

# EMPLOYERS' HANDBOOK ON CHILD LABOUR

## A GUIDE FOR TAKING ACTION



INTERNATIONAL ORGANISATION OF EMPLOYERS

*In collaboration with the  
Bureau for Employers' Activities and the  
International Programme on the Elimination of Child Labour (IPEC)  
of the International Labour Office*

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## **FOREWORD**

*The phenomenon of child labour has existed for generations in virtually all parts of the world and in most countries at different times and at various stages of their development. Whether due to the pressure of poverty and underdevelopment or sheer exploitation, it has deprived the children concerned, who are the direct victims, of the opportunity for personal advancement and society of progress based on the development of its human resources.*

*Child labour is a priority issue at the international level and was an important item for discussion on the agenda of the IOE General Council in June 1996. The outcome of this discussion was the unanimous adoption of a Resolution on Child Labour, which commits IOE member federations to work towards the progressive elimination of child labour, beginning with the immediate end to its most exploitative forms. The Resolution also entrusted the IOE with the task of preparing this Handbook to serve as a guide for employers to effectively address the problem of child labour in their respective countries.*

*It is hoped that the Handbook, apart from serving as a guide, will motivate employers and their organisations to take positive action on the issue of child labour and make a significant contribution to its solution.*

*The Handbook has been prepared with the support of Ms Amanda Tucker, in co-ordination with the ILO's International Programme on the Elimination of Child Labour (IPEC) and the Bureau for Employers' Activities (ACT/EMP). A special word of thanks is due for the co-operation and assistance extended by them in its preparation and to the IOE members\* for their contribution.*

Geneva, June 1998.

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\* The handbook has been elaborated with the information of IOE members of the following countries:

**Africa:** Côte-d'Ivoire, Gabon, Kenya, Mali, Mauritania, Mauritius, Nigeria, South Africa, Tunisia, Uganda, Zambia, Zimbabwe; **America:** Antigua & Barbuda, Barbados, Bermuda, Canada, Chile, Colombia, Costa Rica, Dominica, Ecuador, Guatemala, Guyana, Mexico, St. Lucia, Trinidad & Tobago, United States, Uruguay; **Asia:** Bahrain, Bangladesh, India, Japan, Jordan, Korea, Kuwait, Lebanon, Malaysia, Nepal, New Zealand, Pakistan, Papua New Guinea, Saudi Arabia, Sri Lanka, United Arab Emirates; **Europe:** Belgium, Croatia, Cyprus, Czech Republic, Finland, France, Germany, Israel, Italy, Latvia, Netherlands, Norway, Switzerland, Turkey, United Kingdom.

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## I. CHILD LABOUR: A CHALLENGE FOR EMPLOYERS

Child labour remains a serious problem in the world. According to revised estimates by the International Labour Organization (ILO), there are at least 120 million children between the ages of 5 and 14 who are working full-time in developing countries alone, and more than 250 million, if those for whom work is a secondary activity are included. Asia has 61% of the world's working children, followed by 32% in Africa and 7% in Latin America.<sup>1</sup> Although child labour was one of the first and most important issues addressed by the international community and was enshrined in an International Labour Organization Convention on Minimum Age in 1919, the world has not yet eliminated the many forms of abusive working conditions which children still endure today.

Recent popular interest in the problem of child labour has, nevertheless, too often been influenced by myths that must be confronted. One such myth is that the problem of child labour only concerns the developing world. Another myth is that child labour is an inevitable consequence of poverty and that long-term efforts to combat it are futile. A third myth is that most child labourers are working in sweatshops to produce cheap goods for export, and that by adopting trade sanctions or boycotts, the problem will end.

Reality, of course, reveals a far different picture. While the overwhelming majority of working children are found in developing countries, children routinely work in all countries. In both developed and developing countries, the nature of the work that children do determines whether or not they are harmed by it. And while child labour in the manufacture of goods imported by developed countries has captured the most media attention, only about 5% of all child workers are estimated to work in export-sector industries.<sup>2</sup>

It is undisputed that children have been working for generations for a variety of reasons: acute poverty; the lack of basic education facilities; and the lack of legitimate alternatives to work. In this context, it is easy to understand why many families in developing countries see no option other than to send their child to work, and why some employers feel that they are actually doing children a favour by providing them an opportunity to earn an income.

While child labour is widely agreed to be a consequence of poverty, it also perpetuates poverty: a working child often foregoes education and grows into an adult inevitably trapped in

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<sup>1</sup>*Child Labour: Targeting the Intolerable*, (Geneva, International Labour Office), Report VI (I), 1998.

<sup>2</sup>UNICEF. 1997. *The State of the World's Children*, (Oxford University Press).

unskilled and poorly paid jobs. In fact, the vicious poverty-child labour cycle results in scores of underskilled, unqualified workers. Employers, perhaps most affected by the demands of an increasingly competitive global market, are acutely aware of the long-term negative impact that this detrimental cycle has on economic development. As a result, employers in many countries are increasingly responding to the problems posed by child labour and becoming leaders in national efforts to combat it, as described in the following chapters of this guide.

In addition the media, consumers, investors, governments and trade unions are becoming increasingly vocal and are questioning the labour practices of business in developing countries. The mere accusation that a company is using child labour in its operations, either directly or indirectly, can lead to an immediate blow to its reputation and the threat of consumer boycotts. Individual enterprises have often responded either by dismissing child labourers or by coming up with new arrangements to prevent children's direct or indirect involvement in the manufacturing of its products. Dozens of well known companies involved in international trade have adopted "codes of conduct" or "sourcing guidelines" both to deflect criticism and negative media attention and to prevent abuses. Some codes are specifically aimed at eradicating child labour, whereas others have broader objectives, including the protection of human rights standards in the workplace or the protection of the environment. Numerous labelling schemes have also been developed for a variety of products produced in countries where child labour is seen as a problem.

Corporate initiatives to address child labour are also in part a reflection of increasing regulatory pressures which employers face. For example, the European Commission operates a Generalized System of Preferences (GSP) to regulate trade relationships. In January 1995, the Commission approved a GSP provision stipulating that preferential treatment may be suspended if beneficiary countries are found to be using forced labour, child labour, or prison labour in the production of goods for foreign markets. As of 1 January 1998, the European Commission began offering special GSP incentives to countries able to provide proof that they have adopted and enforced the standards laid down in ILO Conventions concerning basic workers' rights, including the right to organize and to bargain collectively, and the enforcement of a minimum age of employment. The United States' GSP provisions also include a link between the level of trade privileges and respect for minimum workers' rights. There have been parallel efforts in the US Congress to introduce legislation to ban the imports of products from countries and industries where child labour is used.

At the international level, there has been considerable discussion on whether global trade rules should include provisions relating to the enforcement of basic international labour standards, including a prohibition on child labour. The World Trade Organization, at its meeting in Singapore in December 1996, debated the issue of a "Social Clause," whose inclusion into international trading arrangements would result in the imposition of trade sanctions on countries that do not observe core labour standards as defined by relevant ILO Conventions. The issue was raised by various trade unions and was supported by several governments from the industrialised north.

Despite sharply divergent views on the Social Clause, a broad consensus has emerged in the international community on the need for intensified action to combat the most exploitative forms of child labour. In the light of mounting international attention on child labour, employers and their organisations have a great role to play in the broad, grass-roots social mobilization required to arrive at sustainable strategies. In particular, national employers' federations have a great potential for:

- < ***influencing the development of national policies on child labour;***
- < ***assisting in the development of guidelines for sectoral industrial associations and small to medium sized enterprises;***
- < ***working with NGOs in the design of relevant vocational training programmes for working children;***
- < ***affecting public perception on the rights of children and the relationship between skill upgrading and national socio-economic development.***

In particular, the International Organisation of Employers (IOE) has shown an increasing commitment to the elimination of hazardous and exploitative child labour. After playing a leading role in the major international conferences on child labour held in 1997, the IOE is committed to taking an active part in the formulation of a new international labour Convention on the most intolerable forms of child labour. The IOE's concrete action in the area of child labour follows the political will of its members as expressed in the Resolution on Child Labour adopted at its June 1996 General Council meeting. This Resolution calls on IOE members to raise awareness of the human, economic and social costs of child labour, and to develop policies and action plans to contribute to the international campaign for its elimination (see Appendix 1).

The IOE's 1996 resolution was also the basis for this employers' manual on child labour, the purpose of which is to guide national employers' federations in the formulation of policies and programmes to actively contribute to national and international coalitions against child labour. In fact, a number of IOE member federations have already implemented action programmes on child labour within the framework of the ILO's International Programme on the Elimination of Child Labour (IPEC). This manual offers guidance in the design of employer programmes on child labour, and illustrates some of the various actions which national employers' federations and sectoral business associations have already taken. Practical information is included relating to the following subjects:

- < Content of ***international standards*** on child labour;
- < Explanation of existing ***international programmes*** to combat child labour;

- < Examples of **concrete action taken by national employers' organisations**,
- < Examples of **corporate and sectoral initiatives** to combat child labour;
- < Description of **various codes of conduct and labelling initiatives**,
- < **Guidance in the development of policies and programmes** to effectively combat child labour.

Employers' organisations are therefore well positioned to provide more specific and concrete information on the incidence of child labour in various sectors, including in the informal sector. Because of their broad membership, these organisations are able to convey to large numbers of employers, employees and their families, the importance of promoting children's education; of protecting children against work hazards; and of keeping children as much as possible from premature engagement in the labour market. The steps recommended and the examples of practical action provided in this manual are illustrative but not exhaustive, and are intended to guide policy and the implementation of appropriate measures to combat child labour.

The IOE has produced this manual to provide guidance for heightened initiatives by its global membership. As economic, political and social pressures to take action against child labour intensify, this manual offers a framework for individual employers and their organisations to develop their own approaches to respond to the particular challenges which they may face.

## II. THE INTERNATIONAL FRAMEWORK

The United Nations (UN) and a number of its specialised agencies have developed strategies to address the problem of child labour. This chapter gives a broad overview of some of the programmes and policies developed through the UN system, particularly by the International Labour Organization (ILO). By gaining a more complete understanding of the existing international framework to advance the elimination of child labour, employers wishing to take a more active role in this area will be better prepared to readily identify available sources of technical support.

### A. INTERNATIONAL LABOUR STANDARDS

One of the major objectives of the ILO is the abolition of child labour. The ILO set this as a key goal in 1919, the year of its creation, through the adoption of the Minimum Age (Industry) Convention, 1919 (No. 5), prohibiting work performed by children of less than 14 years of age in industrial enterprises.

The employers' group is one partner in the ILO's tripartite structure, which also includes governments and workers. As such, employers' organisations have been active in the development, negotiation and approval of numerous sectoral Conventions and Recommendations on the minimum age for admission to employment adopted after 1919 (employment at sea, agriculture, trimmers and stokers, non-industrial employment, industry, fishing and underground work). These sectoral Conventions were followed by the two most recent ILO instruments on the subject, the Minimum Age Convention, 1973 (No. 138) and Recommendation, 1973 (No. 146).

In the preamble of Convention No. 138 (full text available in Appendix 2), the International Labour Conference agreed that "the time has come to establish a general instrument on the subject, which would gradually replace the existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labour." ILO Convention No. 138 requires member States to:

- < pursue a national policy designed to ensure the effective abolition of child labour;
- < set a minimum age for admission to employment or work; and
- < raise the minimum age progressively to a level consistent with the fullest physical and mental development of young people.

This minimum age must not be less than the age of completion of compulsory schooling and, in any case, not less than 15 years. It should be noted that Convention No. 138 applies to work done by children both for another person (wage employment) and on their own behalf (self-employment). Convention No. 138 also sets a higher minimum age of 18 for hazardous work,

“which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons”.

Convention No. 138 is a flexible instrument. This flexibility is illustrated by provisions that:

- < permit employment or work by children in light work from 13 years of age;
- < allow for lower minimum ages (14 years in general and 12 years for light work) in the case of countries whose economy and educational facilities are insufficiently developed (for as long as this situation lasts);
- < permit exclusion from the Convention’s application limited categories of employment or work in which special and substantial problems arise (for as long as these problems persist);
- < authorize member States whose economy and administrative facilities are insufficiently developed to initially limit the scope of application of the Convention, provided that it should be applicable as a minimum to:
  - mining and quarrying;
  - manufacturing;
  - construction;
  - electricity, gas and water;
  - sanitary services;
  - transport, storage and communication;
  - plantations and other agricultural undertakings mainly producing for commercial purposes; and
  - hazardous work.

Convention No. 138 and Recommendation No. 146 also contain provisions to protect those young persons who are permitted to work. These apply only in those cases which are provided for in the Convention, namely:

- < light work;
- < limited categories of employment or work excluded because application of the Convention would give rise to special and substantial problems;
- < branches of activity and types of enterprise excluded pursuant to the option granted to member States to initially limit the scope of application of the Convention.

These provisions basically concern conditions of work (remuneration, hours of work, rest and leave, social security, and occupational safety and health).<sup>3</sup>

Moreover, there are a wide range of ILO Conventions related to forced and hazardous child labour. The great majority of the ILO's member States have ratified at least one of the eleven ILO Conventions concerning the minimum age of admission to employment or work, and have made a formal commitment to undertake measures addressing some aspects of child labour in general or in specific branches of activity. However, although 59 countries have ratified Convention 138, only 26 of these are developing countries and only three are from Asia (Malaysia, Nepal and the Philippines) where over half of the world's working children are found.

The ILO is under increasing pressure to step up its campaign against child labour both nationally and internationally. The 1996 General Conference of the International Labour Organization adopted a resolution underlying the shared responsibility of governments, employers, workers and their organisations, and society at large to work for the progressive elimination of child labour. This resolution called for governments and, where appropriate, employers' and workers' organisations, to:

- , translate their commitment to the progressive and effective elimination of child labour into concrete action and, where this has not yet been done, consider the ratification and implementation of all relevant international instruments concerning child labour;
- , develop formal policies and set priorities so as to immediately begin to put an end to the most intolerable aspects of child labour, namely the employment of children in slave-like and bonded conditions and in dangerous and hazardous work; exploitation of very young children; and the commercial sexual exploitation of children;
- , formulate and implement educational and developmental policies essential on the elimination of all forms of child labour, in particular those aimed at providing employment for parents of working children and facilitating the transition of working children from work to school;
- , strengthen international cooperation machinery to help countries which adopt programmes aimed at eliminating child labour to implement these programmes.

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<sup>3</sup>“Child Labour: Targeting the Intolerable”, (International Labour Office).

The emphasis which the ILO places on international labour standards as a tool in the abolition of child labour confirms the conviction of its constituents that:

- < childhood is a period of life which should be dedicated not to work but to education and development;
- < child labour, by its nature or because of the conditions in which it is undertaken, often jeopardizes children's possibilities of becoming productive adults, able to assume responsibilities in the community;
- < child labour is not inevitable, and progress towards its reduction and even its elimination is possible when the political will to fight it exists.

The tripartite constituents of the International Labour Organization have proposed the adoption of new international legal instruments to serve as the cornerstone of international efforts to eliminate child labour, beginning with its most intolerable forms. A legally binding Convention, together with a Recommendation giving further guidance for legislative and practical action, would commit ratifying member States to ban, punish and prevent the use of children in extreme forms of child labour (e.g., slave-like and bonded conditions, hazardous work, prostitution, porno-graphy), and to remove children currently working under these conditions. If adopted, these ILO instruments would place the suppression of extreme forms of child labour as the top priority for national and international action for the abolition of child labour.

