


**BEYOND
CHILD LABOUR,
AFFIRMING
RIGHTS**



A young girl in a white t-shirt with a cartoon graphic and a long, patterned skirt is carrying a large wicker basket on her head. The basket is filled with various items, including what looks like a plastic bag and some fabric. She is standing on a paved surface, and another person is partially visible behind her. The background shows some greenery and a building.

A young girl who should be in school carries merchandise for sale in Antigua, Guatemala. For cultural and economic reasons, girls are disadvantaged when children have to work to supplement the family income.

*On the cover:
A Brazilian boy, his face and clothes covered with dirt, stands in the midst of a garbage dump in São Paulo. At least 60 million children worldwide are exploited under extreme forms of child labour such as debt bondage and other forms of slavery, prostitution or participation in armed conflict.*

Cover photo: UNICEF/86-0311/Edinger

Child Labour:

Putting rights at the centre

There are hundreds of millions of children and young people around the world who are imprisoned, not in physical jails, but in a state of bondage more permanent than locks or bars alone could create.

These are children who labour at tasks that harm their bodies and minds, their spirits and future.






Only estimates exist, but at least 250 million children between the ages of 5 and 14 work for a living in developing countries, nearly half of them full time. Many millions more are uncounted and uncountable. They are everywhere but invisible, toiling as domestic servants in homes, labouring behind the walls of workshops, hidden from view in plantations.

If poverty, as Nobel laureate Amartya Sen argues, is to be defined not merely in terms of low income but as a state of deprivation of basic capabilities, nothing illustrates that more forcefully than child labour. A result and also a cause of poverty, child labour is a prison that withers both capabilities and potential.

A child labourer is a child denied the liberating benefit of education, one whose health, growth and development

What UNICEF brings to bear

UNICEF, with children and their rights at the centre of its mission and mandate for over 50 years, has a critical advantage in tackling the child labour problem from a rights perspective, especially with:

-  A mandate as the global champion of children's rights, inspired and guided by the principles of the Convention on the Rights of the Child, the most universally embraced human rights instrument with 191 ratifications so far.
-  A strong presence in 162 countries and territories, and a well-established and broad range of partners, including corporate and other civil society partners, giving it an unparalleled capacity to make a difference for children in virtually every corner of the world.
-  A proven strength in basic education initiatives and a global leadership role in promoting girls' education, reinforcing education as a linchpin of its global strategy to eliminate child labour.
-  A track record of working with governments to bring the issue of child labour onto policy agendas and of helping governments craft legislation and other measures to free children from the burden of work.
-  A global network that is rooted in communities and works daily to deliver services and advocate for children and women, UNICEF's presence, experience and knowledge make it the most powerful advocate for children's rights in the world.

Solely by virtue of their gender, therefore, many girls are kept from school or drop out, ending up in exploitative labour.

are threatened, who risks losing the love, care and protection of family and who cannot enjoy the rest and play that are every child's right.

Those who survive these rigours will most likely grow into men and women who, because of these many deprivations, are unable to improve their own lives or participate fully and productively in their societies. The odds are strong, too, that their own children will be locked into similar patterns of deprivation.

Some terms are so discordant, so repugnant to the human and humane ear that they should never have had to be coined: 'child soldier', 'child prostitute', 'child labourer'. The rights of children must be realized so that no child ever need endure such fates.

A growing problem

A wave of progress has swept much of the world, raising living standards and empowering many to lead fuller, more secure and dignified lives. But it has left millions behind, including children who labour at the expense of health or education.

Child labour is not a new problem, and there is a long history of international efforts to combat it. The International Labour Organization (ILO), for example, in 1919 developed the first Minimum Age Convention that regulated the age at which children could work. Then, in 1973, a more comprehensive Minimum Age Convention, Number 138, was adopted, and it remains the fundamental standard.

Although not new and always a thorny problem, child labour has now become increasingly complex, assuming new forms as global realities and relations have changed. Among the underlying causes, poverty and economic disparities are, of course, critical factors.

