ENGLISHLAYOUT.qxd 21/02/01 12:53 Page 1

# The New ILO Worst Forms of Child Labour Convention 1999

# Do you know...

**written by the**

**Geneva NGO Group for the Convention on the Rights of The Child**
**Sub-Group on Child Labour**

ENGLISHLAYOUT.qxd 21/02/01 12:53 Page 2

# ...about the new ILO Worst Forms of Child Labour Convention?

Written & Edited by Pins Brown
Design & Layout by Becky Smaga
Translation (French) by Marguerite Harrison
Translation (Spanish) by Jorge Castilla
Printed on recycled paper by Hallmark Press, London

ENGLISHLAYOUT.qxd 21/02/01 12:53 Page 3

NGO Group for the CRC -

# Child Labour

## Sub-Group Brochure on Convention 182

> To implement child labour policies, **[governments]** must **rely heavily** on the **mobilisation** and **commitment of civil society**... The challenge for governments is to **create** and **sustain coalitions against child labour** that are made up of **non-statutory**, and in some cases even **voluntary, grass-roots bodies, the private sector** and **private individuals.**

*Implementing the CRC:*

*Resource mobilisation in low-income countries*

***Ed. James R Himes, 1995.***

# Contents


| | | page |
|---|---|---|
| 1. | **Introduction** | 2 |
| 2. | **Convention 182**<br>Main provisions and their meaning | 4 |
| 3. | **Recommendation 190**<br>Important elements and their meaning | 6 |
| 4. | **National level programmes of action** | 9 |
| | Who can find these instruments useful? | 9 |
| | How does C 182 relate to the UN Convention on the Rights of the Child? | 10 |
| | The role of the ILO in the implementation of C 182 and R 190 | 11 |
| | How civil society can use C 182 and R190 - getting involved in the national programmes of action | 12 |
| 5. | **Togo: Case Study** | 13 |
| 6. | **Guatemala: Case Study** | 20 |
| 7. | **Publications relevant to C 182**<br>List of useful materials and where to obtain them | 22 |
| 8. | **Useful links to relevant organisations**<br>Website addresses/fax numbers for regional offices of relevant bodies | 23 |

# 1. Introduction

This brochure has been produced by the Child Labour Sub-Group of the NGO Group for the Convention on the Rights of the Child (CRC). The NGO Group is a coalition of more than 50 international non-governmental organisations (NGOs) based in Geneva, whose mission is to facilitate the promotion, implementation and monitoring of the Convention on the Rights of the Child. The Group has a number of thematic sub-groups, including the Sub-Group on Child Labour, which has more than 20 members consisting of international NGOs and professional associations.

The United Nations (UN) Convention on the Rights of the Child (CRC),1989, brought international, regional and national attention to the fact that children's issues are human rights issues. The creation of a human rights framework for children initiated by that convention proved to be a turning point. The International Labour Organisation's Convention No.182, 1999 on the Worst Forms of Child Labour follows in the footsteps of the CRC, proclaiming children's right to be protected from the most harmful and exploitative practices.

For child rights groups, the purpose of this brochure is to show the potential for getting involved in implementing the Convention. Case studies illustrate how mobilisation of civil society groups can maximise action to eliminate the worst forms of child labour.

For broader human rights groups and others whose work relates to child labour, we aim to provide an introduction to Convention 182 and its significance for a variety of different groups, from professional bodies to grassroots community groups.


# Thank you...

The NGO Group for the CRC Sub-Group on Child Labour would like to thank **ILO/IPEC** and the **Human Rights Project Fund of the UK Foreign and Commonwealth Office** for funding this project.

Thank you also to those who gave comments, namely:

World Vision International;

the NGO Group Liaison Unit;

World Union of Catholic Women's Organisations;

Defence for Children International;

Save the Children Sweden;

Defence for Children International; Costa Rica;

International Federation Terre des Hommes;

ILO/IPEC;

the NGO Group Focal Point on Sexual Exploitation of Children;

WAO-Afrique

Anti-Slavery International

ENGLISHLAYOUT.qxd 21/02/01 12:53 Page 5

The **ILO** estimates that there are around **250 million children** aged between 5 and 14 **working worldwide,** with **120 million working full-time. 80 million** are estimated to work in the **worst forms** of child labour. The large majority of these children are working in **agricultural** activities, and the largest single employer of **girls** is **domestic work.** Around **70%** of child workers carry out **unpaid** work for their families, whether at home or in small enterprises, in **rural** or **urban** areas.

Credit: Ben Buxton/Anti-Slavery. Former child labourers. India.

Credit: Ben Buxton/Anti-Slavery. Former child labourers. India.

# 2. Convention 182

## Convention 182 and Recommendation 190 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

The International Labour Organisation (ILO) is the specialised UN agency charged with developing and enforcing international labour standards. The ILO is the only UN organisation to be made up not only of governments, but also representatives of each member state's employers' organisations and workers' organisations (trade unions). Its head-quarters are in Geneva, Switzerland.
In June 1999, the ILO's annual International Labour Conference, with delegates representing each of its three sectors above, unanimously agreed to adopt Convention 182 (C 182) and Recommendation 190 (R 190).
A copy of the full text of both is enclosed in this brochure, further copies can be obtained from your local ILO country or regional office - see page 23 for details, or the ILO website at www.ilo.org. Further details about the ILO are in Section 4.

