

# What works for working children: Being effective when tackling child labour



Terre des Hommes International Federation  
Chemin Frank-Thomas 31  
1223 Cologny/Geneva  
Switzerland

Phone +41 22 736 33 72  
E-mail: [info@terredeshommes.org](mailto:info@terredeshommes.org)  
[www.terredeshommes.org/](http://www.terredeshommes.org/)

Author:  
Mike Dottridge

Editorial staff:  
Anne Vennegues, Lausanne  
Eylah Kadjar and Olivier Grobet, Geneva  
Tirza Voss and Beata Stappers Karpinska, The Hague  
Barbara Küppers (coordinator) and Antje Ruhmann, Osnabrück  
Paul Creeney, Brussels

Design:  
[www.emilysadler.com](http://www.emilysadler.com)

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## ACRONYMS USED IN THE REPORT

<b>CRC</b>	UN Convention on the Rights of the Child
<b>GDP</b>	Gross Domestic Product
<b>ILO</b>	International Labour Organization
<b>NGO</b>	Non-governmental organisation
<b>OCHA</b>	UN Office for the Coordination of Humanitarian Affairs
<b>RMI</b>	Responsible Mica Initiative
<b>SDG</b>	Sustainable Development Goals
<b>TDH</b>	Terre des Hommes
<b>UN</b>	United Nations
<b>UNICEF</b>	United Nations International Children's Emergency Fund
<b>UPE</b>	universal primary education

# FOREWORD



Today, 152 million children are still in child labour around the world. Almost half are in one of the 'worst forms of child labour' and more than four million are in forced labour, which jeopardises children's physical, mental, educational and social development, as well as the full enjoyment of their rights.

Despite the growing number of significant efforts undertaken by various actors at international, regional and national levels, much still needs to be done to tackle child labour duly and effectively.

Being able to tackle the multidimensional and evolving underlying factors of child labour in a due and effective way is directly linked to the capacity of a society to adopt a child rights-based and holistic approach. This allows for the implementation of policies and strategies which prevent, detect, accompany and follow up with the child.

Tackling duly and effectively the various forms of child labour requires the **strong involvement and commitment of the business sector**, which has to play a strong role in preventing and combating child labour.

Tackling duly and effectively the various forms of child labour in the various contexts it occurs requires **regular evaluations and assessments of actions to adapt responses and practices**, in light of renewed challenges and emerging threats to children.

Tackling duly and effectively the various forms of child labor requires **involving and enabling children as an integral part of all actions and efforts to effectively prevent and combat this phenomenon**. Bearing in mind that children can and should actively take part in finding sustainable and appropriate solutions, children must be empowered to fight for their own protection and that of their peers.

I deeply congratulate Terre des Hommes (TDH) for launching this report, which draws lessons from TDH and its partners' experience, and describes five different types of intervention to tackle child labour. The report also highlights the benefits of involving working children themselves in these interventions, both to find out what changes children say are most needed in their lives and to involve them in the action taken.

The report also marks the 30th anniversary of the Convention on the Rights of the Child, and the 100th anniversary of the International Labor Organisation, and is a **golden opportunity to make 2019 a year of lasting change**. In addition, this year's review of progress in the implementation of the 2030 Agenda for Sustainable Development provides an additional opportunity to look forward towards the UN Sustainable Development Goal Target 8.7, calling for an end to child labour in all its forms by 2025.

Dr. Najat Maalla M'jid

International child rights expert and former UN Special Rapporteur on the sale of children, child prostitution and child pornography 2008-2014

# EXECUTIVE SUMMARY

This report describes examples of methods used by Terre des Hommes, their partners around the world and other relevant stakeholders to address child labour successfully. Terre des Hommes reckons the methods described are appropriate for others to replicate when striving to achieve Target 8.7 of the Sustainable Development Goals, which includes taking “immediate and effective measures to eradicate forced labour...and secure the prohibition and elimination of the worst forms of child labour...and by 2025 end child labour in all its forms”.

More than 150 million children are categorised as ‘child labourers’ around the world, almost half in one of the ‘worst forms of child labour’ (72 million) and more than four million in forced labour. Faced with these overwhelming numbers, Terre des Hommes considers it a priority to come to the assistance of those who are worst off.

Terre des Hommes has learned from experience that it helps to take a holistic approach to understanding child labour and its causes. In particular, it is vital to listen to working children to identify the most appropriate ways of improving their lives, though this is often not done. In Terre des Hommes’ experience, adapting responses to local circumstances is particularly important, as is a dialogue and consultation with the children concerned and others in their communities.

The report describes five different sorts of interventions to tackle child labour and highlights the benefits of involving working children themselves in these methods, both to find out what changes in their lives the children say are most needed and to involve them in the action taken. The tendency to regard child labourers as passive ‘objects’ of actions taken by others rather than actors in their own right is one reason, in TDH’s view, that many programmes to eradicate child labour have been only partially successful or have caused collateral damage to the children who were intended to benefit.

The first method to be reviewed looks at how government policy can play a key role in bringing change. The first example concerns making universal primary education a national priority (in India, which adopted a law in 2009 making primary education compulsory). An important corollary is that the minimum age for adolescents to start work must be consistent with the minimum age when compulsory education ends (and some children may leave school), rather than allowing loopholes which permit some children to work rather than attending school. A second example concerns a country in which laws concerning child labour (stipulating a minimum age for starting work) existed on the statute book but were not effective at stopping children being sent out to work before completing their primary education. The example of Albania describes the experience of developing the country’s child protection system to intervene on behalf of children subjected to the worst forms of child labour (in street situations) and to take preventive measures to benefit children identified as high risk—relatively resource-intensive methods, but ones found to be effective.

The second method described in the report focuses again on education, describing how non-governmental organisations (NGOs) have played a role in removing children from the worst forms of child labour into jobs which are much less harmful and allowing them to continue with part-time schooling.

The third method concerns action by business to benefit child labourers involved in producing commodities for export, once again focusing on children in 'worst forms'. While the examples described (mining a mineral, mica, and producing spun cotton for the garment industry) require businesses across the globe to act, they describe the action taken by Terre des Hommes and its partners to influence business, as well as the practical support provided to child workers and others likely to be recruited. Their experience demonstrates the importance of influencing local politicians and businesses that employ children, as well as well-known brands based in Europe or other parts of the industrialised world.

The fourth section focuses on methods used at community level, describing efforts to assist a large group of child workers (believed to number some 17 million) who never come to the attention of global commerce—children employed in the household of another family, caring for other children and engaged in domestic chores. Once again, the focus is on those who experience a worst form of child labour. However, community efforts to benefit child labourers in other sectors are also described, notably an early warning system to identify children starting work in artisanal gold mines in a West African country.

An entire chapter is dedicated to methods to limit increases in child labour after humanitarian disasters and during and after armed conflict. The example cited concerns Syrian child refugees in Jordan, where by 2016 the number of child labourers had more than doubled in

comparison with the previous decade, with two thirds of the child workers engaged in a 'worst form'. TDH used child protection measures to come to the assistance of some Syrian child labourers, referring children who were found in the worst forms of child labour to specialised services and providing emergency cash assistance to the families of such children to reduce their dependence on their child's earnings.

Noting how difficult it has proved to persuade policy-makers around the world to listen to child workers and to give priority to the measures that working children themselves say are needed most urgently, the report discusses a recent experience to influence an international conference focusing on measures to reduce child labour (held in Argentina in November 2017). It describes some of the measures that working children said they wanted to see implemented, contrasting, for example, work or working conditions that child workers say help them to fulfil their aspirations with work or conditions that they feel hinder them from doing so. The working children's views on what policies and laws would support them best varied, but most young workers felt that it was essential to take action to reduce family poverty and to ensure that their parents and caregivers have access to decent work, as well as to protect children from hazardous and harmful work and violence (notably by giving more attention to enforcing laws against involving children in hazardous work). They also wanted priority to be given to improving their working conditions (rather than to stop them working altogether) and to providing them with vocational training.

**The report ends with a round-up of Terre des Hommes' conclusions about ten methods that 'work for working children'. In summary, these are:**

- 1.** Ensure that programmes and advocacy about child labour are evidence-based and monitor their effects in case the best interests of children require them to be modified;
- 2.** Make education compulsory for children up to a specified age. If a country's infrastructure means this is hardly feasible, give priority to introducing compulsory education;
- 3.** Support working children in their efforts to influence policies on child labour;
- 4.** Provide accurate information to children, families and communities about workplace abuse;
- 5.** Support the creation of alternative employment in areas where children are recruited into the worst forms of child labour;
- 6.** Provide advice and services to young workers, taking due note of research findings that many adolescents prefer to combine work with education, rather than stopping work altogether;
- 7.** Use child protection methods to assist children harmed by the worst forms of child labour;
- 8.** Use legal procedures to challenge exploitation or bad employment practice;
- 9.** Call for (and support) action by businesses to stop the worst forms of child labour in their supply chains;
- 10.** Coordinate the separate initiatives routinely needed to bring about a sustainable reduction in child labour.



# 1 INTRODUCTION

More than 150 million children around the world are categorised as 'child labourers'. But numbers referring to tens of millions seem vast and impersonal. They fail to convey what working children feel or want to see changed in their lives or their communities. They hide the specifics of what combination of laws, policies and programmes have the most positive impact for children. They are a disincentive to some of us from even trying to seek change. The International Labour Organization's (ILO) *Global Estimates on Child Labour* (2017)<sup>1</sup> note that attempting to address child labour without considering the economic and social forces that produce it is unlikely to be successful. It recommends that policy responses to child labour need to be integrated into broader national development efforts and adapted to local circumstances.<sup>2</sup>

In Terre des Hommes' experience too, adapting responses to local circumstances is particularly important, as is a dialogue and consultation with the children concerned and others in their communities. This report reviews the experience of Terre des Hommes and their partners around the world, showing the diversity of the methods that have proved effective and how much needs to be done beyond merely denouncing child labour and wishing it would disappear. This experience also demonstrates how important the use of language can be, for the innuendo of technical terms developed in English is sometimes lost in translation or misinterpreted. The term 'child labour' is assumed by some to infer that no children should ever be involved in the world of work, when this would be neither realistic nor desirable.

## What is 'child labour' and what is 'child work'?

The term 'child labour' refers to work by children that is harmful or potentially harmful to them. Because of the harm caused to children, the international community wants to eradicate child labour.

However, not all work or employment is harmful to children: most countries consider it acceptable for older children to be in full-time employment from the age of 14, 15 or 16 and to undertake most jobs (though not if they are in any way hazardous).

Children's work is a broader category than child labour and consists of any activity by children done for an economic purpose or to help families, relatives or communities, which is based on mental or physical efforts, paid or unpaid, inside or outside the family, in the formal or informal sector, contract-based or self-employed, from a few hours a week to full-time every day.

Terre des Hommes has learned from experience that it is helpful to take a holistic approach to understanding child labour and its causes and that it is vital to listen to working children to identify the most appropriate ways of improving their lives. Along with many child rights organisations, TDH recognises that some work can be beneficial to children, teaching them skills that they will find useful in life.

Terre des Hommes consequently distinguishes between harmful child labour<sup>3</sup>, on the one hand, and other forms of child work, on the other. TDH's priority is to stop child labour that jeopardises a child's physical, mental, educational or social development. Eradicating what are known as the 'worst forms of child labour' is among Terre des Hommes' strategic priorities for 2016-2020. The focus is on the worst forms because they are more likely to cause lasting damage to a child than other work.

Three international conventions provide the legal framework for national and international action to combat child labour:

- 1973 – International Labour Organization (ILO) Convention 138 on the Minimum Age for Admission to Employment;
- 1989 – United Nations (UN) Convention on the Rights of the Child (CRC);
- 1999 - ILO Convention 182 on the Worst Forms of Child Labour.

These distinguish between three categories of child labour (in addition to acceptable child work and youth employment):

- The ‘unconditional’ worst forms of child labour, as they were labelled by the ILO in 2002,<sup>4</sup> such as slavery, commercial sexual exploitation and the use of children in criminal or illicit activities;
- Hazardous work (also categorised as a ‘worst form’), a list of which has to be specified by each country (after government officials consult workers’ and employers’ organisations);
- Work performed by a child who has not yet reached the minimum age for admission into full time employment, set by national law.

Article 32 of the CRC requires states (i.e. governments) to protect children “from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s physical, mental, spiritual, moral, or social development”. To make such protection a reality, governments are required to:

- a. Stipulate a minimum age for admission to employment;
- b. Provide for appropriate regulation of the hours and conditions of employment of all workers under 18 years of age;

- c. Provide for appropriate penalties or other sanctions to ensure effective enforcement.

In 2000, two Optional Protocols to the CRC were added, both concerning exploitation of children. The first focused on sexual exploitation (the sale of children, child prostitution and child pornography) and the second on children associated with armed groups.<sup>5</sup> The same year the UN also adopted a Protocol about trafficking in persons, which defines child trafficking as a crime. Since 2000, the Committee on the Rights of the Child (set up by the CRC) has issued several General Comments that emphasise the importance of consulting working children when laws or policies about child labour are drafted, pointing out that “Children should also be heard when policies are developed to eliminate the root causes of child labour, in particular regarding education”.<sup>6</sup> The CRC sets other relevant standards, for example requiring actions to be in “the best interests of the child” and guaranteeing children a right to have their opinions listened to and taken into account by governments and others.

ILO Convention 138 requires the 131 countries that have ratified it to specify a minimum age for starting full-time employment (14, 15 or 16 years old): 41 have specified the age of 14; 76 countries the age of 15; and 44 countries the age of 16.



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The ILO has published targets for the eradication of all child labour. In 2006, it announced a plan to eradicate all forms of child labour by 2016. In 2010, it narrowed its ambitions, publishing a *Road Map* to end the worst forms of child labour by 2016.<sup>7</sup> Neither target came near to being achieved. In 2015, the wider UN adopted a set of Sustainable Development Goals (SDG), including Target 8.7,<sup>8</sup> calling for the eradication of all worst forms of child labour immediately (i.e. in 2016) and for all other forms of child labour to be eradicated by 2025.

