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Kailash Satyarthi: schools for children, trade unions for parents

Brussels, 23 November 2004 (ICFTU online): Spotlight on the founder and president of the South Asian Coalition on Child Labour (SACCS), one of the main organisations involved in the fight against child labour in India and architect of the Global March spanning four continents in 1998.

The target of numerous violent attacks by employers outraged by his work to defend children, Kailash Satyarthi underlines the importance of the role played by trade unions in the fight to eradicate child labour. He places particular emphasis on the need to organise informal workers in order to prevent their children from being forced into work.

The ICFTU published a Trade Union World Briefing (<http://www.icftu.org/displaydocument.asp?Index=991220678&Language=EN>) on the issue of child labour in India at the end of October, on the eve of the international conference in Hyderabad.

For how many years have you been working on child labour? Can you see any evolution on this issue in India?

I started work in this field 25 years ago. At that time we had to start from scratch as child labour was a non issue. No political, legal or civil society initiative existed against it. The common perception was that children were working due to poverty and people saw nothing unusual about it. However, over the years, unrelenting action and campaigns by us and certain other civil society organisations have resulted in a heightened awareness. Organisations such as Rugmark, to certify that carpets being manufactured under their label are child labour free, were initiated by us. During these last 25 years no scientific countrywide study has been carried out to gauge the number of children currently engaged as child labourers but there has definitely been a decrease in some of the sectors such as glass, carpet and fireworks as a result of concerted action by civil society. On the other hand, we can see a distinct increase in domestic child labour and child labour in small scale urban industries.

What are your priorities for action now?

For campaign actions, our priority would be to work on the linkages between slavery and trafficking. Normally, people understand trafficking of children to be only for the purpose of commercial sexual exploitation. The reality is that trafficking goes far beyond that. Children are trafficked to work in different industries, in circuses and as domestic workers. Trafficking in India happens both inter state, within the country, and also across international borders, with Nepal and Bangladesh as source countries and India being the destination point.

As far as direct action goes, our priority is the creation of child-friendly villages where all children rescued from child labour are enrolled in schools and motivated to form elected children's parliaments. These parliaments are recognised by the official village panchayats, or the local government bodies and they work towards helping people understand and protect children's rights.

India is an emerging economic power. Will economic change in India help eradicate child labour or will it increase the pressure for more unskilled, cheap labour?

Child labour hampers the economic growth of a nation. The base and driving force behind economic growth today is knowledge and information, which can only be obtained by having access to good quality education. Child labour is the biggest obstacle in the path of children getting an education. It causes and perpetuates adult unemployment, and is detrimental to the development of human capital since it does not provide them with the scope for education and upgrading their skills, thereby churning out generations of unskilled adult labourers. It also damages their health to such an extent that often they find themselves invalid by the time they have reached 30. Therefore it regresses the growth pattern of the economy to a great extent.

The structure of employment in India (90% of the working population in the informal economy) is one of the reasons why so many people are among the "working poor" who need their children to work. What should be done regarding this problem?

Not only in India, but in many developing countries the world over it is seen that child labourers come from those families whose parents work in the informal economy. When the parents form part of an organised workforce, their children are not engaged as child labourers. Therefore it is imperative that these unorganised workers be unionised in order that they are able to organise themselves and collectively bargain for their rights. This would ensure economic stability for them and prevent them from sending their children to work. The role of trade unions in particular is very crucial in this entire process.

You have been working with trade unions from the beginning ...

Most certainly, in fact trade unions have played a pivotal role in the Global March (GM) itself, both inside and outside of the International Labour Organisation (ILO), pushing for the adoption of Convention 182 on the worst forms of child labour. Even at each country level, some of GM's partners are trade and teacher's unions. In India as well, we have several alliances with trade and teacher's unions. Any struggle towards the eradication of child labour would be incomplete and quite impossible to wage without involving trade unions, for the simple reason that the link between child labour and unionisation of adult labour is undeniable.

Do you think India - and other countries - understand the need for an educated, skilled labour force, and keep their promises on education?

Gradually parents have started seeing the value of education as one of the key and effective tools to achieving equity and justice. There have been some recent developments in India which are indicative that we, as a nation, have begun to acknowledge the importance of education. One is the Constitutional Amendment which recognises Education as a Fundamental Right for All. The second positive step has been taken by the newly elected Government, who in an effort to mobilise additional resources for education have levied a 2% education levy on all taxes. Also, they have promised to spend 6% of the GNP on education, which is up 2% from the earlier 4%.