Discussions on the specific content of these new instruments will begin at the June 1998 International Labour Conference. The International Labour Office is responsible for preparing two reports as a basis for the first discussion. A preliminary background report, "Targeting the Intolerable" was published in 1996, accompanied by a questionnaire to which governments were asked to reply, in consultation with the most representative employers' and workers' organisations. The questionnaire sought opinions about the possible content and form of new instruments. A record number of 115 governments replied to the questionnaire, with an almost equal number of replies from employers' and workers' organisations. This high response is an encouraging indicator of the positive broad support for new international instruments on extreme forms of child labour.

The new instruments on intolerable forms of child labour propose:

- < measures to secure the immediate elimination of extreme forms of child labour;
- < determination of extreme forms of child labour (all forms of slavery and practices similar to slavery, such as the sale and trafficking of children, forced or compulsory labour including debt bondage and serfdom; the use of children in illegal activities, for prostitution, in pornography; and the use of children in any other work or activity that jeopardizes their health, safety or morals);

- < enforcement measures including criminal penalties;
- < measures to prevent extreme forms of child labour and to remove and rehabilitate children engaged in them;
- < mutual assistance and cooperation among member States to eliminate extreme forms of child labour;
- < national programmes of action;
- < effective monitoring machinery; and
- < compilation of data.

The 1998 Conference will take a decision concerning adoption of the draft Convention and Recommendation. If the Conference decides that the draft Convention and Recommendation should be adopted, these draft instruments will be submitted to the member States for comments. Their eventual comments, along with a proposed Convention and Recommendation, will be presented in a report for the second discussion during the 1999 Conference. The 1999 Conference will then make the final decision concerning the adoption of a new Convention and Recommendation.

## **B. INTERNATIONAL PROGRAMME ON THE ELIMINATION OF CHILD LABOUR**

The ILO's International Programme on the Elimination of Child Labour (IPEC) was launched in 1992 following a generous donation from the German government. IPEC is the largest international programme working at both the international and national levels towards the elimination of child labour. A list of participating countries can be found in Appendix 3.

The immediate objectives of the IPEC are to improve the capability of ILO member States to design and implement policies and programmes to eliminate child labour progressively, to protect working children, and to heighten the awareness of member States and the international community concerning the dimensions and consequences of child labour and national obligations under international labour standards.

The starting point for all IPEC action is the political will and commitment of individual governments to address child labour, in cooperation with employers' and workers' organisations, NGOs, and other stakeholders. The ministries of labour are actively involved in IPEC programmes in all member countries. Cooperation has also started with other concerned ministries, especially the ministries of education, youth, health and social welfare, and central coordinating units, such as national planning commissions and the office of the Prime Minister. The IPEC priority target groups are bonded child labourers, children working in hazardous working conditions and occupations, and children who are particularly vulnerable, i.e., very

young working children (below 12 years of age) and working girls. The emphasis in all IPEC work is on children at greatest risk.

Sustainability is built in from the start through an emphasis on in-country ownership. Support is given to partner organisations to develop and implement measures which aim at *preventing* child labour, *withdrawing* children from hazardous work, providing *alternatives* to working children and their families, and *improving working conditions* as a transitional measure towards the elimination of child labour.

A country becomes a member of IPEC following the signing of a Memorandum of Understanding (MOU) with the ILO. After signing the MOU, each IPEC participating country is required to set up a National Steering Committee, comprising of the government, trade unions, employers' organisations and NGOs. The National Steering Committees oversee national child labour programmes, and as such are an excellent channel through which employers' organisations can liaise with other concerned stakeholders to develop concrete activities in the area of child labour.

IPEC National Programme Coordinators in each participating country assist organisations in submitting Action Programme proposals, which are then presented to the National Steering Committee for approval. Almost any kind of action can be considered for IPEC financing, provided there is a clear programmatic link to reducing and eliminating child labour. Creating and/or reinforcing a national child labour programme is an important long-term goal for IPEC. One way of funding activities to combat child labour under IPEC is through a "Mini Programme." A Mini Programme can be any small scale activity, such as conducting a seminar or preparing advocacy material, up to a maximum of US \$3,000. It should be noted that an employers' organisation can contact IPEC whether or not its own country has signed an MOU with the ILO. Employers interested in learning more about the IPEC programme should, through their national organisations, contact either the Ministry of Labour or the IPEC National Programme Coordinator in the country concerned.

### **C. ROLE OF THE ILO BUREAU FOR EMPLOYERS' ACTIVITIES**

The ILO's Bureau for Employers' Activities (ACT/EMP) is a specialized unit within the ILO secretariat which can also be of assistance to employers' organisations in the area of child labour. The Bureau's task is to maintain a close relationship with employers' organisations in member States to make available to them the resources of the ILO, and to keep the ILO constantly aware of employers' views, concerns and priorities. ACT/EMP works in close collaboration with the IOE and serves as a gateway through which national employers' organisations can gain access to ILO information, advice, assistance and training opportunities.

With the help of resources made available by the international donor community, the Bureau runs a programme of assistance to employers' organisations in developing countries,

countries in transition to a market economy, and countries emerging from situations of conflict. The programme helps employers' organisations in these countries to develop services which are useful to enterprises in their membership, based on a study of needs in their specific context. ACT/EMP provides assistance in the form of training to the staff of employers' organisations, to enable them to provide new or improved services. It has also developed advisory and technical programmes designed to meet the needs of employers and their organisations in integrating action on the child labour problem into the broader goals and objectives of employers' organisations.

Within the framework of the "Active Partnership" policy, which aims to bring the ILO closer to its constituents, senior specialists for employers' activities have been posted in regional multidisciplinary teams (MDTs). These specialists are in an excellent position to provide assistance to employers' organisations wishing to take action in the area of child labour.

#### **D. OTHER RELEVANT UNITED NATIONS PROGRAMMES**

The ILO has a leading, but not an exclusive, role to play in the struggle against child labour. Some of the actions required to attack the underlying causes of child labour (poverty, insufficient economic growth and deficiencies in the education system) fall within the sphere of the World Bank, the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the Office of the High Commissioner for Human Rights (UNCHR) and the United Nations Educational and Scientific Organisation (UNESCO). UNICEF, as the primary agency concerned with children, is addressing the child labour issue within the framework of its programme for Children in Especially Difficult Circumstances (CEDC). This programme was adopted over ten years ago by the UNICEF Executive Board to provide special protection for children who live under especially difficult circumstances which prevent them from enjoying their basic rights. In recent years, this programme targeted children living in extreme poverty and those who are exploited, abused, abandoned, neglected, disabled or deprived of their liberty. The target group has enlarged over the last ten years, and now includes the commercial exploitation of children and issues of child labour. UNICEF is also collaborating closely on child labour with the ILO. Employers interested in developing a child labour programme should, through their national organisations, also approach UNICEF national offices to find out about potential sources of assistance.

The *United Nations Convention on the Rights of the Child (CRC)* entered into force in 1990. It is the most comprehensive treaty on the rights of children (defined as persons under the age of 18, unless the age of majority is attained earlier), and has been ratified by all countries with the exception of the United States and Somalia. The CRC sets out the full range of children's rights, including the right to protection from economic exploitation and from any work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development. It requires ratifying countries to take legislative, administrative, social and educational measures to ensure implementation. Article 32 of the CRC, which specially concerns child labour, calls on ratifying countries to:

- < set a minimum age or minimum ages for admission to employment;
- < establish appropriate regulation of the hours and conditions of employment;
- < devise appropriate penalties or other sanctions to ensure the effective enforcement of its provisions.

The application of the CRC is monitored by the Committee on the Rights of the Child, which reviews the reports submitted by ratifying countries on the progress they have made with implementation. Following the World Summit on Children in 1990, many countries have designed national programmes for its implementation. An NGO Group for the Convention on the Rights of the Child, established in 1979 to bring pressure on government delegations in the drafting of the Convention, has been following implementation of the Convention since 1991. Employers' organisations may find it helpful to contact these national coalitions to assess the scope of actions already taken in their respective countries in the area of child labour.

The other major United Nations conventions relevant to child labour include:

- < the **Slavery Convention** (entry into force: 1927; 75 ratifications), which calls for the abolition of slavery in all its forms, including bonded labour and slavery-like conditions;
- < the **Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others** (entry into force: 25 July 1951; 70 ratifications), which deals with the procurement or enticement of a person with a view to their sexual exploitation;
- < the **Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery** (entry into force: 30 April 1957; 114 ratifications), which addresses debt bondage of children;
- < the **International Covenant on Economic, Social and Cultural Rights** (entry into force: 3 January 1976; 133 ratifications), some of whose provisions relate to compulsory free primary education;
- < the **International Covenant on Civil and Political Rights** (entry into force: 23 March 1976; 132 ratifications), which deals with the prohibition of slavery, servitude and forced or compulsory labour and the protection of minors.<sup>4</sup>

In addition to the legal framework described above, a series of UN conferences held in the last decade adopted plans of action to address child labour issues. These conferences include:

- < the UN Conference on Human Rights (Vienna 1993);
- < the UN Conference on Women (Beijing 1995);
- < the Amsterdam Child Labour Conference (February 1997);
- < the Oslo Conference on Child Labour (October 1997).

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<sup>4</sup>Fyfe, A.; Jankanish, M., 1997. *Trade Unions and Child Labour: A Guide to Action*, (Geneva, International Labour Office).

The IOE and many of its members played important roles in these conferences and/or in the preparatory process leading up to them. The involvement of employers was crucial to the development of the plans of action calling on governments, NGOs and other members of civil society to take action to eliminate child labour. The Oslo Agenda for Action, for example, specified measures which could be taken at the international and national levels to bring about the immediate removal of children from the most extreme forms of child labour and their physical and psychological rehabilitation.

National employers' organisations are encouraged to contact their respective government ministries to ascertain which of these international standards and plans of action have been acted upon. This information will be helpful to employers in developing their own policies on child labour in the light of existing governmental commitments.



### III. DEVELOPING AND IMPLEMENTING STRATEGIES FOR EMPLOYER ACTION

As a follow-up to its 1996 Resolution on Child Labour, the IOE sent out a questionnaire to assess the scope of their member federations' activities in the area of child labour. The IOE sought information on the many activities enterprises and business associations are already undertaking both to combat child labour and to improve the working and living conditions of children. The IOE was interested in the broadest possible range of employer initiatives in the area of child labour, including attempts to gather more information, to interact with other groups addressing child labour, to initiate educational and awareness-raising activities and to develop and implement policy.

The majority of the respondents (a 50% response rate) indicated that child labour is not a major problem in their own countries and that national legislation prohibiting the employment of minors is respected. Among those employer organisations identifying child labour as a national problem, the majority indicated that it primarily occurs in the informal sector. Most of the respondents stressed that where child labour does exist, one must take into account the underlying social, economic and cultural causes, and that any attempts to combat it must also provide real sustainable solutions to the children concerned and to their families.

The responses to the questionnaire also indicated that the majority of employers' organisations are involved to some degree on the issue of child labour as part of regular consultations with their respective governments on the application of national legislation pertaining to the minimum age for entry into employment. The majority of responses received from employers' organisations in Asia, Africa and Latin America indicated that, even in the absence of direct action on the issue, they had engaged in informal consultations and information exchanges on the nature of the problem in their respective countries. An important motivating factor for this action was reportedly the increasing international media attention on child labour, and the concern that child labour problems might be linked to international trading arrangements.

Employers' organisations in industrialised countries have frequently had indirect exposure to the issue of child labour both through their involvement in international conferences on this subject and through their participation in smaller seminars organised by non-governmental organisations. A number of IOE members in developed countries have participated in seminars to discuss the development of sourcing guidelines or "labels" to eliminate child labour in subcontracting arrangements.

## A. PLANNING FOR ACTION AT THE NATIONAL LEVEL

A number of IOE members have already implemented programmes on child labour within the framework of the ILO's International Programme on the Elimination of Child Labour, which is mandated to provide assistance to governments, employers and workers and their organisations, as well as to other non-governmental organisations (NGOs) in their efforts to proactively address the child labour problem. Employers' organisations play a critical role on the National Steering Committees established in each IPEC member country, and are well positioned to get involved in the development of IPEC programmes at the ground level so as to exert maximum influence on the formulation of the national policy framework and the scope of activities envisaged. In countries which have not yet joined IPEC or where the national employers' organisation has not been fully involved in existing IPEC programmes, it will be necessary to take small initial steps in programme development.

A clear distinction between the terms *policies*, *programmes* and *projects* should be drawn when designing concrete action by employers' organisations in the area of child labour. Although these components are closely linked, differentiation is crucial to the strategic progression of initiatives.<sup>5</sup>

### (1) Policies

An employer policy on child labour should ideally constitute a public commitment to work towards the elimination of child labour. This policy should set out clear objectives and priorities, and should contain measures to ensure its effective implementation. The ILO's Minimum Age Convention, 1973 (No. 138), along with its supplementary Recommendation (No. 146), provide guidance to employers in establishing a policy on child labour. Both suggest two essential priorities:

- < the identification and prohibition of child work in hazardous activities;
- < the protection of the youngest and most vulnerable children, i.e. those under 12 years of age.

Convention No. 138 stipulates that the minimum age for employment must not be less than the age of completion of compulsory schooling and, in any case, not less than 15 years. It should be noted that Convention No. 138 applies to work done by children both for another person (wage employment) and on their own behalf (self-employment). Convention No. 138 also

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<sup>5</sup>Fyfe, A. 1993. Child Labour: A Guide to Project Design. (Geneva, International Labour Office).

sets a higher minimum age of 18 for hazardous work which, by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety or morals of young persons.

Whatever the level of development of the country, the first and foremost priority should be the identification and prohibition of hazardous work, which, in addition to domestic service and the informal sector, can also be found in areas such as agriculture and urban-based industries, where the direct action of national employers' organisations could have a potentially large impact. Through its standard advocacy work, employers' organisations can also influence their governments to make a policy commitment to the long-term goal of eliminating child labour, coupled with short-term measures which protect working children.

## **(2) Programmes**

While policies are the first step for employers' organisations, they should be followed wherever possible by concrete programmes. Some of the areas where employers' organisations could initiate comprehensive programmes which would make a unique and important contribution to national efforts to eliminate child labour are as follows:

- < ***designing basic education and vocational training programmes;***
- < ***developing human resource/skill development programmes;***
- < ***initiating enterprise creation/income generation activities;***
- < ***devising schemes to improve the working conditions of children as a transitional measure.***

Employer initiated programmes on child labour should generally either target several sectors within a particular community with a high incidence of child labour, or provide a framework for a sectoral approach involving many companies. In designing specific programmes on child labour, national employers' organisations should build on their strong links with sectoral business associations and industry groups. A programme approach requires, however, that the employers' organisation concerned enlist other partners to assist in project implementation, such as experienced NGOs, workers' organisations and various social ministries (labour, education, health and welfare).

## **(3) Projects**

Projects should be the building blocks of employers' programmes on child labour. Employer projects on child labour should ideally select a specific target group, in a particular sector, using one or a selected range of interventions over a fixed period of time. The next chapter will highlight the role of employers' organisations in the successful implementation of child labour projects addressing a wide variety of concerns. Most of these projects focus on child labour in specific economic sectors, such as the tea, coffee and sisal estates in Africa, the manufacture of steel, footballs and carpets in Asia, and the footwear and citrus fruit industries in Brazil.

Projects vary in terms of objectives and/or types of activities undertaken. Some provide a range of services to improve working conditions as a transitional measure, for example, through the provision of protective clothing for working children, or through a reduction of working hours coupled with the provision of basic education for children working in rural sectors. Two of the most promising examples of employer projects at the grass-roots level are those concerned with expanding the access of working children to education and training, and those whose primary objective is the provision of protection at work and income-earning opportunities.