The main aim of C 182 and R 190 is to eliminate the worst forms of child labour. Both instruments stress that immediate action is needed to tackle the worst exploitation of children, and that measures taken by the authorities should be time-bound - they should start as soon as the government is able following ratification. (Ratification of a convention involves a state officially consenting to be bound by an international agreement, and accountable for all allegations of violations). While C 182 and R 190 recognise that the causes of child labour cannot be solved overnight, they clearly indicate that action should be taken as soon as possible.
Together, C 182 and R 190 also recognise that solving child labour is a gradual process, and that once the very worst forms are successfully eliminated, others may be formally identified and tackled. A variety of factors are involved, including poverty, discrimination and insufficient access to education.

International support for C 182 has been excellent, and it is currently the fastest-ratified Convention in ILO history. 41 states had already ratified by the end of October 2000 - an up-to-date number of ratifications can be found on the ILO website. C 182 entered into effect on November 19th, 2000. All the articles in the Convention are legally binding on states that ratify it one year after they do so.
The Recommendation is not binding, but designed to be closely tied to C 182. Its function is to suggest how to implement C 182.

## Main elements of the Convention

The main provisions of C 182 are to clarify which situations should be classified as the worst forms of child labour, and to specify what governments must do to prohibit and eliminate them. Particular points to note under C 182 are:

## Definitions

- A child includes anyone under the age of 18, with no exceptions. (Article 2)

The definition of the worst forms of child labour includes:

(a) all forms of slavery or similar practices, such as debt bondage, trafficking and forced or compulsory recruitment of children for use in armed conflict

(b) the use of children for prostitution and pornography

(c) the use of children for illicit activities, such as the production and trafficking of drugs

(d) all work which is likely to endanger the health, safety or morals of children. (Article 3)

- Governments must consult with organisations of workers and employers in a formal process in order to agree on exactly what is considered hazardous work under Article 3 (d) in their own country. They must take into account international standards like R 190, and periodically review and revise the types of work that fall under the national definition, also in consultation with employers' and workers' organisations. (Article 4)

## Implementation

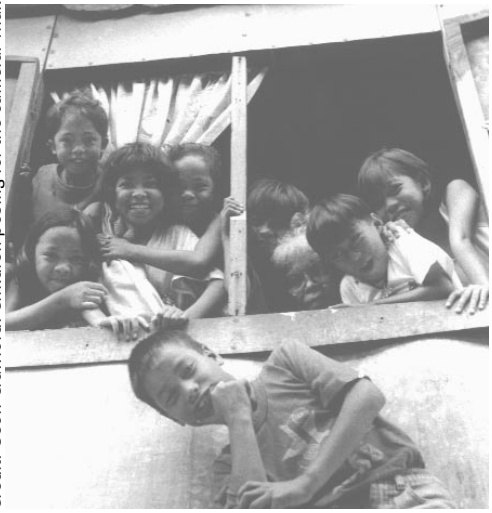
Governments commit themselves to:

- designate an appropriate body to implement national programmes of action to fight the worst forms of child labour. (Article 7)
- involve workers and employers organisations in the design and implementation of those programmes. (Article 6)
- consider the views of 'concerned groups' (that is civil society organisations whose work tackles the worst forms of child labour, as well as children and young people affected by the worst forms of child labour and their families) in the design and implementation of national programmes of action. (Article 6)
- consult employers' and workers' organisations when establishing or designating mechanisms (meaning procedures or institutions) to monitor the implementation of the Convention. (Article 5)
- enforce the measures in the Convention, ensuring the appropriate penalties - including prosecution or other measures to punish offenders - where necessary. (Article 7)

## Tackling children's involvement in exploitative labour

Governments commit to time-bound measures to:

- prevent children's involvement in the most exploitative practices
- recognise the importance of education in efforts to eliminate child labour
- provide assistance to remove children from the worst circumstances
- take measures to rehabilitate and reintegrate children into society after their experiences
- give children access to free, basic education and, where possible and appropriate, vocational training once they have been removed from the exploitative situation. (Article 7)



Credit: Geoff Crawford. Children posing for the camera. Thailand.

# 3. Recommendation 190

R 190 serves as guidelines for national action. It expands on C 182 and introduces new elements that governments should consider in implementing the Convention. Particular points to note about R 190 are:

## National programmes of action

National programmes of action are the framework for implementing C 182. R 190 identifies concrete steps for implementation, including the potential for civil society involvement. It recommends that governments consider the views of employers, workers and relevant government institutions, and also others involved with the worst forms of child labour. This includes: the children and young people themselves, their families and other groups whose work illustrates their commitment to the aims of C 182 and R 190, as decided by the national government.

The programme of action is responsible for:

- making clear exactly what are considered the worst forms of child labour
- ensuring such practices are clearly condemned as extremely exploitative practices

- preventing children from entering such work
- removing children from such work
- protecting children from any punishment or ill treatment which might result from their withdrawal from work
- providing rehabilitation and reintegration efforts covering a range of the child's needs - educational, physical and psychological
- being especially vigilant in the cases of particularly vulnerable children: the very young; girls; and those whose work situations are hidden
- a proactive approach in finding, accessing and working with communities at special risk
- spreading information and awareness and encouraging activity across society.

