

ICFTU - APRO

*Sub-Regional Seminars On*

# Child Labour

## REPORT

(South Asia) - Kathmandu  
11-13 July 1993

(Southeast Asia) - Manila  
15-17 July 1993

C 95 - 00327



# CONTENTS

|   | Page |
|---|------|
| i. Foreword   | 1    |
| ii. Child Labour: A Photo Essay   | 2    |
| iii. Resolution on Child Labour   | 4    |
| iv. Minimum Age: ILO Convention No. 138   | 5    |
| <br>  |      |
| 1. Country Reports ... In a Nutshell  | 6    |
| 2. Report on Kathmandu Seminar  | 12   |
| 3. Participants' List   | 17   |
| 4. Programme  | 18   |
| 5. Labour, Exploitation and the Rights of the Child,<br>by Richard H. Young, UNICEF India                   | 19   |
| 6. Bonded Labour in Pakistan, by Ehsan Ullah Khan,<br>President, Bonded Labour Liberation Front of Pakistan | 25   |
| 7. Remarks by Terry Collingsworth, AAFLI Country<br>Programme Director                                      | 27   |
| 8. The Harkin's Bill  | 31   |
| 9. Child Labour in Carpet Industry  | 44   |
| 10. Children as Camel Jockeys   | 51   |
| 11. Report on Manila Seminar  | 54   |
| 12. Participants' List  | 56   |
| 13. Programme   | 59   |
| 14. Presentation of Mr Guy Thijs, ILO   | 60   |
| 15. Typology of Child Labour Projects/Activities  | 68   |
| 16. AAFLI's Report  | 69   |
| 17. Presentation of Friedrich Ebert Stiftung (FES)  | 71   |
| 18. Child Workers in Asia Support Group (CWA),<br>by Tony Bates   | 73   |

0240.00  
12: 00

## Foreword

Do trade unions have a direct concern in the issue of child labour? An unequivocal "Yes" was resonated at two seminars held recently, one in Kathmandu and the other in Manila.

The trade union movement has been in the forefront of the struggles for the weak, the oppressed and the exploited since its inception. It will continue to do so as it is its raison d'être.

It is indeed alarming that the United Nations estimates that 100 million to 200 million children are working in mines, in glass-making factories, on plantations and in sweatshops. A majority of these children can be found in the Asian continent.

The UN also estimates that in some developing countries, as many as 20 to 30 per cent of children between the ages of 10 and 14 are full-time workers. In some countries in Asia, children account for up to 11% of the workforce.

Some countries in the developed world particularly the United States and Germany have enacted laws that would ban the import of goods made by child labour. Opinions may vary as to whether legislations such as this can deter the developing countries from employing child labour.

However, there can be no argument on the following:

1. That child labour is a violation of Human Rights;
2. That child labour is morally repugnant and takes away children's right to education;
3. That child labour is a form of cheap and thus exploited labour;
4. That every child employed takes the job of an adult unemployed.

The ICFTU-APRO had undertaken three research studies last year. One was conducted by the Trade Union Congress of the Philippines in the Southern Luzon region in the Philippines whilst the other two were undertaken by ICFTU-APRO's South Asia Office in – Sivakasi, India and in Dhaka, Bangladesh.

A slide show on the Sivakasi study was also produced by colleagues in the ICFTU-APRO Workers' Education Project. There are plans to transmogrify this slide show into a video presentation.

One of the common findings of the three studies was that trade unions had a vital role to play in the campaign to combat child labour.

We urge the trade union movement to re-energise its efforts towards freeing children who find themselves hapless in the face of exploitation by unscrupulous employers. Aside from saving these children from a cruel existence, the issue of adult unemployment in many countries could be mitigated if these children are replaced by adults.

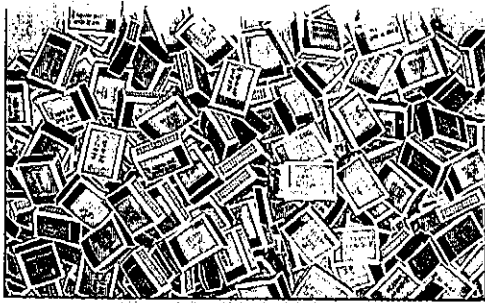
The contents of this report of the two seminars on child labour, we hope, will assist our affiliates in crystallizing this issue and thereby are impelled to underscore their continuing resolve to banish this scourge called child labour from society.

October 1993



Takashi Izumi  
General Secretary  
ICFTU-APRO

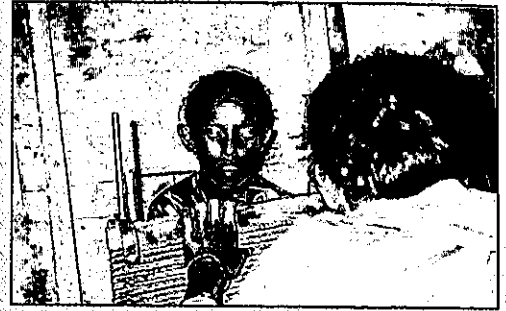
C 95 - 00327



Sivakasi - Sattur belt in Southern Tamilnadu has gained notoriety for engaging child labour in over 3,000 match units producing 55% of India's match production...



To millions of these children, the matchstick do not ignite light in their lives...



In spite of safeguards guaranteed in the Constitution, child labour in Sivakasi works long hours...



... and in about 300 licenced fire units, and...



and neither do the fireworks sparkle hope.



... at a very tender age.



... several hundred unlicenced ones.

# CHILD



Most of the child labour in Sivakasi have never been to school. And they have no time for recreation.



There is a general sense of indifference to the prevalence of child labour among the people in the region.



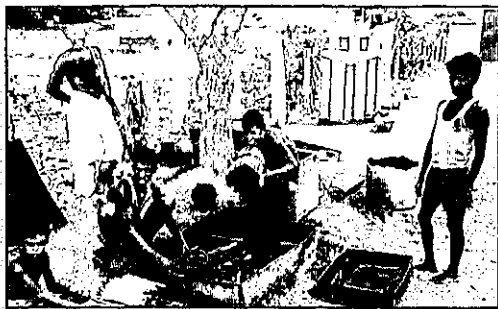
"For poor people like us, child labour is a necessary evil".



And in many families, the children are their sole bread winners.



"We have to send our children to work to keep our kitchen fires burning".



The Constitution of India, Article 24, states that: "No child labour below the age of 14 years shall be employed to work in any factory or mine . . .



. . . or engage in any other hazardous employment



. . . on starvation wages



. . . in extremely dangerous situation.



Article 39, Constitution of India, states that: "The State shall ensure that children are given opportunities and facilities for development . . .

Employers also engage ingenious methods to disguise child labour . . .



Making the girls wear dhavani (half saris) . . .



. . . and making them spot dots on the forehead to "promote to adolescence".

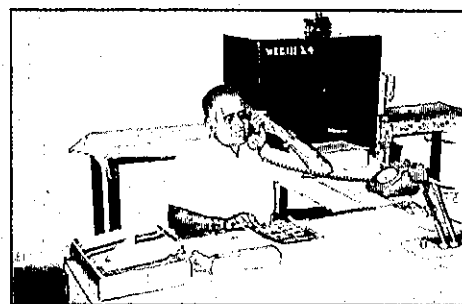
# LABOUR: A Photo Essay



"Absence of any strong trade union movement in the area caused continuation of child labour".



"Employers have good political connections and they can easily crush any genuine union".



Government officers admit the dismal performance of the enforcement machinery in implementing the Child Labour Act. The manpower available is abysmally poor to cope with the gigantic task and the staff are ill-equipped to deal with the issues of child labour.