## **B. BUILDING ALLIANCES**

There are no “quick fixes” to the complex problem of child labour, which is closely linked with the level of economic and social development in a given country. Economic disparities between countries make it entirely unrealistic to expect developing countries to afford the same facilities for their children as industrialised ones. Similarly, employers’ organisations in developing countries face very real constraints in terms of available resources and institutional capacity, and should therefore not be expected to fulfill the responsibility incumbent upon governments to provide, at a minimum, basic social services. Nevertheless, employers’ organisations do have unique strengths on which they should capitalize, particularly in the areas of advocacy, awareness-raising and policy development. Employers and their organisations should build on these strengths by forging alliances with other concerned stakeholders who have a proven track record in combating child labour and who share the same objectives. Many non-governmental organisations (NGOs), for example, have shown themselves to be innovative and dynamic in the struggle against child labour in an economic development context. Where possible, employers should work closely with NGOs and trade unions as part of a civil society response to child labour.

As with any new activity, the first action steps are crucial in programme development. The key initial goal should be to place child labour on the policy agenda of employers’ organisations. One effective way of going about this is by raising the problem of child labour - its characteristics, causes and consequences - before the board or management of the national employers’ organisation in each country as an issue with wide ramifications on national economic, social and human resource development. All employers’ organisations will appreciate the broad negative consequences of the poverty cycle which leads to child labour, whether or not their own members have encountered this problem directly.

In countries which have not yet joined IPEC or where the national employers’ organisation has not been fully involved in existing IPEC programmes, small steps should initially be taken in programme development. An employers’ organisation interested in joining national efforts to combat child labour should, before any direct programmes on child labour are undertaken, identify one member of its staff to serve as a “child labour focal point.” In IPEC countries, this person should be encouraged to play an active role on the National Steering Committee and in national networks on the elimination of child labour. Initial activities

undertaken by employers' organisations should be modest, and should aim primarily at information gathering and at increasing the awareness of the national problem of child labour amongst its own members, other sectoral business groups, and society at large. Initially, employers' organisations are encouraged to work alongside and support other groups working in the area of child labour, rather than embarking on the implementation of a major programme alone. The checklist below might be useful for employers in identifying potential partners.

#### **BUILDING ALLIANCES:**

*Who are the possible partners concerned about child labour in your area/region?*

1. National and Local Government
2. Chambers of Commerce
3. Individual Companies
4. Children's NGOs
5. Women's Rights Organisations
6. Schools and Educational Institutions
7. Trade Unions
8. Consumer Associations
9. Human Rights Bodies
10. Media

### **C. KEY ISSUES IN PROJECT DESIGN**

Programmes should be designed which are consistent with the mandate of employers' organisations to improve the national business environment. The following action steps should guide the development of any project:

- , ***identify the specific problem;***
- , ***assess the scope of the problem (situation analysis);***
- , ***design the project;***
- , ***implement the project;***
- , ***evaluate and monitor progress.***

Each of these areas needs to be developed in detail and a logical framework applied for follow-up action.<sup>6</sup>

#### **(1) Problem Identification**

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<sup>6</sup>Fyfe, *Child Labour: A Guide to Project Design*.

Problem identification involves the identification of the needs of a specific target group. The three major elements of problem identification are:

- < the definition and description of the problem. This step requires an accurate assessment of the scope of the child labour problem in a given area, such as the geographic distribution, the age, sex, class and ethnic distribution of child workers, the family and social context, and the wider social and economic context;
- < an assessment of actions which have been taken in the past to address the problem;
- < an evaluation of what remains to be done.

## (2) Problem Assessment

Prior to any action, it will be necessary for employers' organisations to assess the problem and the existing framework in which it can be addressed. This step requires time and structured research, but is essential in avoiding the duplication of action which other groups have taken. The information required to properly assess the scope of child labour in a specific industry or region should include statistics identifying the numbers of working children between the ages of five and 14, as well as local school enrolment figures and drop-out rates. This information is likely to be already available from official government sources and local NGOs. The following checklist may be useful for problem assessment:

### A Resource Checklist:

- C What is the legal framework relating to child labour?
2. What statistics are available?
- C How reliable are the existing statistics?
4. What action is already being carried out?
- C Who is involved?
6. Which are the sectors that might pose the most serious problem?
- C What action can employers' organisations take alone?
- C What action can employers' organisations take as partners in a coalition?
9. Does the country concerned have an IPEC National Steering Committee?
- C Is there a UNICEF representative in the country?

### **(3) Project Design and Implementation**

The next step in programme development is the design and implementation of a project with clear indications of effective strategies to reach working children. If a project is intended to provide non-formal basic or vocational education to child workers, the views of these children and their families should be taken into account. Project implementation may involve either the provision of direct support to working children, or indirect institutional support to other partners (e.g. community groups, local NGOs) who themselves work with the children concerned and their families.

Once the project has been clearly drawn up and the roles of each partner defined, a budget should be carefully and realistically drawn up. The details of the budget should be made available so that potential donors, including IPEC and the ILO's Bureau for Employers' Activities, can understand the specific allocations for project support, including equipment, supplies, volunteers and salaries. The IOE can also assist national employers' organisations in finding potential donors.

Long-term sustainability of employer action on child labour will require national employers' organisations to give institutional support to these programmes and to integrate them into the broad umbrella of action programmes in other areas. The child labour focal points in each employers' organisation may find it useful to plan regular team meetings with colleagues within the organisation and with the partners assisting the organisation in implementing action on child labour. This will contribute to a more effective integration of child labour matters into the strategic agenda of each employers' organisation, and will provide the framework for a smoothly operating programme.

### **(4) Monitoring and Evaluation**

Stock-taking action should be carried out at regular intervals to evaluate achievement, success and failures. Any necessary modifications to project implementation should ideally be made during the course of the project. It will also be useful for employers' organisations to evaluate and assess their child labour projects during their final stage. This information is useful to the ongoing work of the IOE to identify "best practices" to guide employers embarking on new programmes.

Below are ten suggested steps to improve the participation of employers and their organisations in the campaign against child labour. The steps provide a logical framework for action, although many of the activities described can and should be carried out simultaneously. The ten steps constitute a series of actions which could be constructively taken by employers and their organisations to combat child labour. The nature and scope of direct action taken by these groups will depend to a great extent upon their institutional capacity and available resources.

## **TEN STEPS TO ENHANCE EMPLOYER ACTION ON CHILD LABOUR**

- C **Institutional Development:** Designate officials in national employers' organisations and sectoral business organisations to serve as child labour focal points.
- C **Investigation:** Collect detailed and reliable country-level data about the exact magnitude, nature or effects of child labour in specific sectors or industries.
- C **Awareness-Raising:** Conduct awareness-raising events aimed at particular sectors and the sensitisation of society at large.
- C **Policy Development:** Develop policy recommendations on child labour to which employers' organisations and their members can subscribe.
- C **Coalition Building:** Form partnerships to carry out direct action in cooperation with non-governmental organisations and, where appropriate, trade unions.
- C **Action Prioritization:** Based upon the information collected, select particular industries in which comprehensive programmes on the elimination of child labour can be launched. Action should be guided by a focus on the most exploitative forms of child labour.
- C **Direct Support to Working Children:** In partnership with coalition members, develop the role of employers' organisations in broad-based efforts to provide alternatives to working children, such as apprenticeships, education and training.
- C **Monitoring and Evaluation:** Establish systematic processes to work with focal points in specific industries to measure progress in progressively eliminating child labour.
- C **"Best Practice" Information Compilation:** Compile positive initiatives undertaken by local enterprises and business organisations in combating child labour.
- C **Communications Policy:** Develop a systematic approach to publicising positive action taken by employers (e.g. newsletters, media campaigns, public merit awards).

Employers and their organisations can take proactive and innovative steps to respond to the challenge which child labour presents. This is particularly important in situations where local producers are pressured by retailers in industrialised countries to immediately dismiss children working in the production of their goods, either directly in the factories or in subcontracting arrangements. While concern about the use of child labour on the part of importers in industrialised countries is valid in view of mounting consumer pressure, instant dismissal of children may go against the “best interests” of the child if no alternatives are in place. This has been a key problem with initiatives focusing solely on the export sector, which is only a small part of the worldwide child labour problem. Children should be removed from the workplace in a planned and phased manner to prevent them from simply being thrown unaided into a situation far worse than that which they left.

Governments, employers’ and workers’ organisations, and other concerned stakeholders are beginning to work together with a view to developing responsible ways of transferring children from work into education, training and other activities which promote their welfare and development. The next section will identify many examples of this type of constructive action in specific industries and sectors in countries where child labour continues to pose a major challenge.



## IV. EMPLOYER “BEST PRACTICE” ON CHILD LABOUR

Although the range of action on child labour taken by employers and their organisations to date is varied, the initiatives can be broken down into the following categories:

- < *general awareness-raising and policy development activities;*
- < *action to prevent child labour in specific sectors;*
- < *direct support for initiatives aimed at the removal and rehabilitation of child workers;*
- < *corporate and industry codes of conduct;*
- < *certification schemes for specific goods.*

The concrete examples provided below are illustrative of the types of action which could be contemplated for organisations which have not yet developed policies and programmes in the area of child labour.

### A. AWARENESS-RAISING AND POLICY DEVELOPMENT INITIATIVES

The first action step recommended to employers and their organisations in combating child labour involves problem assessment, the establishment of a policy framework for future action, and sensitisation initiatives aimed at raising the awareness of the characteristics, causes and consequences of child labour amongst members of the organisation and society at large. Although direct action programmes removing children from working situations tend to draw greater international attention, the value of general awareness-raising and policy development should not be underestimated, as such initiatives are crucial to bringing about long-term shifts in attitude. Below are examples of the types of action along these lines which were taken by employers in Colombia, Nepal, Pakistan and the Philippines.

#### (1) Employers' Confederation of the Philippines

In April 1997, the Employers' Confederation of the Philippines (ECOP) initiated an action programme on child labour aimed at awareness-raising among its own members and affiliated business groups. This action programme has as key objectives: gaining a better understanding of the attitudes and concerns of member companies on the issue of child labour; formulating an employers' policy statement to reflect the commitment of Philippine employers to the elimination of all forms of child labour; raising awareness and developing advocacy positions for leading business organisations; developing a capacity within the ECOP to offer services to local enterprises in the area of child labour.

To accomplish these goals, the ECOP has committed itself to the implementation of the following action steps:

- < surveying member companies in order to document prevailing corporate policies, programmes and activities that may directly or indirectly affect working children. This will include a special survey examining the linkages between the formal employment sectors and child labour, primarily in the form of blind procurement and subcontracting policies;
- < documenting "best practices" which can serve as models for other companies;
- < conducting awareness-raising and advocacy programmes for industry associations and affiliated organisations and members of ECOP;
- < establishing a "child labour focal point" at the ECOP which will have the following responsibilities:
  - (i) raising employers' awareness and sensitivity to the needs of working children;
  - (ii) advising enterprises on options available on how best to approach and pursue child labour initiatives;
  - (iii) designing a system whereby employers could share access to data, information and services on strategies to eliminate child labour;
  - (iv) providing employers with a platform to participate in national policy development and implementation on child labour.

The objective of the child focal point is to produce training activities in support of the above activities, and to establish a monitoring system to gauge the progress of employer action to eliminate child labour.

The expected major outputs of this action programme include an analytical paper incorporating the results of a survey on the linkages between procurement and subcontracting policies on child labour, an employers' policy statement on child labour, and awareness raising sessions and consultation meetings with at least five industry associations and twenty related business organisations.

## **(2) Employers' Federation of Pakistan**

The Employers' Federation of Pakistan (EFP) provides an example of a national employers' organisation which has been increasingly active in its contribution to national efforts to eliminate child labour. Over the past two years, the EFP has implemented, with IPEC assistance, an action programme aimed at creating awareness amongst employers, human rights activists, trade union

leaders, the media and society at large. The EFP started by raising awareness of the characteristics, causes and consequences of child labour among its own members, beginning with the translation of international instruments and national legislation on child labour into local languages. In the second phase of its project, the EFP worked to create a network of local employers for the protection of working children. This network is headed by a child labour unit at the EFP secretariat in Karachi and is comprised of twenty focal points nationwide. The EFP regularly publishes information on the activities of this child labour network in its quarterly newsletter.

The EFP also has a Skill Development Council (SDC), which is a joint project of the Government of Pakistan, the EFP, the World Bank and the ILO. The basic objective of the SDC is to enhance the development of vocational training programmes which are flexible, demand-driven and cost-effective, with the maximum participation of employers. The SDC also registers school leavers, uneducated youth, child trainees and industrial workers, in order to identify future training needs which will ensure the availability of trained manpower and provide better employment opportunities to trainees. Through the SDC, the EFP has been involved in awareness-raising and in exhorting local employers to improve the working conditions of children. The EFP has proposed that its office-bearers, the members of its managing committees, and the leaders of local chambers and national business associations establish systems to ensure that their own companies and those to whom they subcontract do not employ child labour.

The two examples provided above illustrate possible approaches which could be taken by employers' organisations in the areas of awareness-raising and policy development. Experience has shown that effective employer awareness-raising programmes begin with a focus on direct and affiliated members of the organisation, and then gradually expand to a wider audience.

### **(3) National Association of Colombia Industrialists**

As the cornerstone for their awareness-raising activities, a number of employers' organisations have adopted policies for their organisations in the area of child labour. One example is a resolution adopted by the National Association of Colombia Industrialists (ANDI) in December 1996 (see below). Such statements serve the dual purpose of bringing greater attention to the issue of child labour and of providing policy guidance to individual companies. The commitment of ANDI in adopting this resolution deserves special commendation, as it was formulated in a country facing challenging internal problems and a negative international image.

**Resolution on Child Labour**

**The Board of Directors of the National Association of Colombia Industrialists (ANDI)**

**Considering:**

- (a) that it is the Association’s duty to foster the application and respect of ethical values among the employer community and society as a whole;
- (b) that in every work relationship respect for individual dignity must prevail;
- (c) that the rights of children and young people must be upheld, so that they are protected against economic exploitation and against performing any work which may be dangerous or which interferes with their education, their leisure, or their physical, mental, spiritual, moral or social development in general;
- (d) that the lack of education and technical training among children and young people prevents them from enjoying better working and social conditions in a world which requires people to be increasingly qualified; and
- (e) that, despite the difficulties in evaluating the extent of the problem, recent studies indicate that at least 2,447,000 youngsters between the ages of 9 and 17 work in our country - that is, almost 90% of the children and young people in that age group, who are suffering from poverty and misery, are performing some kind of work.

**Resolves:**

- 1) That its members will not engage for work any individual of less than eighteen years of age.
- 2) To invite its members to check whether those people with whom they have contracts - such as contractors, clients, distributors, agents, subcontractors, etc - do not employ any persons of less than eighteen years of age.
- 3) To request that, when they have dealings with community or cooperative type enterprises, whose activities encompass work which involves family groups, including youngsters of less than eighteen years of age, enterprises ensure that the rights of those children and young people are not violated and that their working time allows for education and recreation.
- 4) To request the Executive President of the Association to continue supporting efforts to abolish the employment of children and young people in other sectors of Colombia’s economy, and to assist in the design and implementation of rehabilitation, training and recreation programmes for displaced children and youngsters.