## Hazardous work

Specific examples of what is meant in Article 3 (d) of the Convention, where the very type of work children are doing puts them at a risk they cannot avoid:

- work which exposes children to physical, psychological or sexual abuse
- work underground, under water, at dangerous heights or in confined spaces
- work in an unhealthy environment, exposure to damaging substances
- work in particularly difficult conditions such as long hours, night work or confinement to the place of work (for example, this could be interpreted to include live-in child domestic workers)
- Hazardous work can be legitimately undertaken by children over 16, but only where they are fully protected from any threat the work may pose, and trained in the relevant activity. Authorisation to allow such work must be agreed in consultation with workers' and employers' groups.

Credit: Shakil Pathan/Anti-Slavery. Child agricultural labour. Pakistan.

## Implementation

- Governments should recognise the need for information and statistics on child labour
- Information should be gathered regarding those who infringe national measures to eliminate the worst forms of child labour, which governments then have a duty to communicate to the ILO on a regular basis
- Although responsibility for implementing C 182 may be shared between different authorities, those authorities must make an effort to work together and in harmony
- Recommendation of a broad range of measures to help implementation of C 182 and R 190 (see section on the role of NGOs and other concerned groups for further information).

## Penalties

- It is recommended that the forms of child labour in Article 3 (a), (b) and (c) of the Convention should be made criminal offences
- Punishment, including criminal punishment where appropriate, should be used when national measures to eliminate and outlaw necessarily harmful work (defined in Convention Article 3 (d)) are violated
- Governments must decide who is responsible when national laws preventing the worst forms of child labour are broken
- Countries must cooperate at an international level where the worst forms of child labour involve international criminal offences; they should also ensure that those carrying out such crimes are registered
- Governments should create legal or other necessary solutions to enforce their national implementation measures effectively.

## Cooperation and assistance

- Members should also cooperate and assist one another in order to implement the Convention, including through enhanced support for social and economic development, poverty eradication and universal education.

Brazilian National Forum for the Prevention & Eradication of Child Labour

# 4. National level Programmes of Action - the role of civil society

In this section, we will look at the opportunities C 182 and R 190 present for civil society, and how organisations can get practically involved in the national programmes of action, detailed on pages 12-21. (In this case, civil society means all those not represented by government or official workers' and employer' organisations, and therefore with no representation at the ILO - see 'Who can find these instruments useful', below).

Civil society has been involved in the development of C 182 and R 190 from the very beginning. Greater awareness of child labour had already been raised and networks set up across continents by the time the Global March Against Child Labour arrived in Geneva in June 1998,(see page 11).

The input of NGOs on the drafting of the C 182 and R 190, and their influence during the finalisation of the text at the 1999 ILO International Labour Conference had a great impact on the final version, illustrating the importance of civil society's contribution.

These instruments now provide a legal basis to capitalise on the current high profile of child labour, and to commit states to take concrete action. Recognition of the role of civil society in work on child labour is laid out in Article 6 of C 182 and elaborated in Paragraph 2 of R 190, stating that certain groups committed to the aims of the instruments must, where appropriate, have their views taken into consideration in the design and implementation of the national programmes of action. This is a major opportunity for civil society. It is also an acknowledgement that civil society groups are often the only ones present in certain child labour situations, for example where bonded labour or child prostitution exist, and are therefore vital for effective programmes of prevention, action and reform.

## Who can find these instruments useful?

A whole range of organisations and professional bodies will find C 182 and R 190 useful with regard to their activities. The instruments can be used as tools by:

- **national and local-level NGOs working on child labour**
- **child rights groups and coalitions**
- **organisations dealing with human rights and development issues**
- **other civil society actors, including community groups, women's groups and religious organisations**
- **organisations of workers not formally represented at the ILO**

- **youth organisations, organisations which either consist of children or represent them**
- **relevant professional bodies, such as health, education and legal professionals**

## How does C 182 relate to the UN Convention on the Rights of the Child?

C 182 and R 190 reinforce the message that the Convention on the Rights of the Child (CRC) made extremely clear, namely that children have the same rights as everyone else, and require special efforts to have those rights respected. Article 32 of the CRC specifically includes 'the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development'. The same message was also clear from the ILO's 1973 Convention No.138 on the minimum age for admission to employment. (C 182 does not revise or replace C 138, which is another fundamental ILO convention aiming at the abolition of child labour as a whole).

Lessons can be learned here from the implementation of the CRC. The CRC is an extremely successful convention in terms of ratification and public support. The implementation process of the CRC has brought international, regional and national focus onto children's issues and has created broad coalitions of groups that ultimately share related child rights and welfare aims.

As a result, civil society in many countries has successfully lobbied for legislatory changes and policy reform to protect children's rights and on related issues. Finally, it has also been instrumental in raising public awareness about children's rights, for example to health, education and participation. (For details of how to contact the national coalitions on child rights, see Section 8).