*SO WHERE DO WE GO FROM HERE?*

# Resolution On Child Labour

The 15th World Congress of the ICFTU, meeting in Caracas from 17 to 24 March 1992:

- |             |   |
|-------------|---|
| CONSIDERING | that, despite growing awareness of this scandalous form of exploitation, child labour persists, exists in many forms and as a result of economic recession, rapid political and economic changes and growing poverty, shows signs of increase in an alarming number of countries;   |
| RECALLING   | the resolution on the International Year of the Child, adopted by the ICFTU 12th World Congress in 1979; and the Resolution on Child Labour adopted by the ICFTU 14th World Congress in 1978;   |
| REAFFIRMS   | its utter condemnation of Child Labour as a gross violation of the right of all children to human fulfilment;   |
| APPLAUDS    | the actions taken by ICFTU affiliated organizations to increase awareness of the exploitation of children in employment, and to improve and enforce national legislation prohibiting child labour;  |
| DENOUNCES   | governments which fail to enforce and maintain strict standards against child labour;   |
| REAFFIRMS   | the necessity of programmes of economic and social development, including rural development and access to education and training, focused particularly on the eradication of poverty and exploitation of children;  |
| RECALLS     | that poverty, exploitation and the absence of freedom and democracy cause the emigration of children to industrialized countries in the hope that they will be guaranteed a better future;  |
| EMPHASIZES  | that urgent action is needed by the international community and in developing countries to create appropriate educational opportunities for children who might otherwise become child workers or who are already working, and that special action is also needed in industrialized countries, where child labour is increasing in the form of many children having full-time or part-time jobs before, during and after school hours;   |
| CALLS ON    | all government to ratify and apply ILO Convention 138 concerning Minimum Age for the Admission to Employment, and other related Conventions and Recommendations;  |
| WELCOMES    | the adoption by the United Nations of an International Convention on the Rights of the Child, and urges ratifying governments to refrain from taking selective exceptions to its clauses. It further urges that UNICEF play an important role in the implementation of this new Convention in its entirety;   |
| DEMANDS     | the involvement of trade unions at all levels as a prerequisite in the drive to reduce poverty and eradicate child labour;  |
| RECOMMENDS  | that affiliates, regional organizations and International Trade Secretariats extend and intensify efforts to have child labour eliminated through campaigns to expose abuses, through appropriate action against goods produced in such exploitative conditions, and through promoting national legislation and its rigorous enforcement;   |
| REQUESTS    | <p>the Executive Board to intensify the ICFTU campaign to eliminate child labour by:</p> <ul style="list-style-type: none"> <li>– placing pressure on governments to prohibit the importation of goods produced by child labour or other such forms of exploitation, such as bonded labour;</li> <li>– supporting specific campaigns including boycotts and community action, directed against goods produced by child labour;</li> <li>– promoting the development of international campaigns to deny favourable terms of trade to those countries which tolerate child labour and the inclusion of minimum labour standards, including a ban on the use of child labour in international trade and co-operation agreements;</li> <li>– supporting projects designed to eliminate the conditions which give rise to child labour;</li> <li>– increasing pressure on governments and employers by mobilizing public opinion on the need for urgent and massive action against child labour;</li> <li>– stepping up ICFTU-sponsored educational and vocational training activities, which are designed to facilitate eventual integration into adult labour force;</li> <li>– developing specific activities directed at increasing family awareness of children's rights;</li> <li>– further developing and promoting economic and social policies against widespread poverty and unemployment which are the root causes of child labour;</li> <li>– sharing experiences and co-operating with other organizations, particularly from the labour movement, in the field of child labour such as the International Falcon Movement-Socialist Educational International (IFM-SEI).</li> </ul> |

## MINIMUM AGE : ILO CONVENTION NO. 138

|                   | GENERAL                              | EXCEPTIONS FOR<br>DEVELOPING<br>COUNTRIES |
|-------------------|--------------------------------------|---|
| BASIC MINIMUM AGE | 15                                   | 14  |
| DANGEROUS WORK    | 18<br>under certain conditions<br>16 | no exception                              |
| LIGHT WORK        | 13-15                                | 12-14                                     |

## COUNTRY REPORTS ... IN A NUTSHELL

|   | Bangladesh   | India   | Pakistan  | Sri Lanka   |
|---|--|---|---|---|
| 1. Legal minimum age for employment in your country   | 14 for any factory<br>12 for tea plantations, shops and establishments<br>15 for any capacity in ship<br>16 to 18 for hazardous work.  | 14 for employment in designated occupations eg. rail transport etc.<br>18 for hazardous work like mining or dangerous work in factories.  | 14 in industry and shops<br>15 for mines and rail transport etc.  | 12 in all work activity.  |
| 2. Estimated number of children under the minimum age who are working   | 15 million*.   | 18 million*.  | 10 million (20,000 small children are taken out the country as camel kids to Gulf countries).   | 1 to 2 million.   |
| 3. List the major reasons as to why these children work.  | Poverty, over-population, unemployment, economic recession, child labour abundant, uneven income distribution, lack of basic education, illiteracy, rapid political and economic change.   | Poverty, over-population, illiteracy.<br>Child labour is cheap, agile, less troublesome, easy to extract work and exploit, could be denied fringe benefits etc.<br>Lack of education, weak inspecting machinery.  | Poverty, innocence of children, lack of awareness, low wages, cheapness of child labour, preference to work rather than education.<br>Encouragement to slavery practices/bondage, population proliferation, powerlessness.<br>Absence of media support and public opinion against child labour, vested interests of politicians, bureaucrats. | Poverty, lack of education, conservative attitude of parents, absence of motivation on the part of parents, lack of sufficient income for families, concept of minority and majority - for Muslims minority cases at the age of 15 - , child labour considered essential for family survival, adverse social and economic conditions, limited scope and complexity legislation, shortage of inspection staff.   |
| 4. What government initiatives, legislation, community projects etc. are in place or will be enacted/implemented to eliminate child labour? | Children's Pledging of Labour Act 1933, Children's Act of 1974, Employment of Children's Rules (1955 of the ILO) Factory Act 1965.<br>Strict enforcement of legislation, setting up of vocational training centres for children. | Constitutional provisions, Child labour (Prohibition and Regulation Act) of 1986.<br>Factories Act 1948.<br>Plantations Labour Act 1951.<br>Child Labour Policy 1987.<br>National Policy on Education 1986.<br>Mines Act 1952 (Nine projects are being implemented under it, including betterment of children in Sivakasi Match Factory, Tamilnadu).<br>Enforcement of Labour Laws/Machinery, dialogue with child labour cell and trade union establishments. | Factories Act 1934.<br>Employment of Children Act 1991.<br>Bonded Labour System (Abolition) Act 1992.<br>West Pakistan Shops and Establishments Ordinance 1969.<br>National Commission for Child Welfare and Development.<br>Government of Pakistan signed the UN Convention on the Rights of Child (1990).                                   | Introduction of social welfare measures like education, health and child care.<br>Introduction of universal free education from primary to tertiary level in 1945.<br>Constitutional Provisions for Children (1978).<br>Employment of Women, Young Persons and Children's Act 1956.<br>Children's and Young Persons Ordinance (1939) and the Adoption Ordinance (1941).<br>Factories Ordinance (1942) - amended in 1976.<br>The Wages Board Ordinance (1941).<br>Workmen's Compensation Ordinance (Amendment Act) No.15 of 1990.<br>Education Act 1989.<br>Promotion of vocational and skills training by the Institute of Workers.<br>Education by the Women's Bureau and the Ministry of Youth Affairs.<br>Employment of children in community development projects under the Janasaviya programme. |

\* The figures cited are quoted verbatim from the country reports submitted by the participants. There are other recent reports which put the figures for India at 55 million and that for Malaysia 75,000. The figures cited for the other seven countries should be regarded as very conservative estimates.