#### **(4) The Federation of Nepalese Chambers of Commerce and Industry - Employers' Council**

The Federation of Nepalese Chambers of Commerce and Industry - Employers' Council (FNCCI) has very recently become involved in direct action with its members on the issue of child labour. The FNCCI is concerned that, despite national legislation against child labour in Nepal, the problem has remained largely intractable. This situation is due in part to a lack of awareness about the consequences of child labour among employers and their organisations. In response, the FNCCI launched an action programme in early 1997 with the aim of mobilising, on a regional basis, employers against child labour. The primary components of the FNCCI action programme are as follows:

- < sensitising 160 FNCCI office bearers, members of employers' organisations, managers and policy makers in various industries on child labour, identifying the role of employers and possible interventions on combating child labour;
- < creating public awareness about child labour through the publication and circulation of the FNCCI newsletter with supplementary pages devoted to the issue of child labour;
- < conducting a study in one industry in each of the five development regions to identify both the conditions leading to child labour and solutions to the problem.

The FNCCI plans to hold four regional workshops on child labour covering five selected developing regions. The principal aim of these workshops will be to identify and elaborate the role that employers can play in combating child labour. Each workshop will be attended by participants drawn from the FNCCI, the employers' organisations, managers and policy makers of industries. The workshops will discuss: (a) the ILO Conventions and Recommendations on minimum age for employment as well as health and safety of the working children and adolescents; (b) the UN Convention on the rights of the child, with particular reference to child labour; (c) the national policy on child labour; (d) the ILO-IPEC activities in Nepal. They will also address how productivity can be improved without employing children, through the implementation of national legislation on the working conditions, health, and safety of young persons. The workshops will also develop a strategy and a two-year plan of action for the FNCCI and its members to contribute to national efforts to eliminate child labour. As preparatory action for the workshops, a working group will be formed to investigate child labour in industries and establishments with a high incidence of child labour.

Another employer action programme on child labour action in Nepal is being implemented by the National Society for Protection of the Environment and Children (NASPEC). The NASPEC is a non-governmental organisation constituted by employers in the carpet industry and NGOs working for children's protection and development. It represents the commitment of the carpet business community and the NGOs to work cooperatively to protect

children’s rights, to help protect the environment, and to promote the Nepalese industry. The NASPEC conducted a situation analysis of working children in carpet factories after the Government announced its commitment to make the carpet industry child labour free.

NASPEC is implementing an action programme to phase out child labour in the Nepalese carpet industry in Kathmandu, Lalipur and Bhaktapur. The primary objectives of the programme are as follows:

- < removing children under the age of 14 years from the carpet factories, beginning with those under the age of 12;
- < providing non-formal education to working children;
- < preparing working children to enter full time regular schooling or vocational training;
- < providing counselling services to children in carpet factories and in the children’s centre;
- < providing health care services and health education to children while they are working in the carpet factories and during the transitional period when children have been removed from the factories but are not yet completely rehabilitated;
- < assisting children’s families in earning supplementary income through income generating activities;
- < conducting relevant research to develop and sustain the activities under the action programme;
- < sensitising carpet manufacturers about safety, health and education of children;
- < strengthening the NGOs working with children from the carpet industry through training programmes on management and networking.

The action programme is designed to assist in phasing out child labour in carpet factories, to protect the child workers during this process, and to ensure that they do not work in equally or more exploitative jobs. The aim is to provide the children with full-time schooling or skill training. In the case of orphans and children living away from their parents, a key objective is reuniting families or placing children, if appropriate, in a hostel.

A children’s centre has also been set up with facilities for a transit home. A non-formal education programme is being conducted in each of the thirteen carpet zones to enable working children to join formal schools or vocational training centres while they continue to live with their guardians. These children are also given health education and services through local health camps. In addition, an action research programme is being carried out to record the details of the beneficiaries and to monitor the activities under the action programme. This will help in planning for further action and in ensuring the sustainability of action programme activities.

NASPEC is also running a sensitisation programme to encourage carpet manufacturers to run non-formal education programmes in their own factories for the children of carpet workers.

An advisory committee has been formed with the representatives of the Central Carpet Industries Association (CCIA), the Ministry of Labour, NASPEC and ILO-IPEC in order to: facilitate the process of detection, rescue and rehabilitation of children working in the carpet industries; coordinate with relevant governmental and non-governmental organisations to ensure the smooth operation of the programme; and review the progress of the action programme regularly.

## **B. EMPLOYER ACTION TO COMBAT CHILD LABOUR IN SPECIFIC SECTORS**

Once an employers' organisation has established a general policy framework on child labour, it is possible to follow-up with more focused activities in particular sectors (including the informal sector) where child labour may pose a particular challenge. As indicated above, this type of action should be preceded by an information-gathering stage in which sectors and representative business associations are identified as partners in the design of direct programmes to prevent child labour. The summaries below of action by employers' organisations in India, Kenya, Tanzania, Turkey and South Africa will provide useful examples to illustrate the broad range of possible action.

### **(1) All India Organisation of Employers**

The All-India Organisation of Employers (AIOE), a constituent of the Council of Indian Employers (CIE), has undertaken a project on child labour under the IPEC. The project uses a multi-pronged approach involving employers and their organisations, trade unions and workers, parents of working children, and opinion leaders. The project is being implemented in five towns (Hyderabad, Pune, Sagar, Chennai, Ferozabad) with the help of the regional Chambers of Commerce, and seeks first to improve the working conditions of children while devising plans of action for the replacement of child workers with adult workers. The AIOE has appointed a senior staff member to serve as the focal point for child labour activities and to coordinate this work.

The AIOE project has as a chief objective the sensitisation of employers and modernization of industries where there is a prevalence of child labour. The sectors selected to take part in this activity were the bangle industry, the stainless steel industry, the bidi industry, the hotel industry, and small automobile garages and workshops. The AIOE began direct collaboration with the Stainless Steel Manufacturers' Association in October 1996. This work commenced with a survey of working children, the parents of working children, employers of the children, and trade unions. The AIOE successfully won the active participation of the Steel Manufacturers by making them

aware that the use of child labour in their industry would result in the rejection of exports by the developed countries. The members of the association agreed not to hire additional child labourers and to start an educational fund for working children. Social workers played an important role in efforts to familiarize individual employers and the families of working children about the implications of the recent Indian Supreme Court directives against child labour. Employers in the steel industry began to actively support the gradual phasing-out approach to child labour, and were supportive of initiatives to create better working conditions for children, provided that they continue to receive encouragement and assistance from the Government.

As a result of this initiative, the local Chamber of Commerce affiliated with this project in the steel industry - the Southern India Chamber of Commerce & Industry (Chennai) - has in turn developed its own action plan to combat child labour. This project involves the following components:

- < focused removal of child labour in selected manufacturing units;
- < creation of a permanent corpus fund for rehabilitation of child labour with contribution from industry, chambers, employers of child labour and other organisations;
- < psychological analysis of child labour and the impact of child labour on society;
- < educating parents of child labour through adult education techniques;
- < charting out an alternative income generation programme;
- < monitoring establishments employing child labour;
- < freezing further recruitment of child labour.

On 7 February 1997, the AIOE organised a regional seminar in Chennai on the elimination of child labour in collaboration with IPEC and the Southern India Chamber of Commerce & Industry (SICCI). As a follow-up to this seminar, SICCI supported the creation of a permanent corpus fund - financed by industry, Chambers of Commerce, employers of child workers and other organisations - to maintain rehabilitation programmes for children. This fund is managed by a combined group of trustees drawn from each of the above groups. The Chamber is now monitoring other sectors in the region where child labour is prevalent, and continues to impress upon its members the need to freeze further child employment in their units, to devise plans for the gradual phasing out of existing child labour, and to establish strategies for the rehabilitation of these children. These strategies should support the creation of a flexible and relevant educational system which incorporates practical elements such as vocational training and which, in rural areas, reflects the agriculture production cycle in school hours.

## (2) Federation of Kenya Employers

The ILO has signed an agreement with the Federation of Kenya Employers (FKE) to carry out an IPEC Action Programme entitled “Enhancement of the capacity of the Federation of Kenya Employers in combating child labour.” The programme has the following main objectives:

- < enhancing the capacity of the FKE to deal with child labour issues;
- < assisting selected companies in formulating and implementing policies and an action plan on child labour;
- < providing technical advice and support to selected companies willing to initiate measures to combat child labour;
- < identifying feasible measures and activities for selected employers in the fight against child labour;
- < collaborating with the government, trade unions, NGOs and other interested parties in fighting child labour.

To meet these objectives, the FKE began by carrying out a survey on child labour in commercial agriculture with particular emphasis on coffee, rice and sugar plantations. A report of the survey findings was prepared, and the main highlights were as follows:

- < Poverty was cited as a major cause of child labour. Approximately 37% of the children interviewed said that they worked so that they could buy school books and pay for other school-related activities;
- < Many employers stated that their recruitment policy does not allow employment of children and that every person must produce a national identity card, obtainable after reaching 18 years of age, in order to get employment;
- < Of the children found working, 47% were from families having more than six children and 28% were from families headed by single mothers;
- < Most of the work that children do is manual and unskilled, and payment is accordingly low;
- < Many employers, especially in large plantations, provide school facilities and other recreational and health facilities for the children of their employees.

As a follow-up to this survey, three regional awareness-raising workshops were held in Nyanza/Western, Rift Valley and the Coast Provinces. The FKE also prepared guidelines on the employment of children and circulated these to all employers. These guidelines highlight the major laws relating to the employment of children and propose additional measures that employers can take. These measures include:

- < adopting more aggressive methods of recruiting adult workers in labour surplus areas;
- < establishing working norms for various activities in the plantation sector and other areas of work for children that are appropriate to their ages;
- < providing longer and more frequent rest periods for working children;
- < providing regular medical check-ups for working children;
- < providing protective clothing and devices, field shelters and subsidized mid-day meals, where applicable, as well as safe and comfortable transport to and from work.

The FKE conducted follow-up visits to selected employers to identify the working conditions and hazards faced by children and to discuss possible intervention measures for combating child labour. The FKE held discussions with the management and workers of selected companies to draw up a policy and to prepare action plans at the sectoral level to guide effective employer interventions to combat child labour. In addition, a Welfare Committee was established within each selected company to oversee the implementation of these action plans.

The FKE also organised a workshop for plantation owners in November 1997 to discuss the following employer initiatives to combat child labour:

- < provision of pre-primary and primary schools;
- < provision of bursary schemes to help pay school fees for needy children;
- < provision of social services such as halls, canteens, playing fields and other sporting facilities;
- < establishing policies to ensure that no young person is employed without first producing a national identity card (obtainable after age 18);
- < increasing supervision on the fields to ensure that children do not accompany their parents during work;
- < establishing estate consultative committees which also address child labour issues;
- < encouraging the formation of credit cooperative schemes.

To ensure programme sustainability, a child labour unit has been established by the FKE under its Research and Information Department to address, on a regular basis, issues pertaining

to child labour. A column on child labour has also been incorporated into the FKE quarterly newsletter. Employer guidelines on child labour have been issued, and the Federation is active in monitoring their application. Child labour issues are also discussed during the regular meetings of employers' associations.

### (3) Association of Tanzania Employers

The Association of Tanzania Employers (ATE) carried out its first action programme with IPEC assistance in 1995. Its initial programme consisted primarily of an action programme for sensitizing and raising the awareness of the extent of child labour on the sisal estates. A workshop was convened at the beginning of the programme to discuss the following issues:

- < identification of short-term and long-term action programmes for the protection/rehabilitation of working children;
- < identifying sisal estates with capacity/resources to implement action programmes on child labour;
- < identifying the types of assistance required by selected sisal estates for the protection/rehabilitation of working children;
- < preparation of implementation schedules for identified short-term and long-term action programmes;

The workshop gave estate owners and managers the opportunity to discuss child labour and the improvement of general working conditions, for example through the development of piecework tasks organised according to the capacity of child labourers. One concrete output of the workshop was an agreement by the participating employers to exclude working children from tasks which are dangerous and hazardous, to provide protective gear to their employees, to set up a cooperation arrangement with teachers and parents to curb child labour, and to improve school enrolment and education standards in primary schools located on the estates.

The workshop also defined short- and long-term goals for sisal estate owners and managers to address the problem of child labour. Long-term goals included action to improve labour inspection capability by providing inspectors with transportation and establishing credit facilities to provide opportunities for workers in the informal sector to generate income. Another envisaged long-term action is the establishment of secondary day school and vocational training centres, along with the establishment of dispensaries, welfare and day care centres. Short-term action identified by the employers included the provision of protective gear to sisal estate employees, introducing payment-by-results schemes to improve the earnings of adult employees, and prohibiting child labour in hazardous tasks. To ensure effective implementation of this programme, the ATE recommended that committees be established to oversee follow-up on the

action programmes. These committees should consist of: sisal estate owners, the regional labour and education offices, trade unions and community leaders in the Tanga region.

The ATE is currently working on an action programme to assist its members in the tea and coffee plantations in Tanga, Mbeya and Arusha regions, where children below 15 years of age, including primary school drop-outs and others not yet enrolled in school, engage in harvesting activities in the plantations. The ATE organised sensitization seminars for the owners and managers of six tea plantations with a high incidence of child labour in the Tanga and Mbeya Regions, and two coffee plantations with a high incidence of child labour in the Arusha Region. In these seminars, the ATE assisted its members in the formulation of action plans for the prevention of child labour and the protection of child workers. By the end of this programme in January 1998, the ATE expects to issue a report for each plantation on the implementation of plans of action for preventing child labour.

#### **(4) Turkish Confederation of Employer Associations**

The Turkish Confederation of Employer Associations (TISK) has carried out extensive work with IPEC support since as early as 1993. In its first action programme carried out in 1993-1994, TISK conducted four seminars (in Ankara, Adana, Bursa and Istanbul) in which working groups, involving local employers, were formed to assess the causes of child labour. An evaluation of the work carried out by these groups determined the primary factors for child labour to be excessive population growth, an inadequate education system, and the economic and social structure of families. These seminars featured presentations on the situation of children working in both the formal and informal sectors and in large industries. Academics were brought in as resource persons to present information related to children's social security rights and benefits.

As second phase of its programme, TISK selected as a target group the small- and medium-sized employers in the metal industry. This particular industry was selected because the results of a survey carried out by the Ministry of Labour and Social Security's Labour Inspectors revealed that children working in this sector are at particularly high risk. Three industrial sites in Istanbul were selected to implement the programme. In each of these sites, 100 small-scale enterprises were reached.

In the course of field studies, information on the formal apprenticeship system was supplied to small-scale industry employers with a view to increasing their awareness of child labour issues. Surveys were carried out by the teaching staff of the Apprenticeship Training Centres to provide the best information on the system to employers. Throughout this process, TISK encouraged participating employers to register the children participating in the apprenticeship programmes with the Ministry of Education Apprenticeship Training Centres.

On the recommendation of the Turkish Ministry of Labour, TISK implemented a third phase of its direct action programme to improve the working conditions of the children employed in the metal sector. Seminars were held in 1997 to identify measures to improve the working conditions of children in this sector, for example, through the control of dangerous gases, improved ventilation of the workplaces, and the modification of ergonomic conditions. Several workshops were held for the purpose of outlining, with the cooperation of the national experts and TISK member associations, the content and design of a booklet entitled "The Risks of Child Labour and the Measures to be Taken in the Metal Sector". This book was published by TISK in July 1997.<sup>7</sup>

TISK has also published, with the support of the ILO Office in Turkey, a book entitled "Child Labour in Turkey", which describes all of the activities carried out within the framework of the IPEC Project and the texts of the papers presented by the academics. This book gives a summary of the statistics on child labour in Turkey, compiled by the State Institute of Statistics, which includes information on the age of the working children and the branches of economic activity in which they work. It also contains information related to child labour legislation in Turkey, as well as TISK views of the child labour problem in Turkey.

#### (5) South African Agricultural Union

The South African Agricultural Union (SAAU), a member of Business South Africa (BSA), has initiated promising start-up activities in the area of child labour. The SAAU has participated in outreach programmes with the ILO, UNICEF and the Departments of Labour, Education and Health, to examine the working conditions of minors in the agricultural sector.