In many countries, national plans to implement the CRC are clear, open and take a participatory approach linking many different sectors. These have been shown to encourage genuine, long-term national commitment.
The success of the child rights coalitions (coalitions of organisations dedicated to child rights) shows that approaches involving many sectors are the most effective; that groups with apparently conflicting interests can sometimes be brought together to build realisable solutions; that civil society voices should be heard on a systematic rather than ad hoc basis; and that pressure on governments and others needs to be maintained long after a state has officially ratified an instrument. Civil society is also well placed to mobilise the public and generate the change in attitudes which reform requires. Existing coalitions of child rights organisations are in a particularly good position to encourage implementation of C 182.

Credit: Anti-Slavery. Global Marchers against child labour. Geneva

## The role of the ILO in the implementation of C 182 and R 190

Key to the implementation of C 182 and R 190 is the ILO. While the structure of the ILO only formally includes governments, workers' and employers' organisations, NGOs have proved that opportunities do exist for civil society organisations to cooperate with and lobby the ILO's members. The ILO has a programme of practical activities to combat child labour - the International Programme for the Elimination of Child Labour, known as IPEC, operating in a growing number of countries. Cooperation starts with an agreement between government and IPEC on how they will work together. IPEC will then work with governments to help them develop an appropriate national programme of action to fight child labour. It runs local and national projects in collaboration not only with its constituents - governments, workers' and employers' organisations - but also to a large extent with civil society groups.

**THE INTERNATIONAL GLOBAL MARCH AGAINST CHILD LABOUR illustrates how children, trade unions, child-focused organisations and a range of other groups can unite around the common goal of eliminating the worst forms of child labour.**

The strength of union involvement at international and national level was, and remains, crucial to the campaign.

The alliance with trade unions was essential to lobbying efforts around the drafting of C 182. Continued meaningful cooperation between local trade unions and grassroots organisations has the potential to enhance significantly the value of C 182 and its effect on children's lives.

# How civil society can use C 182 and R 190 - getting involved in the national programmes of action

## Identification of what constitutes the worst forms of child labour

Article 3 of C 182 and Section II on hazardous work in R 190 give definitions and examples of the worst forms of child labour.
The work of ILO/IPEC offices and of civil society around the world has, in many cases, already identified the worst forms of child labour in countries and across regions. Civil society groups must take the initiative to ensure their own involvement in the government consultation mechanisms.
These consultations should be systematic, not just ad hoc meetings.

Experience from the CRC shows that civil society organisations should insist that the process allows:

- **adequate time dedicated to such consultation and to respond to relevant documents**
- **agreed, transparent methods of communication where possible**
- **consideration for constraints on resources and consequent prioritisation**
- **systematic information exchange.**

- **Identification of what constitutes the worst forms of child labour**
- **Statistical information**
- **Campaigning and awareness raising**
- **Lobbying**
- **Legal provisions/ enforcement of C 182**
- **Removal, protection, rehabilitation and reintegration**
- **ILO monitoring mechanisms**

Credit:Anti-Slavery.
Child camel jockey.UAE

# Togo: Case Study

**The Togolese government ratified C 182 in September 2000. Implementing C 182 presents several difficulties in Togo,** requiring a **concerted effort** and **varied response** from all those fighting to end the worst forms of child labour in Togo. **Alliances between partners at local, regional and national level are essential.** Fortunately, the Convention itself constitutes a starting point and a trump card in the hands of those involved in the fight.

Play depicting trafficking of children for domestic work, Benin.

Civil society organisations continue to work hard to ensure that the Togolese government guarantees the effective implementation of C 182. **Their main priority is the mobilisation of all the social actors involved (parliament; trade unions; organisations; religious, administrative and traditional authorities and working children)** in order to boost effective implementation.

This mobilisation has been made possible by using a **social mobilisation strategy** developed by PLAN International Togo and WAO-Afrique (a Togolese organisation working on the problem of child domestic labour and child trafficking). **They have put in place an awareness-raising and information system using modern and traditional communication methods (such as print media, radio and television) as well as oral and dramatic forms of expression (such as plays and sketches).**

This mobilisation is already underway. In 1998, IPEC undertook a study of the working and living conditions of child labour in Togo in certain areas and industries at the request of the Togolese. The results were then used during **national tripartite discussions on the adoption of a national programme of action that took place in March 2000.**

In April 2000, a **seminar** was held in Togo **to promote the involvement of civil society in Ghana and Togo in the implementation of C 182,** organised by WAO-Afrique and PLAN International Togo, in conjunction with Anti-Slavery International.

The seminar was attended by **ministry representatives, trade unions, a variety of local, national and international NGOs as well as members of the press.**
**Child labourers contributed via a tape recording.** It aimed to adopt a **strategy for joint action to ensure coordinated activities** at all levels of potential action, including nationally and bilaterally; to **further understanding of the problem** of the worst forms of child labour in Ghana and Togo; **to work together for the implementation of C 182** and **increase capacity** to do so; and to **strengthen ties between civil society organisations themselves, and between civil society and the state.**

The seminar workshops produced consensus on various recommendations for action.