India has not ratified Conventions 138 (on the minimum working age) and 182 (on the worse forms of child labour) but says that Indian laws are as good as these conventions. What is your opinion?

Indian laws are very vague. It is easy for an offender under the existing laws for child labour to escape punitive judgement. Also, there is no real deterrent, in the sense that even the laws that exist are not being strictly enforced. There seems to be a complete lack of political and administrative will. The child labour law addresses children of only up to 14 years and offers a very narrow scope of so called hazardous occupations, most of the child labourers in India do not even fall into this category.

Employers have an obvious interest in keeping children working. How do they to evade the legal framework?

In some instances, it is found that children coming to work, put on sarees just before they enter the place of work to conceal their age and appear older. One recent example was during the Circus raid, where the owner stated he had done nothing wrong since all the girls were over 18 years, which was completely untrue. Also, often the employers will say that the children working there are his children, or the children will be trained to say that the owner is their father, to make it appear as if they are helping out at home. What some employers also encourage is that the adults take the work home, where the children then complete the work. This way, the employer will have no record of child labourers, but will pay only child labour wage rates since the work is being done by the children. And of course whatever the employers do, they ensure that they have the blessing of the state authorities and police, to avoid complications even if they are caught.

Do you have a few examples of how much money they save by employing children instead of adults?

As far as bonded labour goes, the employers end up saving the entire cost, since the child is working to pay off prior debts that were incurred by his or her parents or at times even grandparents! Usually the employers take advantage of the illiteracy of the parents and keep their children working even after the debts have been repaid, or the parents are constantly forced to keep borrowing money, thereby perpetuating the cycle.

But even in instances of regular child labourers who are not bonded, the employers have to pay at the most one-fifth of what they would pay to any adult labourer. And this means one-fifth of what they actually pay to the adults, not what the adults are due in terms of the minimum wage rate. The adults usually get paid only half of what the minimum wage rate prescribes in most cases. In some industries such as carpet or glass, they only pay the children as little as one-tenth of the adult wages.

Employers often resort to threat and violence to discourage NGOs and trade union attempts to save these children. You once said: "they are a mafia".

Well of course the most recent example is that of the Great Roman Circus, where the circus owner openly put a gun to my head when we went to rescue the children. And this in public view where the media and state authorities were present. In spite of this, the man is moving around freely, which just goes to prove the entire nexus between them, the politicians and police. We have registered a case against the Circus owners, but nothing has come of it yet. In return, the circus owners have also registered a case against us, and knowing the judicial system here, it will be very hard to get any kind of judgement against them.

And this case was not the first time, there have been several attempts on my life, which I have narrowly escaped, by carpet factory, brick kiln owners and so many others. But I have lost two of my colleagues in our struggle to end child labour. Both occurred during similar rescue operations, but in the stone quarries employing children. One of

them, Mr Ghum Das, was beaten to death and on another occasion, Mr Adarsh Kishore was shot dead. If these are not examples of these employers being criminals and mafia, then I don't know what they are.

The recent elections in India have shown that the poorest parts of the Indian population rejected the "India shining" policies, because their living standards have worsened during the BJP government years. What do you expect from the new government?

India is represented by 15% ruling elite and another 20 - 30% by the middle class. The last government tried to bring some glitter to their lives. But the remaining 60% of Indian people consist of the rural and urban poor, people belonging to marginalised sections of society. The present government has a legacy from stalwarts like Gandhi and Jawaharlal Nehru. Jawaharlal Nehru was to take over as the first Prime Minister, and on the eve of his appointment went to his mentor, Gandhiji for advice. "Father," he said, "What is it that I should do to run this country successfully?" to which Gandhiji replied, "Look at the face of the poorest of the poor man, and try to bring a smile to his face, that is when you will know that you have been successful." The new government should carry forward the legacy not only with their names, but also with their philosophy.

Are you satisfied with the results of the World Congress in Italy? Did it open new perspectives?

Most certainly, I am indeed satisfied. The extraordinary leadership skills, collective wisdom and understanding demonstrated by the children was worth seeing. It makes one believe in the power of these children and in their ability to bring change as well. They are now working within their own countries on the declaration with their governments and international organisations, with the aim of bringing about some changes in policy or more focussed action. We are currently working on the follow up congress which is due to happen early next year.

Interview by Bénédicte Manier

The ICFTU represents 148 million workers in 234 affiliated organisations in 152 countries and territories. ICFTU is also a member of Global Unions: <http://www.global-unions.org>

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