The SAAU has also developed a policy on child labour which sets out the following conditions under which children may engage in light work:

- < with the full consent of the child and his/her parents, preferably in writing;
- < no forms of bonded child labour should be allowed or tolerated;
- < the work to be performed by the child should contribute to his/her social and possible career development;
- < the mental and physical ability of the child must be taken into consideration in deciding whether or not to employ him/her and in determining what tasks he/she should perform;
- < the working hours of a child should be limited to no more than 10 per week (two per day) during school terms and 25 per week (five per day) during holidays;

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<sup>7</sup>Turkish Confederation of Employer Associations. 1997. *Child Labour in Turkey*.

< a working child should be paid a market-related wage.

The SAAU policy also stipulates that compulsory education should be supplemented by an effective schooling infrastructure to enable children in the rural areas to attend school within reach of their homes.

### **C. DIRECT SUPPORT FOR REMOVAL AND REHABILITATION OF CHILD WORKERS**

The examples provided above have demonstrated how employers can be involved in policy advocacy and in the design and implementation of action to prevent child labour in specific sectors. Employers' organisations and their members have also been at the centre of direct action programmes to remove and rehabilitate children working in a particular industry. Because these types of interventions are generally very complex, significant resources and a broad social mobilisation are required to ensure that the best interests of the children are safeguarded. Below are examples of direct removal and rehabilitation initiatives launched by employers in Bangladesh, Pakistan and Bolivia, and of the support which the Italian social partners have lent to such activities.

#### **(1) Garment Industry in Bangladesh**

The garment industry in Bangladesh is a good example of the dangers of precipitate action. In 1992, the Harkin Bill was introduced in the US Congress to prohibit the import of products made by children under 15. Although the bill has yet to find its way onto the statute books, the mere threat of such a measure panicked the garment industry of Bangladesh, 60 per cent of whose products were exported to the US in 1994. There is evidence that employers dismissed children in an effort to forestall the possible imposition of trade sanctions before the establishment of alternatives for these children and their families. This simply led to a transfer of child workers largely to the informal sector, which posed even more dangers to the children because of the unregulated nature of work in this sector.

Fortunately for all concerned, negative initial steps were followed by a positive initiative undertaken by a broad social alliance working together. On 4 July 1995, the Bangladesh Garment Manufacturers and Export Association (BGMEA) signed a Memorandum of Understanding (MOU) with the ILO and UNICEF aimed at the elimination of child labour in the garment industry and the provision of credible alternatives.

In implementing the MOU, the ILO took the lead in setting up the monitoring and verification system and the compensation system, while UNICEF concentrated on establishing educational facilities near the children's homes. A project entitled “Verification and Monitoring

System on the Elimination and Prevention of Child Labour in BGMEA Factories and the Placement of Child Workers in School Programmes” was launched, the core elements of which were as follows:

- < conducting, during 1995, a survey to identify the children working in the garment industry;
- < developing and implementing an experimental monitoring and verification system to remove child workers under the age of 14 from garment factories and to prevent other children from entering employment in garment factories;
- < withdrawing 10,546 children under the age of 14 from work in garment factories and enrolling them in special education programmes;
- < paying partial compensation to the children and their families for the loss of income and to enable the children to participate in the education programmes (monthly payment of 300 Taka = US \$7.50 per child).

The BGMEA has collaborated closely with the ILO on a comprehensive and effective monitoring and verification system to ensure that BGMEA factories and their subcontractors do not employ children under the age of fourteen years. Twenty-eight people were carefully selected and trained by the ILO to work as child labour monitors, responsible both for the regular inspection of factory sites in Dhaka and Chittagong, and for monitoring the school attendance of the children.

A close collaboration has been successfully forged between the ILO, the BGMEA and the Government of Bangladesh. Out of 1,314 factories which were inspected between January and April 1997, 12% were found to employ children. This figure is significantly down from 1995 and 1996, when, respectively, 43% and 34% percent of the factories surveyed were found to employ children. In the event of an infraction of the BGMEA agreement, the name of the violating manufacturer is reported to BGMEA for further action. The penalty for an infraction can either be a fine of US \$1,000 or, in the case of a repeat violation, a temporary withdrawal of the manufacturers’ export licence.

The ILO, in collaboration with the Social Investment Bank Ltd. (SIBL), Bangladesh, has set up a system for the disbursement of an allowance to compensate the families of the ex-working children for the loss of income. SIBL is in charge of disbursing the allowance, which is contingent on the regular school attendance of the children. As of 31 January 1997, 8,031 former garment child workers were enrolled in 316 schools. Four schools have introduced skill training programmes, which will gradually be extended to other schools.

This programme highlights the importance of a broad support base. UNICEF has been closely involved in the design and support of the non-formal educational areas, which are operating effectively through close collaboration with respected local NGOs such as the Bangladesh Rural Advancement Committee (BRAC). The vocational career-oriented curricula envisaged for the second phase of the project will include para-skill training (short-term and low-cost, light vocational courses), pre-vocational education (introduction to occupations), and career counselling. In addition, the scope for entrepreneurship training and mainstreaming to established vocational training schools will be explored through a working partnership with established vocational institutions in Bangladesh. The project will aim at enhancing the capacity of local institutions and agencies who will be involved in implementing the vocational training schemes.

## (2) Sporting Goods Industry in Pakistan

The Partners' Agreement, signed by the Sialkot Chamber of Commerce and Industry, the ILO and UNICEF on 14 February 1997 with a view to the gradual elimination of child labour in the production of soccer balls, is another positive example of an industry-based employer initiative on child labour. This is an historic agreement which marks the first time that an entire industry has cooperated so closely with the ILO to phase out child labour and to ensure that credible alternatives are provided. The proactive approach of the industry in appealing to international organisations such as the ILO for assistance when it came under consumer pressure could be considered as a model for other industries.

The ILO, which is directly responsible for the external monitoring system component of this programme, has established a system on the ground which uses the same monitoring principles and concepts as in the BGMEA child labour project (see above). The prevention and monitoring programme on child labour in the agreement concerning Sialkot can be divided into two elements, an internal monitoring system and an external monitoring system.

The purpose of the internal monitoring system is to provide data which is cross-checked by the external monitoring system. Participating manufacturers have each appointed a senior manager to supervise the company's internal monitoring. The internal monitors are responsible for collecting and providing the following data on a regular basis to the external monitors:

- < the names and contact information of all stitching centres;
- < the names, addresses and ages of all stitchers working in the stitching centres run by the manufacturers;
- < the names, addresses and ages of all stitchers working for the subcontractors;
- < the names and addresses of the stitching centres run by the subcontractors;

- < the estimated number of stitchers necessary to reach target production.

The participating manufacturers are setting up stitching centres within a certain time frame. This time frame, which is monitored by both the internal and the external systems, is as follows:

- < after six months of joining the programme, the registered stitching centres should represent at least 25% of the yearly target production;
- < after twelve months of joining the programme, the registered stitching centres should represent at least 50% of the yearly target production;
- < after eighteen months of joining the programme, the registered stitching centres should represent 100% of the yearly target production.

All stitchers younger than fourteen years of age are to be placed in the social protection programme, and a qualified member of the family will be offered to take the place of the child worker.

The external monitoring component is being carried out by the ILO under the supervision of an international expert, who reports to the Project Coordinating Committee (PCC), comprising of the ILO, UNICEF and the SCCI. The monitoring system is composed of a team of 15 monitors headed by a team leader. The fifteen monitors operate in teams of two, which visit the stitching centres unannounced and on a regular basis to verify the information provided by the manufacturers. During the visits, the monitoring teams seek, when necessary, cooperation from the manager designated to supervise each company's internal monitoring. This manager then provides the external monitoring teams with all the necessary information, including locations and number of stitching centres, along with access to all records needed to verify compliance with the provisions of the Partners' Agreement. For computerized comparison, the external monitors will use the same record format as the internal monitors.

The ILO is working closely with its partners UNICEF, Save the Children UK, and two local Pakistani NGOs - Bunyad and Bait ul Mal - to ensure the success of the monitoring component and the equally important social protection programme. The social protection programme is designed to ensure that children and their families do not suffer adverse consequences after being withdrawn from work. The main elements of this programme are set out on the following page (see box).

### Social Protection Programme in Sialkot, Pakistan

- < **Savings and Credit Scheme:** The families of children stitching footballs are being organised into village organisations which manage relatively small amounts of money as capital to start new income generation projects. Vocational training and training in managing credit and savings is being provided so that families can develop new skills.
- < **Education:** Two local NGOs - Bunyard and Bait u Mal - are working closely with UNICEF and Save the Children UK to establish eighteen Village Education and Action Centres to provide non-formal education and literacy training. School Management Committees in each village will determine the needs of the respective villages and will increase community involvement in schools.
- < **Women’s Stitching Centres:** Save the Children UK is working with football manufacturing companies to establish women’s groups to stitch footballs near their homes. This is necessary as women are often unable, because of cultural norms, to travel to large stitching centres away from the villages. This will ensure that women retain their earning power and family incomes are protected.
- < **Social Monitoring:** This component is distinct from the ILO’s independent monitoring which inspects the production facilities. Instead, the social monitoring seeks to follow children and their families during the time of the project to assess the impact of changes in the industry on them. It will keep a record of family income, changes in attitude to education, school attendance, etc.
- < **Awareness-raising:** UNICEF is engaged in a programme to raise awareness about child labour in rural communities.

### (3) Carpet Industry in Pakistan

Another direct employer action programme targeting child labour in a specific industry was launched in 1995 by the Pakistan Carpet Manufacturers & Exporters Association (PCMEA), in close cooperation with Bunyad, a major Pakistani NGO. This project, called “Training Education of Carpet Weaving Children (TECC)”, is a community-based rehabilitation and prevention programme which aims at raising the awareness of the children, the parents, the employers and the community as a whole to the dangers of child labour, and at mobilizing the children and their families to participate in the activities and services offered under the programme. The major objectives of the project are:

- < establishing and making operational a model centre for carpet weaving children as a transitional measure to facilitate their removal from the industry;
- < creating awareness within the community about the developmental needs of children and the value of education;

< developing an intervention model for adoption by employers in other economic sectors.

The 200 children targeted by the TECC are mostly girls between six and 15 years of age, belonging to poor and large families who are dependent on small agricultural holdings, manual labour, or other low income occupations. Their parents are for the most part illiterate and either had never before sent their children to school due to poverty, or had to withdraw them from school to work on carpet weaving to meet some urgent family needs.

The project involved identifying target communities, conducting a survey of these communities, and launching an outreach and motivation phase to mobilize these communities for action. Community-based committees were established to aid in the selection of local teachers and in enrolling target group children. The non-formal education provided consists primarily of basic literacy skills health, and hygiene. Training facilities in sewing, cutting and embroidery were established at the two pilot locations, and training workshops are periodically run by organisations such as the Pakistan Council of Appropriate Technology. As children engaged in the carpet weaving industry are exposed to different kinds of work-related health hazards and injuries, services have been provided for the prevention and treatment of illness and injuries. The children in the programme are also given periodic medical check-ups which are carried out by the local health services.

Although one year is too short a period for a community-based project such as this to have a profound impact, the attitude of parents towards the education of their children, especially girl children, has reportedly shifted considerably. When the programme was first launched, there was an initial reluctance to send girls to the non-formal education centres. Now, however, there is a demand not only to upgrade the classes but also to open additional classes. Requests have been received from neighbouring villages to include their communities in the TECC project. The PCMEA and the ILO have agreed to continue to work closely over the next year to develop a monitoring component for this programme and to expand its scope and impact, including through the expansion of training centres.

#### **(4) Informal Sector in Bolivia**

Employers' organisations have also been involved in efforts to provide rehabilitation to former child labourers working in the informal sector. For example, the Confederation of Private Employers of Bolivia (CEPB), the central employers' organisation in Bolivia, has a private foundation called the National Training and Skill Development Foundation, which it established for the purpose of training manual labourers. Branch training centres are located in each of the major cities in Bolivia. With the support of IPEC, the CEPB established a pilot training centre in Santa Cruz to upgrade the technical skills of adolescents between the ages of 12 and 18 years. This programme - "A Beginning, A Future" - is designed for street children. During the last semester of 1995 and the beginning of 1996, the CEPB, with the assistance of local NGOs, recruited 430

children who were working on the streets of Santa Cruz (selling cigarettes, newspapers, flowers, shoeshines, etc). These young people were enrolled in a skills development programme run by the CEPB, which is carried out in four cycles of ten weeks each.

The young people are given practical courses in the following subjects:

- < metal mechanics;
- < automotive mechanics;
- < embroidery and sewing;
- < basic electronics;
- < toy craftsmanship.

Daily transportation for the young people to and from various locations in Santa Cruz and the training centre is provided by the CEPB. The courses are held five days per week, for two hours each day. There is a 15 minute break every day for a snack provided by the CEPB. The course work is 30 % theory and 70% practical training, and is overseen by a social worker/teacher hired by the CEPB. Although this is an experimental project, the success thus far has been impressive. Despite the fact that course attendance is not compulsory, only 4% of those children who have entered the programme to date have dropped out. Those working with the programme have already identified the positive impact on the young people, including a marked improvement in their attention spans, their discipline, overall hygiene, motivation for work and learning, etc. In addition to the technical training courses, there are leisure activities organised for the young people, including football matches, folklore music, dance evenings, and Christmas craft bazaars where their products are sold.

The broad goal of the CEPB programme is to build up the self-esteem of the children. The aim of the project's second phase is to integrate the children who have completed the training into specific industry branches. Agreements have been signed for this purpose between the CEPB and the sectoral associations and enterprises with which it is affiliated, especially in the forestry, tourism and commercial industries. Many corporations (including multinational companies such as Coca-Cola International, Bolivia) are also actively supporting this programme. The CEPB is seeking to use the initial success of this programme to motivate other branches of the private sector to initiate similar measures to upgrade the skills of children formerly working in the informal sector, and plans are currently underway to expand the number of training centres to ten. The CEPB also envisages the creation of a scholarship programme for children who lack sufficient resources to attend school, and is working towards the development of micro-enterprises (such as gardening and bakeries) where these adolescents could work after completion of their study course.

With a view towards sharing their experiences with other employers' organisations in the sub-region, the CEPB has launched a proposal for hosting the first Ibero-American Employers' Sub-Regional seminar on the elimination of child labour in 1998.

## **(5) CONFINDUSTRIA**

Developed countries employers' organisations have also been involved in efforts to provide rehabilitation assistance to child labourers in developing countries. One such example is the campaign launched in Italy by the ILO's tripartite constituents - Italian trade unions, the Confederation of Italian Industry (CONFINDUSTRIA) and the Italian Government - and the Italian national committee for UNICEF. A protocol was signed on 29 February 1996 committing workers at the enterprise level to donate one hour or one day of their wages to benefit working children in developing countries. The participating employers agreed to match these contributions. On 16 April 1997, during a conference entitled “Italian Working World Against Child Labour” in Rome, it was announced that 2.3 billion lire (approximately US\$ 1.66 million) had been raised to combat child labour. The funds are to be used by the ILO/IPEC and UNICEF for activities against child labour in Bangladesh, Nepal and Pakistan.

The Italian financial contribution stipulates that these projects must have a strong element of involvement by the workers' and employers' organisations in these countries. The project's immediate objectives are to strengthen the capacity of trade unions and employers' organisations in these countries in the combat against child labour at both the national level (policy formulation, public awareness campaign) and at the community and workplace level (direct assistance to working children). The programmes supported by the Italian fund are targeted at the garment industry in Bangladesh, children in bonded labour in Nepal, and surgical instrument manufacturing in Pakistan.