These included:

- **creating a bilateral forum for information exchange and to lobby government;**
- **creating local committees of children to raise awareness amongst themselves, their siblings and their families and teach strategies for successful dialogue with adults;**
- **introduce the notion of child rights into schools;**
- **encourage political will at state level and intergovernmental cooperation, for example between the respective immigration services.**

Credit: ESAM. Child domestic workers. Benin.

Finally, the idea of a **children's parliament** to promote and discuss such issues has been taken up in Togo. The National Assembly in Togo is currently electing children at regional level who will participate in the future Children's Parliament!

## The Optional Protocols to the Convention on the Rights of the Child

Many of the worst forms of child labour are already considered illegal activities internationally. In early 2000, two extra documents were created which act as additional agreements between states on children's rights. States may sign and ratify them as they do with the main Convention, and many organisations are working to encourage states to do so. These agreements are Optional Protocols to the Convention on the Rights of the Child, one on the involvement of children in conflict, and the other on the sale of children, child prostitution and child pornography. Efforts to end the horrendous situation of child soldiers around the world are particularly benefiting from this new legislation.

## The Informal Sector

All too easily forgotten are the vast numbers of children working in the informal sector. This is work beyond the enforcement of normal labour controls: largely invisible activities in the home, in the family, in the fields, in back rooms or on the streets. It also includes exploitation not usually associated with formal employment, such as prostitution, begging or drug trafficking. Special methods to reach these children are urgently needed, and efforts to develop such methods should be included in the national programmes of action. Traditionally many of these children have been considered too difficult to reach, or a matter for families to decide. Nevertheless, the example of some progress in changing attitudes towards the employment of child domestic workers in the homes of others shows that tackling the problem is not impossible. For example, in Dhaka, Bangladesh, a local NGO has successfully convinced employers to adopt a code ofconduct that is enforced by the local community.

## Statistical information

The collection of accurate statistical information is vital to an appropriate and adequate national programme of action. Groups with access to such information should where possible:

- work in cooperation with the official body charged with data collection, or alternatively forward their own such information where relevant
- ensure that a check is kept on government statistics, and register concern where they do not appear to reflect reality accurately
- encourage governments to implement effective birth registration measures as mentioned in R 190
- ensure that data collected is disaggregated according to gender and age.

## Campaigning and awareness-raising

Community support for the aims of C 182 and R 190 is the most crucial factor for the instruments' successful implementation. Planned activities to inform the public are essential. Through their members, groups such as religious groups, women's groups, consumer organisations and local community organisations that have access to and influence over individuals, community and society attitudes can:

- raise awareness about the unacceptable circumstances of those children that C 182 and R 190 are aiming to protect, for example through drama workshops
- mobilise popular support for a change in those children's lives
- use that support to press for ratification of the legal instruments and proper implementation measures
- encourage an understanding of the legal rights of children and adults, including translation of relevant documents into local languages
- build on the consensus created by C 182 and R 190 to act on the most unacceptable forms of child labour.

## Lobbying

Lobbying is a vital activity that makes use of campaigns to influence particular people with positions of power or authority. Organisations at local and national level can direct their campaigning and awareness-raising activities at opinion formers and decision makers of all kinds, not just politicians and public officials, including:

- the authorities made responsible for the implementation of the national plan of action, including legal authorities

- local and national politicians including all relevant ministries
- community leaders
- media
- police and other enforcement agencies
- other organisations whose work is relevant, such as education and health
- official workers' and employers' organisations that are part of the ILO
- international and regional organisations
- foreign governments and businesses to put pressure on their own and other states.

## Legal provisions/ enforcement of C 182

National human rights commissions, local human rights activists and lawyers' associations in particular, as well as broad human rights groups and commissions, may have expertise in:

- lobbying government to ensure that discrepancies between current domestic legislation and C 182 are denounced and remedied
- lobbying for criminalisation of forms of child labour in Article 3 (a),(b) and (c) of C 182
- publicising cases where such legislation is violated
- encouraging legal procedures which bring such cases to justice rapidly
- monitoring cases to ensure that appropriate penalties are imposed on those found guilty of such crimes
- getting involved in training of law enforcement officials
- lobbying for a national register of perpetrators of such crimes
- ensuring that information relating to cases of child labour constituting an offence are distributed to the correct authority and to other civil society organisations, including international ones, where appropriate.

## Removal, protection, rehabilitation, reintegration

National programmes of action must provide for the removal, protection, rehabilitation and reintegration of children in the worst forms of child labour (Article 7, paragraph 2 of C 182). The best interests of the child should be the primary consideration of such programmes of action, in line with the CRC, Article 3. Civil society organisations working in this field already have well developed programmes and experience that can be used to illustrate to governments successful measures which fully

respect children's rights and take the views of children into consideration.