The first of these targets has been missed and the ILO's own statistics on working children are not optimistic about eradicating all child labour in the coming decade. The ILO's *Global Estimates on Child Labour* (2017) estimated there were 152 million child labourers in the world,<sup>9</sup> with almost half still in 'worst forms' and more than four million reported to be in forced labour. In June 2018, the ILO Director-General, Guy Ryder, was very direct: he noted that, between 2012 and 2016, there was "almost no reduction in the number of children aged 5 to 11 in child labour, and the number of these most vulnerable, youngest children in hazardous work actually increased."<sup>10</sup>

The ILO has assessed the rates at which the global number of child labourers declined between 2000 and 2016: by more than one third between 2000 and 2016 (from 245.5 million to 151.6 million), while the total number of children in the world increased. The numbers involved in hazardous work are reckoned to have fallen more steeply (from 170.5 million to 72.5 million). Nevertheless, the ILO's own review of trends since 2000 suggests that, if the pace of the reductions achieved between 2012 and 2016 was to be maintained, by 2025 there would still be 121 million child labourers.<sup>11</sup> This suggests that SDG Target 8.7 will not be reached by 2030, yet alone 2025, raising the question of whether the present strategy and priorities adopted by the international community are appropriate and, in particular, whether more should be done to withdraw 72 million children from 'worst forms of child labour'. Many of the ILO's constituents do not approve of an approach that would allow some children to continue working before they have reached the accepted minimum age for admission to employment, even though this does not result in the same harm to their physical and psychological development that is caused by their involvement in 'worst forms of child labour'.

## 2 METHOD AND SOURCES

### 2.1 THE PURPOSE OF THIS PUBLICATION AND THE TYPES OF CHILD LABOUR COVERED

This report presents examples of methods used by Terre des Hommes, its partners around the world, and other relevant stakeholders to address child labour successfully. These stakeholders include international organisations, governments, businesses and employers, workers' organisations, a variety of NGOs and civil society organisations, and, of course, children and youth themselves, as well as their families and wider communities. Terre des Hommes considers that the methods described are appropriate for others to replicate, in particular organisations implementing measures to achieve Target 8.7 of the Sustainable Development Goals.

Terre des Hommes decided to focus on the methods used to try and resolve particularly serious patterns of child labour—that is to say patterns characterised by:

- a. A relatively high concentration of children working in a particular area (country or region) or a particular sector of the economy;
- b. Serious violations of children's rights (either particularly exploitative, such as forced labour, or particularly hazardous, provoking injuries or ill-health);
- c. The achievement of results (the reduction of hazards, particularly the ending of worst forms of child labour) which appeared sustainable over a number of years.

As interventions to affect levels of child labour and exploitation are so diverse, varying from laws and policies adopted at national level to village-level measures, TDH decided to review the effectiveness of measures deployed at different levels. Consequently the report starts with a chapter (3) on government-led initiatives, which is followed by one focusing on education (4). The longest chapter is the next one (5) which reviews initiatives involving business and supply chains. Chapter 6 reviews initiatives at community level, where NGOs such as TDH have substantial experience. Chapter 7 describes responses to child labour in emergency situations, particularly in regions affected by armed conflict. Chapter 8 broaches a different obstacle to progress: it outlines how working children themselves have commented on existing initiatives to stop child labour and what they would prefer to see done to stop children being exploited and abused. The final chapter (9) draws conclusions about the methods that TDH considers to be most appropriate to resolve patterns involving the worst forms of child labour and highlights TDH's three main recommendations to the international community.

The report describes situations in Africa, Asia, Europe and Latin America. Unsurprisingly, it contains more examples from South Asia than any other region, as this region is reported to have more child labourers than any other (62 million out of a global total of 152 million—more than 40%—according to ILO estimates in 2017).<sup>12</sup>



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## 2.2 THE INFORMATION CONTRIBUTED BY TERRE DES HOMMES

Terre des Hommes decided on the examples to provide to the author. They set out to answer 11 questions about interventions that TDH staff considered effective and appropriate, describing the aims and children who were expected to benefit, as well as the way that children participated in the activities that were organised.<sup>13</sup> In addition to the information provided by TDH, the author sought information from other sources about the interventions and patterns of child labour being addressed, in order to ‘triangulate’ the information provided—obtaining an independent perspective on the methods used and the changes reportedly achieved.

## 2.3 THE FORMAT FOR PRESENTING EACH EXAMPLE

The descriptions of specific methods to address child labour presented below follow a common format. Each chapter starts with a reference to a relevant international standard (many of them set out in 2017 in the *Buenos Aires Declaration on Child Labour, Forced Labour and Youth Employment*<sup>14</sup>). They present information under four sub-headings:

- The pattern of exploitation or abuse that has been reported;
- Methods used by TDH and its local partners to reduce and stop this exploitation or abuse;
- Results (of the method);
- Lessons learned (from the application of the method) and their potential replicability (whether the method can be replicated in the same or also different circumstances).

## 3 BETTER LAWS, POLICIES AND REGULATIONS

**Relevant international standard:** “States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular...(a) Make primary education compulsory and available free to all” (CRC Article 28.1).

It is not only national laws and policies prohibiting child labour that can potentially help reduce the number of children being exploited or affect the conditions in which they work. Governments can do a great deal more than they often do. This chapter reviews two examples. The first concerns two complementary areas of law and policy: the introduction of universal primary education and fixing (and enforcing) the minimum age at which children may leave school; and laws stipulating the minimum age at which children who have left school may start working full-time. If there is a gap between the two ages, there is a strong likelihood that children who have already left school will start work, even if they have not yet reached the legally-stipulated minimum age for doing so. As, in practice, millions of children attend school and also work part-time, there is a need for law or policy to address this overlap, to ensure that children are not recruited into inappropriate sorts of work when they are too young and do not give up attending school because of pressures to work.

The second example concerns a country where laws concerning child labour look excellent—but were not adequately implemented. This example illustrates how deploying child protection methods can be an effective response when the law is good on paper, but poor in practice.

### 3.1 MAKING EDUCATION COMPULSORY FOR CHILDREN UNTIL THEY REACH A SPECIFIED AGE: INDIA

#### The problem to be solved:

Despite nominal commitment throughout the world to the principle that all children have a right to complete their elementary education (as required by the Universal Declaration of Human Rights<sup>15</sup>), in many developing countries governments have not taken action to make this a reality. However, in the 21st century, the governments of several countries have announced major initiatives to move towards universal primary education (UPE). It is notable that two of the countries concerned, India and Kenya, while still categorised as ‘developing’, have substantially higher GDP (gross domestic product) than poorer neighbours, suggesting that the authorities have realised that the lack of education of parts of their young population is a distinct handicap as they compete in a global economy, while they now have the resources necessary to pay for more children of primary school age to attend school full-time.

For the half century after India’s independence in 1947, elementary education was not compulsory. This meant that, even though there were laws prohibiting child labour, millions of young children did not attend primary school. Instead they started work, sometimes when very young. A 2017 ILO briefing paper noted that India’s 2011 census had recorded 10.1 million working children between the age of 5 and 14.<sup>16</sup>

**Method used to address the problem:**

In 2002, India's Constitution was revised to add a new Article 21A guaranteeing the right to education, saying, "The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine". It took India's central government seven years to pass the legislation necessary, *The Right of Children to Free and Compulsory Education Act (2009)* and a further seven years to adopt a new law on child labour. Both were potentially going to help stop some 10 million children from working and encourage their enrolment in primary schools.

In addition to specifying that schooling is free and compulsory at a local school up to the age of 14 (classes 1 to 8), India's *Right to Education Act* also prohibits corporal punishment (i.e. reduces one of the disincentives to school attendance). However, the Act did not have a dedicated budget for its implementation. Activities were carried out with funds made available by the Government's existing *Sarva Shiksha Abhiyan (SSA)*, Education for All Campaign, which had started shortly before the Constitution was amended of 2002.



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In 2016, India's Parliament approved *The Child Labour (Prohibition and Regulation) Amendment Act*. This amendment to the law allows children to work if they are helping their family or family business, as long as the work is not hazardous and occurs after school hours or during school holidays. In 2017, India ratified the ILO's two child labour conventions, specifying that children should not enter fulltime employment before the age of 14 and that no children under 18 should be involved in hazardous work or in other 'worst forms', such as bonded labour and providing commercial sex.

**Terre des Hommes' contribution:**

Terre des Hommes had supported partners in India to campaign for UPE and more coherent child labour laws. These included the Campaign Against Child Labour (CACL). Some of the campaigners reckoned the 2016 child labour law amendment was a step backwards, as vast numbers of young children work in family businesses (often instead of attending school) and the new law could be interpreted to condone this. For example, the CACL's National Convener complained that "These changes are against all of our efforts in the past 20 years to ban all forms of child labour up to 18 years, and not in the best interest of children".<sup>17</sup>

At local level, NGOs, including Terre des Hommes, have reviewed progress in implementing the new laws. A seminar in Bhopal (Madhya Pradesh state) in June 2018 identified gaps between the provisions of the *Right to Education Act* and what was happening in practice. NGOs reported that there were still major challenges to overcome. For example, in three districts where cotton is produced, their research showed that some 58.5% of children were not attending school.<sup>18</sup> Elsewhere in the state, it was found that most child labourers belonged to deprived social groups (*dalits*, *adivasis* and others) and that more than a third of working children faced abuse at work (i.e. not all forms of work are equal: some result in

...the proportion of 12-year-olds who were enrolled in school (in the same places) increased from 89% to 97%, a dramatic improvement.

more child abuse than others).

**Results:** Monitoring whether the measures in favour of UPE have had the expected effect (detering school-age children from working more than a few hours a day) is crucial. In India, this means monitoring at community level, as

well as assessing aggregated statistics concerning tens of millions of children. For example, at national level, there were positive signs early on that the number of children aged 6 to 13 years who were not enrolled in school was declining (from 8 million in 2009 to just over 6 million by 2014).<sup>19</sup> The next nationwide count will be the census in 2021.

A separate research programme, known as *Young Lives*, has documented changes over time in specific places around India. It noted that between 2006 and 2013 (seven years), the proportion of 12-year-olds who were enrolled in school (in the same places) increased from 89% to 97%, a dramatic improvement. Perhaps most significantly, the research noted that the increases in enrolment were particularly marked among girls (from 87% to 97%) and *dalits* (from 85% to 97%).<sup>20</sup> Even so, enrolment does not automatically signify actual attendance at school, so all statistics require careful scrutiny to ensure that the right to education is not a mirage for some.

**Lessons learned and replicability:**

Making attendance at primary school compulsory for all children has already been shown to be an effective way of reducing child labour (including the worst forms) in other countries, and there have been gains for national economies, as well as individual children, once most children complete their elementary education. Of course, there are benefits to children who attend school for longer. The CRC (Article 28) requires governments to “Encourage the development of different

forms of secondary education, including general and vocational education, make them available and accessible to every child...” and to “Make higher education accessible to all on the basis of capacity by every appropriate means”. India has now started down this road. However, children have also been put at risk in countries where their government has announced a relatively high minimum age for entering full-time employment (such as 16) without taking action or providing resource to enable children to remain in school until this age. It appears that such governments are tempted to gain the approval of donor countries by stipulating a high minimum working age while the reality in their country is completely out of kilter with this and public opinion continues to approve of children starting work when they are much younger. In such circumstances, working children go unprotected and are possibly more vulnerable to exploitation than if the minimum age was only 14 or younger.

### 3.2 DEVELOPING THE CHILD PROTECTION SYSTEM TO STOP WORST FORMS OF CHILD LABOUR (ALBANIA)

**The problem being addressed:**

Many countries have clear laws about child labour (specifying a minimum age for adolescents to enter employment), but little or no capacity to enforce the law, notably when children work in the informal economy, outside formal workplaces that are more likely to be visited by labour inspectors or others responsible for enforcing the law. Child labour laws have proved particularly ineffective at protecting children who earn a living in the streets, some of whom still reside with their parents, while others have left home to seek a living by themselves and some are controlled by traffickers or other criminals.

Albania is a case in point. The law looks fine (with a 1996 law concerning child labour, supplemented by a Council of Ministers



...the institutions set up to enforce labour law, such as the Labour Inspectorate, did not appear to have the required mandate or expertise to address the massive pattern of child labour which was visible in Albania at the beginning of this century.

Decision in 2002 on hazardous work and a 2010 law on Health and Safety at Work about the worst forms of child labour in which no-one under-18 should be involved).<sup>21</sup> However, the institutions set up to enforce labour law, such as the Labour Inspectorate, did not appear to have the required mandate or expertise to address the massive pattern of child labour which was visible in Albania at the beginning of this century. Most child labour was (and still is) on family farms or in the informal sector, with a substantial number of children sent out by their parents or others to

earn money in the streets, either in Albania itself or in neighbouring countries.

#### Method used to address the problem:

Terre des Hommes' focus on Albanian working children began in the late 1990s, not in Albania itself, but in neighbouring Greece, where children belonging to an Albanian minority were taken to earn money by begging, playing music in the streets and washing car windscreens. Partnering with a Greek NGO, ARSIS,<sup>22</sup> Terre des Hommes commissioned research to find out precisely what was happening. ARSIS was able to take action in Greece to assist Albanian children working in the streets and Terre des Hommes started preventive activities in the areas of Albania where it was found that the children came from (and to which many returned). Once a similar pattern of child exploitation was identified in Albania itself, Terre des Hommes and other child rights NGOs pooled their efforts to develop the ability of the Albanian authorities themselves to respond in ways that would protect children and help their families, rather than penalising them. In the context of the informal ways that children were being used to earn money, the child labour laws were almost irrelevant. Even when children

were identified in chrome mining activities in Albania, it was not the mining company that was exploiting them: children were climbing through a fence, picking up chromite among the rocks left as trash by the mine and selling this to brokers.<sup>23</sup>

An ILO survey in 2010 estimated that 57,000 children in Albania, or 8.2% of 5-17-year-olds, were economically active, with the proportion rising to 9.4% of 12-14-year-olds, an age group that was supposed to be still in full-time education.<sup>24</sup> A considerable number were involved in street trading. The information collected was supplemented in 2013 by a review of children in street situations,<sup>25</sup> which estimated that the total of such children varied between 2,000 and 2,530, with two thirds under the age of 15 and a third reckoned either to have already been trafficked or to be at high risk of being trafficked. A commentary on these findings for the National Ombudsperson noted that the main sector of the economy where children were working was agriculture, but others were involved in manufacturing textiles, clothing and footwear, in mining, and in the hotel and tourism sector.<sup>26</sup> The authors were aware that many people in Albania and abroad assumed that most children in a street situation were from two minority groups (known as Roma and Egyptian), whereas the research had found that many were not from these groups.

A significant development (promoting cooperation between relevant statutory agencies) came in 2010 with the adoption of a *Working Protocol for Child Protection Workers*.<sup>27</sup> This defined the roles and responsibilities of statutory agencies (including Child Protection Units, the police, school staff, health professionals, social services and local government entities) and NGOs in contact with working children and other children in street situations. The Protocol introduced a multi-disciplinary team approach in which child protection workers were expected to coordinate with the staff of other statutory agencies and also with NGOs. It emphasised the principle

that the best interests of the child had to be assessed and to be a primary consideration in actions affecting a child.

