv) on follow-up activities. In operational terms, for example, UNICEF and the ILO continue to join forces, by implementing joint projects in Bangladesh, Brazil, Nepal Tanzania, and Pakistan.
46. Another example of collaboration between ILO and UNICEF involves collecting and analysing information on the worst forms of child labour via a jointly formulated rapid assessment methodology.

UNICEF and World Bank

⁷ C.156 has so far been ratified by 31 States.

⁸ International Labour Conference, 80th Session, Report III (Part 4B)

47. Recently, the ILO, the World Bank and UNICEF have started a project of technical cooperation and *information sharing* targeted “Developing new strategies for understanding children’s work and its impact”. The objectives of this project are: (i) to improve child labour research, data collection and analysis; (ii) to enhance capacity in child labour data collection and research, especially at local and national levels; and (iii) to develop models for assessing the impact of child labour on child rights.

UNICEF and UNESCO

48. Reflecting the importance attached to *education* in the elimination of child labour, IPEC in 1995 launched a project, “Mobilizing teachers, educators and their organizations in combatting child labour”, in cooperation with UNICEF, UNESCO and Education International (a workers’ organization). The project aimed to identify “best practices” worldwide on how to promote education as a major strategy in progressively eliminating child labour and how to mobilize educators, teachers and their organizations in the fight against child labour. It produced two outputs: An information kit for teachers and a report, “Action against child labour: Strategies in Education”. This report gathered country experiences and assessed the extent to which education systems respond to the challenge of child labour, the hurdles faced and successful strategies for action.

Other UN human rights bodies

49. The ILO also has been closely collaborating with UN organizations concerned with human rights and children’s rights, such as *the Commission on Human Rights (CHR)*. ILO’s close relationship with CHR is reinforced by the explicit definition of the worst forms of child labour under Convention No. 182, which includes such issues as trafficking in children, child prostitution and child pornography, as well as the forced recruitment of children for use in armed conflict. Collaboration was enhanced with two Working Groups that developed *optional protocols* to the Convention on the Rights of the Child – on the involvement of children in armed conflicts, and on the sale of children, child prostitution and child pornography.

Cooperation for the implementation of the Convention on the Rights of the Child

50. ILO has been working closely with the Committee on the Rights of the Child, being represented at each session of the Committee, as well as actively participating in its pre-sessional working groups. ILO standards and the Convention on the Rights of the Child are complementing each other. Therefore, there is a mutual interest, for instance in exchanging information both ways:

§ *ILO to CRC:* To help CRC examine the issues of child labour in detail, the ILO provides CRC with information on observations of the ILO bodies that internationally monitor the application of ILO Conventions on child labour;

§ *CRC to ILO:* Information supplied by governments to CRC in the national reports, especially concerning the practice of child labour, has been extremely useful for the ILO. The concluding observations of CRC and other relevant information is sent from ILO headquarters to its field offices, so as to be taken into account with national programmes and multi-disciplinary support that the ILO provides to its constituents.

51. Moreover, the ILO's efforts have greatly benefited from the strong interest in and support to Convention No. 182 demonstrated by the Committee on the Rights of the Child. CRC provided the ILO with its observations during the development of this new Convention, as reflected in reports submitted to the International Labour Conference. In addition, CRC sent an observer to the Conference session itself. Immediately after adoption, the CRC started recommending that States Parties to the CRC ratify ILO Convention No. 182, as it has been doing for the Minimum Age Convention (No. 138) of 1973.

ILO's unique tripartite structure - involvement of employers' and workers' organizations

52. When the ILO Convention on the Worst Forms of Child Labour was unanimously adopted at the International Labour Conference, it was not just government delegates who voted, but also employers' and workers' representatives from all over the world. Employers and workers have a vital role in the international monitoring system of the ILO, especially with their ability to submit official complaints. They are in a strategic position to convey the concerns of civil society to the governments. Furthermore, their active participation in the policy development and practical actions against child labour has proven to be essential at the national, regional and international levels.
53. The ILO Bureau for Employers' Activities (ACT/EMP) assists employers' organizations in member States with information, advice and assistance. It also works closely with the International Organisation of Employers (IOE), which has been active in the adoption of Convention 182 and has helped employers develop a strategy to secure the rights of children. In 1998, IPEC, ACT/EMP and IOE cooperated to produce an action guide for employers against child labour, "*Employers' Handbook on Child Labour - A Guide for Taking Action*".
54. ACT/EMP is also carrying out a project on "Assisting Employers to Combat Child Labour." It is being carried out in Senegal, Uganda, Ghana, Zimbabwe, Colombia, Costa Rica, Guatemala and Peru. The project is intended to enhance the participation of employers' organizations in national efforts to eliminate child labour.
55. Similarly, the Bureau of Workers' Activities (ACTRAV)⁹ has carried out activities on the elimination of child labour on a national and regional basis, including awareness-raising workshops, campaigns, research and action plans. Technical cooperation programmes and projects have begun to strengthen the ability of trade unions to develop trade union policy. Action plans to combat child labour started with international industrial trade unions in 1996. As a result of this cooperation, an agreement was signed between the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF) and the International Tobacco Growers' Association (ITGA), regarding the need to end the use of child labour in the tobacco growing sector. Another example is the work done