Often, such programmes try to prevent the need for the child to work through poverty alleviation. However, in the case of children already involved in the worst forms of exploitation, programmes for their removal from such a situation and for their subsequent protection, rehabilitation and reintegration are needed. Programmes already adopted for this purpose include:

- **setting up a 'hotline' telephone number for the reporting of child labour exploitation**
- **increased awareness on workers' rights among high risk groups, for example using radio and television**
- **joint interventions between, if possible, the child, family, civil society organisations and appropriate authorities for the removal of children where necessary and where alternative income can be provided**
- **providing children with protection, such as crisis/ drop-in centres for emergency shelter, food and clothing, medical care and counselling**
- **provision of free legal advice**
- **educational and vocational training opportunities, whether formal or informal, life skills**
- **provision of opportunities for recreation, learning social skills.**

## ILO Monitoring mechanisms

The ILO has a number of mechanisms to monitor states' progress in terms of ratification and implementation of conventions. They include:

- **Periodic reports:**
  Governments must make periodic reports to the ILO on how they have applied the ILO conventions they have ratified. These reports are then examined by the ILO's Committee of Experts who prepare a formal report containing their own conclusions.
- **Conference Committee:**
  Based on the Committee of Experts' report, during the International Labour Conference each year a large meeting (the Conference Committee on the application of Conventions and Recommendations) discusses the most serious abuses of conventions revealed in that report. Trade union representatives propose which cases and conclusions should be examined.

- **Fundamental conventions:**
  There are 8 ILO Conventions that are considered to cover four fundamental principles and rights at work. All ILO member states commit themselves, even if they have not ratified the relevant conventions, to respect, promote and realise the principle of the effective elimination of child labour (as well as the other principles).

- **With regard to child labour:**
  The relevant conventions are No 138 on Minimum Age, and No 182. If a state has ratified neither of these two, the ILO will ask that state for a report detailing any changes in its law and practice in that area. Workers' and employers' organisations may make comments on those reports.

- **Global Report:**
  Each year the ILO issues a major report about one of the four fundamental principles. Starting in 2002, every four years the child labour Global Report will cover the progress made around the world both in countries that have ratified C 182 and C 138 and in those that have not. It will also assess the work the ILO has carried out worldwide relating to those conventions.

The most effective way for civil society organisations to add their concerns to these mechanisms is through collaboration with workers' or employers' organisations, either at national, regional or international level.

EAST AFRICAN **Standard**

THE PAPER THAT CARES

## Shocking statistics on children's rights

THE statistics are as confounding as they are frightening. Permanent Secretary in the Ministry of Labour and Human Resource Development Dr Kangethe Gitu on Thursday disclosed that over four million Kenyan children aged between six and 16 do not attend school and may be involved in child labour.

Gitu attributed the rise of child labour to inadequate legislation, HIV-Aids and a breakdown of family structures.

But Gitu's was really not a disclosure. This is a fact that the authorities very well know but which no policy maker has risen to address in a substantive way.

Children represent almost 41 per cent of the population in the country. To condemn such a percentage to ignorance, as seems to be the case today, is certainly to perpetuate poverty with all its concomitants. Which is frightening.

An upsurge in poverty will most certainly lead to an upsurge in crime. And this is just what we are now courting.

The PS also took issue with the country's education system which he said should be made more relevant and affordable to check the high drop-out rate in primary schools.

He urged the Ministry of Education, Science and Technology to put more emphasis on non-formal education for the sake of disadvantaged children.

An education system that segregates is obviously erroneous. Precisely because to free a population from ignorance is a step towards freeing it from poverty, the Government must work towards ensuring an education system that guarantees universal primary education.

Elsewhere in the world, the situation is not any better. 250 million children suffer this form of exploitation. But just because it is practised elsewhere does not mean it is right.

In any case, the UN Charter on children's rights is clear on the matter. That it is illegal to employ children.

In fact, just because a child is underprivileged does not make it right to employ him or her to work in hazardous environments. It is a most despicable form of exploitation.

As we have argued here before, child labour continues unabated because of lack of legislation.

The Attorney- General has been promising Kenyans a comprehensive law on the rights of the child for so long it has now become a mantra.

The AG's office must move with speed because it is the children who are bearing the repercussions of its lethargy.

Without strict legislation to protect the child, any move towards such a cause will be futile.

We are hoping that with these statistics, the Government will finally do more than just offer promises on eradicating child labour. Commitment towards a cause can only be taken seriously if it is followed by action. This is what the Government should and must do!

Newspaper report: East African Standard, April 2000.

# Guatemala Case Study - IPEC

**The labour of the 500 children crushing rock in Retalhuleu, Guatemala, is definitely one of the worst forms of child labour.**

Credit: IPEC Child labour, stone breaking. Guatemala

Aged between 5 and 15, the children and their parents work **long hours for minimal wages,** often suffering from **respiratory and other illnesses** due to the **dust, heat** and nature of the work.

Retalhuleu has over 225,000 inhabitants. Illiteracy runs at nearly 77% and 10% of children drop out of school. The children at the quarry make gravel to sell to the construction industry, starting with rocks weighing up to 100 lb, and taking five days to turn that rock to gravel.

**In 1998, a 19 month project began in Retalhuleu.** The project was **implemented by an NGO called Habitat** that works on sustainable development and the environment, and was **funded by IPEC.** It aimed to **take children gradually out of work** by using **improved technology** for rock crushing and offering **educational alternatives.** Another aim was to **build child labour into the Ministry of Labour's social development agenda,** and to support the activities of others implementing child labour related policies.