Despite the establishment of this child protection system, a situation analysis in Albania in 2014 concluded that more needed to be done to identify children working on the streets to allow them to access relevant services, whether they were still in Albania or abroad.<sup>28</sup> The authors reported that police and NGOs had observed 420 cases of children begging

in the Albanian cities of Tirana and Durrës during the summer of 2011.<sup>29</sup> At much the same time, a TDH team in neighbouring Kosovo noted that each year between 2007 and 2010 approximately 200 Albanian children had been taken to Kosovo to earn money there by begging. The analysis concluded that, although Albania had made progress in developing a child protection system, only parts of the system were in place, leaving worrying gaps.

...although Albania had made progress in developing a child protection system, only parts of the system were in place, leaving worrying gaps.

The authorities issued a set of *Guidelines for the Protection of Children in a Street Situation* in 2014 concerning the identification, immediate assistance and referral of street children. TDH and other NGOs were involved in training specialist street children teams in Tirana and five other cities in 2015. In 2017, TDH provided training on child protection methods to 1,100 professionals.

In 2017, Albania adopted a new child protection law (Law no. 18/2017 on the Rights and Protection of the Child). This specifies how the authorities should react when there is reason to suspect that a child in a street situation is being exploited. It requires child protection workers to make an initial assessment and, if necessary, to work with others in a multi-disciplinary

team to develop an Individual Protection Plan for the child.<sup>30</sup> In November 2017, questions about how to address cases of children reported in street situations or begging were at the top of a list of issues raised by international organisations and NGOs at a meeting in Tirana about how to implement the new law.<sup>31</sup> In early 2018, a series of sector-specific policies were apparently being developed by the Government of Albania to replace the 2010 Child Protection Protocol, but the impact has not yet been reported.

**Results:** Little data about numbers of child workers or the numbers working in the streets has been collected since 2015 to assess trends. Anecdotal accounts reported that the numbers seen in street situations in Greece fell during the first decade of the 21st century. NGOs providing support to households belonging to minority groups have noted that the number of children sent out to work has decreased when the households have been provided with alternative sources of income. In response to levels of child labour that were deemed unacceptably high in 2015, the report for the National Ombudsperson noted that, as in many other countries in Europe, Labour Inspectors were largely powerless to react to cases of child labour.<sup>32</sup> It recommended that this be changed to allow labour inspectors to report cases directly.

The worst forms of child labour, including those occurring in street situations, have not yet been brought to an end, but government agencies, supported by NGOs, have improved their capacity to identify children working on the streets and to take measures that protect and support them (and potentially enable them to continue with education).

...the number of children sent out to work has decreased when the households have been provided with alternative sources of income.



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**Lessons learned and replicability:**

Child protection laws and procedures to enforce such laws have the potential to help eliminate the worst forms of child labour. However, enforcing them is relatively labour- and resource-intensive: it means mobilising a country's social services to develop and implement methods to identify children who are being exploited and for them to have meaningful alternatives to offer the children; this cannot be done if most social workers work in offices, for it

requires them to engage in 'street work' to make contact with the children. Child protection methods seem an appropriate method to deploy if conventional laws on child labour prove ineffective, either in general or as far as certain ethnic or minority groups are concerned. They need to be matched by complementary methods to modify the cultural practices of a particular social group, if these result in children being exploited.

## 4 INTERVENTIONS RELATED TO EDUCATION

“Recognizing the importance of rural poverty reduction, the extension of social protection and access to public, free, complete, universal, quality primary and secondary education, affordable, quality technical vocational and tertiary education and life-long learning, and of area-based and community interventions for eradicating child labour and forced labour...” (Preamble to the Buenos Aires Declaration).

NGOs have sometimes brought about a dramatic improvement in children’s lives by seeking more gradual changes and enabling children to move from work that is hazardous to work that is less harmful.

Organisations such as Terre des Hommes have particular influence at community level when they support NGOs based in local communities and develop long-term

relationships with them.

Together they have the potential to complement efforts by the government at national level (which focus on law, policy and the provision of resources), for local organisations can make direct contact with working children, families and schools and understand the local economy, its power dynamics and the obstacles to progress they represent.

Terre des Hommes and its locally-based partners can consequently achieve changes at community

level which, while they do not alter the structure of the economy, bring about vital improvements in specific places and for particular children.

### 4.1 PROMOTING EDUCATION AS AN ALTERNATIVE TO HAZARDOUS WORK

Many anti-child labour programmes aim to stop children below the official minimum age from starting work at all. If schooling is available as a viable alternative and the child’s family can survive without his or her labour or income, such programmes are

appropriate. However, it is more difficult to promote education as a viable alternative to earning money among poor families whose children not only start working before reaching the minimum age, but who are often under pressure to work in one of the worst forms of child labour. In part this is because such children and their families are vulnerable to pressure from recruiters and employers and in part because they are unaware of alternative jobs that would cause the child less harm or bring in enough income while the child also attends school.

NGOs have sometimes brought about a dramatic improvement in children’s lives by seeking more gradual changes and enabling children to move from work that is hazardous to work that is less harmful. In India, it is important to take into account research findings that almost half of 15-year-old children who remain at school (approximately 77% of children in two areas surveyed in Andhra Pradesh and Telangana states) were able to do so by combining school attendance with paid or unpaid work:

“What is striking is the fact that the number of children combining unpaid work and schooling increased from a small 4 percent at the age of 12 to 45 percent at 15. Interestingly, the number of children combining paid work and schooling remained almost constant at 13 percent. Boys (56%) and the poorest third (60%) constituted a major proportion of children combining school with paid work”.<sup>33</sup>



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Terre des Hommes focused relatively more attention on children subjected to worst forms of child labour (than less harmful work) and has developed various methods to create alternatives for children in extremely poor communities. These do not necessarily stop a child working altogether, but TDH considers it to be a major and worthwhile achievement if a working child is able to continue in part-time education and to work in a less exhausting job, suffering less harm than before.

#### **The pattern of exploitation:**

In the Indian city of Gwalior (Madhya Pradesh), there are reported to be more than 5,500 carpet looms, many employing children, and some 18,000 households manufacture bidis (local cigarettes), involving children as well as adults in hazardous work. Children are also employed in hazardous occupations such as collecting rubbish, rag-picking, carrying large loads and crushing stones.

Methods used by TDH: The priority action supported by Terre des Hommes in Gwalior (and also in another Indian city, Kolkata) has been to withdraw children engaged in hazardous work (or other 'worst forms') by providing them with access to school, influencing children and their parents to keep them in school until they complete their elementary education (rather than dropping out prematurely to start work) and trying to change the mindset of parents concerning the importance of schooling (which some parents regard as unnecessary, especially for girls and adolescents). It has also proved important to provide adolescents with vocational training to improve their chances of finding decent, sustainable employment.

**TDH's project allowed 1,300 children to remain in primary education and 500 to attend secondary school.**

**Results:** A total of 2,400 children were withdrawn from hazardous work. Terre des Hommes' partner in Gwalior, the Centre for Integrated Development, has given priority to enabling parents, members of School Management Committees (or, if such committees have not yet been formed, parents' committees) and others in the community to play their part in implementing India's Right to Education Act. In 2017 this allowed them to resolve 27 out of 42 problems related to the management of schools, which had been inhibiting children from attending school (such as teachers failing to turn up or having too many pupils in a class, or a lack of midday meals). In the two cities, TDH's project allowed 1,300 children to remain in primary education and 500 to attend secondary school. More than 1,000 adolescents received vocational training and obtained decent jobs, rather than having to resort to dirty, dangerous and exploitative work.

Adolescents in the two cities have also received advice on how to formulate their own demands and to submit these to the appropriate local authorities. In 2017, this

resulted in 80 requests being submitted, of which 35 had been resolved satisfactorily by the end of the year. The issues raised included: the availability of drinking water, road improvements, the construction of fences or walls around schools, the provision of separate toilets for girls in schools, and improvements in the quality of school meals. The children themselves also wanted to remove the obstacles facing school drop-outs who sought to return to school.

**Lessons learned and replicability:**

The combination of strengthening community involvement in school management, making schools (and local government) more accountable to the community and supporting vocational training has been effective in reducing levels of hazardous child labour in Gwalior. As in many other

places, TDH's partners in Gwalior found it more difficult to persuade parents to keep their daughters in school than their sons. They found girls' involvement in home-based work (not just housework, but remunerated work) was a particular obstacle to reducing their hours of work. The shortage of trained teachers was found to be an obstacle to achieving reasonable teacher/pupil ratios in schools and improving the quality of teaching. In terms of influencing public opinion and coordinating the Centre for Integrated Development's activities with those of other relevant actors in Gwalior (such as the government's Labour Department and its Child Welfare Committee), the coordination provided by a telephone hotline, Childline India, which acts as the hub of a local referral network on child protection issues, was found to be very helpful.



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## 5 INTERVENTIONS CONCERNING SUPPLY CHAINS AND RESPONSIBLE BUSINESS PRACTICE

“Recognizing that enterprises should respect human rights, encourage them...to carry out due diligence in their supply chains in order to identify, prevent, mitigate and account for how they address adverse human rights impacts of their activities, particularly in relation to child labour and forced labour” (*Buenos Aires Declaration on Child Labour, Forced Labour and Youth Employment, Action Point 3.5*<sup>34</sup>).

Since the 1990s, businesses have sought to avoid embarrassing publicity by checking that they are not selling products made by child labour. Initially, it was predominantly retailers importing products from developing countries to sell in Western countries, where the public is perceived to object to child labour, and where investors and other companies are concerned that any public criticism is bad for business. However, the businesses concerned with their reputation

have expanded around the globe, as will be seen below. The UN has encouraged businesses to take action to prevent abuse of human rights (such as child labour) from occurring in their workplaces or supply chains, notably in the UN Global Compact and the *UN Guiding Principles on Business and Human Rights* (2011).

...in practice it has frequently been NGOs such as TDH which provide the initial information about ways in which children (or adults) are being exploited...

Although the *UN Guiding Principles on Business and Human Rights* require businesses to check for themselves that satisfactory working conditions exist among their suppliers (a process known as ‘due diligence’), in practice it has frequently been NGOs such as TDH which provide the initial information about ways in which children (or adults) are being exploited or abused at work and which subsequently monitor

the effects of remedial measures taken by businesses (both those based abroad and those in the country where child labour occurs). In effect, NGOs are well-placed to act as a bridge between the places where children are exploited and the businesses and consumers in other countries who buy their products.

While businesses focus specifically on what occurs in the workplace and how to improve matters, it is frequently left to NGOs to respond to the wider health, social and economic impacts on children and their communities, such as helping young workers recover from abuse and supporting them in returning to school or finding alternative (acceptable) employment. Measures taken by a business to prevent child labour (or other forms of exploitation) in its supply chain have the potential to harm the very individuals they are intended to benefit. This occurs, for example, if a retailer imposes a blanket ban on its suppliers employing anyone under 18 to work on the products it buys (as this constitutes discrimination against adolescent workers who are old enough to be employed). A business can also do harm if it cancels a contract when a child worker is detected, without engaging with its suppliers to improve their workplace by removing child labourers in an acceptable way that ensures they do not end up worse off.<sup>35</sup>

## 5.1 METHODS THAT HAVE PROVED EFFECTIVE TO INFLUENCE BUSINESSES AND EMPLOYERS OF CHILD LABOUR INVOLVED IN EXPORT INDUSTRIES

A wide range of stakeholders can contribute to stopping child labour in situations where children produce goods for export and businesses playing various different roles can potentially bring their influence to bear. The principle interventions that are needed are:

1. Research to obtain accurate information about child workers concerning unacceptable employment practices and to find out what changes are sought by young workers and others in their communities;
2. Presenting the findings (if child labour is reported) to businesses involved in the supply chain (the chain of businesses whose purchases have the effect of condoning or encouraging child labour). Often it is more effective to publicise the findings than to submit them confidentially to a business that has an interest in keeping reports of abuse away from public attention;
3. 'Supply chain' pressure by businesses that buy, directly or indirectly, products made with child labour;
4. Supporting community-level organisations in the area where children work or are recruited, for example:
  - campaigning for change;
  - providing advice or other services to young people while they are working;
  - providing services to former child labourers who are suffering the consequences of working inappropriately, whether adverse health impacts (including mental health impacts and loss of self-esteem), lack of education or others;
5. Providing accurate information about workplace abuse to parents and discouraging children from accompanying recruiters and/or parents from agreeing to their child being recruited;
5. Supporting the creation of alternative livelihood opportunities and employment in areas of recruitment, so adolescents can work in decent jobs and young workers who leave jobs involving a worst form of child labour are offered a preferable alternative;
6. Using legal procedures to challenge child labour or other bad employment practices;
7. Advocacy for change with local and national governments and also at international level;
8. Coordination of separate initiatives (both in the area where child labour occurs and between organisations based in different places, e.g. at local, national and international levels, and to ensure that 'top-down' and 'bottom up' initiatives share common objectives);
9. Further research, once measures to stop child labour are implemented, to monitor the changes that occur. In part, this is to compare claims by companies to have 'resolved the problem' with the evidence available from workers and other community members. However, it is also vital to monitor possible negative effects on the children or communities concerned: these can occur if children are displaced from one form of child labour to another in which they experience abuse that is as bad or worse.<sup>36</sup>

The following two examples concern recent and current action by TDH in cases involving products exported from India: a mineral (mica) and textiles. In both cases, the abuse that occurs is not limited to child workers, but children have suffered particular harm.



## 5.2 TACKLING CHILD LABOUR IN MICA MINES IN INDIA BY INFLUENCING THE SUPPLY CHAIN

**The pattern of exploitation:** Terre des Hommes has published the predicament of thousands of child labourers working in dangerous conditions in mica mines in India. Terre des Hommes' aim is to bring about change by influencing businesses that use mica in their products (as diverse as cosmetics, paint, ink, electronics, car manufacturing, construction and fluids used when drilling oil wells) and retailers that buy or use mica ore from northern India, in a mining area situated along the border of Bihar and Jharkhand states. This may concern as many as 20,000 children in between 500 and 700 villages.

### Methods used by Terre des Hommes:

Terre des Hommes commissioned SOMO (the Netherlands-based Centre for Research on Multinational Corporations) to collect evidence of child labour and its effects in the mica mining areas.<sup>37</sup> SOMO found that the number of formally-registered mines in the area had reduced from more than 400 in the 1960s to only two by 2016. This meant that any regulation of working conditions and health and safety had disappeared: instead of the local economy being increasingly formalised, the process has been reversed, reducing the costs of production and sucking children into the mines. At the same time, the amount of mica produced in this area had increased, possibly by as much as 75% between 2006 and 2016, with the two Indian states estimated by SOMO to generate some 25% of mica (125,000 tonnes) on the global market by 2014.