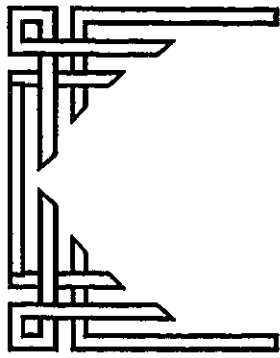


| Nepal   | Indonesia   | Malaysia  | Philippines  | Thailand   |
|---|---|---|--|--|
| 14 in any factory<br>18 for work on hydraulic<br>and other machines.  | 14 for all work activities.   | 16 for all work activities.   | 15 for all work activities.  | 13 for all work activities.  |
| 3 million   | 2.5 million   | 30,000*   | 5 million  | 5 million  |
| Poverty, illiteracy, lack of<br>basic education, loopholes<br>in labour laws.   | Dropped out of school,<br>supplement family income,<br>high tolerance on the part<br>of the society in allowing<br>children to work.  | Poverty, large family, no<br>law on compulsory educa-<br>tion, assist in the running<br>of family business.                 | Poverty, peer pressure,<br>socialisation of children<br>into adult roles and respon-<br>sibilities.                    | Poverty, family pressure.  |
| Rules and regulations on<br>child labour.<br>Ratification of the UN<br>Charter on Child's Rights.<br>Implementation of legisla-<br>tion being strengthened. | Introduced nine years of<br>compulsory schooling.<br>Scheme that provides seed<br>capital and loans to chil-<br>dren.<br>Scholarships to children<br>whose parents cannot<br>afford to pay. | There are laws to protect<br>underaged children who<br>are working. However, en-<br>forcement of those laws are<br>lacking. | "Breaking Ground for Com-<br>munity Action on Child<br>Labour" initiated by<br>Department of Labour and<br>Employment. | "Child Labour Protection<br>Law".<br>To increase the minimum<br>age. |

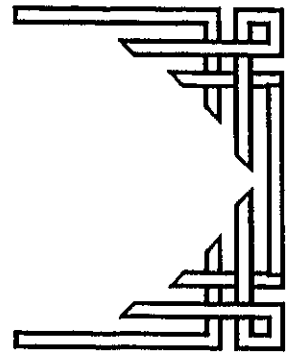
(see next page)

|  | Bangladesh  | India  | Pakistan   | Sri Lanka   |
|--|---|--|--|---|
| 5. What has been the trade unions' response to the problem of child labour?        | <ul style="list-style-type: none"> <li>a. Unions shall take steps to eliminate child labour gradually through the ICFTU-BC.</li> <li>b. Collaboration with the NGOs can be effected.</li> </ul>   | <ul style="list-style-type: none"> <li>a. APRO affiliates INTUC/HMS shall explore the possibility of a joint effort eg. organising seminar etc.</li> <li>b. Subject to the consent of the national leadership collaboration with NGOs shall be considered.</li> </ul>  | <ul style="list-style-type: none"> <li>a. Trade unions find it difficult to take necessary action to combat child labour in the context of the threat to their very existence and functioning due to the anti-labour environment in the country including the absence of appropriate legislation.</li> <li>b. Unions feel that not only child labour but bonded child labour needs to be gradually eliminated.</li> <li>c. Collaboration with NGOs is desirable.</li> </ul>  | <ul style="list-style-type: none"> <li>a. Gradual elimination of child labour is a must.</li> <li>b. A more elaborate study on the situation of child labour is needed.</li> </ul>  |
| 6. What role do you think can the trade unions play in this issue of child labour? | <ul style="list-style-type: none"> <li>a. Recommends the organisation of a seminar in Bangladesh to highlight the impact of Harkin's Bill on child labour especially in the garment sector.</li> <li>b. An awareness campaign against the evil practice of child labour can be promoted by the unions</li> <li>c. Unions shall impress on the government to bring about necessary legislation.</li> <li>d. The recommendations of the Labour Commission and Labour Pay Commission shall be examined and trade union reaction shall be let known in due course.</li> <li>e. Unions are already engaged in various activities, with the support of AAFLI and other agencies.</li> <li>f. Shall take steps to celebrate 18th Sept as Freedom Day with the focus on elimination of child labour.</li> </ul> | <ul style="list-style-type: none"> <li>a. Unions wish to step up joint information/awareness campaign against child labour, especially in the Sivakasi area through films etc.</li> <li>b. Organisation of Joint Seminars by the INTUC/HMS in collaboration with ICFTU-APRO and ICFTU-APRO South Asia Office, New Delhi ie. some sort of orientation course.</li> <li>c. Can undertake projects to examine the incidence and impact of child labour in the different industries, especially in the hazardous industries.</li> <li>d. Can take more effective steps to combat child labour, through the existing National Committees set for the purpose, and establish National Committees, if not done already, shall call for legislative check on employers.</li> <li>e. Can undertake various activities in the five spheres indicated by the ILO viz: <ul style="list-style-type: none"> <li>1. Education and Training</li> <li>2. Welfare Services</li> <li>3. Protected Work</li> <li>4. Advocacy</li> <li>5. Regulation and Employment</li> </ul> </li> <li>f. The local unions shall be made aware of the magnitude of the problems of child labour and appropriate action in the context shall be stressed.</li> <li>g. Shall take steps to celebrate 18th Sept as Freedom Day with the focus on elimination of child labour.</li> </ul> | <ul style="list-style-type: none"> <li>a. All trade unions shall evolve an Action Programme for the elimination of Bonded Labour/Child Labour.</li> <li>b. An International Seminar on Bonded Labour in Pakistan should be organised by the ILO and it could be recommended by the ICFTU-APRO.</li> <li>c. Request the UN Commission to undertake a Study Mission directly to Pakistan to examine the Afghan refugees situation in the North-West Frontier Province and other parts of Pakistan for their release from bondage immediately as well as arranging for their repatriation. The ICFTU-APRO's recommendation in this respect is stressed.</li> <li>d. Shall press on the government that education shall be made free and compulsory for the children. Also special incentives for poor parents and employees' children for their education should be provided.</li> <li>e. Shall campaign for securing agricultural workers the right to form unions.</li> <li>f. Shall take steps to celebrate 18th Sept as Freedom Day with the focus on elimination of child labour.</li> </ul> | <ul style="list-style-type: none"> <li>a. The Working Committee of the CWC shall be briefed about the Seminar and an Action Programme shall be decided upon.</li> <li>b. Shall take steps to celebrate 18th Sept as Freedom Day with the focus on elimination of child labour.</li> </ul> |

| Nepal  | Indonesia  | Malaysia   | Philippines  | Thailand  |
|--|--|--|--|---|
| <ul style="list-style-type: none"> <li>a. More efforts should be undertaken to eliminate child labour, particularly in the carpet industry which has come under the limelight due to international reactions arising out of the Harkin's Bill.</li> <li>b. A wholistic approach is required instead of a piece meal analysis.</li> <li>c. A humanistic strategy should be evolved, taking into account socio-economic and political aspects of the problem of child labour.</li> </ul>   | <ul style="list-style-type: none"> <li>a. Conducted surveys.</li> <li>b. Establish "homes" to teach children skills.</li> </ul>                                      | <ul style="list-style-type: none"> <li>a. Called upon government to introduce legislation to provide for compulsory education. Free education up to secondary level to be provided.</li> <li>b. Stricter enforcement.</li> <li>c. To pay decent wages to the adults in a family so that their children need not go to work to supplement the family's income.</li> </ul> | <ul style="list-style-type: none"> <li>a. Undertook research studies in the Luzon region.</li> <li>b. TUCP has collaborated with governmental and non-governmental agencies in the fight to eliminate child labour.</li> </ul> | <ul style="list-style-type: none"> <li>a. Highlight incidences of child labour.</li> </ul>  |
| <ul style="list-style-type: none"> <li>a. The leadership of the NTUC which is aware of the adverse effect of child labour, shall evolve a Policy Framework and Programme of Action for Adoption.</li> <li>b. Shall make efforts to strengthen the education of children.</li> <li>c. Shall organise a seminar on child labour in the carpet industry to highlight the problems of child labour in it and make an impact immediately.</li> <li>d. Could undertake a study of child labour in the carpet industry, provided funds become available - like ICFTU's or AAFLI's support to organise a seminar.</li> <li>e. Shall make arrangements for celebrating 18th Sept as Freedom Day, with the focus on eliminating child labour.</li> </ul> | <ul style="list-style-type: none"> <li>a. Develop workers' co-operatives.</li> <li>b. Information campaign to impress families on the value of education.</li> </ul> | <ul style="list-style-type: none"> <li>a. Perservere to ensure that those listed in No. 5 above is realised.</li> </ul>  | <ul style="list-style-type: none"> <li>a. To repeal the bill passed by the previous government which allowed children below 15 to work in certain jobs.</li> </ul>   | <ul style="list-style-type: none"> <li>a. Raise the issue in tripartite meeting.</li> <li>b. Clamour for children to be paid the minimum wage of Bhts 125 a day.</li> </ul> |



# Kathmandu



## **ICFTU-APRO SUB-REGIONAL SEMINAR ON CHILD LABOUR (SOUTH ASIA)**

11-13 July 1993: Kathmandu, Nepal

### **REPORT**

A three-day Sub-Regional Seminar on Child Labour for trade unionists in the South Asian region was organised by the ICFTU-APRO in collaboration with the Nepal Trade Union Congress (NTUC) from 11-13 July 1993 at the National Administrative Staff College, Lalitpur near Kathmandu.