Finally, the project hoped to create an awareness of how exploitative much child labour is. The project began before the existence of C 182 and R 190. However, it clearly **illustrates the principles enshrined in C 182 and the process outlined in R 190 on the involvement of civil society organisations in project implementation.** Initially, a **survey** was carried out with all relevant parties: project beneficiaries, local authorities, implementing agencies and local development organisations. A **study** was taken to asses the children's real situation, which led to a **project plan covering a variety of areas including:**

- **health**
- **education**
- **economic alternatives**
- **community participation as well as research and documentation.**

**Community participation was seen as vital** for the success of the project, and taken to heart here. **Community development organisations were set up across the whole communities** where the families live, as well as **consultative committees of teachers and of social workers,** along with **pharmacies** and a **medical clinic.** Thus the basic rights of health, education and participation were all elements of the project.

**Workshops ensured the involvement of teachers, head teachers, children and families** providing information and training on subjects such as teaching, nutrition, health education and micro-enterprise.

- **Brochures**
- **a video**
- **and street theatre**

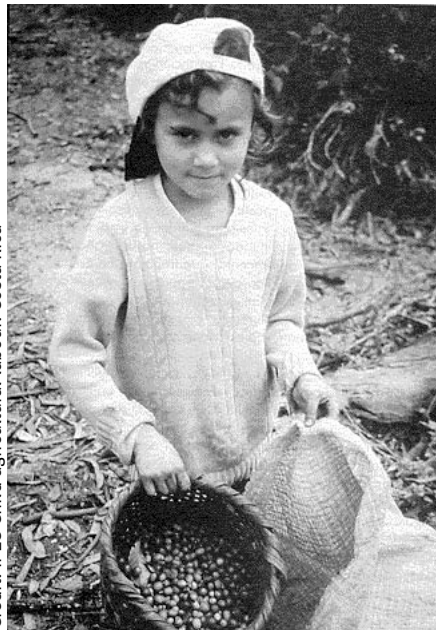
were used to advertise the project and to encourage school attendance. **300 children took part in the theatre production that concerned dropping out of school.** The programme involved the continued **support and cooperation of the government departments of Health, Education and Labour** including at local level, illustrating that a multi-sectoral approach across government and civil society is possible.
It **raised awareness at community level,** and **successfully involved individuals who have an impact on their community:**

- **community leaders**
- **teachers**
- **local authority officials**
- **medical professionals**
- **and social workers.**

**As a result of the project, 121 children stopped working at the quarry and 240 are now attending school.**

Some families have also formed a cooperative and purchased rock-crushing equipment.

Clearly this is only one project tackling the exploitation of children in Guatemala, but it represents cooperation, participation and a step in the right direction in the fight against child labour.



Credit: IPEC Child agricultural labour. Costa Rica

# 7. Publications Relevant to C 182

## Governmental publications

- Contact government department responsible for implementation (often the Ministry of Labour) and request their literature on the subject.

## Non-governmental publications

- Global March Against Child Labour ILO Convention 182 Ending the Worst Forms of Child Labour: A guide to Action, May 2000

Extensive guide to convention, including legal process and role of Global March.
fax: 00 91 11 6236818
e-mail: childhood@globalmarch.org
www.globalmarch.org

- Save the Children UK Small Hands, Big Business, June 2000

Guide for responsible business actions regarding child labour, including involvement of NGOS
fax: 00 44 20 7708 2508
e-mail: publications@scfuk.org.uk
www.savethechildren.org.uk

- Defence for Children International, Costa Rica Prevención y Eliminación de las peores formas de trabajo infantil: un reto para la democracia y el desarrollo humano, August 2000

fax : 00 506 283 1219
e-mail :dnicos@sol.racsa.co.cr

- Anti-Slavery International/Minority Rights Group International

Guide to ILO monitoring mechanisms for protection of minorities, forthcoming 2001
fax: 00 44 20 7738 4110,
e-mail: antislavery@antislavery.org

## ILO Publications, including IPEC, employers and workers publications

- IPEC

has a number of publications on child labour. They can be contacted at:
fax: 00 41 22 799 8771
e-mail: ipec@ilo.org

- ILO Bureau for Workers' Activities - ACTRAV

ACTRAV coordinates all office activities concerning workers' organizations at Headquarters and in the field.
It will be publishing a Guide to ILO Convention 182- due in 2001.
website: www.ilo.org
fax: 00 41 22 799 6570
e-mail: actrav@ilo.org

- World Confederation of Labour WCL International Campaign for the Ratification and

**Application of ILO Convention 182 Educational Handbook, May 2000**
Includes overview of international legal protection of children, roles and responsibilities of various actors.
**fax: 00 32 2 230 8722**
**www.cmt-wcl.org/pubs/**

# 8. Links to relevant organisations

## International Trade Unions

ICFTU - International Confederation of Free Trade Unions, Bruxelles
fax: 00 32 2 201 5815
e-mail: internetpo@icftu.org
www.icftu.org

ICFTU African Regional Organisation (AFRO), Kenya
fax: 00 254 221 5072
e-mail: icftuafro@form-net.com

ICFTU Asian and Pacific Regional Organisation (APRO), Singapore
fax: 00 65 222 380
e-mail: gs@icftu-apro.org