For much of human history, children have contributed to family welfare in a variety of ways, but intensified urbanization and the breakdown of traditional economic systems have made even basic subsistence more precarious and put children at ever higher risk. The results of a nine-country survey in Latin America, for instance, showed that if teenaged children did not work, poverty rates would increase by 10 to 20 per cent.

Gender is another central factor. Girls are expected to be primarily or exclusively domestic workers in many cultures, so household work at young ages is regarded as natural for them. Such domestic work is also often seen as more valuable than any perceived returns from education, especially when parents calculate how, and for which of their children, they can pay school costs and fees.

In addition, many schools are threatening places for girls, where they are at risk of sexual harassment from classmates and teachers and sidelined by prejudice and poor curricula. Solely by virtue of their gender, therefore, many girls are kept from school or drop out, ending up in exploitative labour. Of the more than 110 million children out of school, nearly two thirds are girls. Commercial sexual exploitation and trafficking in children for prostitution have also burgeoned, with at least 1 million children a

year, most of them girls, entrapped in a network stretching from South-East Asia and the former Soviet bloc to Latin America.

Then, HIV/AIDS has further heightened the labour crisis for children, particularly in sub-Saharan Africa, where the toll is highest. With more than 10 per cent of children in some countries orphaned and more than 13 million children under the age of 15 orphaned overall, extended families, communities and governments are stretched beyond their capacity to care for them. As school systems disintegrate under the burden of AIDS, with teachers and administrators succumbing, unrelieved hardship and gruelling toil become the only options for children forced to support themselves and their siblings.

Similarly, the effects of wars and civil unrest and growing economic dislocation swell the ranks of children in the most hazardous types of labour, many of them from minority, indigenous and other marginalized sectors of societies. The poverty and suffering of such large numbers of children and adults are bound to form a critical mass of social instability with grave destructive potential.

The rights approach

A positive development in this bleak landscape, particularly in the past 10 years, is a better understanding of what child labour is and how it can be remedied. This understanding has been shaped and accelerated by the principles and ideals of human rights. Most important to this fuller understanding of child labour has been the adoption and ratification, by virtually all countries, of the 1989 Convention on the Rights of the Child.

This landmark treaty, which is the pillar of UNICEF's work, expresses the intertwined and

Poverty forces this girl into the hazardous job of breaking rocks. Civil unrest and the impact of HIV/AIDS also add to the complexity of addressing child labour.



A girl carries a load of tobacco leaves she has picked in the town of Santiago Ixcuintla, Mexico. For children, not being in school means missing out on one of the most effective defences against poverty.

complementary human rights of all children. With the clarity the Convention bestows, child labour can be seen in its broadest and most damaging sense as a human rights violation on many different levels. As such, it can be addressed only through a complementary range of measures, from laws and mechanisms to create and enforce minimum working-age regulations to the multiple protections enumerated in article 32 of the Convention on the Rights of the Child. These include the child's right to freedom 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."

And in concert with article 32, virtually every other article of the Convention focuses on issues that are in one way or the other related to the effects of work on children, including education, protection, exploitation, health, nutrition, rest and relaxation, play, social security, economic well-being and the responsibilities of parents.

A human rights approach to child labour, therefore, permits, and indeed requires, responses that are as multifaceted as the affronts children endure and the conditions that give rise to them. It also permits and requires wide partnerships and alliances to make the responses a reality.

Such a perspective and approach are also reflected clearly in ILO's Convention No. 182 against the Worst Forms of Child Labour, adopted in June 1999. It defines "worst forms" as including all forms of or practices similar to slavery, the sale and



trafficking of children, debt bondage, use or procurement of children for prostitution or pornographic purposes, forced or compulsory recruitment of children for use in armed conflict, using children in illicit activities, such as the production and trafficking of drugs, and work that is likely to harm the health, safety or morals of children.

By setting out in stark categories these worst forms of child labour, Convention No. 182 has focused global attention on long-concealed abuses and is a strong catalyst for a global consensus on what needs to be done to end these injustices. It is a powerful call to governments to protect children's rights and heighten public awareness of those rights. Equally, employers, parents, NGOs, trade unions, international corporations and civil service organizations are asked to play their part.