## **D. CORPORATE INITIATIVES ON CHILD LABOUR**

### **(1) Labelling or Certification Schemes**

A labelling or certification scheme aimed at child labour elimination, often referred to as “voluntary social labelling”, constitutes affixing a ticket or label on goods to certify that they have not been manufactured by children. Labelling and certification schemes have been developed by many retailers and manufacturers who have come under the criticism of civil and human rights groups for outsourcing to suppliers in developing countries where child labour is a problem. Some employers' associations in developing and even developed countries have initiated certification and labelling schemes to prevent the boycott of their goods. The primary objective of labelling and certification schemes is to inform consumers about the social conditions of production, and to assure them that the item they purchased was produced under fair and equitable working conditions, without the use of child labour.

A preliminary ILO study entitled “Labelling Child Labour Products” found that most voluntary social labelling initiatives share the following features:

- < the physical labelling of certain products, or of the retail outlets which sell specific products, by using either a descriptive label or a logo that has specific social meaning for its sponsors. The label or logo implies that certain social standards have been met in the product’s production;
- < an outreach to consumers to inform them of the importance and social implications of purchasing the labelled products rather than any others;
- < monitoring to ensure that the standards which the label promises to uphold are being maintained in the countries of production;
- < the collection of a levy from the retailers or importers to improve working conditions in the country of production.<sup>8</sup>

The manner in which voluntary labelling and certification schemes are monitored varies widely. Below are some specific examples of labelling and certification initiatives taken by companies and sectoral organisations.

### **The Rugmark Initiative**

Rugmark, an export licensing and labelling campaign, was established in 1993 by a consortium of non-governmental human rights organisations under the name of the South Asian Coalition on Child Servitude (SACCS), along with representatives of the carpet industry, including the Indian-German Export Promotion Council, and representatives of UNICEF-India. The Rugmark Foundation was established to redress the falling market share of hand-knotted carpets from South Asia which resulted from allegations of abuse of child labour in this industry.

The Rugmark programme against child labour comprises three main elements:

- < a system for licensing exporters of hand-woven carpets;
- < a method of tracking individual carpets back to the looms that produced them;
- < a system for monitoring licensed manufacturers to assure that Rugmark’s terms and conditions are being observed.

The Rugmark Foundation checks a manufacturer’s looms to ensure that children are not being employed in violation of Indian law. Workers must be over 14 years of age, verifiable through an inspection of birth certificates. Owners’ children are allowed to work at a younger age as long as there is evidence that they also attend school. Empty places at the loom are checked against a register of employees, and repeat visits are made to ascertain that they are not filled by illegal child workers. The Rugmark Foundation inspectors carry out spot checks and grant labels for a certain number of carpets for a particular export order. The Foundation also keeps lists of

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<sup>8</sup>Hilowitz, J. 1997. *Labelling Child Labour Products: A Preliminary Study*. (Geneva, International Labour Office).

applicants who have been refused, so that consumers can verify that their carpet has not been made by child labour.

In order to obtain a license to sell carpets under the Rugmark label, exporters must agree to comply with the Rugmark code of conduct and to pay an annual fee equal to 0.25% of the price of exported carpets to support Rugmark’s certification and monitoring system. In addition, importers pay a levy of 2% to support education and rehabilitation initiatives for children in the carpet weaving regions where Rugmark has licensed exporters.

The Rugmark label (a hand-drawn logo depicting a smiling face with the word "Rugmark") became a registered internationally binding trademark in December 1995 and April 1996 in Germany and the US respectively. The Rugmark name and logo have major patent protection in all the major markets. Non-profit foundations have been created in countries where hand-knotted carpets are produced, as well as in importing countries. The establishment of Rugmark foundations in developed countries is the key to the marketing strategy of this initiative. In Germany, the Rugmark Foundation is supported by church groups and other voluntary agencies and also benefits from a major annual contribution of the German Government. Rugmark Foundation USA was established in July 1996 and is currently relying on financial support from NGOs.

It is very difficult to measure the success of this scheme, which has only been in existence for a relatively short time. A working paper by Save the Children (UK) notes the following shortcomings with the Rugmark approach:

- < there are a small number of inspectors, insufficient to allow manufacturers who do not employ children to obtain certification;
- < the monitoring system cannot provide an absolute guarantee that no children are employed;
- < children in the most abusive situations are not reached, as the programme tends to attract socially responsible employers who only need to make minimal adjustments to comply with Rugmark conditions;
- < the present coverage of Rugmark is limited. For example, only 30% of the German market for hand-knotted carpets is certified as free from child labour;
- < very little is known about the effects of retrenchment on the former child workers.<sup>9</sup>

### **Care & Fair**

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<sup>9</sup>Marcus, R.; Harper, C.: “Small Hands: Children in the Working World”, Save the Children, Working Paper No. 16, October, 1996, p. 48.

The Association of Oriental Carpet Importers in Germany founded Care & Fair in early 1995 in response to the Rugmark programme. Many of the manufacturers who joined Care & Fair were concerned that Rugmark could not assure the integrity of its label. The Care & Fair programme sought to raise awareness of child labour and to fund projects benefiting children in the carpet weaving regions of India, Nepal and Pakistan. Unlike Rugmark, Care & Fair is not a labelling campaign, but an association of carpet dealers who have agreed to follow a code of conduct holding producers to certain standards.

According to the organisation’s by-laws, members must ensure that the production of carpets takes place under certain conditions. They do so by including principles in their purchasing contracts and by monitoring the contractors’ compliance with these principles during their sourcing visits. The provisions relating to child labour stipulate that no carpets should be produced by children under 15 years of age, and that children of carpet workers should receive regular education. Members who fail to ensure their contractors’ compliance with these principles are excluded from membership.

In order to join Care & Fair, importers must agree to adhere to the organisation’s code of conduct and to pay an annual subscription fee of DM 250. In addition, each member contributes on an annual basis 1% of the invoiced price of carpets from India, Nepal and Pakistan. With this levy, the organisation has already funded and established schools, training centres, hospitals, mobile medicine units and child care centres in several communities in India, Nepal and Pakistan. Care & Fair collaborates with local NGOs in the development and implementation of its projects. It also tries to improve the production processes and the management capacity of its suppliers.

Care & Fair members have the right to promote its products with the Care & Fair symbol. Because of the difficulties inherent in the inspection process of carpet looms, Care & Fair opted for a system to certify the social responsibility of participating carpet dealers without offering a blanket guarantee that all carpets are child labour free.

### **The Brazilian Footwear Industry**

In June 1996, the Footwear Manufacturers Union, together with the local trade and industry association and the regional office of the Industrial Association of the State of Sao Paulo (CIESP), established the Pro-Child Corporate Educational Institute as an independent body. This was in reaction to publicity denouncing the "backstitching benches," as the outsourced services are known locally.

The Institute was established to develop preventive programmes to curb child labour, to offer educational activities to former child workers, and to provide additional assistance to the families of the children. As part of this programme, the Institute provides professional training projects, informal educational activities for children aged seven to 12, and psycho-social assistance to adolescents. The Institute has also established a corporate seal, which states: "This product was manufactured without any child labour". All companies who wish to participate in the programme are required to sign an agreement certifying that they do not hire children under the age of 14, nor the services of third parties who employ children. Participating companies must also support social programmes to educate and assist children and adolescents at personal and social risk. This is a pioneering attempt in Brazil, and the first awarding of a seal to a product rather than to a company or corporation. It is also an example of how a complete industry has been instrumental in reducing child labour through the use of a certification process involving private funds which provide training and education for children at personal and social risk.<sup>10</sup>

### **(2) Corporate Codes of Conduct**

Another reflection of the increasing importance of social considerations in daily business operations is the increasing prevalence of codes of conduct or ethics. Codes of conduct are commitments made by industry groups or individual companies to uphold certain labour standards in their own direct operations and in those of their subcontractors. Such codes (also frequently known as "codes of ethics") are principally aimed at international trading arrangements in which products for the developed world are produced in whole or in part in developing nations. Companies sometimes develop these codes in response to consumers who manifest their concern that companies based in developed countries may be producing goods in developing countries where inferior working conditions exist.

Some corporate codes of conduct are general in nature and cover issues of basic business ethics. These codes often do not discuss specific issues, nor do they include methods of enforcement (80% of codes of conduct fall into this category). Certain companies have gone

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<sup>10</sup>UNICEF. 1996. *Mobilizing Corporations to Eradicate Child Labour in Brazil*. (Studies of strategies developed by the Abrinq Foundation for Children's Rights, San Paulo).

beyond statements of general ethics and developed codes of conduct which specify the standards to be achieved and the methods of enforcement. Codes can either be limited to directly controlled activities, or be applied to contractors or subcontractors who do business with the company. Companies generally develop a name to identify their codes of conduct - such as “Global Sourcing Guidelines” (Levi Strauss) or “Code of Business Practices” (International Council of Toy Industries) or a “Statement of Responsibility” (American Apparel Manufacturers’ Association). These agreements, which are entered into on a voluntary basis by the company or industry, are often important to the company or industry image.

Below are examples of different types of corporate codes which have been developed by well-known companies based in developed countries.

### **C & A**

C&A, the well-known Dutch clothing company, has developed a “Code of Conduct for the Supply of Merchandise”. Although C&A acknowledges that dealings with suppliers often take place in the context of cultures with a different set of norms and values, it considers that there are universally valid standards which should apply to the commercial activities of C & A.

C&A’s code covers the following areas:

- < **Supplier Relationships**: C&A stipulates that supplier relationships should be based on long-term relationships of fair and honest dealings at all times and in all ways. These guidelines are applicable for all working relationships, including for direct employees, subcontractors and other third parties;
- < **Legal Aspects and Intellectual Property Rights**: C&A stipulates that there should be full compliance with national requirements at all times, and that the intellectual property rights of third parties should be respected;
- < **Working Conditions**: The C&A code prohibits exploitation of child labour or any other vulnerable group. The code also stipulates that forced labour is not allowed, that wages and benefits must be fully comparable with local norms, and that there should be proper provision for health and safety;
- < **Environmental Aspects**: C&A promises assistance to suppliers to help them meet joint obligations towards the environment;
- < **Disclosure and Inspection**: The code makes provision for the full disclosure of working conditions. Suppliers must agree to unannounced inspections of all manufacturing facilities producing merchandise for C&A;

- < Monitoring: C&A maintains information systems and on-site inspection facilities to ensure compliance with its code.

### **Charles Veillon, S.A.**

Veillon is one of the leading mail-order catalogue companies of fashion apparel and home furnishings in Switzerland. In March 1994, some of Veillon's top managers viewed a television documentary on child labour which was aired on Swedish state television, alleging that a major home furnishing retailer had unwittingly sold hand-knotted carpets produced by children working under dangerous conditions. At the time of the documentary, this company was one of the largest home furnishing companies in Sweden, and Sweden was one of the top ten importers of hand-knotted carpets in the world.

This incident prompted Veillon to take rapid action on the issue of child labour. In May 1995, Veillon's Executive Director, Mr. Jacques Zwahlen, developed and distributed to the company's hand-knotted carpet suppliers a written statement elaborating Veillon's policy against purchasing hand-knotted carpets produced by children under forced working conditions. In the autumn of 1995, Zwahlen recommended, and Veillon's executive council endorsed, a proposal by the Swiss-based Association Francois-Xavier Bagnoud (AFXB) to develop a supplier code of conduct and an independent monitoring programme. The proposal called for a transparent standard on forced child labour and an independent monitoring system to verify suppliers' adherence to the new standard.

In a letter dated 14 November 1996 addressed to all its partners, Veillon outlined its new child labour policy. Veillon set out the two major goals for its policy as the elimination of child labour and the creation of conditions enabling working children to acquire a basic education. In the initial stages of the project, Veillon discussed the policy with its buyers in order ensure its implementation in a spirit of cooperation and partnership. In the second phase of the project, the independent experts responsible for monitoring met with each of the partners to explain the monitoring techniques to be followed. It was also stipulated that the monitors would provide advice where appropriate on solutions to the individual challenges which each supplier faces in eliminating child labour.

Veillon explained to its partners that the monitoring system would involve ongoing cooperation with an NGO able to guide and advise companies in the area of child labour. Veillon obliged any partner wishing to consolidate its commercial relationship with Veillon on a durable basis to respect the code of conduct and to agree to monitoring of compliance with the code. In practical terms, Veillon stipulated that the independent experts responsible for monitoring must be able to:

- < freely visit, with no restrictions whatsoever, all the premises considered necessary in the exercise of their mandate;
- < hold an in-depth dialogue with the person or persons responsible for the company, so as to obtain the information needed for the monitoring of working conditions;

- < speak freely to the persons of their own choice employed in the workshops, in the absence of any third parties, and with no pressure or subsequent retaliatory action against such persons;
- < ensure that workers leave the production premises at the end of the day and that, if work continues at night, no children are employed during the night hours;
- < ascertain whether any young adolescents who are employed receive a basic education.

In the autumn of 1996, Veillon’s executive council agreed to make a contribution of 35,000 Swiss francs (US\$ 23,000) to AFXB to support its ongoing child welfare programmes, which included the implementation of the pilot monitoring programme of Veillon’s principal suppliers in India. Prior to this, AFXB had received no compensation from Veillon. The executive council also approved AFXB’s recommendation to support MALA, a nonprofit foundation which had developed an innovative project for working children in the carpet weaving region of India. The project provided basic education to the children, along with a hot meal a day and basic health care.

### **Lands’ End**

Lands’ End is a major international catalogue-order clothing company based in the United States. The Lands’ End Standard of Business Conduct is specifically aimed at child labour issues. It states that Lands’ End will only initiate and maintain relationships with partners who:

- < compensate their employees fairly for normal work hours and overtime;
- < employ workers based on their ability to perform the job, rather than discriminating on the basis of race, creed, gender, politics or other personal characteristics or beliefs;
- < respect basic human rights;
- < provide employees with a safe and healthy workplace;
- < share Lands’ End concern for the environment and adhere to local and national laws regarding the protection and preservation of the environment;
- < are knowledgeable of, and in compliance with, all the legal requirements involved in the conduct of their business.

Lands’ End routinely terminates its business relationship with any partner found to be involved in the use of forced or compulsory labour, child labour below the minimum working age in the host country, and/or corporal punishment or other forms of mental or physical coercion. Its business partners are required to provide full access to their facilities and to give relevant records relating to employment practices. It routinely conducts on-site inspections of facilities to monitor these standards and to assure the quality of its products.

### **Walt Disney Company**

In February 1997, the Walt Disney Company published a strict Code of Conduct for licensees and manufacturers worldwide. This code was recently modified to conform as closely as possible to the Workplace Code of Conduct developed by the White House Apparel Industry Partnership (see below). The Disney code stipulates that its manufacturers will not use child labour, defined as a person “younger than 15 (or 14 where local law allows) or, if higher, the local legal minimum age for employment or the age for completing compulsory education.”

Disney has translated its Code into more than 50 languages and distributed it to all of its licensees and manufacturers for posting in the workplace. As part of a broad educational effort, Disney has convened regional meetings between its licensing and monitoring executives and more than 5,100 licensees and manufacturers in 14 Asian countries, Latin America, Europe and the United States to review the Code and auditing efforts and to enlist their cooperation in ensuring that Disney’s standards are fully met. In support of this effort, and to further its monitoring activities, Disney has also formed regional consumer products task forces with specific labour standard maintenance responsibilities.