#### **OBJECTIVE**

The Sub-Regional Seminar has been part of ICFTU and ICFTU-APRO's ongoing attempt to intensify efforts to have child labour eliminated through campaigns to expose abuses, through appropriate action against goods produced in such exploitative conditions, and through promoting national legislation and its rigorous enforcement.

The objectives of the Seminar, in brief, were two-fold:

1. To exchange information with regard to ongoing activities/projects conducted by affiliates, ILO and NGOs in the fight to eliminate Child Labour.
2. To develop an Action Plan that will bring forth great collaboration and result-oriented efforts amongst all concerned parties.

#### **PARTICIPATION**

As many as 30 participants attended the Seminar. Among them 10 were from APRO affiliates in South Asian countries viz. Bangladesh, India, Nepal, Pakistan and Sri Lanka. Others represented non-governmental as well as international organisations like the ILO-ROAP (International Labour Organisation - Regional Office for Asia and the Pacific) Bangkok, the UNICEF, Delhi and the Asian-American Free Labour Institute (AAFLI) and the Friedrich Ebert Stiftung (FES). A list of participants is enclosed.

#### **OPENING AND CLOSING**

The Seminar was inaugurated by Hon'ble Ram Krishna Tamrakar, State Minister for Industry and Labour of Nepal. Brother Laxman Basnet, President of the NTUC presided over the inauguration. Brother Das, Secretary of the NTUC, Brother Bjorne Grimsrud (ICFTU) Brother K.S. Thomas (ICFTU-APRO) and Bro. P. Haridasan (ICFTU-APRO South Asia Office) also addressed the participants during the inauguration.

The closing function was very informal.

#### **BUSINESS SESSION/PROCEEDINGS**

Presentations on the status of Child Labour in the South Asian region by representatives of the international as well as NGOs, during the business session, followed the inauguration. Dr Richard Young of the UNICEF, addressing the participants, pinpointed the fact that child labour has only been increasing, notwithstanding national, regional and international declarations on the Rights of Child etc. Fundamental causes of child labour related to poverty, prevailing social attitudes and customs and the inefficiency or inappropriateness of the educational systems and social discrimination. In the main, child labour is associated with the 'unorganised' or 'informal' sectors. Adoption of broad development strategies targeted to the poor, vulnerable families, with political will and legislation playing supportive roles has become crucial. The concern about child

labour which has been growing, particularly in the context of the Harkin's Bill - Child Labour Deterrence Bill - (USA) and its impact on the countries in the South Asian region has indeed grown in intensity.

Brother Ehsan Ullah Khan, President, Bonded Labour Liberation Front of Pakistan, explained how child labour has been growing into bonded labour. The inhuman and brutal treatment of children remained reflected glaringly in the prevalence of the social evil of 'camel jockeying', which has resulted in the kidnapping and deportation of young children to the Gulf countries from the South Asian region. The problem of bonded Afghan refugees has also remained unresolved.

According to Brother Terry Collingsworth of the AAFLI, child labour has become an economic issue, in the context of the Harkin's Bill of the USA and the Generalised System of Trade Preferences. Not only economic but also non-economic causes of child labour need to be studied and appropriate solutions found. Suitable tripartite mechanism could help much in solving the problems of child labour.

The FES representative Ms. Beate Martin opined that bilateral cooperation in economic matters could help in finding out solutions for the problems arising out of the introduction of the Harkin's Bill on child labour in USA and its impact on the developing countries, especially in the South Asian region. FES would be interested, she added, in finding out areas of common cooperation with all concerned in combating child labour.

The aim should be not only the prevention of child labour but the improvement of the quality of life of all children, emphasised Brother Raja Gopal of the International Textile, Garment & Leather Workers Federation (ITGLWF). It is necessary to adopt a realistic and practical approach, and not just resorting to passing of resolutions etc. Children of workers are themselves working as child labour and it is strange that the union leadership itself is not found to be prohibiting it in some of the countries of the region, he pointed out.

Participating in the discussions, Brother J. Gathia of the Centre of Concern for Child Labour (CCCL) India, stressed on the need for cooperation among the NGOs and the trade unions in fighting the cause of child labour. Wide publicity of the problems of child labour through the communication media (eg. radio, TV, etc.) has to be promoted as well as educational efforts. What is lacking today is, in fact, qualitative education and trade union pressure along with NGO support could help to achieve it. Propagation of anti-poverty programmes as well as stress on welfare programmes, including emphasis on responsible parenthood are to be pursued. Brother Paul, supplementing Brother Gathia's views, emphasised that a whole range of economic problems such as poverty, population growth, migration, casteism are also related to child labour, though they may not be most important in its context.

Brother S. Tabusa of the ILO, addressing the participants on the second day of the Seminar, gave a lucid account of ILO's multi-faceted approach to combat child labour. Such an approach requires concentration on issues including health, education, employment, social welfare and the rights of children. Actually the core of the problem centres around employment, labour and trade union rights.

The tripartite approach of the ILO towards the problem is supported by the framing of many ILO Standards or instruments, as for instance, on Minimum Age to Employment, Night Work concerning children. Trade unions, the speaker, stressed, could help in the creation of the necessary environment in the promotion and observance of the ILO Standards concerning child labour.

He illustrated his talk with the presentation of a Typology of Child Labour Projects, which stressed the need for intervention in the areas of a) Education and Training b) Welfare Services c) Protected Work d) Advocacy, and e) Regulation and Employment.

The participants from the ICFTU-APRO affiliates presented thereafter their respective country reports which evoked considerable discussion and eliciting of more information from the reporters.

## **SLIDE SHOW ON CHILD LABOUR**

A highlight of the Seminar was a slideshow on the child labour in Sivakasi, (Tamilnadu, India) which focussed on plight of child labour in the match and fireworks factory there.

The project was one of the two research projects undertaken by the ICFTU-APRO with the collaboration of its affiliates in India and Bangladesh through its South Asia Office, New Delhi. The project was conducted in Sivakasi in India and in Dhaka in Bangladesh and the report on the studies was made available to the participants.

Explaining the salient features of the slideshow on the Sivakasi Project, Brother Haridasan referred to the compulsion on the part of the staff to keep their identity a secret, as well as the tact required to unravel the necessary information from the various parties, who looked 'guarded' and 'suspicious'. He further explained how child labour exists in a disguised form as evidenced by the wearing of sarees by girl child workers who were thus forced to look like 'adults' through their dress.

The slideshow was followed by eliciting of interesting queries and clarifications by the participants on the ground realities.

The need to concentrate APRO's efforts on the elimination of child labour in Sivakasi belt was also stressed as well as a concerted and joint action of all parties concerned by pooling their resources, human, material and financial.

## FIELD VISIT

Visit to a few nearby carpet units, in which child labour was found toiling under unsatisfactory and unhygienic conditions, with low wages and long working hours, took place on the afternoon of the second day. The factories included the Pasupathi Carpet Factory and the Potala Carpet Factory. The field visit was indeed very revealing and informative.

A resolution on the plight of child labour, following the visit, was adopted. (copy enclosed)

## PLAN OF ACTION

Deliberations on chalking out a Plan of Action commenced on the concluding day, after a recapitulation of all the discussions in the preceding sessions by Brother V.K.Vedapuri (ICFTU-APRO).

The participants were called upon by Brother Grimsrud and Brother K.S.Thomas to come forward 'with a framework of action for the future. They pointed out to the potential that existed for promoting a series of activities to eliminate child labour. Some of the possible areas of action included formation of National Committees, rehabilitation of rescued children, intensification of social awareness campaigns for boycott of goods made out of the blood of children, and publication of information booklets, so on and so forth.

The participants were advised to work out detailed proposals/projects which they could place before their leadership for their consent and subsequent forwarding to the ICFTU-APRO for necessary action.

As for immediate action, the participants agreed on the following suggestions:

1. The APRO affiliates in the region (i.e. Bangladesh, India, Nepal, Pakistan and Sri Lanka) would be called upon to observe 18th September as the Freedom Day by organising campaigns against child labour.
2. Seminars are to be organised to highlight the implications of the Harkin's Bill on child labour in their respective countries and suggest appropriate remedial measures to the authorities as well as possible areas of trade union action.

In order to facilitate joint action (e.g. the INTUC and HMS in India) could organise joint seminars to project the issues of child labour on a common front.