Not surprisingly, the removal of checks on mining work had pushed children as well as adults to expose themselves to greater dangers. Investigations by journalists in

2016 revealed that seven children had been killed in a period of just two months.<sup>38</sup> In response to the publicity and to appeals by TDH and other NGOs, India's National Commission for the Protection of Child Rights sent a fact-finding mission to Jharkhand's Koderma and Giridih districts in June 2016 and reported finding children as young as eight years old mining mica. In 2018, the Jharkhand state-level child rights commission was reported to be carrying out a survey of child labour in the area, but the findings and next steps by this government-appointed body had not been revealed by April 2019. At the beginning of 2019 Jharkhand State's Department of Labour Employment and Training proposed to amend the state's rules on child labour, but without addressing the specific issue of children in mines.<sup>39</sup>

**Results:** The 2016 publicity about children killed in mica mines provoked mica-buying businesses outside India into action. Publishing its findings in 2016, SOMO included a specific appeal to businesses buying mica from India not to simply turn to alternative sources, as this would not end the exploitation of children in India; instead they were encouraged to work with their suppliers and to carry out human rights due diligence, as required by the UN's *Guiding Principles on Business and Human Rights*.



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The 2016 publicity about children killed in mica mines provoked mica-buying businesses outside India into action.



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61 villages in the mica belt, focusing on communities in Jharkhand which depend on income earned from mica. Support is provided by five local partner organisations and includes developing additional sources of income for the communities concerned (to reduce dependency on mica) and providing access to education for several thousand children. At the

In January 2017 a Paris-based Responsible Mica Initiative (RMI) was launched, with some 40 businesses involved, including well-known cosmetics firms, such as Estée Lauder, Chanel and L'Oréal, and German drugs and chemical group Merck KGaA. RMI describes itself as a "Do-Tank which aims to eradicate child labour and unacceptable working conditions in the Indian mica supply chain by joining forces across industries".<sup>40</sup> The companies that joined RMI were not restricted to those based in Europe and North America, but included, for example, Chinese pigment manufacturer Fujian Kuncai Material Technology Co Ltd, the first company to agree (in 2016) to support

the same time, the RMI is organising community-level activities in a further 40 villages.

Once again, coordination has been vital. TDH and RMI coordinate their activities closely to learn from each other's experiences and to achieve maximum impact. They support regular coordination meetings of the local organisations involved (known as 'CSO [civil society organisation] committees'). RMI also coordinates a regular meeting with businesses willing to participate, known as "Business Core Committee" meetings.

**German carmaker Daimler, owner of Mercedes-Benz, announced that it would increase the checks on the products used in order to avoid using mica mined in unregulated conditions by children.<sup>42</sup>**

TDH's efforts to end child labour in India's mica mines.<sup>41</sup> The number of businesses supporting RMI increased to 47 in 2018 and included five involved in processing mica in India, as well as companies based outside India. By the end of 2018, the RMI was reported to have raised more than one million Euros to finance its work and help eradicate child labour. In June 2018, German carmaker Daimler, owner of Mercedes-Benz, announced that it would increase the checks on

the products used in order to avoid using mica mined in unregulated conditions by children.<sup>42</sup> Alongside the focus on business responsibilities, TDH supports activities in

**Lessons learned and replicability:**

Engaging businesses in India and elsewhere that buy and use mica in efforts to reduce worst forms of child labour replicates a method that has helped mobilise business influence in other sectors and countries. The formation of RMI mirrors the action taken in other business sectors, where organisations formed by the businesses involved (and often led by retailers) have promoted measures to end child labour or other forms of workplace abuse. Ensuring that such 'top down' influence is matched with activities at community level requires active coordination and represents good practice, in part because it ensures a constant supply of accurate information about what is happening at community level to others involved, and also because it delivers a long-term benefit by convincing local people of the reasons for not letting their children engage in certain forms of work.

### 5.3 TACKLING FORCED LABOUR INVOLVING GIRLS IN SOUTH INDIA'S GARMENT INDUSTRY (SUMANGALI)

#### The pattern of exploitation:

Factories manufacturing for the garment industry have been criticised around the world for exploiting workers (mainly girls and women), including in sweatshops in industrialised countries. Retailers can insist on improvements in the first tier of their suppliers, but routinely have more difficulty in improving working conditions further down the supply chain, for example in cotton fields or ginneries where raw cotton is spun into yarn for use in textiles. During the first decade of this century, increasing numbers of young women and adolescent girls aged from 12 to 17 years old started working in cotton spinning mills in India's southern Tamil Nadu state. Most come from families categorised in India as

dalits, regarded as having low social status. They are employed on fixed year contracts (usually for three to five years) with the promise of a final lump sum, a relatively large amount which they only receive if they complete their contract (reported in 2018 to be between 30,000 and 75,000 Indian Rupees or €380 and €945). They receive a small monthly salary as well as a final lump sum. The girls were supposed to be at least 14 years old for their recruitment to be legal (though some are reportedly younger when they start work) and are categorised as 'apprentices', meaning that they may legitimately be paid below the minimum wage. The expected benefit of receiving a lump sum at the end of their contract is that the money 'saved' for them by their employer can be used to pay the young woman's dowry (the payment made by a bride's family to her husband or his family when she gets married). This is

known as the *sumangali* system (referring to young women who are soon to be married) and has the effect of obliging girls and young women to remain with the same employer to obtain this final payment.

Today some 300,000 girls are reported to be working in the *sumangali* system or a modified version of it, out of more than 2.2 million workers reported in Tamil Nadu's garment industry. Tamil Nadu mills accounts for almost 48 per cent<sup>43</sup> of India's cotton spinning mills (more than 2,000 mills). The girls are reported to work long hours (more than 60 hours a week), sometimes seven days a week in harsh working conditions (due to dust, noise, heat and a lack of health and safety precautions), with up to only seven days' holiday a year.



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The girls are reported to work long hours (more than 60 hours a week), sometimes seven days a week in harsh working conditions (due to dust, noise, heat and a lack of health and safety precautions), with up to only seven days' holiday a year.

Between half and three quarters work away from home and are housed in dormitories (hostels) attached to the mills, many of them overcrowded and with poor sanitation. They are not allowed out unsupervised and some have been prevented from talking to relatives by telephone. Food provided by employers is reported in many cases to be poor or even rotten. Throughout the years, hundreds of cases of harassment by supervisors have been reported (mainly shouting abuse and sexual violence). Dozens of cases have been

filed for compensation after work-related accidents. Doctors from local hospitals have reported a high rate of suicides among girl mill workers. Both the hazardous working conditions and harsh living conditions affect the workers' health, but those who stop work due to ill-health or work-related accidents have gone unremunerated, as they failed to finish their contracts.

The courts in Tamil Nadu have condemned the *sumangali* system, but the state government has been slow and ineffective in responding.

#### Methods used by Terre des Hommes:

Numerous organisations in India and elsewhere have criticised the *sumangali* system and been involved in action to halt the exploitation concerned. Between 2011 and 2015, TDH gave priority to withdrawing girls from abusive work (10,000 benefited) and supporting them in returning to school or undertaking vocational training. Since 2016 Terre des

Hommes has also prioritised advocacy in Tamil Nadu and at international level.<sup>44</sup> Terre des Hommes' special contribution has been at local level, supporting local organisations in a 'bottom up' approach in more than 400 villages in Tamil Nadu. This has included empowering girls and young women as agents of change. Via its partner on the ground, Terre des Hommes has:

- Supported the first research into the *sumangali* system in 2006 and 2007.<sup>45</sup> Many publications were issued subsequently by others<sup>46</sup> and in 2015 India's Garment Sector Union submitted an official complaint to the ILO, alleging that *sumangali* were being subjected to bonded labour, a form of forced labour prohibited by both Indian law and international law.<sup>47</sup> The Indian and international media have publicised many of the reports, provoking businesses around the world into taking action. However, abuse has continued: for example, in July 2018 Deutsche Welle reported that campaigners had recorded over 100 deaths of young textile workers in Tamil Nadu's textile industry.<sup>48</sup>
- Established girls' associations in about 400 villages in the four main districts where girls have been recruited. These started raising their voices and became active in making others aware of the abuse in mills. They monitor the activities of labour brokers who come to their villages and stand up against new recruitment of *sumangali*, as well as against other abuse affecting girls, such as early marriage and gender-based violence (they do not focus narrowly or exclusively on the issue of child labour).
- Provided vocational training for girls who quit mill work and gave them access to psychosocial care<sup>49</sup> and health services.

## Some brands and retailers buying from India included a ban on the *sumangali* and related systems in their codes of conducts...

**Results:** In this case, results can be traced at three levels involving business practice, advocacy and local communities.

Well-known retailers and brands began protesting at the *sumangali* system soon after the 2007 publication of *Women Workers in a Cage*.

- Some brands and retailers buying from India included a ban on the *sumangali* and related systems in their codes of conducts (that suppliers are required to observe) and the systems for checking if the requirements of codes are implemented. C&A was one of the first to protest at the system;<sup>50</sup>
- In a few cases where there was especially close collaboration between spinning mills and international retailers, occupational health and safety systems and complaints mechanisms were introduced. However, businesses based outside India rarely bought products directly from spinning mills, meaning that they had less influence on mill employers than if they had a direct business relationship with them.

Advocacy in Tamil Nadu resulted in the Madras High Court ruling the *sumangali* system illegal in 2016 (though this did not stop the system continuing under other names). A variety of changes have been reported since 2008 and some factories have discontinued the original lump payment system. However, employers continue to make deductions for salaries and only to repay these at the end of a worker's contract, so the main problem has not been solved. Reacting to criticism, one of the leading industrial associations, Southern India Mills' Association (SIMA), issued a set of recruitment guidelines,

noting that "there has been a lot of criticism about women employment in textile mills, particularly the apprenticeship scheme system adopted by mills under which women in the 17-18 age group prefer to work for a fixed term of three to five years before their marriage".<sup>51</sup> The guidelines suggest that no-one under 18 should be recruited. However, recognising that 16 and 17-year-olds had already been recruited, they go on to suggest that no girls under 17 should be allowed to work at night. The guidelines focus largely on procedures to prevent sexual harassment in and outside the workplace. Employers are now being urged to implement a set of alternative guidelines which assert that no-one under 18 should be recruited but acknowledge that children who are already at work should be allowed to keep their jobs.<sup>52</sup>

At community level, Terre des Hommes' partner has:

- Provided assistance to more than 45,000 girls from the four districts between 2011 and 2019, supporting them in leaving their jobs as *sumangali* and either restarting school or attending vocational training. An evaluation for Terre des Hommes and the C&A Foundation (which supported TDH's work) noted that "Focusing on relevant priorities for survivors, including income-generating activities, is critical for successful rehabilitation";<sup>53</sup>
- Enabled 6,000 families to get income-support from government-run schemes;
- Provided current and former workers with various forms of care: psychosocial care for 14,000 former *sumangali* and health services for 8,978 girls. A 2015 evaluation reported good results in restoring the physical and mental health of former workers.<sup>54</sup>

Advocacy in Tamil Nadu resulted in the Madras High Court ruling the *sumangali* system illegal in 2016...



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#### Lessons learned and replicability:

An oppressive system functioning on a large scale, such as the *sumangali* one, is likely to need a combination of methods to address it, for no single intervention is likely to end it, however influential the company that demands change. Some are 'top down' (such as businesses importing textiles from India pressing employers to change their employment practices) and some 'bottom up', mobilising communities to take action to protect girls and women from exploitation and providing assistance to those who have been exploited. The methods used in Tamil Nadu have themselves replicated successful experiences elsewhere, but the system of exploitation involving both forced labour and other worst forms of child labour

has proved remarkably resilient, meaning that Terre des Hommes and others need to remain engaged and vigilant.

An analysis of the needs of individual children and young people proved crucial, followed by counselling and psychosocial care for those needing it. Girls and young women were traumatised by their work experiences and trapped between their hope of earning a living and their experience of exploitation and humiliation. Strengthening their self-esteem and enabling them to take collective action with others who had similar experiences proved effective for both the individuals concerned and their communities.

## 6 COMMUNITY-BASED RESPONSES TO CHILD LABOUR

**Relevant international standard:** “Strengthen the organizational capacity of local communities, as appropriate, in their efforts to prevent, detect and eliminate child labour and forced labour; to ensure that relevant authorities are aware of and replicate these efforts...” (Buenos Aires Declaration, Action 1.5)

### 6.1 SUPPORTING COMMUNITY RESPONSES TO PROTECT CHILD DOMESTIC WORKERS

#### The pattern of exploitation:

Millions of girls and boys are involved in paid or unpaid work in households other than their own. They clean, cook, garden, collect water, look after other children and care for the elderly. The majority (about two thirds) are girls, though large numbers of pre-adolescent boys are involved in some places. The tasks, hours, hazards and impediments faced by child domestic workers are similar to the situation of many millions of girls and boys who carry out domestic tasks for their own families. But the situation of children who live in someone else’s home and work there, including children living with relatives, is usually characterised by their blurred and

ambiguous relationship to the employing family. This results in a situation where the child works, but is not considered a worker, and, while living in a family setting, is not treated as a family member either.

Global estimates published by the ILO in 2013 suggested 17.2 million children around the world worked in households other than their own,<sup>55</sup> many long distances from their family

homes and some in neighbouring countries. In terms of age, over 11 million were aged below 15, with six million aged 15, 16 or 17 years. The ILO reckoned that over two-

thirds (11.5 million) of the total should not be in their jobs at all, either because they were below the legal minimum working age, were working in hazardous situations, or were in servitude or debt bondage.

Much has been learned about methods that child domestic workers consider most beneficial, notably support to help them meet and organise collectively (to improve their working conditions), so they cease to be ‘invisible’ and voiceless. The lives of child domestic workers as a group are rarely improved by adopting new laws or ‘rescuing’ just a few who are maltreated. It requires a series of coordinated initiatives. Effective methods have included:

- Making contact with child domestic workers, when this is safe and will not place them at risk, at drop-in centres or at places where they are outside their employer’s home and not accompanied by their employers (for example collecting water or attending non-formal or vocational education classes), in order to offer various services to them;
- Enabling the young workers themselves to meet, organise and have access to basic services, such as non-formal education and health checks, and to express their own views about how domestic workers should and should not be treated (see Chapter 8 for a description of a method to enable child domestic workers to express their views on their own situation). For older children who are allowed time off work on a weekly or other regular basis, this may mean meeting at pre-agreed public

The lives of child domestic workers as a group are rarely improved by adopting new laws or ‘rescuing’ just a few who are maltreated. It requires a series of coordinated initiatives.