⁹For more information, please consult the following web site:
<http://www.ilo.org/public/english/dialogue/actrav/child/index.htm>

by the International Federation of Building and Woodworkers (IFBWW) concerning the development of a model Code of Conduct to be a tool in the elimination of child labour in the construction sector.

56. Recently, cooperation has expanded with national trade unions and teachers' organizations worldwide, in order to develop policies and action plans. In Malawi, the Congress of Trade Unions has developed action plans and undertaken initiatives in cooperation with the Government to eliminate child labour. A South Asian subregional workshop on child labour and plantations was held in Kathmandu – with the participation of trade unions leaders from Bangladesh, India, Nepal and Sri Lanka – to discuss trade union policies to deal with child labour in and around plantations.

Wider alliance against child labour

57. It is important to emphasize the crucial role played by IPEC partners in its successful programmes. IPEC is working closely, throughout the world, not only with ILO's formal constituents – governments, employers' and workers' organizations – but with: children and their families; non-governmental organizations and community-based organizations; the media, the judiciary, health institutions, universities, parliamentarians, religious institutions and individuals. The importance of NGOs and their networks also has been felt in international forums on child labour. For example, the arrival of the Global March Against Child Labour in Geneva at the time of the ILO Conferences in 1998 and 1999 had considerable impact on the assembled delegates and on public opinion, due to wide media coverage. Child victims of the worst forms personally expressed demands for access to education instead of exploitation. In turn, ILO has been asked to provide input on Convention No. 182 by various groups, for instance, the Coalition to Stop the Use of Child Soldiers.
58. The last decade also has witnessed increasing eagerness in *the private sector* for the elimination of child labour in the context of business social responsibility. The ILO does not endorse, certify or otherwise assess any particular enterprise, association, product or service, or any particular code of conduct or labelling programme, but conducts research, disseminates information, and provides advice and technical assistance on voluntary private initiatives.
59. Thus, the ILO is participating in the *UN Global Compact*, an inter-agency initiative between the UN and the private sector, launched by the UN Secretary-General at the World Economic Forum at Davos in 1999, who challenged world business leaders to "embrace and enact" the Global Compact – both in their individual corporate practices and by supporting appropriate public policies. The effective abolition of child labour is among the nine guiding principles of the Global Compact, covering topics in human rights, labour and environment.

VI. FUTURE ACTION AND CHALLENGES

60. Para.3 of the Plan of Action rightly places progress for children in the context of overall national development. Correspondingly, *ILO views child labour as a development issue and tackles it in a wide perspective of decent work, with special*

attention to gender. The Director General of the ILO clarified, in his report¹⁰ submitted to the International Labour Conference in 1999, a primary goal for the ILO — securing decent work for women and men everywhere. In this context, child labour is a pressing social, economic and human rights issue. Individual children pay the highest price, but their countries suffer as well. Sacrificing young people's potential forfeits a nation's capacity to grow and develop. **Ending child labour is a goal in itself; but it is also a powerful way of promoting economic and human development.**

61. *Poverty generates child labour and child labour perpetuates poverty*. In this regard, it is reasonable to assume that work that precludes or seriously handicaps education and upward social mobility leads to poverty, because low educational attainment reduces lifetime earnings. In macro-economic terms, work injurious to the development of children perpetuates poverty by degrading the stock of human capital necessary for economic and social development¹¹.
62. Analysing the issue a step further, one can see that *child labour reinforces social inequalities* and that where adults suffer from lack of protection and poverty, children are exposed to child labour. Given that women constitute the vast majority of the poor, the promotion of decent work for women becomes a powerful tool to prevent and eliminate child labour in general and that of the girl child in particular. In the same vein, experience has shown that child labour cannot be effectively eliminated where other aspects of child protection are not ensured.
63. Furthermore, some of the worst forms of child labour are pure criminal acts needing appropriate action from law enforcement authorities, such as child trafficking, prostitution and pornography and use of children in drug trafficking. Forcibly recruited child soldiers are another category that requires intervention in the context of armed conflict. Thus, action against child “labour” is not only about regulating work done under employment relationships. Nor is it limited to the export sector of goods manufactured by child labour. There is a need for further widening the alliance for effective action to eradicate it. The relationships among these complex issues shape the nature of the challenges to be overcome in pursuit of the goal set by the ILO.