3. Specific projects could be launched, wherever possible, to eliminate child labour (e.g. INTUC could undertake an awareness campaign in Sivakasi as well as cultural activities like drama, movie etc.) Bangladesh could undertake such projects in cooperation with the ICFTU-APRO, such as the implications of the Harkin's Bill for child labour in the country. The infrastructural support available in the shape of the LO/FTF Educational Project could be availed of in respect of production of educational and information material and publication activities. The cooperation of AAFLI, which has been engaged in

similar activities in the country, can also be enlisted, as well as that of ITGLWF, which is seeking to collaborate with other willing organisations for launching activities in the garments industry.

4. Promotion of awareness campaigns should be encouraged by the affiliates in consultation with the leadership, besides organising seminars etc, at different levels. It is essential that such campaigns take into account the local language factor to make an impact.
5. Steps should be taken, in fact, to make use of the whole youth movement of the countries for intensifying action against child labour. It is imperative in as much as the leadership of the unions is generally pre-occupied with other day-to-day problems and issues.
6. The unions should join hands with NGOs, in their campaign against child labour, especially in motivating children and their parents as well as employers and literacy promotion, besides improving legislative action. Efforts should be launched to make known the role of NGOs in this respect, wherever needed.
7. Forging of trade union unity to initiate programmes for solving common problems of child workers viz. poverty, lack of education, health etc. is to be promoted.
8. The unions should lend support to the UNICEF and the ILO, who have launched upon programmes of action to eradicate child labour in the countries of the region such as India, Bangladesh,

The discussions, based on the above loud thinking, crystallised into the following recommendations for immediate action which need ICFTU-APRO's support.

1. Organisation of a seminar in Bangladesh to highlight the impact of the Harkin's Bill on child labour, especially in the garments sector.

1. WE ARE FREE
2. CHILDREN OF THE WORLD ARE ONE
3. CHILDREN ARE OUR ASSETS
4. I AM BUILDING YOUR FORTUNE,  
WHO WILL BUILD MY FUTURE?
5. DON'T BUY CHILDREN'S BLOOD

2. ICFTU-APRO could recommend to the ILO to hold an International Seminar on Bonded Child Labour in the near future in Pakistan.
3. The ICFTU-APRO could also recommend to the UN to undertake a Study Mission directly to Pakistan to examine the Afghan refugee situation in Peshawar, and to make arrangements for their appropriate repatriation and release from bondage.
4. Consultations are to be initiated by the Indian participants as well as by the ICFTU-APRO South Asia Office with the national leadership of the Indian affiliates to launch upon joint information/awareness campaigns in areas of child labour concentration, especially Sivakasi, and to organise joint seminars for approaching the problems of child labour with a united and common stand.
5. Proposals for immediate and future action against child labour would be considered by the Ceylon Workers' Congress (CWC) and forwarded to the APRO.
6. The NTUC would organise a seminar on the problems of child labour in carpet industry and a Programme of Action as decided by its leadership in due course.

The following suggestions were made as regards the 'slogans' to be coined for celebrating 18th September as Freedom Day, to focus inter alia on the plight of child labour.

The Seminar concluded laying emphasis on the following:

1. Child Labour itself is a violation of basic rights.
2. Primary education is one of the answers to the problem and should be promoted by all concerned.



3. Trade unions should highlight the fact that unemployment and poverty should be eradicated if child labour is to be eliminated.
4. It is essential to initiate action as regards the replacement of children, i.e. taking the kids out of the factories and replacing them with elders/adults.

In conclusion, it was emphasised that the trade unions should extend their support to the IPEC programme of the ILO to eliminate child labour.

The damage that child labour is facing on account of the introduction of the Harkin's Bill is bound to increase in due course.

Unions and industry should work together to increase exports but simultaneously take quick action to eradicate child labour.

It is necessary to frame an Agenda of Action and initiate action quickly.

The programme, being the first of its kind in the South Asian Region, serves as a path setter for joint and collaborative action between the trade unions and the NGOs and other organisations like the ILO, in the struggle against child labour.

### CHILD LABOUR IN CARPET INDUSTRY IN NEPAL

The participants of the ICFTU-APRO Sub-Regional Seminar on Child Labour (South Asia) held in Kathmandu from 11 - 13 July, 1993:

|              |  |
|--------------|--|
| HAVING HAD   | an opportunity to visit a carpet manufacturing factory in the suburbs of Kathmandu;  |
| ARE APPALLED | to see that a major chunk of the working force in the above unit was children below the age of fourteen;   |
| ARE GRIEVED  | to find that children of school-going age should be languishing in work place;   |
| DISMAYED     | at the abysmally poor health and hygiene conditions in the factory;  |
| ARE PAINED   | that even after long hours of work they are paid only meagre wages;  |
| NOTE         | that the carpets produced in the factory are exported to the western countries;  |
| CALL UPON    | the Nepal Trade Union Congress to continue to put pressure on the government to put an end to this evil practice; and to see that the children, many of whom are in bondage, thus saved are rehabilitated; |
| DEPLORES     | the all-pervading lack of awareness or stoic acceptance of this rabid violation of human rights;   |
| CALLS UPON   | the NTUC to embark on an awareness campaign in cooperation with like-minded organisations; to strive towards abolition of child labour.  |

## PARTICIPANTS' LIST

| S/No. | Name                      | Organisation  |
|-------|---------------------------|---|
| 1.    | Mr. A.K.M. Faroque        | ICFTU Bangladesh Council  |
| 2.    | Ms. Begum Nurun Nahar     | ICFTU Bangladesh Council  |
| 3.    | Mr. Bjorne Grimsrud       | International Confederation of Free Trade Unions (ICFTU)  |
| 4.    | Dr. Richard Young         | United Nations Children's Funds (UNICEF)  |
| 5.    | Mr. Samir Roy             | Hind Mazdoor Sabha (HMS)  |
| 6.    | Ms. Kalpana Desai         | Hind Mazdoor Sabha (HMS)  |
| 7.    | Ms.(Dr.)S.Vijayalakshi    | Indian National Trade Union Congress (INTUC)  |
| 8.    | Mr. P.Haridasan           | International Confederation of Free Trade Unions<br>- Asian & Pacific Regional Organisation (ICFTU-APRO)<br>South Asia Regional Office. |
| 9.    | Mr. V.K.Vedapuri          | International Confederation of Free Trade Unions<br>- Asian & Pacific Regional Organisation (ICFTU-APRO)<br>South Asia Regional Office. |
| 10.   | Mr. S.Tabusa              | International Labour Organisation<br>- Regional Office for Asia & the Pacific (ILO-ROAP)  |
| 11.   | Mr. Ahsanullah Khan       | All Pakistan Federation of Labour (APFOL)   |
| 12.   | Mr.Nazir Ahmad Siddiqui   | Pakistan National Federation of Trade Unions (PNFTU)  |
| 13.   | Mr. Khuda Dad Khan        | All Pakistan Federation of Trade Unions (APFTU)   |
| 14.   | Mr. Khan Ehsan Ullah      | Bonded Labour Liberation Front of Pakistan.   |
| 15.   | Mr. Ponniah Singaram      | Ceylon Workers' Congress (CWC)  |
| 16.   | Mr. John K.Sloan          | Asian American Free Labour Institute (AAFLI)  |
| 17.   | Mr.Terry P. Collingsworth | Asian American Free Labour Institute (AAFLI)  |
| 18.   | Ms. Beate Martin          | Friedrich Ebert Stiftung (FES)  |
| 19.   | Mr. K.S.Thomas            | International Confederation of Free Trade Unions<br>- Asian and Pacific Regional Organisation (ICFTU-APRO)                              |
| 20.   | Mr. Raja Gopal            | International Textile, Garment & Leather Workers' Federation (ITGLWF)   |
| 21.   | Mr. J.Gathia              | Centre of Concern for Child Labour (CCCL)   |
| 22.   | Dr. R.M.Pal               | Centre of Concern for Child Labour (CCCL)   |
| 23.   | Mr. Deepak Upreti         | Nepal Trade Union Congress (NTUC)   |

## OBSERVERS

| S/No. | Name                   | Organisation               |
|-------|------------------------|----------------------------|
| 24.   | Mr. Dhak Prasad Dattel | Nepal Trade Union Congress |
| 25.   | Mr. Pushkar Acharya    | " "                        |
| 26.   | Mr. Ram Kumar Shrestha | " "                        |
| 27.   | Mr. Niranjana Acharya  | " "                        |
| 28.   | Mr. Narayan Bhattarai  | " "                        |
| 29.   | Ms. Nirjala Subedi     | " "                        |
| 30.   | Ms. Santa Kaphle       | " "                        |