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places, such as a park, whereas for younger children it is essential to use a safe space, such as the courtyard of a school or religious

institution. One side-effect of meeting others is that any bruising or other evidence of physical ill-treatment comes to the notice of other workers or the adults supporting them;

- Ensuring the child (and employer) maintains contact with her or his family, for protection and to make it easier to return home;
- Influencing employers to improve the way they treat domestic workers. This is challenging as the employers (like most domestic workers) have no representative body through which they can be reached. Effective methods with employers include:<sup>56</sup>
  - Persuading employers to allow domestic workers to leave the house for recreation, education (including non-formal education) and training opportunities;
  - Establishing a dialogue with groups of employers in a particular neighbourhood to make it possible to reach, assist and remove children if it becomes essential;
  - Establishing 'responsible employer' organisations to raise standards among them and to monitor abuse;
  - Not treating employers collectively as abusers or possible criminals, even if some commit crimes such as cruel, inhuman or degrading treatment or rape and should indeed be prosecuted.

### 6.1.1 Reacting to the worst forms of child labour involving child domestic workers

#### The example of worst forms (of child labour) that was targeted:

In some situations, child domestic workers experience so much abuse that it is clear that they are being subjected to a worst form of child labour or even a form of slavery. In such cases it is essential to follow a two-pronged approach of seeking legal reform at national level, while also intervening on behalf of individual children, to withdraw them from the control of abusive employers. In some circumstances both specialist NGOs, such as TDH, and government officials conclude that the recruitment or employment of child domestic workers constitutes human trafficking, a crime which merits prosecution.

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#### Method used by Terre des Hommes:

In the city of Mwanza (Tanzania),<sup>57</sup> Terre des Hommes' local partner, Kiwohode (Kiota Women Health and Development Organisation), has worked with the government's 'Most Vulnerable Children Committees' (MVC) to identify domestic workers who are reckoned to have been trafficked (i.e. those who, once they start work, are not allowed to leave their employer). By mid-2017, they had identified 31 children and helped develop 60 legal cases. However, the authorities were reticent to prosecute in all the cases (they reacted in 20 of the 60, of which three were referred to court), partly because of reluctance at the level of both the police and wider public to recognise that criminal offences had been committed and partly because of difficulties in collecting evidence. A further 22 cases were referred to the local labour relations and mediation commission, resulting in child workers reportedly being able to obtain outstanding wages that had not been paid from former employers.





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#### Method used by TDH:

In 2010, the country suffered a terrible earthquake. This increased the number of orphan children who were in need of alternate care and created the momentum among a range of key stakeholders to seek wholesale solutions. These included the government, but also intergovernmental organisations, international NGOs such

as TDH and local activists such as the Aba Sistèm Restavèk (ASR), 'Down with the Restavèk System', network.

Progress started with fact-finding by a Norway-based research institute, which found that one in four children in Haïti did not live with their birth parents and that most worked, although not necessarily full-time.<sup>59</sup>

In 1989, Father Jean-Baptiste Miguel founded the Foyer Maurice Sixto (and was supported by TDH<sup>60</sup>) and set out to influence employers and thereby improve the treatment of restavèk children working for them. By 2012, the Foyer provided formal schooling for some restavèk children and non-formal education to 300 other restavèks after they had spent the morning engaged in house work for their employers.<sup>61</sup>

In 2013, a TDH team based in Haïti following the earthquake identified 50 restavèk children in particular difficulty. They were selected to receive care on the basis of their social or family situation, or particular psychological and health problems.<sup>62</sup> Among these children, the majority were

Alongside efforts to prosecute criminals, there have been ongoing efforts by other NGOs in Mwanza to improve the treatment of domestic workers. Initial efforts from 2008 onwards focused on enlisting a group of employers as 'champions of change' (350 had been recruited by 2013, resulting in 500 employers formalising their domestic worker's situation by signing job contracts and providing improved working conditions). More recently, a group of some 20 NGOs have formed the Tanzania Domestic Workers Coalition, advocating better treatment for adult as well as adolescent workers.

#### Another example of a 'worst form' (of child labour) that was targeted:

The exploitation of child domestic workers has been a long-term focus of attention in Haïti because of its prevalence and the tradition of 'restavèk' ('stay with') children who leave their own families before the age of 10 to live and work in someone else's household. The restavèk system has been categorised as one of servitude and forced labour by the UN and ILO. In 2011, the ILO noted, "[I]n practice many of these children, some of them only 4 or 5 years old, are the victims of exploitation, are obliged to work long hours without pay, face all kinds of discrimination and bullying, receive poor lodging and food and are often subjected to physical, psychological and sexual abuse. In addition, very few of them attend school".<sup>58</sup>

**By 2012, the Foyer provided formal schooling for some restavèk children and non-formal education to 300 other restavèks after they had spent the morning engaged in house work for their employers.**

victims of ill-treatment: physical and mental abuse, sexual violence or a lack of medical treatment for health problems. In other cases, they suffered from social and psychological problems, and included young mothers and girls who were pregnant. Individual socio-educational care was provided by a TDH multidisciplinary team: social workers, a nurse, a psychologist and a socio-economic worker.

At national and international level, TDH has been involved in advocacy efforts to seek more holistic solutions at the level of law and policy. For example, TDH has worked with Haïti's Institut du Bien-Être Social et de Recherches (IBESR), Institute for Social Welfare and Research, the statutory organisation responsible for the implementation of policies on child protection, to improve the living conditions of *restavèk* children.

**Results:** There has been ongoing publicity and advocacy about *restavèk* children at international level, to which TDH and its partners have contributed. In 2018 the European Parliament adopted a resolution on Child Slavery in Haïti, calling on the Government of Haïti, inter alia, “to criminalize the practice of placing children in free [i.e. unpaid] domestic service” and urging the European Commission and the European External Action Service “to provide necessary assistance to the authorities to help them create solutions to the problem of child slavery”.<sup>63</sup> The result of the advocacy is that separate UN organisations (such as UNICEF and ILO) are reported to have pooled their expertise to seek a general solution. However, this has not yet been achieved.

**Lessons learned and replicability:** It is apparent that international organisations need to support the government in designing a long-term strategy to end the *restavèk* system.<sup>64</sup> In the meantime, while ongoing research and advocacy are needed, they do not bring about substantial change. Small-scale attempts to provide *restavèk* children with

schooling provide a partial solution, as do occasional operations to withdraw children from the control of abusive employers. However, experience has shown that a more wholesale solution is needed. The Government of Haïti appears to be in favour of finding such a solution, but it faces numerous other demands and has not yet acted in an effective way either to end the *restavèk* system or to stop the worst abuse inflicted on tens of thousands of children.

## 6.2 ESTABLISHING EARLY WARNING SYSTEMS TO ENABLE LOCAL ACTORS TO PROTECT CHILDREN FROM THE WORST FORMS OF CHILD LABOUR

What is the most appropriate reaction when children are spotted in jobs that constitute a worst form of child labour? In many countries there is an assumption that labour inspectors should identify such children and initiate a response. In practice, however, labour inspectors have little or no expertise concerning children, lack the resources necessary to reach the places where children work and often have no mandate to visit anything except conventional workplaces (such as factories).

Organisations keen to protect children have tried various methods to involve locally-based actors in the responses, which vary from attempts to persuade school-aged child workers to return to school to police raids to secure the release of children who are being held captive and forced to earn money for someone else. The priority here is not to stop them working altogether, but to end their involvement in work that is debilitating and bad for their physical or mental health.

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### 6.2.1 Responding to children working in gold mines

#### The pattern of exploitation:

The Republic of Ghana was known as “The Gold Coast” until independence, largely because gold was produced in areas to the north of the country and brought south towards the West African coast in considerable quantities. In recent decades there has been a new ‘boom’ in gold mining in Sahelian countries (Burkina Faso, Mali and Niger). The Prime Minister of Burkina Faso, Paul Kaba Thiéba, reported in 2018 that gold production in the country had increased from 36 tonnes in 2016 to 46 tonnes in 2017 (compared to less than one tonne in 2000). He reported that gold production in 2017 had generated €340 million in revenue for the government, becoming one of the country’s main income sources. Once mined from the ground, the value chain consists of numerous layers of intermediaries and buyers, making it difficult to rely on the methods outlined in the previous chapter. Speaking publicly, the Minister for Mines and Quarries, Oumarou Idani, said in 2018 that many mine workers were children and reckoned about 10 tonnes per year were produced by artisanal mines, of which the country is estimated to have over 600.<sup>65</sup> The TDH team in Burkina Faso estimates that between one third and half all those working in gold mines are children.

#### Methods used by Terre des Hommes:

Terre des Hommes has been active in Burkina Faso in trying to prevent children and adolescents working in artisanal gold mines. TDH’s activities have focused on four mines in Ganzourgou province (east of the capital, Ouagadougou),<sup>66</sup> where approximately 2,000 children work, most involved in digging, panning or washing the gold. The average age of child workers on mining sites is reported to be only 13, with just over half not attending school. However, some workers are much younger.

TDH has initiated an Early Warning System to identify child labourers on gold mining sites and to react rapidly by referring children to appropriate support services. Burkina Faso is no exception to the rule that labour inspectors are unavailable to visit artisanal mines. So TDH has supported the introduction of a different system: influential members of the local community (usually an older community leader accompanied by someone younger who is more “technology-friendly”) are deployed at the four mines to act as informal ‘inspectors’. They take part in various TDH activities to learn about the risks for children of mining work before taking up this role. They are able to move around each of the mines, on the look-out for workers who might be children. When they come across a child, they use an application (‘app’) to upload data about them via a tablet, answering questions such as “Are they a migrant? Are they accompanied or unaccompanied? Are they enrolled in school? Have they been hurt?”. The database works out (out on the basis of the answers provided) if an urgent response is needed, in which case the app automatically sends an SMS to relevant local actors, such as social services and health workers, as well as the police.

**Results:** The app records all the data that is transmitted, making it possible for TDH to monitor what is happening on all four mining sites. Between September 2017 and October 2018, a total of 2,325 children were identified on the four sites (roughly half boys and half girls). Those considered in need of specific forms of protection were referred to local services. The numbers being identified dropped in subsequent months, suggesting that less children were being recruited as a result of the roaming inspectors.

**Lessons learned and replicability:**

By working with local social services to protect children, Terre des Hommes reckons to ensure the sustainability of the project, avoid creating a parallel system (operated uniquely by NGOs) and sustain local government's involvement in initiatives to stop child labour (in a region where numerous anti-child labour efforts have failed to secure the support of the public). Being able to present the data that is collected via the app to political decision-makers strengthens arguments in favour of change (to reduce child labour). Actively involving communities in the design of

solutions about child labour ensures a context-sensitive approach and empowers local people to be agents of change, rather than resentful 'objects' of orders imposed from the capital or from abroad.

**Actively involving communities in the design of solutions about child labour ensures a context-sensitive approach and empowers local people to be agents of change**



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# 7 PREVENTING CHILD LABOUR IN EMERGENCIES AND ARMED CONFLICT

**Relevant international standard:** “Situations of armed conflict and humanitarian disasters result in the breakdown of social norms and family and community support structures. They force many displaced and crisis-affected adolescents to assume adult responsibilities and expose them to risks of sexual and gender-based violence, child and forced marriage and trafficking... The Committee...urges States parties to ensure that adolescents are provided with systematic opportunities to play an active role in the development and design of protection systems and reconciliation and peacebuilding processes” (Committee on the Rights of the Children, *General Comment 20*).<sup>67</sup>

Humanitarian disasters often have the effect of destroying the existing economy, precipitating children and adults into work that they would not otherwise have taken on. To survive, families turn to coping mechanisms which have negative effects on children, such as child labour or marrying off a daughter while she is too young to marry or have children. Both before and after armed conflicts, as well as while conflicts run their course, children are routinely taken out of school to engage in work that causes them harm.

Humanitarian emergencies caused by earthquakes and other natural disasters have routinely been followed by appeals to stop orphaned children being abducted or trafficked out of the affected areas. In areas directly affected by armed conflict, child rights defenders and humanitarian organisations usually have two clear priorities: (1) to discourage and stop the recruitment of children either as combatants or in other roles supporting combatants; (2) to stop abuse being committed against children in general, in particular sexual abuse and exploitation. One method regarded as effective for achieving this in areas directly impacted by conflict has been the establishment of community-based child protection groups.<sup>68</sup>

However, the impact of conflict, as well as of natural disasters, is to destroy the conventional economy and to displace adults and children, not only making it difficult for children to continue at school but creating hardship for entire households, whether they flee from their homes or not. This obliges children as well adults to generate income, sometimes by engaging in worst forms of child labour, such as prostitution, bonded labour or hazardous work. In such crisis situations, government laws and policies are swiftly relegated into second place, and families are in need of practical, material assistance.

## 7.1 CHILD LABOUR AND THE IMPACT OF THE ARMED CONFLICT IN SYRIA (2011 ONWARDS)

The pattern of exploitation: In a 2016 publication,<sup>69</sup> TDH found substantial evidence that Syrian children faced a high risk of being drawn into child labour, including worst forms, in Syria itself, in neighbouring countries and while in transit through Europe. Among Syrian refugees in neighbouring countries such as Jordan, Lebanon, Iraq and Turkey, TDH found children in a variety of workplaces: on construction

sites, in agriculture, in markets, on the streets and in all kinds of services. Boys and girls were working long hours, often seven days per week. By April 2017, Human Rights Watch reported estimates that more than half a million (536,000) children were out of school in Jordan, Lebanon and Turkey.<sup>70</sup> Two years later, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported in February 2019 that 40% of Syria's schools had been damaged or destroyed and that 180,000 teachers had stopped teaching in Syria,<sup>71</sup> displacing a vast proportion of the children left in Syria into activities out of school.

There were few positive consequences to the 21st century's worst humanitarian disaster. However, one result was that international organisations devoted more attention to developing standards for their own efforts to protect children, including from child labour. The Minimum Standards for Child Protection in Humanitarian Action (CPMS), developed in 2013 by the Child Protection Working Group, composed of international organisations engaged in humanitarian action (including TDH), set out six basic principles and 26 minimum standards, one of which focuses on child labour (Standard 12). This gives clear priority to stopping worst forms of child labour: "Girls and boys are protected from the worst forms of child labour, in particular those related to or made worse by the emergency".<sup>72</sup> It emphasises the importance of mainstreaming action to guarantee this standard into routine child protection work.

As the conflict in Syria became protracted, the ILO and Plan International convened other international organisations, including TDH, to focus on what could be done to prevent child labour from occurring in humanitarian crises, as well as what should be done to protect children who were found working in ways considered abusive or inappropriate. They drafted an *Inter-Agency Toolkit: Supporting the Protection Needs of Child Labourers in Emergencies* (2016). This was tested in 2017, with a view to eventually issuing a definitive set

of guidelines. In the meantime, NGOs such as TDH engaged in numerous initiatives to protect refugee children and their families, including by preventing child labour.