Disney has expanded its auditing programme, completing as of January 1998 nearly 1,000 manufacturer audits around the world. These audits have been conducted by Disney’s internal auditing staff, as well as Cal Safety in the United States and SGS and Price Waterhouse internationally. Disney has created and filled a new senior position within the Consumer Products group dedicated to the implementation and enforcement of its labour standards on a company-wide basis. It is currently considering proposals from other independent auditors for international auditing on an even larger scale, projecting a programme of several thousand audits annually in the coming years. Disney has also designed and developed a sophisticated company-wide databank, and is developing software programmes to consolidate all information relating to licensees and manufacturers around the world. The databank and accompanying programmes enable Disney to monitor more closely all manufacturers and licensees.

### **Reebok**

Reebok, a major UK based sporting goods company, adopted a formal, worldwide code of conduct concerning the treatment of its workers in 1992. In developing its “Human Rights Production Standards,” Reebok sought to use standards that are fair, that are appropriate to

diverse cultures, and that encourage workers to take pride in their work. Reebok’s Standards stipulate that it will not work with business partners that use child labour. The term “child” refers to a person who is less than 14 years of age, or younger than the age for completing compulsory education if that age is higher than 14. Reebok will use the higher standard in countries where the law includes in the definition of “child” individuals who are older than 14. Reebok’s Standards also declare that no one making Reebok products should be discriminated against or be forced to work excessive overtime without compensation, and call for fair compensation, freedom of association and a safe and healthy work environment.

Reebok’s experience is that the incorporation of internationally recognised human rights standards into its business practice improves worker morale and results in a higher quality working environment and higher quality products. Reebok applies its Standards in the selection of its business partners and in its ongoing relationship with them. To implement the Standards, Reebok has an extensive programme of education, training and internal and external audits.

### **(3) Industry Codes of Conduct**

In an effort to ensure a harmonized standard and coordinated action within a specific industry, several industry associations in both developing and developed countries have adopted codes of conduct to which companies within the industry may subscribe. Four examples of industry-wide codes are provided below.

#### **The World Federation of the Sporting Goods Industry**

The World Federation of the Sporting Goods Industry (WFSGI) has made it a priority over the last few years to address child labour concerns. In August 1997, the WFSGI unveiled a model code of conduct which was developed over a period of 18 months by its internal Committee on Ethics and Fair Trade. The provisions of this code include the following:

- < member companies and the companies to which they subcontract should operate under full compliance with national and local laws, rules and regulations relevant to their business operations;
- < member companies should follow minimum labour standards regardless of the national legal framework, particularly in the areas of forced and child labour, non-discrimination in employment, freedom of association and collective bargaining;
- < workers should be paid at least the minimum legal wage or a wage that is consistent with local industry standards, whichever is the greater. Wages should be paid directly to the worker in cash or an equivalent. Information relating to wages should be available to workers in a easily comprehensible form, and wage rates for overtime should be higher

than the rates for regular hours of work. Employers should not require a work week in excess of 60 hours, including overtime, on a regular basis. Workers should have at least 24 consecutive hours rest per week on a regular basis, and should benefit from annual paid leave;

- < member companies should take measures to ensure that no children are employed under 15 years of age (or 14 years old in countries with insufficiently developed economies and educational facilities), or children who are younger than the age for completing compulsory education if that age is higher than 15. No children should be involved in any employment which jeopardizes educational, social or cultural development.

The WFSGI also encouraged its members to draw up their own specific codes of ethical conduct, building upon the industry-wide framework.

### **The Toy Industry**

The International Council of Toy Industries (ICTI), an association of associations, is committed to the operation of toy factories in a lawful, safe and healthy environment. The ICTI Code of Business Practice stipulates that no underage, forced or prison labour should be employed; that no one is denied a job because of gender, ethnic origin, affiliation or association; and that factories comply with laws protecting the environment. The provision of the ICTI Code of Business Practices pertaining to child labour states that “no one under the legal minimum age is employed in any stage of toy manufacturing and, if there is no legal minimum age, that a minimum age of 14 apply. Supply agreements with firms manufacturing on behalf of ICTI members must provide for adherence to these principles.”

One of the ICTI’s primary aims is to inform, educate and survey its members so that individual member companies can adhere to its Code of Business Practices. As an association, it also acts to encourage local and national governments to enforce wage and working time laws and factory health and safety laws.

ICTI member companies evaluate their own facilities as well as those of their contractors and subcontractors to ensure compliance with the Code. They must examine all books and records and conduct on-site inspections of the facilities themselves. An annual statement of compliance with this Code must be signed by an officer of each manufacturing company or contractor. The Code stipulates that contractors and subcontractors for the manufacture of toys should ensure that failure to comply with the Code constitutes a breach of contract for which the contract may be cancelled. Because of the great diversity in the kinds of toys manufactured and in the manufacturing methods used, as well as the wide range in factory sizes and numbers of employees, three annexes are attached to the ICTI Code to provide guidelines for determining compliance.

### **The Brazilian Citrus Fruit Industry**

In 1990, the Brazilian toy manufacturers developed the Abrinq Foundation in collaboration with UNICEF. The purpose of the Abrinq Foundation is to “ensure respect for the rights of the child in compliance with national and international standards.” The Foundation defined as its mission the promotion of business involvement in proposals for addressing the commercial exploitation of children through political actions in defence of children’s rights and through the dissemination of exemplary business actions. As part of the strategy to combat child labour, Abrinq developed a “Child Friendly Corporation Seal” which is awarded to companies that do not employ children under the age of 14 years.

The Abrinq Foundation approached multiple industries as potential partners in its initiative to address child labour at the national level. One of the industry groups which was approached by the Abrinq Foundation and accepted collaboration was the Citrus Fruit Exporters (ABECITRUS). Following its initial contact by Abrinq, ABECITRUS called a meeting of its members to discuss with the Abrinq Working Group for Children and Adolescents the development of a campaign for the eradication of child labourers in the citrus fruit industry.

On 28 May 1996, ABECITRUS signed a “Terms of Commitment” document with Abrinq and the State Government to collaborate with them in their campaign to eradicate child labour in rural activities and in their actions to provide schooling for all children and adolescents under the age of 14 years. In this agreement, ABECITRUS and Abrinq agreed to:

- < recommend to its associates that they require all suppliers and other components of the production network not to employ children in the production chain;
- < initiate action to keep children in schools;
- < collaborate in the development of action to promote professional training for adolescents with a view to their formal integration into the formal job market;
- < lend support to the initiatives of the State Government, Municipal town halls and non-governmental entities for joint participation in actions foreseen under the present commitment.

The “Terms of Commitment” indicated that failure to comply with these stipulations would result in the termination of business and service contracts.

ABECITRUS organised the First Mobilization Seminar for the Municipal Councils of Children and Adolescents’ Rights - “Children Should be at School” - together with UNICEF, the ILO, the Abrinq Foundation, the Brazilian Municipal Administration Institute (IBAM) and the Municipal Council of the City of Araraquara in June 1996. The Araraquara Pact was signed on this occasion by 18 cities to support a programme for the progressive elimination of child labour in the citrus fruit producing region of the State of Sao Paulo. This Pact and the accompanying Plan for the Eradication of Child Labour in the Citrus/Fruit-Producing region of the State of Sao

Paulo, seeks to return children to school and to devise means to maintain them there, including through complementary school actions, family guidance programmes and income-generation schemes.<sup>11</sup>

### **The Apparel Industry**

On 14 April, 1997, the US apparel industry announced a significant step to improve working conditions in its factories. The “White House Apparel Industry Partnership” - a unique task force of apparel companies and NGOs - issued a Workplace Code of Conduct and Principles of Monitoring for the industry. The Partnership Code of Conduct formulates a set of standards for defining decent and humane working conditions. The areas covered by the Code include forced labour, child labour, harassment or abuse, non-discrimination, health and safety, freedom of association and collective bargaining, wages and benefits, hours of work, and overtime compensation. The provision on child labour stipulates that “no person shall be employed at an age younger than 15 (or 14 where the law of the country of manufacture allows) or younger than the age for completing compulsory education in the country of manufacture where such age is higher than 15.”

The Apparel Partnership also stipulates that any company which adopts the Workplace Code of Conduct shall comply with all applicable laws of the country of manufacture and that the higher standard should be applied in cases of discrepancy between the two. This same standard is equally required of all contractors and, in the case of a retailer, of its suppliers.

The Principles of Monitoring places an obligation on companies to:

- < establish clear standards and to formally convey them to company factories as well as to contractors and suppliers;
- < inform company factories, contractors and suppliers about the workplace standards;
- < develop an information database to verify and quantify compliance with workplace standards;
- < establish a programme to train company monitors;
- < conduct periodic visits and audits;
- < provide employees with an opportunity to report noncompliance;
- < consult regularly with human rights, labour, religious or other leading local institutions;
- < establish a means to work with company factories and contractors and suppliers to correct instances of noncompliance with the workplace standards.

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<sup>11</sup>UNICEF. *Mobilizing Corporations to Eradicate Child Labour in Brazil*.

The Partnership Principles of Monitoring also establish obligations for independent external monitors. These include the following provisions:

- < clear, written criteria and guidelines for the evaluation of company compliance with the workplace standards should be formulated;
- < an independent review of written data obtained by the company to verify and quantify compliance with the workplace standards;
- < verification that company employees and employees of contractors and suppliers have been informed about the workplace standards;
- < a secure communications channel to enable employees of contractors and suppliers to report to the company on noncompliance with the workplace standards;
- < independent audits of an appropriate sampling of production and employee records (hours and wages) as well as of the operating practices of company factories, its contractors and suppliers;
- < periodic announced and unannounced visits, on a confidential basis, of an appropriate sampling of company factories and facilities of contractors and suppliers to survey compliance with the workplace standards;
- < confidential interviews, in a manner appropriate to the culture and situation, with a random sampling of company employees and employees of contractors and suppliers (in their local languages) to determine employee perspective on compliance with the workplace standards;
- < a mechanism to work with company factories, contractors, and suppliers to correct instances of noncompliance with the workplace standards.

It should be noted, however, that the Partnership is encountering difficulty over implementation of these monitoring provisions, and that it is uncertain at this time whether an acceptable compromise can be reached between the unions, industry and NGOs.

The US apparel industry agreement prompted the signing in September 1997 of a new code of conduct between unions and employers in the European clothing and textile industry. The European regional organisation of the International Textile, Garment and Leather Workers' Federation (ITGLWF) signed an agreement with EURATEX, the employers' organisation in the sector, committing the industry to protect internationally-recognised rights in the workplace, including freedom of association, the right to bargain collectively, the banning of child labour and forced labour, as well as non-discrimination in employment. The code applies to about 70% of companies in a sector which employs 2.4 million workers Europe-wide.

A first evaluation of the implementation of the agreement will be submitted to the European Commission in July 1998. Monitoring procedures will then be refined on the basis of that report. The United States has joined with the European Union to promote voluntary codes of conduct and core labour standards in the garment industry.

### **E. IOE VIEWS ON VOLUNTARY CODES OF CONDUCT AND LABELLING**

Multinational companies have long acknowledged their responsibility for good business practices in such areas as environmental management, health and safety, employee relations, child labour and general ethical standards. Individual companies have developed their own codes of conduct in response to consumer groups which demand that management visibly demonstrate its commitment to upholding high standards in countries of operation. Implementation of these internal standards of conduct are frequently verified and assisted by audit or other compliance procedures with the results communicated to shareholders and the broader community.

Given the pressure on employers, it is likely that national employers' organisations may at some point be approached by their individual members for assistance in developing codes. Employers' organisations which become involved in the process of developing codes could usefully take the following steps:

- < ***undertake a survey of what codes on child labour exist in the country;***
- < ***prepare a study of existing codes in order to standardize industry strategies;***
- < ***provide assistance in the drafting of model voluntary codes;***
- < ***provide assistance in the implementation of verification procedures;***
- < ***organize training courses for concerned parties in the implementation of these codes.***

Although the IOE does not object to truly voluntary codes of conduct and labelling schemes, it has made clear its opposition to officially sponsored, endorsed or promoted “voluntary” schemes which border on official boycotts. Such measures risk trade distortion, and violate the spirit and possibly the letter of the rules of an open trading system. The IOE is opposed to the imposition of monitoring by an outside party of individual company compliance with a voluntary code of conduct (this does not apply to cases where a firm or organisation is voluntarily retained by a company or group of companies for the purpose of helping attain the goals or benchmarks of the code).

While the intention of voluntary codes of conduct is laudable, such initiatives are often limited in their ability to address the root causes of child labour. This is due not only to their very general nature, but also to the difficulties encountered in their implementation and in the monitoring of their provisions. Corporate codes of conduct, whether they be broad codes of ethics or issue-specific codes focusing on child labour, generally do not reach the children who are working in the informal sector in the most hazardous conditions.

**The IOE also has the following technical misgivings  
with regard to the labelling campaigns:**

- , *labelling schemes simplify and do not go to the heart of the child labour problem because they address only the small fraction of child labour employed in the production of consumer goods for the export market. There is a strong likelihood that child labourers, when successfully removed from the export factories, will only be transferred to production for the domestic market, where conditions are generally less favourable than in export production;*
- , *by appealing to the "feel good" sensibilities of the consumer and the competitive drive of companies which may abuse labelling to gain market share, labelling campaigns become a "quick fix" to the child labour problem. While pushing the problem away from the company, this approach often fails to provide alternatives such as educational opportunities and family income support, without which severe damage can be inflicted on the children and their families;*
- , *“no child labour” label is no guarantee that child labour has not been used in manufacturing. By their very nature, labels are difficult to control and are subject to corrupt manipulation and counterfeiting. Furthermore, since child labour is only utilized in a small proportion of the export production of specific products in certain countries, it will be very difficult to distinguish between what constitutes “clean” and “dirty” goods. Labelling and other forms of trade restrictions may in many situations punish producers who are not employing child workers.*

The IOE takes the view that employers can more effectively make a positive contribution towards international efforts to eliminate child labour by joining forces with broad national-based coalitions to raise awareness and to provide long-term solutions for working children and their families. To the extent that business regulates itself, develops and implements best practices, and cooperates with the business community in other parts of the world, the pressure exerted by outside groups may be tempered. The IOE will continue to work closely with the ILO’s Bureau for Employers’ Activities and the International Programme on the Elimination of Child Labour (IPEC) to identify best practices of employers in the area of child labour and to provide technical assistance for effective employer action programmes which attack the problem at its roots.



## V. KEY LESSONS LEARNED

The examples of employer action provided in this manual represent a wide range of action, from broad initiatives aimed at raising the awareness of the problem of child labour within the business community and society at large, to very specific action focusing on a particular industry or sector. The combination of actions which employers and their organisations take against child labour depends very much upon the resources and staff which they devote to this and to related issues as well as the extent to which the problem affects them directly. For example, where employers and their organisations have encountered criticism for the use of child labour in a particular sector, there seems to be a greater motivation to devote significant time and resources to address the problem effectively in order to avoid further negative consequences for business development.

The first chapter of this IOE handbook provides reasons why employers should be involved in national and international efforts to combat child labour from the perspective of long-term economic and business development. It is true that the vast majority of working children are in the informal sectors and are consequently extremely difficult to reach. In the past this has been a major reason why most employer action on child labour has focused on the export sector, which is, in fact, a very small percentage of the problem (some estimates put the number of children working in the production of goods for export at 5%). In spite of this challenge, the examples highlighted in the preceding chapters illustrate that employers are successfully involved in positive and innovative programmes to reach even the most difficult target groups.

A general point to keep in mind when tackling a complex problem like child labour is that **action usually starts where groups in society are already mobilized**. While the global problem of working children will never be solved unless credible alternative solutions are found for those working in the informal sector, the diverse actions of employers' organisations representing the formal sector are nevertheless a crucial starting point. The examples provided in this report have shown that, where central and sectoral employers' organisations are active players in local and national initiatives to combat child labour, they have been instrumental in raising society's awareness of the problem and have made valuable contributions to broad social alliances to provide long-term solutions. Over the long-term, their actions will make a positive difference for the children toiling today in hazardous and exploitative working conditions in both the formal and the informal sectors.