## PROGRAMME

### 11th July 1993 (Sunday)

|               |   |  |
|---------------|---|--|
| 08:00 - 09:00 | — | Opening Ceremony                                 |
| 09:00 - 09:30 | — | Reception  |
| 09:30 - 11:30 | — | Registration, Introduction, Programme Objectives |
| 11:30 - 12:00 | — | Report from UNICEF                               |
| 12:00 - 12:30 | — | Report from NGO                                  |
| 12:30 - 14:00 | — | Lunch Break                                      |
| 14:00 - 14:30 | — | Report from AAFLI                                |
| 14:30 - 15:00 | — | Report from FES                                  |
| 15:00 - 15:15 | — | Tea Break  |
| 15:15 - 16:15 | — | Report from NGOs                                 |
| 16:15 - 18:30 | — | Discussion                                       |
| 19:30         | — | Dinner Reception hosted by NTUC                  |

### 12th July 1993 (Monday)

|               |   |                             |
|---------------|---|-----------------------------|
| 09:00 - 09:45 | — | Report from ILO             |
| 09:45 - 10:15 | — | Country Report - Bangladesh |
| 10:15 - 10:30 | — | Tea Break                   |
| 10:30 - 11:30 | — | Country Report - India      |
|               | — | INTUC                       |
|               | — | HMS                         |
| 11:30 - 12:00 | — | Country Report - Pakistan   |
| 12:00 - 12:30 | — | Country Report - Sri Lanka  |
| 12:30 - 13:30 | — | Lunch Break                 |
| 13:30 - 17:00 | — | Field Visit                 |
| 17:00 - 17:30 | — | Break                       |
| 17:30 - 18:00 | — | Country Report - Nepal      |
| 18:00 - 19:30 | — | Discussion                  |

### 13th July 1993 (Tuesday)

|               |   |                           |
|---------------|---|---------------------------|
| 09:00 - 09:30 | — | Recapitulation            |
| 09:30 - 11:30 | — | Discussion on Action Plan |
| 11:30 - 12:00 | — | Conclusion                |

## **LABOUR, EXPLOITATION AND THE RIGHTS OF THE CHILD BY RICHARD H. YOUNG, UNICEF INDIA**

(The views expressed in this paper are those of the author and do not necessarily represent those of UNICEF.)

### **INTRODUCTION**

**“States Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.”**

So states Article 32 of the Convention on the Rights of the Child adopted by the General Assembly of the United Nations on 20 November, 1989. The Convention has since been ratified by 135 countries, including all those of South Asia. It has also been reaffirmed in subsequent global fora - the World Conference on Education for All at Jomtien in March, 1990, the World Summit on Children in the autumn of 1990 and the SAARC Conferences on Children in 1991 and 1992. As a result of the latter conferences, SAARC countries have resolved to eliminate child labour progressively and in an accelerated manner.

Notwithstanding these declarations, child labour is increasing in magnitude. For example, official data from India indicate that the number of child labourers has increased from 10.7 million in 1971 to 17 million at present. Undoubtedly, the official figures are underestimations given such general limitations as the multiplicity of concepts used in defining child labour, methods of estimation and sources of data. The difficulty of arriving at reliable figures for the numbers of child labourers is further compounded by the unorganized and unregulated nature of the sector in the economy in which most of them work. As such, child labour exists without being adequately represented in the official labour statistics. Independent studies in India have in fact produced estimates of child labourers in the country that range from 44-100 million. As will be discussed, the phenomenon of child labour cannot be divorced from problems of poverty, social discrimination and lack of education. In the urban sector, family disintegration is forcing more children to live on the streets and search for work in order to survive.

This paper discusses the nature of child labour and the fundamental causes of the problem which largely relate to poverty and social discrimination. Recent developments which may have a positive or negative impact on the situation are highlighted and some suggestions concerning possible action by the trade union movement are offered.

### **THE NATURE OF CHILD LABOUR: MEAGRE EARNINGS AND HUMAN COSTS**

In the main, child labour is associated with the “unorganized” or “informal” sectors. In Asia, the work force of entire industries, mainly small-scale and informal sector enterprises, may comprise children who are paid extremely low wages. The economic activities in which children participate may be categorised as follows:

**Domestic work** such as cleaning, cooking, child care and other chores in the child’s own household. Even though accepted in many societies, this is still a form of child labour.

**“Non-domestic” but “non-monetary” work** covers such activities as farm work, fuel and water collection and hunting. Even in the urban sector, many household production units are engaged in trade and services that rely on children for activities such as marketing.

**Bonded labour**, although illegal, remains predominant in this region. It arises from perceived obligations to landlords or moneylenders whereby the provision of child labour is part of a family’s rent or debt settlement. As many as 90 per cent of children in the carpet industry in Mirzapur, India, have been bonded, i.e. sold into virtual slavery.

**Wage employment** covers children who work as members of a family group or individually in agriculture, manufacturing or service industries. They may work on a piece-rate or time-rate basis, as regular or casual workers, in jobs that may or may not involve some training.

**Marginal work** includes tasks of an irregular or short term nature such as selling newspapers, shoe-shining and rag picking.

Children in all industries are labouring in exploitative and hazardous conditions. Approximately 50,000 children between three and a half to 15 years of age work in the match and fireworks industries in and around Sivakasi in Tamil Nadu. They work for twelve hours daily in dark sheds, in crouched positions, handling dangerous and toxic chemicals. These children are from poor tribal areas and are bussed from their villages to the work sites after setting out as early as 4 a.m. only to be returned home between 6 p.m. and 9 p.m. In the glass industry of Firozabad in Uttar Pradesh, around 25 per cent of the 200,000 workers employed are children below the age of fifteen. These children undertake almost all the processes involved in bangle making and glass blowing. Their most hazardous job is to carry the molten glass on a long rod from the furnace to the adult worker and back to the furnace.

They have to run rapidly on a floor which is strewn with glass pieces and naked wires so that the molten material does not cool excessively before it reaches the adult worker, who moulds it. Children work near the furnaces where the temperature approaches 700 degree centigrade.

Construction work also demands hard physical labour from children, who are often hired along with their parents, and find themselves digging the earth, carrying head loads of mud and mortar, breaking stones or soldering heavy iron rods. Another dangerous and demeaning job in which many children work is that of scrap collecting or rag picking. In India, these children are from destitute, scheduled caste families residing in illegal slum settlements. The nature of their work, and the work environment, is clearly unhealthy and the children are particularly prone to physical injury. Even this kind of child labour has a bearing on the urban economy, however, since several production enterprises are based on the recycling of these wastes.

There is a general lack of data on the health status of working children. It would seem reasonable to surmise, however, that labour at a young age will severely undermine a child's physical and mental development. Physically, children are unsuited to long hours of strenuous and monotonous work. Their bodies suffer the effects of fatigue and exertion much more quickly than those of adults. Malnutrition among these children is common, lowering their resistance even further and increasing their vulnerability to infection. Morbidity data collected from hospitals and primary health care centres in the match belt of Sivakasi, Tamil Nadu, indicate a high prevalence of tuberculosis and other respiratory diseases, dysentery and skin diseases among the working population. Moreover, a sample survey of the growth of children working in the match industry has demonstrated that over 30 per cent of 10-15 year olds had not achieved the growth norm for a 10 year old child.

## WHY DOES THE SCOURGE CONTINUE AND PROLIFERATE?

Child labour deprives the child of his or her inalienable right to education, recreation, love, socialization, protection and normal healthy growth. As noted above, the reasons for such violations of child rights are related to poverty, social discrimination, prevailing attitudes and customs, and the inefficiency or inappropriateness of educational systems. Above all though, the phenomenon persists because of the inadequacy and lack of enforcement of legislation on the subject.

There is an interrelationship between child labour, unemployment and failure to pay minimum wages. Adult unemployment is rapidly growing in situations in which child labour is also on the increase. Evidence, for example, from the match industry in Tamil Nadu shows that children as young as seven are supporting families in which the father is unemployed. The children are tribals drawn from agriculturally backward villages in which the distribution of land and other assets is inequitable. The tribal families are able to cultivate part of their staple food requirements but their productivity depends on the sparse and erratic rainfall characteristic of the area. Food shortfalls are therefore a way of life. The child's wage is crucial for these families living below subsistence levels and is used for providing agricultural inputs.