The understanding of child labour as a human rights violation has already contributed to a broader and more inclusive knowledge of its scope and effects. And, in no small part because more people know more about it, child labour appears more prominently on the agendas of governments and those working for human development, and it has become more of an urgent priority for those who can and must end it.

Central in these efforts is the International Programme on the Elimination of Child Labour (IPEC), an ILO programme inspired by child labour concerns raised at the 1990 World Summit for Children. It now works with governments and other partners in 99 countries to initiate policies, set standards, promote advocacy and manage activities to combat child labour.

Child labour is one of the core issues and priorities for review at the UN Special Session on Children in September 2001. Heads of State and Government and an array of individuals and organizations committed to protecting children's rights and improving their lives will meet to review and reflect on progress made—and opportunities lost—for children over the past decade since the World Summit for Children.

The Special Session is part of an emerging unified front, a Global Movement for Children, that is coalescing around the many violations of rights and disparities children face, and generating heightened vision and determination to end these infringements and change the world with children.



Many organizations and individuals are already working on the multiple violations of children's rights inherent in child labour. As these partnerships are joined and reinforced by others in the growing Global Movement, greater progress, building on the foundation laid over the decades, becomes possible.


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What UNICEF and others are doing

Education empowers, strengthens and protects children in multiple ways. It is, perhaps, the single most effective solution and is therefore a cornerstone of UNICEF's approach to preventing child labour. In a programme launched in 1999 and now operating in 30 countries, UNICEF is helping make it possible:

-  For children — particularly those from ethnic minorities, girls and children who live in impoverished and isolated areas — to attend school, as they are especially at risk of being forced into labour;
-  For children to stay in school and complete their basic education by ensuring child-friendly, quality education;

-  For children and youths who have never attended or who have dropped out of school to have a second chance to learn in non-formal educational settings, or helping them, as a transitional measure, combine education with their work.

In addition, UNICEF is working for the ratification and implementation of ILO's Convention No. 182 to immediately end the worst forms of child labour. Once a country ratifies Convention No. 182, time-bound national plans of action are needed that empower all partners and ensure the following basics:

-  That governments commit and allocate resources and priority attention to educate children and that leaders introduce legislation and provide adequate enforcement measures to protect children's rights. Because measures that reduce

Bangladesh



Bangladesh, India and Pakistan account for a disproportionate share of the world's child labour problem. Extreme poverty and cultural factors have forced tens of millions of children in the region, including 7 million in Bangladesh alone, to work in fields, homes and factories. However, the most visible are the minority employed in the profitable garment and other export-oriented industries. Most of them have never attended school.

UNICEF, the ILO and the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) concluded a path-breaking agreement in 1995 to end child labour in the country's garment factories following international threats to boycott the industry. Freed child workers were to be given stipends to attend school, through funds provided by the garment industry, UNICEF and the ILO.

By 1998, 10,500 children had been removed from work under the programme, and about 80 per cent were enrolled in community-based schools organized by two NGOs, the Bangladesh Rural Advancement Committee (BRAC) and Gono Shahjjo Shangstha (GSS). About 662 children received other skills training. A follow-up agreement was designed to keep these children in school beyond age 14.

This successful project spurred the Government of Bangladesh to join other South Asian nations in pledging to eliminate child labour by 2010. Recognizing the importance of education in achieving this goal, it also launched a Basic Education for Urban Working Children Project in 2000.

social inequality and shore up basic social services mitigate the impact of poverty on families and reduce the likelihood that children will be ensnared in harmful labour, governments must also plan for and spend on human development by investing in basic social services.

-  That serious efforts are made to develop the greatest possible awareness of children's rights and the damage to children caused by child labour. Such heightened public awareness depends on the existence of good and reliable data, disaggregated for gender and geographical patterns. It also requires social partnerships among many different groups, including researchers, government sectors, businesses, trade unions, educators, the media, national and international development workers, community leaders and, of course, parents and children themselves.
-  That monitoring and enforcement mechanisms are created, including codes of conduct for corporations and businesses in which they and their subcontractors commit to not employing children.