### 7.1.1 Terre des Hommes' support for Syrian working children in Jordan

By 2016, an ILO survey found that since 2007 the number of child labourers in Jordan had doubled to more than 69,000 (two thirds in hazardous work).<sup>73</sup> Approximately 95% of Jordanian children were attending school, while the comparative figure for Syrian children in Jordan was only 72%. In the same year, UNICEF reckoned that 40% of the Syrian boys in Jordan aged 15 or younger were in child labour.<sup>74</sup> Most were working long days in agriculture, restaurants, shops or factories.

...since 2007 the number of child labourers in Jordan had doubled to more than 69,000 (two thirds in hazardous work).

Methods used by Terre des Hommes: In 2017-18, TDH implemented a "Dedicated services for children affected by child labour" project in Jordan, together with the Jordanian Hashemite Fund for Development (JOHUD). The project was funded by the UN's OCHA, in theory for 14 months, though the implementation phase was limited to ten months, a relatively short time. The project aimed to reduce child labour by providing specific services to vulnerable Syrian and Jordanian children and young people in two governorates:

- child protection case management<sup>75</sup> and referral to specialised services for children identified in worst forms of child labour;
- emergency cash assistance to the families of children identified in hazardous situations (at work or otherwise);

- psychosocial activities and life skills development for working children;
- supporting children and youth in designing child protection messages for other young people and disseminating these messages;
- increasing the awareness among adults in group discussions and via community-wide campaigns about the risks related to child labour and the potential negative impacts for children.

**Results:** The project brought direct benefits to 461 child labourers, of whom 91 had been in hazardous work. It also benefited 52 other children. The case management system identified children at highest risk (a total of 209 children were found in high risk situations, 277 children at moderate risk and 26 children at low risk). In addition, 283 cases were referred to other organisations, out of which responses were organised for 63 children (concerning shelter, basic needs, protection related to winter weather, legal services or mental health services).

**Lessons learned and replicability:**

By the end of the project, the pattern of child labour had not gone away. However, the children who had benefited reported being able to return to school and to work for less hours as a result of the support they received. This was considered a good

outcome for a project which had only been implemented for ten months. The case management method and support for specific families were relatively resource-intensive methods. However, it was clear that families resorted to sending a child to work as a result of destitution—and

the resources being made available by international donors and the Government of Jordan were insufficient to provide adequate social protection for all refugee families.

...the children who had benefited reported being able to return to school and to work for less hours as a result of the support they received.

### 7.1.2 Syrian children in Turkey and Greece

Syrian refugee children who managed to reach Europe did not necessarily fare better than those in Jordan. At the end of the 2017-2018 school year, Human Rights Watch found that fewer than 15% of more than 3,000 school-age asylum-seeking children on Greek islands near Turkey were enrolled in state-run schools, and that in government-run camps on the islands, a total of only about 100 children, all very young, had access to formal education.<sup>76</sup> By 2017 the François-Xavier Bagnoud Center for Health and Human Rights (Harvard University) reported that there was an “emergency within an emergency” in Greece, with children from Syria and elsewhere being subjected to sexual and physical abuse in camps for migrants, and commercial sexual exploitation of migrant children in the main cities of Greece.<sup>77</sup>



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In February 2018, Turkey issued a Declaration on Combatting Child Labour and designated 2018 as a special “Year Against Child Labour”. Not only government ministries, but employers’ associations and trades unions pledged to take action to implement the Declaration, alongside Turkey’s ongoing National Programme on the Elimination of Child Labour (2017-2023).<sup>78</sup> Noting that Turkey hosted the largest registered refugee population in the world in 2018 (including more than 1.7 million children), UNICEF reported at the end of 2018 that more than 645,000 Syrian and other refugee children were enrolled in Turkish public schools and temporary education centres across the country – a 5% increase over the previous school year, so a relatively good result. A further 400,000 were still reckoned to be out of school.<sup>79</sup> Studies to learn the lessons from this experience are still underway.

**UNICEF reported at the end of 2018 that more than 645,000 Syrian and other refugee children were enrolled in Turkish public schools and temporary education centres across the country – a 5% increase over the previous school year**

## 7.2 RECOVERING FROM CONFLICT IN COLOMBIA

The problem being addressed: In contrast to the conflict in Syria, the conflict in Colombia lasted many decades and generated evidence on methods to prevent children being exploited by armed groups, and ways of reintegrating those recruited in the past into normal life. In the present, post-conflict phase, the challenge is to prevent those who were recruited in the past from returning to a life of violence, either as armed criminals or in other ways.

### Methods used by Terre des Hommes:

In Colombia, as elsewhere, experience has shown that locally-based NGOs are best placed to influence armed groups (to persuade them not to recruit or abuse children). TDH supported a local NGO, Benposta<sup>80</sup>, to set up a ‘Special Protection Network: Guarantees and Opportunities for boys, girls and young persons at risk of recruitment or threatened by armed groups in Colombia’. However, when a specific child was reported to be at particularly high risk of recruitment or abuse, Benposta supplemented its general efforts to influence local armed groups with ‘Temporary Child Protection Measures’ that involve moving a child away from the area where he or she is at risk to a community education centre in a different area (with a parent usually accompanying the child for the first few days). This requires a set of volunteers to already be organised and active at local level to monitor the situation of children in their area and to identify cases of high risk.

**Results:** In 2018, 70 children benefited from these measures and were moved to Benposta’s centre in the capital, Bogota, demonstrating that the need for both the Protection Network and the Temporary Protection procedure persists, even though the conflict has officially come to an end.



## 8 EMPOWERING CHILD WORKERS: MAKING WORKING CHILDREN'S VIEWS HEARD

**Relevant international standard:** The Committee on the Rights of the Child (established by the CRC) has recommended that “Children should also be heard when policies are developed to eliminate the root causes of child labour, in particular regarding education” (General Comment 12).<sup>81</sup>

The problem being addressed: Over the past few decades, working children have often been asked about the work they do, what work they like, what they find oppressive or harmful and how national policies on child labour (and related issues) affect them. Often, but not often enough, for it is apparent that at national level the authorities (and others) in many countries do not listen to their suggestions or take them seriously. The same seems to be the case at international level.

### 8.1 CAMPAIGNING TO CONVINC OFFICIALS (AND OTHERS) TO LISTEN TO CHILD WORKERS

**Methods used by Terre des Hommes and others:** Two NGOs with a long history of supporting working children, Kindernothilfe and TDH, organised a global campaign and research in 2016/2017 called “It’s Time to Talk! – Children’s Views on Children’s Work”. The aim was to encourage policy-makers around the world to listen to the views of working boys and girls and to take their comments into account in the course of local, national and global discussions about policy on child labour. They were soon supported by others. Between April 2016 and May 2017 some 1,800 working children from 36 countries were consulted on their views about their work. Key findings were published at the Fourth Global Conference on the Sustained Eradication of Child Labour, hosted by the ILO and the Government of Argentina in 2017.<sup>82</sup> Unfortunately, it was not possible

for a delegation composed of young people who had been consulted to present the findings at the conference—access was denied, allegedly for security and logistical reasons. Instead, three representatives of the project’s steering committee<sup>83</sup> presented the key findings at a press conference and a side event during the conference. However, prior to the conference in Argentina, the Time to Talk team was able to arrange for working children who had been consulted to talk to some of the delegates in ten countries<sup>84</sup> who were scheduled to attend the conference. The young people summarised their key messages in the hope that the delegates would mention these at the conference in Argentina. Nevertheless, campaign organisers left the conference wondering if the representatives of governments, employers’ organisations and trade unions had really taken note of these messages.

The working children involved in the consultations came from different continents and countries and from diverse backgrounds (slightly less than a third each came from Africa, Asia and Latin America, with smaller proportions from Europe and the Middle East). Almost a quarter did not attend school, whereas three-quarters were still studying (in some cases attending non-formal education rather than formal schools). Almost a quarter worked full-time, whereas the

...it was not possible for a delegation composed of young people who had been consulted to present the findings at the conference—access was denied, allegedly for security and logistical reasons.

TABLE 1 The views of working children about their work, as reported to “It’s Time to Talk”<sup>85</sup>

Work or working conditions that <b>help</b> children to fulfil their aspirations	Work or working conditions that <b>hinder</b> children from fulfilling their aspirations
Work that allows them to continue their studies: when their work helps to pay school costs and when light workloads do not hamper studies	Work that hampers their education: when there is not enough time to study, when they are too tired to study, when they attend school irregularly or drop out
Learning skills from work including household, agricultural, trade or business skills that will help them in current and future occupations	Manual work without skill development or work that they have not chosen or opted to do
Earning money that helps them meet their current and future needs	Violence and hardships experienced while working which are harmful to their current and future well-being

majority (59 per cent) worked before or after going to school. Not surprisingly, with such diversity, the children expressed a wide range of views. However, there were some common patterns about what they liked and disliked.

During the consultations, working children were asked about the messages they would like to share with people who could help improve their lives. One of the 12 recommendations they agreed was that laws, policies and programmes to protect children from hazardous, harmful or forced work needed strengthening, while at the

same time safe and dignified work needed to be supported (taking into account the views of working children and their best interests). Their views on what policies and laws would support them best varied (reflecting the reality that the situation of working children varies, so there is no ‘one size fits all’ solution). However, there was common agreement on the need to improve policies and practice so they would:

- “reduce family poverty to ensure that their parents and caregivers have access to decent work, good livelihoods, services, and assistance;
- ensure free, quality, safe and inclusive education for every child and non-discriminatory access to other basic services (including birth registration);
- protect children from hazardous and harmful work and monitor implementation of laws;
- improve working conditions and support vocational training;
- listen to working children and involve them in practice and policy decisions affecting them;
- prevent and protect children from violence”.<sup>86</sup>



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...the views of children should be listened to when policies are developed to eliminate the root causes of child labour.

**Results:** It is not clear whether the recommendations made at the side event or in the report had any influence on the conference conclusions that were relayed back to the governments and organisations supporting Alliance 8.7, the international grouping given the task of working methodically to achieve Target 8.7 in the Sustainable Development Goals. The Buenos Aires Declaration on Child Labour, Forced Labour and Youth Employment, issued at the end of the conference, included some provisions that

were more positive about the rights of children to influence policy than previous conferences convened by the ILO. It confirmed that “Public policies and programmes addressing child labour and forced labour should...respect, promote and protect human rights, in particular fundamental principles and rights at work and the rights of the child” and “serve the best interests of the child”. It also said that policies and programmes should “assure that children, who are capable of forming their own views, and adults directly

concerned, have the right to express their own views freely in all matters affecting them, with the views of the child being given due weight in accordance with the age and maturity of the child”. In effect, this confirmed a recommendation previously made by the Committee on the Rights of the Child—that the views of children should be listened to when policies are developed to eliminate the root causes of child labour.

However, this means that only one part of what needs doing has been achieved. In this case, it should not be necessary to replicate (yet again) the exercise of consulting children and finding out what changes they would like to see. Children have been able to exercise their right to express their views, but without, apparently, these views being listened to or acted upon. It is now time to ensure that policy-makers in government and international organisations pay more attention to the views of working children and modify policies on child labour and related issues in the light of the children’s comments. Following the November 2017 conference, a new phase of the *Time to talk* project started, during which opportunities are once again being created for working children to share their recommendations with policy-makers.

## 8.2 GIVING A ROLE AND VOICE TO CHILD DOMESTIC WORKERS IN WEST AFRICA

Since the beginning of the 21st century, Terre des Hommes has been active in countries in West Africa in improving the protection available for children who leave home and seek work in other parts of the region. They find all sorts of jobs, some extremely exploitative and some relatively benign. The numbers involved (millions<sup>87</sup>) means that trying to stop children from starting work before they reach the minimum age specified by the law is entirely unrealistic, so other yardsticks are needed to help adopt suitable priorities.

A large proportion of girls leave home to work as domestic workers, living (in most cases) and working in someone else's home. Finding out about their experiences and what kinds of protection they find most effective has been vital to facilitating effective programming.

**The pattern of abuse and the challenge in responding to it:** From 2004 onwards, in Burkina Faso, TDH focused in particular on girls from Sourou province in the west of the country, who were migrating in relatively

large numbers to find work as live-in domestics in the capital, Ouagadougou, in Bobo-Dioulasso (the country's second largest city) and also in Mopti, across the border in Mali. TDH developed a variety of methods, some in Sourou (to create incentives for girls to stay at home until they were older), but most in the cities where girls

found work. TDH explored how the girls themselves, their families and members of their community (the Samo ethnic group) were all engaged in various methods to protect the children from excessive

exploitation, notably to find out if these locally-developed protective practices could be made more effective. However, it was clear that some children left home to start work when they were very young (before reaching 10) and that some experienced a high level of abuse, despite the various forms of protection supposedly available. TDH was determined to assess the effects of various interventions and to find out what the child domestic workers' point of view was on their predicament, and which interventions they found most helpful.

### Methods used by Terre des Hommes to give child workers a voice:<sup>88</sup>

TDH developed an assessment tool known as the 'decency scale'. Its purpose was to assess, objectively, in a way that could be measured, the situation of each girl domestic worker in the TDH programme, and to monitor how the girl's situation developed (approximately 1,000 girls were involved). At the level of the beneficiaries as a group, the tool was intended to measure general changes in the target group and the short-, medium- and long-term impact of TDH's interventions concerning girls working away from home. The tool was based on previous work with such girls to find out their perceptions of what were acceptable or unacceptable situations. This meant assessing:

- their well-being while living with their employer (health care, food, personal hygiene and clothing; factors relating to their socialisation, such as the degree of attention and affection given to the child; their safety in their relationships with other people);
- their working conditions (level and regularity of pay; their load of work, their hours and the nature of their work; and their personal security);
- the protection of their rights (knowledge of the rights and duties of child workers; existence of the key elements of a 'protective environment'<sup>89</sup>).

...it was clear that some children left home to start work when they were very young (before reaching 10) and that some experienced a high level of abuse, despite the various forms of protection supposedly available.