Adequate targeting and delivery of government agricultural services to tribal communities living under such stressful, drought-prone conditions could contribute much in the long term to the elimination of child labour. Unfortunately, one often gains the impression that child labour is considered the norm for children from poor communities. These are attitudinal constraints in society in general.

Clearly, adults should be employed at adequate rates of pay to support their families. At present, there are employers who are allowed to set exploitative terms to capture child labourers. Bringing children into the work force may further increase adult unemployment, depress wages which are already minimal and force families to put their children to work in order to boost household income. In other circumstances, however, child labour may complement adult work as is seen in the glass blowing industry mentioned above. There is a real need for reliable and location-specific research on the economics of child labour to assist in developing relevant action to eliminate the phenomenon. Sound economic, as well as ethical, arguments would considerably strengthen our advocacy in this respect.

The most extreme and unacceptable manifestation of child labour is that of bondage to repay a creditor for cash advances at rates of interest which are forever beyond the means of poor families. Many bonded adult labourers have earlier been bonded child labourers. As children, they are mortgaged to the landlord or moneylender for small sums of money borrowed for purposes such as consumption, social ceremonies and treatment of illness. The cycle is at times inter-generational, child labourers working through adulthood and old age, then replacing their labour with that of their own children. In many cases, children who have worked are no longer employable as they approach their twenties.

Thus, while poverty is undoubtedly a major factor in the employment of children, there are other causative dimensions to the problem related to social discrimination. Child labourers in India are so often from scheduled castes, scheduled tribes, other backward classes and religious minorities. Notably, a large proportion of working children are girls. For example, 90 per cent of the total work force in the match industry in Tamil Nadu are female, half of whom are children. The problem of child labour in the match industry, therefore, is also a manifestation of the problem of the girl child and prevailing gender inequalities. In fact, young girls are employed in areas in which considerable disparities are evident in terms of sex ratio, school enrolment, literacy and health and nutritional status.

Perhaps one of the major causative factors of child labour is the inability of educational systems to provide quality and relevant education to the poor. Low school enrolment and high drop-out rates represent the other side of the coin of the child labour issue. There appears to be a complementarity between the numbers of children out of school and the numbers of full-time working children. This "push and pull" effect is perhaps most clearly illustrated in the carpet manufacturing belt of North India where drop-out rates approach 85 per cent in some areas. Although there is no definite evidence on the subject, it would seem that the majority of out-of-school children are working and that special strategies are required to provide them with an education. While this remains a major challenge to the educational system in countries where child labour is prevalent, successes in removing children from exploitative work have been closely linked to the provision of relevant education. Some of these successful experiences are discussed later in this paper.

In view of the multiplicity of factors resulting in child labour, it has proven difficult to legislate the problem away. In almost all countries, and particularly India, legislation concerning the minimum age for admission to employment exists. Unfortunately, child labour persists and even proliferates because such legislation is not enforced. Effective inspection systems have not been implemented. The role of legislation in removing children from the workforce has been critical in the past, notably in Germany and the UK in the 19th century. Legislation is vitally important because, if it is good legislation, it can send out the message loud and clear that child labour is illegal and unacceptable. There is some ambivalence in Indian legislation on the matter, however, since it seeks to regulate child labour but does not consider it entirely unacceptable.

## THE IMPACT OF EXTERNAL PRESSURE

Worldwide consciousness regarding child labour is rapidly growing mainly as a result of advocacy by concerned NGOs based in South Asia. Most of these NGOs are part of a network known as the South Asian Coalition on Child Servitude (SACCS). The media has also played an important role in creating public

awareness of the use of child labour in satisfying consumer demands. Just as environmental concerns have come to the forefront in recent years, there is increasing realisation that several export products are manufactured under adverse conditions by children. So far, the USA and Germany have been prominent in exerting pressure on developing countries to refrain from using child labour in major export-oriented industries. Notably, a plea was made at the UN World Conference on Human Rights, held last month in Vienna, for all governments to enact suitable legislations banning import of goods made fully or partially by children.

The profitable carpet industry in South Asia, which employs thousands of children, has been especially targeted. A key development in this respect has been the Child Labour Deterrence Bill of the US Senator Harkin, to be debated in the Senate in September, which would impose severe penalties on importers of goods made by children. In effect, it could close US markets to carpets not certified child labour-free. Members of the German Bundestag plan to introduce a similar Bill in October. The elimination of child labour in export-oriented manufacturing industries is certainly threatening to some national economies. But child labour perpetuates poverty and serves nations badly in the long run. Upholding economies that generate child labour condones the practice and permits it to thrive at the expense of the poor and their children. Ultimately, it undermines the quality of a nation's human resources.

In view of consumer demand overseas, the Indian carpet industry has increased profits three-fold in the past ten years. At the same time, the numbers of children working in the industry have also trebled. The Harkin Bill is already making an impact and some carpet companies have switched to using adult labour with minimal effect on profit margins. Together with the Indo-German Export Promotion Project, SACCs now proposes to establish an independent company, comprising concerned NGOs, industries and international agencies, to monitor carpet factories and issue a child labour-free trademark to authorised companies. Once implemented, such a monitoring system could be extended to other export industries employing children.

Such pressures from importing countries may exert significant leverage in the movement to eliminate child labour from industries responsible for generating foreign revenue. Nevertheless, for the reasons cited above, many employers of children would be unaffected by such measures. Furthermore, there is no provision for tackling the root causes of child labour, dealing with the developmental issues or generating alternative sources of income for the poor families of child labourers. These areas need to be firmly addressed as the effects of initiatives such as the Harkin Bill are realised.

## **INTERSECTORAL LINKAGES & IMPLICATIONS FOR EDUCATIONAL PLANNING**

Access to a basic education is one of the fundamental rights of children. To lay emphasis on universal primary education without addressing child labour and related issues would, however, be self-defeating. Abolition of child labour and universalization of primary education are practically synonymous. As previously mentioned, specific strategies to bring working children back into the educational system are warranted. The elements of such strategies may be as follows:

1. Release of bonded child workers, those employed in hazardous industries, and those who are abused, from their labour to allow meaningful education programmes to be organized for them.
2. Improvement of the quality and relevance of primary education for the poor.
3. Increased participation at school of girls who are required to undertake domestic chores at home.
4. Organization of large-scale, non-formal education programmes integral to national education strategies and responsive to the perceptions, environment and livelihood needs of the poor.
5. Availability of adult education, coupled with increased employment opportunities, to create awareness among parents of the negative consequences of child labour and encourage withdrawal of children from the workforce.
6. Decentralization of educational processes, with maximum community participation and utilization of community resources.

Gains in eliminating child labour in India have been made by organizations which have adopted such strategies. Voluntary agencies working in Maharashtra, West Bengal and Andhra Pradesh, for example, have

successfully pursued integrated approaches combining release of children from work with community-based integrated approaches combining release of children from work with education programmes. Innovative teaching methodologies have been employed including formal school subjects and life skills relevant to local circumstances. Strong elements of consciousness-raising have also been incorporated, with a focus on the needs of the girl child. Key factors for success appear to have been the development of curricula appropriate to local circumstances, community involvement in schooling, including contributions to infrastructure, and supportive activities such as adult education and agricultural development for marginal farmers. These positive experiences should be examined more closely and attempts made to replicate them in other situations where child labour prevails.

In this context, the recent initiative taken by the Government of Tamil Nadu with UNICEF support to eliminate child labour in the match and fireworks industries in the state within a period of five years is most encouraging. The basis of the strategy is universalization of primary education now made compulsory by the state. However, a broad set of measures is envisaged to strengthen the move towards eliminating child labour, these including income generation and community development to make tribal families more economically secure, and enforcement of legislation concerning child labour and minimum wages. Crucial to success will be strong political commitment in the state and coordination between sectoral departments responsible for different aspects of the strategy.