Challenges

64. Because of the complexity of child labour issues and the consequent need for comprehensive and integrated measures, there was always the tendency to believe that child labour can be eliminated only progressively, with the improvement of general economic and social situations. But there was an international consensus achieved during the 1990s, that action must be taken immediately, with priority attention paid to the worst forms of child labour. That consensus, moreover, coalesced around the idea

¹⁰Director-General's report "*Decent Work*" to the International Labour Conference (87th session) in 1999.

¹¹CHILD LABOUR: WHAT'S TO BE DONE? - Document for discussion at the Informal Tripartite Meeting at the Ministerial Level, 1996, para.46

that action to address the worst forms must take place, regardless of a country's level of economic and social development.

65. One of the major challenges is therefore to act *urgently* to tackle the worst forms of child labour, such as bondage, child prostitution or hazardous work, while making intervention *sustainable* via the creation of a shared national sense of ownership of programmes in the countries and a wide range of economic and social measures – coupled with a radical change in public attitudes.
66. The international assistance called for in Convention No. 182 involves resource mobilization and transfers. But to secure sustainability, there must be a sharing of critical information – particularly on border activities – as well as a joint commitment for building law enforcement and institutional capacities.
67. Another challenge is to foster collaboration in a holistic manner – common to the Plan of Action and the Convention of the Rights of the Child – to consider all children's rights and protection in their totality. This is reflected in the recent evolution of standards and principles in the ILO and through the many action programmes that are carried out from different angles with a widening number of partners.

Initiatives for the future

68. Initiatives at the international level must be pursued on two fronts that reinforce each other: Promotion of ratification and implementation of Conventions and assistance via international cooperation. *Advocacy* and *partnership* are the keys.
69. First, the adoption of *ILO Convention No. 182* is a manifestation of a global consensus on the issue of child labour. The rapid pace of its ratification testifies to this. However, a long list of ratifications is meaningless if it is not effectively implemented – both in law and practice in each country. To translate political will into reality, it is indispensable to make governments accountable by effective use of the system of international monitoring and follow-up. The ILO's supervision embraces tripartism – involving actors that are not governments. The employers' and workers' organizations at all levels have a crucial role to play by channelling broader social concern into this system. Even without using formal procedures of allegations, pressure can be placed on the governments to act as they have promised to do with their Convention ratifications.

Moving forward: Developing Time Bound Programmes

70. The development of Time Bound Programmes (TBPs) – the next step in IPEC's approach — aims to accelerate the process of eradicating the worst forms of child labour. This approach combines past experiences of sectoral, thematic and geographically based approaches – linking the action against child labour to the national development effort as a whole – and to economic and social policies of every kind, from macro-economic performance to education and labour market policies. Strong emphasis is placed on mobilizing society and on engaging the top leadership of each country. TBPs comprise assistance to countries in:

§ Determining and identifying hazardous and other worst forms of child labour for priority attention;

§ Assessing the importance of the various parameters for the prevention and rehabilitation of children in the worst forms;

§ Developing a monitoring and evaluation system – including targets and indicators – for assessing the impact, cost effectiveness and sustainability of the programme;

§ Promoting effective enforcement of national legislation and mobilizing local and external resources to eradicate the worst forms of child labour within a determined period of time. Three countries have expressed the will to engage in pilot, nationwide Time Bound Programmes aimed at drastically reducing the worst forms of child labour within a given period of time. These are: El Salvador, Nepal and Tanzania.

71. It is expected that the implementation of these time-bound programmes, which are being elaborated, will demonstrate that the worst forms of child labour can be significantly reduced with coordinated action. It will also show the impact such a reduction can have on sustainable economic and social development.

72. Both of the above initiatives regarding standards and assistance should advance alongside worldwide *advocacy* against child labour, focussing on its worst forms. Advocacy turns yesterday's unchangeable and unchallenged reality into today's unacceptable anachronism. A campaign mobilizes an expanding and deepening commitment among its target audiences. A campaign creates a climate of moral outrage, making it uncomfortable, unprofitable and ultimately impossible for the exploiters of children to continue in their ways. To achieve this result, education for all is crucial. **Schools for children and decent work for adults** – backed by international cooperation – is the formula.

73. The coming years will be a crucial period to make the words into deeds, by ensuring that the political commitment expressed in the adoption and ratification of international Conventions is translated into action at all levels – down to every intervention that directly helps children in a sustainable manner.