The views and perceptions of girl domestic workers were therefore at the heart of the assessment tool (which also took the country's laws and employers' perceptions into account). A questionnaire was used to listen to individual child workers and to collect data from them.<sup>90</sup> The questions involved had to be asked objectively by independent researchers (i.e. not project staff who would not be perceived as neutral). On this basis, it was possible to identify where a particular child domestic worker stood on the 'decency scale':

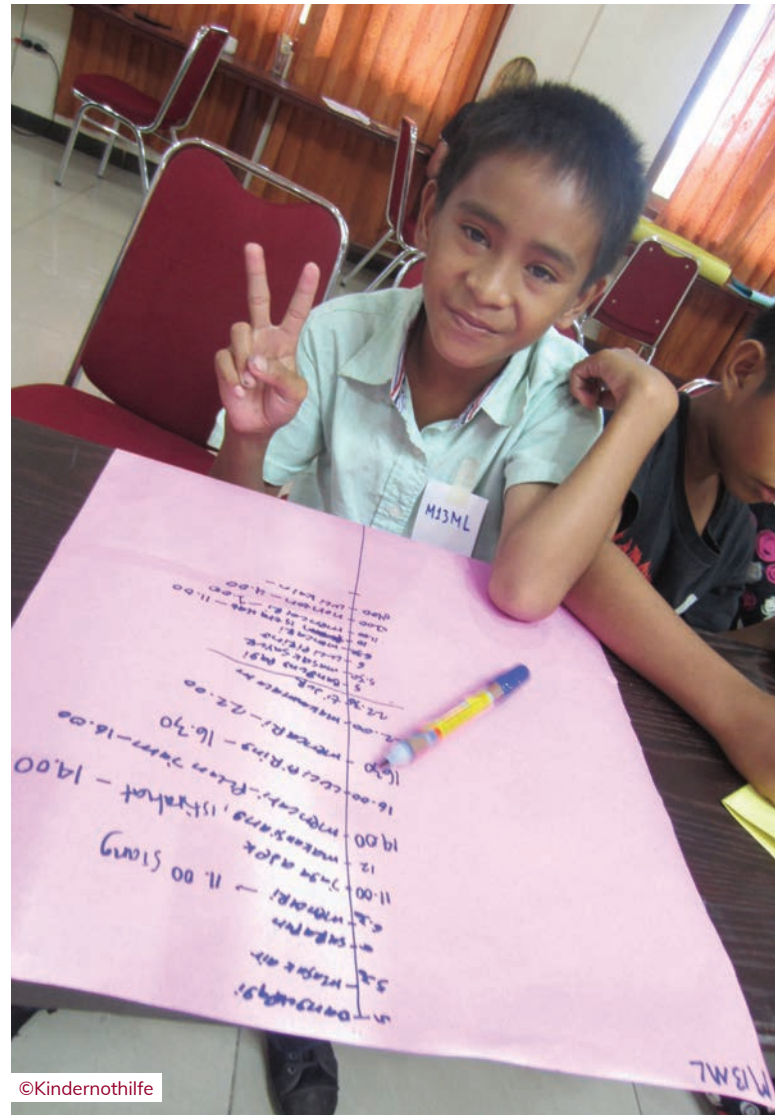
- A critical situation (scores of 0 to 4); this required an urgent response;
- a serious situation (from 5 to 8);
- average-acceptable (9 to 12);
- good (13 to 16);
- or very good/excellent situation (17 to 20).

**Results:** Listening to the views of child domestic workers and measuring the degree of abuse they were experiencing were just part of TDH's strategy to assist and protect such children.<sup>91</sup> The development of the 'decency scale' in Burkina Faso

allowed TDH to refine its understanding of the situations experienced by young domestic workers, their expectations, interests, priorities and specific protection needs. Repeating the questionnaire periodically (every six months) made it possible to take note of the problems raised by the girls and to provide individualised responses to their specific situation. The identification of 'critical'

and 'serious' situations made it possible for TDH to establish when to use a case management approach (for children who had experienced abuse or neglect).

**Listening to the views of child domestic workers and measuring the degree of abuse they were experiencing were just part of TDH's strategy to assist and protect such children.<sup>91</sup>**



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#### **Lessons learned and replicability:**

TDH has not yet replicated the 'decency scale' in other situations. However, other organisations concerned about child domestic workers have sought to distinguish between live-in domestic workers in relatively acceptable situations (for whom a series of routine services might be provided) and those subjected to significantly more harm (who merit a direct intervention to protect them from further harm, either by a state-run agency or, if none is in a position to respond, an NGO).<sup>92</sup> Evidently there are other situations in which children nominally employed to do the same kind of work have quite different experiences that justify tailoring interventions to suit their needs, with some subjected to a 'worst form' and others feeling the work they do is acceptable.

# 9 WHAT WORKS FOR WORKING CHILDREN? INTERVENTIONS THAT TERRE DES HOMMES CONSIDERS EFFECTIVE AND APPROPRIATE TO REPLICATE

## 9.1 TEN METHODS THAT WORK FOR WORKING CHILDREN

The examples described in this report have allowed Terre des Hommes to draw conclusions about what interventions are most effective and relevant for addressing child labour. In effect, these are what TDH considers to constitute 'good practice' with respect to anti-child labour initiatives. These methods involve:

1. Evidence-based programmes and advocacy, requiring research early on to obtain accurate information on a pattern of child labour and to find out what changes are sought by children or young workers, as well as others in their communities (followed up by further research to monitor whether interventions have the desired effect);
2. Making education compulsory for children up to a specified age, when the country's infrastructure is sufficiently developed to allow this to become a reality. It is clear that making school attendance compulsory is only effective once significant efforts have been made to convince public opinion of the benefits of universal primary education. The minimum age at which children can leave school should be consistent with the minimum age at which children are entitled to start full-time work, and adequate resources must be provided (to schools and to poor families with school-age children) for this to become a reality;
3. Supporting working children themselves in their efforts to persuade local and national authorities to implement the policies that children recommend – participative and child-led advocacy at both national and international levels;
4. Providing accurate information to children, families and communities about workplace abuse and violations of children's rights, to discourage recruitment into harmful jobs and before children reach a minimum age;
5. Supporting the creation of alternative employment in areas where there is high recruitment of children into abusive jobs (that is to say, jobs that are not as bad and are not one of the worst forms) and providing vocational training and livelihood opportunities to young workers who leave abusive jobs;
6. Providing advice and other services to young people while they continue to work (tailoring the advice to the children's needs), including life-skills education and advice on workplace rights, bearing in mind the research finding that many adolescents prefer to combine work with education, rather than to abandon work and the income it generates;<sup>93</sup>
7. Using child protection methods and case management for children who have been subjected to harm as a result of a worst form of child labour or are at high risk of harm. This means enabling local-level organisations to provide support and services to child workers (such as care for former child workers who suffer from ill-health or other harms caused at work);

8. Using legal procedures to challenge exploitation or bad employment practice;
9. Calling for (and helping organise) 'supply chain' pressure by businesses that buy products from workplaces where child labour occurs, particularly one of the worst forms;
10. Making use of the numerous different local and national level specialists and interest groups that share an interest in protecting children to ensure that each makes a suitable contribution; and providing coordination of the various separate initiatives which are needed to lead to a sustainable reduction in child labour. This may result in the formation of multi-disciplinary teams or multi-stakeholder alliances, while in other circumstances coordination may be more effective if it remains informal.

## 9.2 DO THESE INTERVENTIONS CONSTITUTE 'GOOD PRACTICE' AND ARE THEY SUSTAINABLE?

Initially, Terre des Hommes considered referring to these methods as 'good practice' or 'best practice', but the ambiguity surrounding these terms led Terre des Hommes to conclude that it was better to refer to methods which 'work for children', thereby putting the emphasis on the importance of listening to the point of view of working children about the effects of the methods that organisations composed largely of adults put into effect.

Measuring 'sustainability' is difficult, although observing the opposite is easier

**...it is a failure of many interventions on child labour that they assume children will be better off not working, but fail to test this assumption in the particular situations in which children have to live their lives...**

(that is to say, when a project enables a child to be withdrawn from working, but it is evident that the same child soon returns to work, or, for every child who is withdrawn, a new child is recruited). Commenting on the lack of sustainability of some measures to reduce child labour, a group of academic authors commented that it is a failure of many interventions on child labour that they assume children will be better off not working, but fail to test this assumption in the particular situations in which children have to live their lives: "Many children are given schooling or other training, but few organisations have information on long-term outcomes for the children".<sup>94</sup> This confirms the need for the impact of interventions to be assessed over a period of five to 10 years, which goes beyond an evaluation at the end of a project).

## 9.3 THE CROSS-CUTTING ISSUES OF RESEARCH AND A MULTI-STAKEHOLDER APPROACH

**Research:** The importance of research is not mentioned in every example cited in this report: however, its importance is implicit. Most of the methods described started with detailed research to allow programmers to select methods that would address the specifics of the patterns of child labour occurring and which seemed likely to be compatible with local cultural, social and economic practices; in effect the lesson that has been learned from experience is that there is no single 'magic bullet' to solve all patterns of child labour. Research identifies the various actors who are involved and who can be deployed to end a pattern of child labour or need to be influenced to do so. Research is also required to monitor and assess the effects of all initiatives to reduce or end child labour, in particular because child labour generates (some) income, so removing this income potentially has a harmful effect on the children and families concerned. Unplanned side-effects need to be identified rapidly, so that appropriate action is taken to minimise any harmful impact.

Multi-stakeholder approach and coordination: Identifying the different actors who have potential to play a positive role is easier than persuading them to agree to work in a coordinated manner. It is not only a matter of dealing with the economic interest groups which profit from child labour, it also requires resolving other forms of competition (for example, between separate government ministries and agencies or different NGOs operating in the same locality). Chapter 5 mentioned TDH's role in coordinating local NGOs and also coordinating with the Responsible Mica Initiative (RMI). Chapter 4 referred

to the role of a telephone hotline in India, Childline India<sup>95</sup>, which has succeeded in coordinating relevant child protection actors in Gwalior as well as other areas of India where the hotline is available. Initially, the police and government officials were reluctant to cooperate directly with NGOs identifying children in need of protection, but over a number of years in numerous parts of India they are reported to have found the cooperation and coordination helpful, for the hotline acted as the hub of a referral network for children in need of protection.<sup>96</sup> No-one had to concede that one actor was more important than another.



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# 10 A CALL FOR ACTION: FOUR RECOMMENDATIONS

Put action to eradicate the worst forms of child labour at the top of your agenda now!

Building on these lessons leads Terre des Hommes to call for action to focus on the **70+ million girls and boys who are in one of the worst forms of child labour TODAY. These children are deprived of their most basic**

**rights. They deserve change now!** Terre des Hommes is making four broad recommendations to ensure that future action on child labour (and investments by government and private donors) genuinely has

the results that are intended—stopping young lives being blighted by child labour. The message for all the key actors engaged in combating child labour – **governments, businesses and civil society organisations** – **Put action to eradicate the worst forms of child labour at the top of your agenda now!**

## Recommendation 1.

**Give efforts to end the worst forms of child labour and to withdraw child labourers from the worst forms the highest priority, in a coherent way that meets their aspirations.**

When the Sustainable Development Goals were adopted in 2015, the wording of Target 8.7<sup>97</sup> implied that all worst forms of child labour could be eradicated almost instantaneously, so that further action to achieve the target could extend to all forms of child labour and eradicate these by 2025 (whereas other SDG targets and goals are expected to be achieved by 2030). This target was over-ambitious and consequently failed to deliver a clear message on priorities, notably to the governments of countries where hundreds of thousands of children are still involved in worst forms.

As 2019 is the 30th anniversary of the Convention on the Rights of the Child and the 20th anniversary of the ILO's Convention on the Worst Forms of Child Labour (and there are still estimated to be more than 70 million children in 'worst forms'), it is clearly time for governments and international organisations to make a special effort to protect these 70 million and stop the ongoing exploitation of children in any of the 'worst forms'.

- Alliance 8.7 should prioritise the eradication of worst forms of child labour using financial, legal and political means;
- Alliance 8.7 Action Groups<sup>98</sup> should identify context-specific and individual solutions for their specific areas of intervention;
- Governments, business organisations and civil society organisations should join Alliance 8.7 as active members, including by providing financial and human resources. Governments should volunteer to become 'pathfinder countries'<sup>99</sup> and implement methods identified as good practices;
- Governments and donors should support multilateral initiatives, especially those supporting education (such as 'Education Cannot Wait' and the Global Partnership for Education) and protecting children in humanitarian emergencies and conflict situations.

## Recommendation 2.

**Support the participation of child workers in efforts to end child labour, putting their involvement as actors and advocates at the heart of all interventions. Participation is needed at all levels and needs to be practised systematically at local, national and international level.**

Terre des Hommes emphasises that it is now time to ensure that policy-makers in government and government agencies, international organisations, NGOs, trade unions and businesses concerned about child labour all make it a priority to take the views of working children and their

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organisations into account (and to reflect their recommendations in policy and practice). This means consulting working children themselves about what causes them most harm (rather than relying on a check-list drafted by others) and what interventions they think are most helpful, including in which forms of child work they think it is acceptable for children to continue working because of the benefits

they themselves perceive. It also means ensuring that the best interests of the child are a primary consideration in all the actions taken to reduce or eradicate child labour, so that children do not become victims of collateral damage.

- There are a multitude of tools and established methods concerning the participation of children at community, national and international level for research, programming and advocacy (e.g. children involved in advisory groups, regular consultations and public hearings). All stakeholders should make effective use of these and contribute to further research and development of such methods.
- Alliance 8.7 should help identify and implement opportunities for children’s participation at local, national and global level, starting with its action groups and pathfinder countries.

- Governments, employers’ organisations and workers’ organisations should involve working children in the process of updating the lists of worst forms of child labour in individual countries (which they have a responsibility to draw up under the terms of the International Labour Organization’s Convention 182).

**Recommendation 3.**

**There is no single “magic bullet” to solve all patterns of child labour – a holistic view and multi-dimensional approaches are needed. This means looking at a pattern of child labour and carefully identifying what works for working children – girls and boys - in a given and specific context. The key question to ask is: What makes the lives of children better and ends exploitation in a sustainable way?**

When taking any measures to address child labour, distinguish between child work and child labour, as making this distinction is vital to getting priorities right and stopping harmful child labour, particularly the worst forms, that continues to affect tens of millions of children’s lives. At the same time, allow children in acceptable working situations to go on working, prevent them from getting into worst forms and support them in contributing to their own and their families’ development. In many countries it has proved more effective than insisting on a blanket ban on any children below a set age from working.

The interventions that working children consider useful have already been identified – so make use of them.

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- support measures to withdraw children from labour and worst forms through vocational training and job placement into decent work or through integration into schools;
- support flexible schooling systems to enable children to combine light work with school education;
- make sure families can make a living without sending their children into child labour, for example by strengthening labour rights and supporting living wages and social protection systems.