Around the world, successes are helping stem the tide of child labour and protect children. In Thailand, the minimum legal age of employment was raised and a media and public information campaign helped dramatically increase public awareness about abusive child labour. In Bolivia, UNICEF actively promoted a new Code of Boys, Girls and Adolescents that became law in October 1999. The Government of Viet Nam passed a law preventing child prostitution and rehabilitating affected girls under 18. Advocacy in Rwanda helped secure the country's ratification of ILO's Convention 182.

Brazil

Since 1996, UNICEF has cooperated with partners in Brazil, and with support from the German and Swiss Committees for UNICEF, to launch projects to bring children back to school, introduce activities to complement school, promote family and community participation and organize courses on citizenship for children, adolescents and families.

The focus has been on areas where serious risks to children's and adolescents' development exist, as identified by the National Forum of Child Labour Prevention and Eradication—a 40-member group comprising government agencies, employers, labour unions and civil society members established in 1994 with UNICEF and ILO support. Twenty-six state forums have also been created.

The Forum has identified children and adolescents working on the streets of Belo Horizonte and those living in the outskirts of Salvador as priority concerns. Also considered urgent is the situation of children working in shoe factories in the city of Franca, in São Paulo state, and in charcoal production sites in the state of Mato Grosso do Sul. High-priority rural areas include 65 municipalities in the sugar-production region of Pernambuco state, and 34 municipalities in the sisal-producing region of Bahia state.

UNICEF also supported the creation of the Parliamentary Front for the Rights of Children and Adolescents, which monitors legislation affecting children.

Child labour laws have been strengthened in many countries, and a number of international corporations have adopted codes of conduct concerning child labour. In July 2000, many corporations joined the United Nations Secretary-General in launching the Global Compact, an initiative in support of responsible business operations, in which they agreed to promote and apply nine principles from the fields of human rights, labour standards and the environment.

Nepal

UNICEF is working with a number of national and international partners to break the vicious cycle of poverty and exploitation of Nepal's child workers by helping bring basic education to working children or children at risk of entering the workforce.

More than half of the country's 5 million children aged between 6 and 15 are not in school and are believed to be working. Nearly one third of all children in the country – most of them girls – never enter school, and 75 per cent of the 2 million children between the ages of 11 and 15 are also out of school and probably working.

With support from the Government of Norway, UNICEF is working to increase parents' awareness of the harmful effects of child labour through a Parenting Education (PE) initiative, and to give children between the ages of 3 and 5 a safe, encouraging place to learn and play, in 'Bal Bikas Kendras', or community-based child development centres. In 1999, with support from various National Committees, 50,000 parents and caregivers participated in 2,000 PE classes, conducted by local NGOs.

UNICEF also has supported a programme offering two nine-month courses to children between the ages of 10 and 14. Between 1997 and 1999, approximately 239,000 children, mostly girls, benefited, attending classes for two hours, six days a week.

Another UNICEF-supported initiative helps improve the quality of primary schools through in-service and radio or cassette-based primary teacher training programmes, which help teachers improve their skills and the way they interact with students.

In 2001, Nepal will be part of the multinational launch of a time-bound national plan of action to combat child labour.

The International Organization of Employers and national organizations in many Latin American countries and elsewhere have pledged support to combat child labour. The International Confederation of Free Trade Unions and labour unions in industrialized and developing countries have also provided financial and other support to campaigns to end child labour.

The results of cooperation have been singularly effective in several instances, providing examples to be followed and emulated. UNICEF and the ILO together managed to achieve the remarkable 1995 Memorandum of Understanding in Bangladesh. This was a milestone agreement, the first-ever collaboration among an industry and international organizations. Together they resolved the problem of how to remove children from the garment industry without exposing them to even more difficult and exploitative situations. The result was a comprehensive and phased approach, ensuring that the freed children could attend educational programmes.

Beginning in 1997, a similar cooperative effort with the ILO and the NGO Save the Children achieved another important breakthrough – the process of getting children out of the soccer ball-stitching industry and into education programmes in Pakistan. This model has since been applied in other industries and countries.

A shoeshine boy sleeps on a doorstep in Hanoi, Viet Nam, his head resting on the box containing his tools of trade. Roughly 54 per cent of children who work in Asia are boys.