The first key lesson learned from the above examples and the many which were not included in this report is that it makes better financial and business sense for employers and their organisations to **be involved in the issue of child labour proactively rather than reactively**. While programmes which aim at the removal and rehabilitation of child labourers are often crucial - particularly in situations where children are working in hazardous and exploitative situations - they are at the same time extremely costly, complex and tend to attack the symptoms of the problem rather than its roots. For this reason, employers and their organisations should not wait

until they are pressured by outside groups to assess the child labour situation in their own industries. Instead, they should identify and enlist the support of other partners - governments, international and national organisations - with whom they can work together to evaluate how best to collaborate and to prevent child labour problems in the future. It is important, in this respect, to note that, through their central employers' organisations, companies and sectoral organisations can directly approach the ILO's International Programme on the Elimination of Child Labour (IPEC) for assistance in the area of policy development and action implementation.

A second key lesson learned is the **importance of building effective alliances**. No concerned member of civil society can hope to fulfill all the possible functions necessary to effectively curb and progressively eliminate child labour on a global scale. Because of their influential contacts in society, employers' organisations have a comparative advantage in the areas of public advocacy and policy development. Non-governmental organisations, which are generally issue specific, have a comparative advantage in the areas of technical design of social support programmes. For their part, trade unions have a comparative advantage in raising social awareness of the issue. All of the examples of successful employer initiatives presented above were implemented through a broad coalition of actors working together. It is recommended therefore that companies and employers' organisations involve other like-minded partners in the design and implementation of any action to combat child labour.

The third key lesson learned is the **importance of prioritizing action**. There is now a much greater awareness of the scope and magnitude of child labour than ever before. The total eradication of this problem will demand significant resources and concentrated action over the foreseeable future. This, however, should not be used as an excuse for apathy. The role of employers and their organisations is crucial in identifying industries and/or sectors that pose the greatest risks to working children. Employers can begin by playing an active role in the adoption of new international legal instruments which will serve as the cornerstone of international efforts to eliminate child labour, beginning with its most intolerable forms. ILO constituents have proposed a Convention, together with a Recommendation, which would commit ratifying member States to ban, punish and prevent the use of children in extreme forms of child labour (e.g. slave-like and bonded conditions, hazardous work, prostitution, pornography) and to remove children currently working under these conditions. If adopted, these ILO instruments would place the elimination of extreme forms of child labour as the top priority for national and international action for the abolition of child labour. Discussions on the specific content of these new instruments will begin at the June 1998 International Labour Conference.

Although much has already been achieved by raising awareness of the threats posed by child labour, there remains a long way to go. Optimistically, one of the most striking developments in the last decade and a half is the emergence of a worldwide movement against child labour. This initiative is reflected in the remarkable changes in attitudes and perceptions, as well as in the number and range of actors involved in the cause of children and child workers. Employers have a key role to play especially in combating the most intolerable forms of child

labour which still persist on a global scale. The IOE stands ready to assist employers as they join forces with a growing international movement seeking a brighter future for children worldwide.



## **IOE GENERAL COUNCIL RESOLUTION ON CHILD LABOUR**

### **The General Council of the International Organisation of Employers,**

Having met in Geneva on 3 June 1996 for its 73rd ordinary session,

Considering that one of the most disturbing aspects of poverty is the necessity for poor families to rely on the labour of their children,

Considering that, although the problem is complex and requires long-term action for its prevention and progressive elimination, its most intolerable aspects - namely the employment of children in slave-like and bonded conditions and in dangerous work - must be abolished immediately and unconditionally,

Concerned that children without education are denied opportunities to develop their full potential and can constrain the social and economic development of their countries,

Aware that the long-term solution to the problem lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education,

Noting that, although the solution to the problem requires the active and coordinated involvement of society as a whole, with government playing a critical role through its development plans and special education programmes, the business community has a significant contribution to make,

Noting that, while enterprises and business organisations, along with other groups in society, are concerned about child labour and have adopted policies and taken action to improve the situation of working children, further concerted action is required,

Recognizing that the positive actions taken by employers have not been adequately acknowledged and in some cases employers have been subject to unfair accusations,

Noting that simplistic solutions, which can merely throw children out of work without providing alternative means of livelihood for them and their families, often put the children concerned in a worse situation,

Further concerned that attempts to link the issue of working children with international trade and to use it to impose trade sanctions on countries where the problem of child labour exists are counterproductive and jeopardize the welfare of children,

### **Resolves this 3rd day of June 1996 to:**

Raise awareness of the human cost of child labour as well as its negative economic and social consequences.

Put an immediate end to slave-like, bonded and dangerous forms of child labour while developing formal policies with a view to its eventual elimination in all sectors.

Translate child labour policies into action plans at the international, national, industry and enterprise levels.

Implement the plans, taking care to ensure that the situation of the children and their families is improved as a result.

Support activities targeted at working children and their families, such as the establishment of day care centres, schools and training facilities, including training of teachers, and initiate such activities wherever possible.

Encourage and work with local and national government authorities to develop and implement effective policies designed to eliminate child labour.

Promote access to basic education and primary health care, which are crucial to the success of any effort to eliminate child labour.

Call on the IOE Executive Committee to:

- a. Create a database on companies and organisations active in combating child labour.
- b. Develop and distribute an Employer Handbook addressing child labour.
- c. Receive periodic reports from the IOE membership on their initiatives and other developments in the area of child labour.
- d. Report to the General Council on an annual basis as to work being done in combating child labour.

## **ILO MINIMUM AGE CONVENTION (NE 138)**

The General Conference of the International Labour Organization,  
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its  
Fifty-eighth Session on 6 June 1973, and  
Having decided upon the adoption of certain proposals with regard to minimum age for admission to employment, which  
is the fourth item on the agenda of the session, and  
Noting the terms of the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the  
Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the  
Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised),  
1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment)  
Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age  
(Underground Work) Convention, 1965, and  
Considering that the time has come to establish a general instrument on the subject, which would gradually replace the  
existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labour, and  
Having determined that these proposals shall take the form of an international Convention,  
adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-three the following Convention,  
which may be cited as the Minimum Age Convention, 1973:

### *Article 1*

Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

### *Article 2*

1. Each Member which ratifies this Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory; subject to Articles 4 to 8 of this Convention, no one under that age shall be admitted to employment or work in any occupation.

2. Each Member which has ratified this Convention may subsequently notify the Director-General of the International Labour Office, by further declarations, that it specifies a minimum age higher than that previously specified.

3. The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.

4. Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years.

5. Each Member which has specified a minimum age of 14 years in pursuance of the provisions of the preceding paragraph shall include in its reports on the application of this Convention submitted under article 22 of the Constitution of the International Labour Organization a statement—

- (a) that its reason for doing so subsists; or
- (b) that it renounces its right to avail itself of the provisions in question as from a stated date.

### *Article 3*

1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.

2. The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.

3. Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.

### *Article 4*

1. In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.

2. Each Member which ratifies this Convention shall list in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organization any categories which may have been excluded in pursuance of paragraph 1 of this Article, giving the reasons for such exclusion, and shall state in subsequent reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of such categories.

3. Employment or work covered by Article 3 of this Convention shall not be excluded from the application of the Convention in pursuance of this Article.

#### *Article 5*

1. A Member whose economy and administrative facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially limit the scope of application of this Convention.

2. Each Member which avails itself of the provisions of paragraph 1 of this Article shall specify, in a declaration appended to its ratification, the branches of economic activity or types of undertakings to which it will apply the provisions of the Convention.

3. The provisions of the Convention shall be applicable as a minimum to the following: mining and quarrying; manufacturing; construction; electricity, gas and water; sanitary services; transport, storage and communication; and plantations and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.

4. Any Member which has limited the scope of application of this Convention in pursuance of this Article —
- (a) shall indicate in its reports under article 22 of the Constitution of the International Labour Organization the general position as regards the employment or work of young persons and children in the branches of activity which are excluded from the scope of application of this Convention and any progress which may have been made towards wider application of the provisions of the Convention;
  - (b) may at any time formally extend the scope of application by a declaration addressed to the Director-General of the International Labour Office.

#### *Article 6*

This Convention does not apply to work done by children and young persons in schools for general, vocational or technical education or in other training institutions, or to work done by persons at least 14 years of age in undertakings, where such work is carried out in accordance with conditions prescribed by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, and is an integral part of —

- (a) a course of education or training for which a school or training institution is primarily responsible;
- (b) a programme of training mainly or entirely in an undertaking, which programme has been approved by the competent authority; or
- (c) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training.

#### *Article 7*

1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is —

- (a) not likely to be harmful to their health or development; and
- (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

2. National laws or regulations may also permit the employment or work of persons who are at least 15 years of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in subparagraphs (a) and (b) of paragraph 1 of this Article.

3. The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this Article and shall prescribe the number of hours during which and the conditions in which such employment or work may be undertaken.

4. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, a Member which has availed itself of the provisions of paragraph 4 of Article 2 may, for as long as it continues to do so, substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this Article.

#### Article 8

1. After consultation with the organisations of employers and workers concerned, where such exist, the competent authority may, by permits granted in individual cases, allow exceptions to the prohibition of employment or work provided for in Article 2 of this Convention, for such purposes as participation in artistic performances.

2. Permits so granted shall limit the number of hours during which and prescribe the conditions in which employment or work is allowed.

#### Article 9

1. All necessary measures, including the provision of appropriate penalties, shall be taken by the competent authority to ensure the effective enforcement of the provisions of this Convention.

2. National laws or regulations or the competent authority shall define the persons responsible for compliance with the provisions giving effect to the Convention.

3. National laws or regulations or the competent authority shall prescribe the registers or other documents which shall be kept and made available by the employer; such registers or documents shall contain the names and ages or dates of birth, duly certified wherever possible, of persons whom he employs or who work for him and who are less than 18 years of age.

#### Article 10

1. This Convention revises, on the terms set forth in this Article, the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965.

2. The coming into force of this Convention shall not close the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, or the Minimum Age (Underground Work) Convention, 1965, to further ratification.

3. The Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, and the Minimum Age (Trimmers and Stokers) Convention, 1921, shall be closed to further ratification when all the parties thereto have consented to such closing by ratification of this Convention or by a declaration communicated to the Director-General of the International Labour Office.

4. When the obligations of this Convention are accepted —
- (a) by a Member which is a party to the Minimum Age (Industry) Convention (Revised), 1937, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall *ipso jure* involve the immediate denunciation of that Convention,
  - (b) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention, 1932, by a Member which is a party to that Convention, this shall *ipso jure* involve the immediate denunciation of that Convention,
  - (c) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, by a Member which is a party to that Convention, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall *ipso jure* involve the immediate denunciation of that Convention,
  - (d) in respect of maritime employment, by a Member which is a party to the Minimum Age (Sea) Convention (Revised), 1936, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to maritime employment, this shall *ipso jure* involve the immediate denunciation of that Convention,
  - (e) in respect of employment in maritime fishing, by a Member which is a party to the Minimum Age (Fishermen) Convention, 1959, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to employment in maritime fishing, this shall *ipso jure* involve the immediate denunciation of that Convention,

- (f) by a Member which is a party to the Minimum Age (Underground Work) Convention, 1965, and a minimum age of not less than the age specified in pursuance of that Convention is specified in pursuance of Article 2 of this Convention or the Member specifies that such an age applies to employment underground in mines in virtue of Article 3 of this Convention, this shall *ipso jure* involve the immediate denunciation of that Convention, if and when this Convention shall have come into force.
5. Acceptance of the obligations of this Convention —
- (a) shall involve the denunciation of the Minimum Age (Industry) Convention, 1919, in accordance with Article 12 thereof,
- (b) in respect of agriculture shall involve the denunciation of the Minimum Age (Agriculture) Convention, 1921, in accordance with Article 9 thereof,
- (c) in respect of maritime employment shall involve the denunciation of the Minimum Age (Sea) Convention, 1920, in accordance with Article 10 thereof, and of the Minimum Age (Trimmers and Stokers) Convention, 1921, in accordance with Article 12 thereof, if and when this Convention shall have come into force.

#### *Article 11*

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### *Article 12*

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

#### *Article 13*

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

#### *Article 14*

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

#### *Article 15*

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

*Article 16*

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

*Article 17*

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides —

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.



## LIST OF IPEC COUNTRIES

The following countries have signed a Memorandum of Understanding (MOU) with the ILO and are considered to be "Participating Countries":

- Since 1992:** *Brazil, India, Indonesia, Kenya, Thailand, Turkey*
- Since 1994:** *Bangladesh, Nepal, Pakistan, Philippines, Tanzania*
- Since 1996:** *Argentina, Bolivia, Chile, Costa Rica, Egypt, El Salvador, Guatemala, Nicaragua, Panama, Peru, Sri Lanka, Venezuela*
- Since 1997:** *Benin, Cambodia, Dominican Republic, Ecuador, Honduras, Senegal*

### **IPEC preparatory action is underway in the following countries:**

- Africa:** *Burkina Faso, Ethiopia, Guinea, Madagascar, Mali, South Africa, Uganda, Zambia, Zimbabwe*
- Arab States:** *Jordan, Lebanon, Syria, Westbank and Gaza, Yemen*
- Asia:** *China, Kazakstan, Mongolia, Vietnam*
- Europe:** *Romania*
- Latin America:** *Colombia, Mexico, Paraguay, Uruguay*

### **Contact Information for IPEC headquarters in Geneva:**

International Programme on the Elimination of Child Labour (IPEC)  
International Labour Office  
CH-1211, Geneva 22, Switzerland  
Telephone: 41.22.799.8181  
Fax: 41.22.799.8771  
<http://www.ilo.org/public/english/90ipec/index.htm>



**EMPLOYERS' FEDERATIONS WITH CHILD LABOUR PROGRAMMES****ASIA**

BANGLADESH	<i>Bangladesh Employers' Association (BEA)</i>
INDIA	<i>All Indian Organisation of Employers (AIOE)</i>
INDONESIA	<i>Employers' Association of Indonesia (APINDO)</i>
NEPAL	<i>Federation of Nepalese Chambers of Commerce and Industry-Employers Council (FNCCI-EC)</i>
PAKISTAN	<i>Employers' Federation of Pakistan (EFP)</i>
PHILIPPINES	<i>Employers' Confederation of the Philippines (ECOP)</i>
SRI LANKA	<i>Employers' Federation of Ceylon (EFC)</i>
THAILAND	<i>Employers' Confederation of Thailand (ECOT)</i>

**EUROPE**

TURKEY	<i>Turkish Confederation of Employer Associations (TISK)</i>
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**AFRICA**

KENYA	<i>Federation of Kenya Employers (FKE)</i>
SENEGAL	<i>Conseil National du Patronat du Senegal (CNP)</i>
TANZANIA	<i>Association of Tanzania Employers (ATE)</i>
UGANDA	<i>Federation of Uganda Employers (FUE)</i>

**AMERICA**

BOLIVIA	<i>Confederación de Empresarios Privados de Bolivia (CEPB)</i>
BRAZIL	<i>Confederação Nacional da Indústria (CNI)</i>
COLOMBIA	<i>Asociación Nacional de Industriales (ANDI)</i>
COSTA RICA	<i>Unión Costarricense de Cámaras y Asociaciones de la Empresa Privada (UCCAEP)</i>
GUATEMALA	<i>Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF)</i>
PANAMA	<i>Consejo Nacional de la Empresa Privada (CONEP)</i>