ICFTU Inter-American Regional Organisation of Workers (ORIT), Venezuela
fax: 00 58 2578 702 3349
e-mail: orit@ven.net

World Confederation of Labour, Bruxelles
fax: 00 32 2 230 8722
email: info@cmt-wcl.org
www.cmt-wcl.org

## International Governmental Organisations

International Labour Organisation - International Programme for the Elimination of Child Labour (IPEC), Geneva
tel: 00 41.22.799.6486
fax: 00 41.22.799.8771
e-mail: ipec@ilo.org
www.ilo.org/childlabour

IPEC Regional Office for Asia, Bangkok
Fax: 00 66 2 288 1069
email:manghas@ilo.org/rahman@ilo.org

IPEC Subregional Office for Central America, San Jose
Fax: 00 506 280 6991
e-mail: ipec@oit.or.cr

IPEC Subregional Office for South America, Lima
Fax: 00 51 1 421 5292
e-mail: cuadrao@ilolim.org.pe

IPEC Regional Office for Francophone Africa, Abidjan
Fax: 00 225 - 212880
email: d'ovidio@ilo.org or roeske@ilo.org

IPEC Area Office for Anglophone Africa, Dar-es-Salaam
Fax: 00 255 52 666004
email: singhs@ilo.org

UNICEF Head Office, New York
fax: 00 1 212 887 7465
www.unicef.org

## International Non-Governmental Organisations

International Save the Children Alliance
fax: 00 44 20 8237 8000
e-mail: info@save-children-alliance.org
www.savethechildren.net

International Federation Terre des Hommes
fax : 00 41 22 736 15 10
e-mail: intl-rel@iftdh.org
www.iftdh.org

Defence for Children International
fax: 00 41 22 740 1145
e-mail: dci-hq@pingnet.ch
www.defence-for-children.org

World Vision International
fax: 00 41 22 798 6547
e-mail: geneva@wvi.org
www.wvi.org

Anti-Slavery International
fax: 00 44 20 7738 4110
e-mail: info@antislavery.org
www.antislavery.org

Coalition to Stop the Use of Child Soldiers
PO Box 22696, London, N4 3ZJ, UK
e-mail: info@child-soldiers.org
www.child-soldiers.org

International Service for Human Rights
fax: 00 41 22 733 0826
www.ishr.ch

Child Workers in Asia
fax: 00 662 930 0856
e-mail: cwanet@loxinfo.co.th

ECPAT International (End Child Prostitution, Pornography and the Trafficking of Children for Sexual Purposes)
fax: 00 662 215 8272
e-mail: ecpatbkk@ksc15.th.com
www.ecpat.net

ANPPCAN (African Network for the Prevention and Protection Against Child Abuse and Neglect)
fax: 00 254 2 57 65 02
email:anppcan@arcc.or.ke
www.africaonline.co.ke/anppcan/

Consortium for Street Children
fax: 00 44 20 7738 4110
email: cscuk@gn.apc.org
www.cscuk.org.uk

## International Employers Organisations

ILO Bureau for Employers' Activities (ACT/EMP)
tel: 00 41 22 799 7748
fax:00 41 22 799 8948
e-mail: actemp@ilo.org
(a list of addresses and websites of ILO official employers' organisations worldwide can be found at: http://www.ilo.org/public/english/dialogue/actemp/contact/emp-org.htm)

International Organization of Employers (IOE),
tel: 00 41 22 798 16 16
fax: 00 41 22 798 88 62
e-mail: ioe@ioe-emp.org

## National Child Rights Coalitions

The national Child Rights Coalitions can be contacted via the Child Rights Information Network at www.crin.org. Alternatively, their details can be obtained through the Geneva NGO Group for the CRC Liaison Unit, c/o Defence for Children International
fax: 00 41 22 740 1145
email: dci-ngo.group@pingnet.ch

## International Working Children's Organisations

ENDA Jeunesse Action
African Movement of Child and Youth Workers
fax : 00 221 823 51 57
email : jeuda@enda.sn
www.enda.sn/eja

NATs Ninos/as y Adolescentes Trabajadores
Latin American working children's coordinating organisation
fax : 00 511 466 4789,
email : mnnatsop@perudata.com

ENGLISHLAYOUT.qxd 21/02/01 12:54 Page 27

Concern for Working Children/Bhima Sangha
South Asian working children's organisation
fax: 00 91 80 523 4258
email: cwc@pobox.com
www.workingchild.org

## The NGO Group for the CRC

has a Geneva-based Secretariat:
c/o Defence for Children International:
PO Box 88
1211 Geneva 20
Switzerland
fax: 00 41 22 740 1145
email: ngo.group@pingnet.ch

## The Sub-Group on Child Labour

is convened by Anti-Slavery,
Thomas Clarkson House
The Stableyard,
Broomgrove Road,
London SW9 9TL
UK
fax: 00 44 20 7738 4110
email: antislavery@antislavery.org
www.antislavery.org

ENGLISHLAYOUT.qxd 21/02/01 12:54 Page 28

# Do you know...

## about the new ILO Worst Forms of Child Labour Convention?