#### Recommendation 4.

**Cooperate with all stakeholders willing to contribute to ending the worst forms of child labour now. To end patterns of exploitation, the importance of strong cooperation, coordination and joint activities cannot be underestimated.**

**...activities in many sectors and parts of the society can be game changers.**

The exploitation of children has many root causes –activities in many sectors and parts of the society can be game changers. Many people can use their resources and power to change the lives of children for the better: governments and government agencies, including police and law enforcement institutions, and departments dealing with labour issues, families, education and business; parents and the family; religious leaders; consumers; artists; business owners and employers; managers; trade unionists; business organisations; civil society; teachers and school directors; doctors; lawyers; and, of course, children themselves, be they in work or labour, be they peers, classmates, siblings or friends.

- The values and interests of stakeholders might be different and competition between people and organisations persists – but let us nevertheless unite behind the common goal of ending the worst forms of child labour and pursue the implementation of meaningful interventions now.
- A multitude of political commitments and declarations exist - let us unite our forces to deliver the results we want!

# ENDNOTES

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2. ILO Global Estimates of Child Labour, op. cit., page 11. The ILO's Review of Programmes and Policies, November 2017, also argues for this approach.
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5. A third Optional Protocol was adopted by the UN in 2011, creating a procedure for the Committee on the Rights of the Child to consider information about violations of the rights of individual or specific children.
6. Committee on the Rights of the Child, General Comment No. 12 (2009) on "The right of the child to be heard", para. 116.
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8. SDG Target 8.7 states "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms".
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10. 'We must tackle the root causes of child labour: ILO Director-General', 4 June 2018. [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_631469/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_631469/lang--en/index.htm).
11. ILO, Ending child labour by 2025: A review of policies and programmes. Executive Summary, Geneva, 2018.
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13. The 11 specific questions were:
  1. What was the objective/aim of the project?
  2. Why is the project important?
  3. What were the guiding principles of the project?
  4. What were the activities?
  5. Who was involved (target groups), directly and indirectly?
  6. How were children involved?
  7. What were the limitations, obstacles, challenges?
  8. What was the final result of the project (impact)?
  9. Can this approach be used in other settings?
  10. What recommendations can be given for continuation, leverage, overcoming hurdles?
  11. Logistics: timeline and budget.
14. Adopted at the IV Global Conference on the Sustained Eradication of Child Labour, Buenos Aires, Argentina, 14-16 November 2017.
15. Article 26 of the Universal Declaration (1948) says "Elementary education shall be compulsory". The terms 'elementary education' and 'primary school education' are interchangeable in many countries.
16. ILO, Child Labour in India, June 2017.
17. P. Joseph Victor Raj, CACL National Convener, reported in 'Activists urge PM to hold public consultation over Child Labour law amendments', 11 June 2015, <https://www.dnaindia.com/india/report-activists-urge-pm-to-hold-public-consultation-over-child-labour-law-amendments-2094760>. A prominent member of another NGO supported by TDH, Bharti Ali, founder and Co-Director of the Haq Centre for Child Rights, was reported in the same article as complaining that "The amendments violate the UN's Convention on Rights of the Child, to which India is a signatory, as well as articles of the Indian Constitution".
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22. Κοινωνική Οργάνωση Υποστήριξης Νέων, Association for the Social Support of Youth; <http://www.arsis.gr/>.
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27. Ministry of Social Affairs and Equal Opportunities (Albania), UNICEF and Terre des hommes, Working Protocol for Child Protection Workers, Tirana, 2010. [http://lastradainternational.org/lisidocs/1047\\_CPW\\_Protocol\\_ENG\\_original.pdf](http://lastradainternational.org/lisidocs/1047_CPW_Protocol_ENG_original.pdf).
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29. Ibid., reporting that 90 cases had been reported by the police between January 2010 and April 2011, while 587 cases had been reported by the NGO, ARSIS, in Tirana in the years 2006 – 2010.
30. Article 64 of the 2017 Child Protection Law envisages a series of options, including enrolment of the child in school and/or regular attendance at school; providing learning support through special teachers or classes; prohibiting the child from frequenting specified places; psychological counselling; and medical treatment, where considered necessary.
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42. <https://www.reuters.com/article/us-india-auto-mica/firms-urged-to-follow-mercedes-benz-in-indian-mica-supply-transparency-idUSKBN1JV1PD>
43. Figure adjusted from the 60% reported in a background paper, based on 2017-18 data on the website of SIMA (Southern India Mills' Association), which reports 2,009 mills in 2017-18 (increase from 1,773 in 2007), of which 979 are in Tamil Nadu: see <http://www.simamills.in/wp-content/uploads/2018/09/Southern-State-Comparison.pdf>.
44. TDH's activities have been organised in several phases, supported since 2011 by the C&A Foundation and since 2016 also by the Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (BMZ), German Federal Ministry for Economic Cooperation and Development.
45. S.M. Prithiviraj Women Workers in a Cage, Tirupur People's Forum for Protection of the Environment and Labour Rights and Care-T, December 2007, supported by TDH (Germany).

46. A partial list can be found in: A. Delaney and T. Connor, Forced Labour in the Textile and Garment Sector in Tamil Nadu, South India. Strategies for Redress, Non-Judicial Human Rights Redress Mechanisms Series 13, 2016.
47. Garment Sector Union, letter to ILO Director General of 8 October 2015, <http://www.indianet.nl/pdf/br151008.pdf>. By 2019 the ILO Committee on the Application of Conventions and Recommendations, the ILO's treaty-monitoring body, had not reported in its annual reports on the Government of India's response to this complaint.
48. Deutsche Welle, 'India: Walmart, H&M in spotlight after string of textile workers deaths', 18 July 2018, at <https://www.dw.com/en/india-walmart-hm-in-spotlight-after-string-of-textile-workers-deaths/a-44714948>.
49. Psychosocial support involves care and support which influences both the individual and the social environment in which the individual lives. This ranges from care and support offered by caregivers, family members, friends, neighbours, teachers, health workers and community members on a daily basis, and also includes care and support offered by specialists. See Global Protection Cluster, Interagency Guidelines For Case Management And Child Protection. The Role of Case Management in the Protection of Children: A Guide for Policy & Programme Managers and Caseworkers, 2014.
50. See C&A, Sumangali in India: illegal and unacceptable, 2011, which reported that C&A had invited all its "contractual manufacturing suppliers to a conference in Tirupur/South India informing them that Sumangali was not acceptable at all and could lead to an ending of our business relationship" and also that C&A was funding a TDH project for four years to provide some 9,000 young women with an alternative to working under this system (via education).
51. SIMA, Recruitment Guidelines and Code of Discipline for Women Employment in Textile Industry (no date) <http://www.simamills.in/publications/>.
52. Mill Codex: Guidelines for Recruitment, employment and living conditions of hostels in Textile Mills.
53. E. Rusteberg, Evaluation of the project 'Reduction of worst Forms of Child Labour in Textile Supply Chains' (ROWCL) in Tamil Nadu/India, Forum for International Development + Planning, September 2015 (<https://www.candafoundation.org/global/our-work/results-learning/finaevaluationreportrowclfinep.pdf>). The evaluation also noted that "Education and skills development were effective instruments in the struggle against forced labour".
54. C&A Foundation, <https://www.candafoundation.org/work/results/publications/reduction-of-child-labour>.
55. ILO, Marking progress against child labour: Global estimates and trends 2000–12, 2013.
56. See, M. Black, Child domestic Workers: A handbook on good practice in programme interventions, Anti-Slavery International, London, 2005.
57. There are estimated to be one million child domestic workers in Tanzania, most of them girls. Anti-Slavery International (ASI) website. <https://www.antislavery.org/what-we-do/tanzania/>
58. Report of the ILO Committee of Experts on the Application of the Conventions and Recommendations, 2011.
59. A Norwegian research institute, FAFO, issued two key fact-finding reports in 2014. See <https://fafo.no/index.php/en/forskningstema/projects/rights-and-security/item/childrens-household-work-in-haiti>
60. The Maurice Sixto 'Home' conducts outreach to child domestic workers, encouraging employers to allow the children to attend school, with the incentive that children will be provided with a midday school meal. See <https://www.terredeshommessuisse.ch/fr/au-sud/protection-des-enfants-en-domesticite-n550>
61. D. Charollais, Le Foyer Maurice Sixto, Terre des Hommes Suisse, 2012. [https://www.terredeshommessuisse.ch/sites/default/files/fms\\_2012\\_journaltdh.pdf](https://www.terredeshommessuisse.ch/sites/default/files/fms_2012_journaltdh.pdf)
62. TDH Foundation, 'Restavek, a modern-day form of slavery', News, 12 July 2013.
63. European Parliament resolution on Child slavery in Haiti (2018/2562(RSP)), 6 February 2018.
64. By 2018 Canada was reported to be funding a project implemented jointly by the ILO and UNICEF to combat exploitation of child domestic workers in the capital and two other regions ('Combat Child Labor in Domestic Work and the Worst Forms of Child Labor, 2017–2020'). This is reported to involve supporting the Ministry of Social Affairs and Labour in efforts to enforce laws on child labour, to establish a network of 35 child protection units, and to reintegrate 1,700 child victims of exploitative domestic work. See U.S. Department of Labor, Haiti, 2017 Findings on the Worst Forms of Child Labor, 2018.
65. 'Forte croissance de la production d'or au Burkina', Voice of America, 28 September 2018, <https://www.voafrique.com/a/forte-croissance-de-la-production-d-or-premier-produit-d-exportation-au-burkina/4591606.html>.
66. Pousghin, Nobsin, Kagtanga and Kiètenga.
67. Committee on the Rights of the Child, General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, paragraph 79.
68. See I. McConnan and S. Uppard, Children - Not Soldiers: Guidelines for working with child soldiers and children associated with fighting forces, Save the Children, London, 2001.
69. TDH, "Because we struggle to survive". Child Labour among Refugees of the Syrian Conflict, 2016.
70. Human Rights Watch, Remove Barriers to Syrian Refugee Education, 5 April 2017, <https://www.hrw.org/news/2017/04/05/remove-barriers-syrian-refugee-education>
71. UN Office for the Coordination of Humanitarian Affairs (OCHA), 'Syria 2019 Humanitarian Needs Overview', February 2019, <https://www.unocha.org/syria>

72. Child Protection Working Group, Minimum Standards for Child Protection in Humanitarian Action, 2013, page 111.
73. ILO, Child labour doubles in Jordan since 2007 – Survey, 16 August 2016.
74. M. Valenza and Shatha Alfayez, Running on Empty, The situation of Syrian children in host communities in Jordan, UNICEF, May 2016.
75. Case management is a system for managing assistance to individuals, such as abused or unaccompanied children, which systematically arranges assistance to them from the beginning to the end of the provision of assistance, including monitoring the individual concerned. See Global Protection Cluster, Interagency Guidelines for Case Management and Child Protection. The Role of Case Management in the Protection of Children: A Guide for Policy & Programme Managers and Caseworkers, 2014.
76. Human Rights Watch, “Without Education They Lose Their Future”. Denial of Education to Child Asylum Seekers on the Greek Islands, July 2018.
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78. ILO, 'ILO and Turkey's Ministry of Labour and Social Security Pioneer on Combating Child Labour. Turkey Announces 2018 Year Against Child Labour. Along With ILO, 6 Ministries and 7 Social Partners Pen the Declaration', 23 February 2018, [https://www.ilo.org/ankara/news/WCMS\\_618600/lang--en/index.htm](https://www.ilo.org/ankara/news/WCMS_618600/lang--en/index.htm)
79. UNICEF, 'UNICEF Turkey 2018 Humanitarian Results', 31 December 2018, <https://reliefweb.int/report/turkey/unicef-turkey-2018-humanitarian-results>
80. Benposta Nación de MuchachoS – Colombia.
81. Committee on the Rights of the Child, General Comment No. 12 (2009) on “The right of the child to be heard”.
82. C. O’Kane, O. Barros and N. Meslaoui, It’s Time to Talk! – Children’s Views on Children’s Work, Kindernothilfe and Terre des Hommes International Foundation, 2017.
83. Kindernothilfe, Save the Children and TDH.
84. Bolivia, Guatemala, India, Indonesia, Kenya, Nepal, Nicaragua, Peru, Senegal and Thailand.
85. The table is reproduced from It’s Time to Talk! – Children’s Views on Children’s Work, page 13.
86. It’s Time to Talk! – Children’s Views on Children’s Work, page 15.
87. See section 6.1 above for estimates of the numbers of child domestic workers worldwide.
88. See O. Feneyrol, Capitalisation des expériences en matière de protection des enfants migrants et/ou travailleurs au Burkina Faso Qu’avons-nous appris en 10 années d’expérience ? (2002 - 2012), Fondation Terre des hommes, Ouagadougou (Burkina Faso), 2012.
89. UNICEF and others use the term ‘protective environment’ to refer to the different elements around a child that act to fulfil the rights of children to protection from discrimination, violence, exploitation, abuse and neglect. These elements act individually and collectively to protect children. The protective environment is comprised of individuals in the family, community and society who surround the child, as well as of policies, legislative and regulatory frameworks, services, structures, institutions, and decision-making mechanisms that make up the system to protect children.
90. Some answers were given a coefficient corresponding to the importance accorded to this item by the child worker. The sum of the scores assigned to each answer, divided by the sum of the coefficients, gives an overall score between 0 and 20. Special events or conditions added or subtracted from the overall score.
91. E.g. TDH helped 145 girl domestic workers in Ouagadougou and 67 in Bobo-Dioulasso start attending school in 2011 (convincing employers that their employees could work part-time and that they, as employers, should cover part of the costs of schooling); TDH also influenced schools to allow child domestic workers to attend. 50 other domestic workers received financial support over two years in 2010 and 2011 to attend vocational training courses for alternative forms of work.
92. See J. Gamlin, A. Zeneida V Camacho, M. Ong, A. Guichon and T. M. Hesketh, Home Truths. Wellbeing and vulnerabilities of child domestic workers, Anti-Slavery International, London, 2013.
93. See Footnote 20 above, referring to the findings of research for Young Lives in two states in India.
94. ‘Introduction: children’s work and current debates’ in M. Bourdillon, G. Crivello and A. Pankhurst, Children’s Work and Labour in East Africa: Social Context and Implications for Policy, Organisation for Social Science Research in Eastern and Southern Africa (OSSREA), Addis Ababa, 2015.
95. See <https://ngosindia.com/help-support/childline-1098/>
96. M. Dottridge, Kids Abroad: ignore them, abuse them or protect them? Lessons on how to protect children on the move from being exploited, TDH International Federation, 2008.
97. SDG Target 8.7 says “Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms”.
98. These are groupings of organisations supporting Alliance 8.7 which have been established to focus on specific thematic priorities agreed by the Alliance (see <https://www.alliance87.org/action-groups/>). Currently four action groups focus on: supply chains; migration; rule of law and governance; and conflicts and humanitarian settings.
99. ‘Pathfinder’ countries are ones that accept a lead role in implementing measures to achieve particular SDG targets or goals.

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