Tanzania

Poverty, worsening economic conditions and a decline in the provision of social services have forced large numbers of children in the United Republic of Tanzania to work as domestic help, as street vendors, in mines, on the country's farms and plantations and in prostitution. Two out of every five children between the ages of 5 and 14 are working, a pattern now aggravated by HIV/AIDS, which is swelling the numbers of orphaned children who are forced to work in order to survive.

In 1997, UNICEF and the ILO started work in 10 districts to raise awareness about the issue, train and mobilize representatives from trade unions, NGOs and other groups. The goal was to develop the capacities of communities to assess the reasons that push children into work and to devise ways to get them into school.

UNICEF is also promoting complementary basic education and vocational training to raise the earning potential of parents and caregivers. In addition, birth registration systems have been improved and children's enrolment in school is being monitored.

In 2001, Tanzania will also be among the first countries to participate in the time-bound national plan of action to combat child labour.

Getting it right for children

The poverty and suffering rampant in the world can seem like a huge tapestry of misery, incomprehensible and suffocating in its size and complexity. Yet the pattern is clear and there are critical threads that must be followed if the world hopes to end the intolerable conditions endured by so many and built upon grave violations of children's rights.

Child labour is one of the clearest and worst manifestations of how poverty has a child's face.

The focused and broad-spectrum steps needed to address poverty can and will reinforce and complement each other. Together they are capable of making a quantum difference in the lives of the poorest, most exploited children.

One of these steps is the activation of the time-bound

programmes to combat child labour that governments have been weighing for several years.

A second is ensuring the rights of all children to a good-quality education, and this is especially important for girls. UNICEF has years of solid experience in education and knowledge, and the UN Secretary-General has given UNICEF full global responsibility to lead work in this vital area.

A third step is speedy attainment of universal ratification of ILO's Convention No. 182, against the Worst Forms of Child Labour.

A final step is ensuring that resources for this struggle are available. Child labour needs to be at the top of the agenda of the planning and finance ministries, as well as those of the traditional social ministries associated with children's welfare, so that



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measures to combat child labour have crucial political backing. Poor countries can show the seriousness of their commitment by allocating more resources to basic social services, which help protect children by mitigating the worst effects of poverty and giving them an opportunity to enrol and stay in school long enough to complete a basic education.

Similarly, donor nations can show their commitment by increasing the proportion of their assistance that goes to fund basic social services and by supporting debt forgiveness. This is particularly crucial in the poorest countries, and especially in Africa, where so many factors are converging to threaten children more virulently than ever before.

Child labour condemns children to a harrowing present and hopeless future and is a throwback to some of the most shameful aspects of human behaviour. Like slavery, it can and must be consigned to history.

A young boy works with an electronics instructor in a UNICEF-supported centre in Kigali, Rwanda, as part of a project to provide shelter, basic education and vocational training to children living on the streets and war orphans.

WHO WORKS AND WHERE

Most of the world's estimated 250 million working children are 11 to 14 years old, but as many as 60 million are between ages 5 and 11.

- Exact numbers are not known, but millions of girls work as domestic servants and unpaid household help and are especially vulnerable to exploitation and abuse.
- The incidence of child labour is highest in Africa where 41 per cent of children 5 to 14 years old, are estimated to work, compared with 21 per cent in Asia and 17 per cent in Latin America and the Caribbean.
- While boys and girls who work in manufacturing export industries are often assumed to epitomize child workers, most children actually labour in the informal sector—doing agricultural work, peddling wares in the streets or working as household servants.
- At least 60 million children work under especially horrific circumstances—forced into debt bondage or other forms of slavery, or into prostitution or pornography or participation in armed conflict.
- At least 1 million children a year are enticed or forced into prostitution, part of a huge network of sexual exploitation that stretches from South-East Asia and the former Soviet bloc to Latin America.
- Children are increasingly being exploited as pliable labour by drug traffickers in cities of Asia and Latin America.
- In war-torn regions, tens of thousands of boys and girls are abducted or lured into militias or regular armies.
- Asia, excluding Japan, has the highest number of economically active children (5–14 years of age) at 61 per cent, followed by Africa 32 per cent, and Latin America and the Caribbean 7 per cent.

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