## ECONOMIC POLICY AND TRENDS IN CHILD LABOUR

In reviewing possible measures to combat child labour, we cannot ignore the effects of changes in macro-economic policy and, particularly, the implications of structural adjustment programmes (SAP). In India, for example, the SAP package agreed upon with the World Bank and the IMF requires that the Indian government reduce spending on social programmes, eliminate price support including food subsidies and privatise the more profitable public sector enterprises. In addition, the New Economic Policy (NEP), formulated to comply with SAP, while opening the door to foreign capital and transnational corporations, calls for the repeal of labour legislation including the stipulation of minimum wages. These changes in economic policy are likely to reduce the bargaining power of workers who are already surviving on meagre wages. In the rural sector, the phasing out of fertilizer subsidies under the NEP and the price rises in agricultural inputs and fuel are already placing small and medium farmers under financial

stress and risk of bankruptcy. Liberalization of the economy could therefore lead to greater pauperization and actually reinforce the exploitation of the labour market, resulting in rises in bonded and child labour under the existing social systems.

In India, in fact, there has been a rapid growth of the unorganised work force engaged in the informal sector of the economy during the last two decades. Large companies which had hitherto conducted all stages of the production process under one roof are now contracting out to small units which handle specific components of a production process. Often, the controlling company only markets the finished product. This growth in the informal sector has, on the one hand, eroded the bargaining power of workers in the organized sector and, on the other, it has increased the difficulty of enforcing legislation concerning minimum wages and child labour.

## ROLE OF THE TRADE UNIONS

Clearly, the situation described above can only be tempered by forceful advocacy and concerted efforts to ensure that the rights of a nation's children are met. While millions of children in South Asia are exploited as labourers, placing their futures in jeopardy, millions of jobs are being lost to adults. In turn, children who work are unable to gain access to primary education, removing their own future opportunities and, at the same time, fomenting a future work force unable to become skilled in certain industrial operations. Industrial efficiency, technological advancement, product quality and competitiveness will therefore continue to be undermined. Unless there is drastic change in this situation, further deterioration in the developmental status of countries will be witnessed, with increasing poverty and misery.



While it is recognised that the problem exists largely in the informal sector, trade unions could contribute immensely to the critical mass of advocacy for the abolition of child labour. Because of the possible interrelationship between child labour and adult unemployment, it would seem appropriate that trade unions focus greater attention on the unorganised workers. Quite apart from the unethical nature of the practice, there may be strong economic arguments against child labour since it could absorb potential jobs at higher wages for adults. Trade unions should do their utmost to ensure that eligible adults in families of members are not denied work at reasonable remuneration because of unscrupulous employers who recruit children in these jobs. Research on the carpet industry indicates that the “nimble fingers” theory is a myth. Adults who perform the same functions in some industries are more productive but not as easily controlled and exploited. Also, the issue of bondage is only too real, children being taken as labourers for repayment of loans and debt settlement.

Another responsibility of the trade unions is to ensure that wages in the labour market are not kept artificially low through the practice of hiring children. It could also be argued that trade unions are obligated to protect the interests of not only current members but, in addition, potential future members currently unemployed. Perhaps a trade union campaign against child labour could use terms such as “pirating adult employment opportunities” and “malevolent trade practices” and demand that the practice be brought under the scrutiny of statutory national bodies dealing with trade malpractices.

To initiate trade union action on this issue, it may be appropriate for National Federations of Trade Unions to establish sub-committees in respective countries to study; (i) the implications of child labour for adult employment opportunities; and (ii) ways of eliminating child labour without affecting the wellbeing of the children’s families. Federations should also promote public dialogue against child labour and call upon governments to restore the pirated jobs to their rightful (adult) owners. Governments should be constantly questioned on why child labour persists and multiplies when there is mass unemployment in the region. Importantly, trade unions could convene national and provincial symposia of concerned parties to develop appropriate plans of action to assist children and their families during the interim period of transition.

## THE FUNDAMENTAL NEED

Finally, all voices against the practice of child labour should stress the societal benefits of universalising primary education. Without educating their populations, efforts by developing societies to promote employment, increase productivity, foster economic growth and alleviate poverty will be fruitless. Basic education, especially for women, strongly enhances abilities to lobby for improvements in public provisioning and to make informed decisions for the family. There is no doubt that lack of basic education inhibits people’s capacity to participate meaningfully in democratic processes. All countries should therefore regard investment in primary education for every child as the main developmental priority. The rigour of nations demands that children be at school or recreation, not toiling under arduous conditions to eke out a meagre existence for themselves and their families.

## **BONDED LABOUR IN PAKISTAN BY EHSAN ULLAH KHAN**

President, Bonded Labour Liberation Front of Pakistan

Bonded Labour System is now recognized in South Asia. Pakistan and India have legislation which abolishes the bonded labour system. Nepal is fighting for it and this is a great achievement of collective struggle against bonded labour in the region. In my country the law was passed more than one year back but up to now implementing authorities have not released a single bonded child, worker or family, even if thousands of applications were filed.

ILO held a South Asian seminar in Islamabad on the abolition of bonded labour and a plan of action was worked out, but authorities and government have not given any response. It is a sensitive situation because bonded workers are facing torture and humiliation every day. The children are beaten, women are sexually abused, and bonded workers are kept as slaves in different sectors.

According to South Asian Coalition on Child Servitude estimation 80 Million children are in servitude in South Asia, out of which more than 1 Million are in Carpet Industry (5,00,000 in Pakistan, 3,00,000 in India and 2,00,000 in Nepal). Moreover thousands of children are engaged in garment industry in Bangladesh. South Asia is exporting a large number of goods to Europe and USA such as carpets and druggets, garments, leather goods, precious stones, brass items, glass products, marbles, granite, surgical instruments etc and is earning billions of dollars.

In 1979 Millions of Afghan refugees came to Pakistan. They were financially supported by Foreign donors, but due to misappropriation of funds and defective distribution system of help a large number of refugees fell prey to bonded labour system. They were bonded in Brick Kilns, Agriculture and Rag picking and it is impossible for them to get freedom from the clutches of owner/exploiters. About 1,00,000 refugees are bonded in NWFP and most of them shown their intention in writing to go to Afghanistan. They have asked us for help to get them freedom.

Pakistan is an Agrarian country and the feudal system is very much intact and the strongest in South Asia. Politicians, intellectuals and administration are under control of feudal lords. Even media and human rights activists are under the influence of this system. The feudals have the right to rule and to use the major resources of the country, but they do not pay any tax. They are living luxurious life. Their 'haris', 'seris' and 'ghena makhlook' (bonded slave/agriculture workers) are living a miserable life on their fields. Purchasing and selling of these slaves is still going on.

According to ILO reports, 8 million bonded children are enslaved in different sectors. In carpet industry children from age 4-14, boys and girls are forced to work. Children are beaten, tortured and chained in working places as a punishment. They are also sexually abused by owners and middlemen. Due to unhealthy working conditions children suffer from tuberculosis, cancer and skin diseases. A large number of children die before attaining the age of 12.

According to investigations red colour wool imported from New Zealand and Australia, causes cancer. These children work 12 hours a day, earn millions of foreign exchange but they have no milk, no toys, no books and no shoes, notwithstanding the fact that they are providing a luxurious life to feudal lords and exporters.

After Supreme Court's Decision 1988 thousands of brick kiln workers were freed who were Christians. Due to our awareness raising campaign they left the slavery on the kilns and joined other field of work. The wages were raised and some changes took place. But still the bondage exists at brick kilns and owners are not ready to accept the Bonded Labour System (Abolition) Act. 1992.

Just now we have started a survey of child bonded work in textile industry. We found child labour everywhere. This is sensitive because in this industry many powerful politicians well known human rights activists are involved.

In the coal mines workers, mostly from Swat valley in Frontier, they are bonded in the mines of Baluchistan. There are about 50,000 workers. They don't have any security. They have been working since generation to generation.

Our main export items, cotton, rice, leather products and carpets are produced by bonded workers, children, women and men and Pakistan earns billions of dollars from this system. The children have no milk, no toys, no books and no shoes, but they are providing luxurious life to feudal lords and exporters.

The government is also involved in bonded labour practice. The Central Government is running mines and the Provincial Governments are running carpet and handicraft centres where children are facing the same problems as they are doing in the factories.

About 20,000 small children are taken out of the country as camel kids and sent to Gulf States. This matter is also brought into the notice of Senate but still child trafficking is going on because authorities and closed related persons to the embassies are involved. A report was also telecasted by channel four. After this exposure the traffickers have become more hidden. They have changed their routes and are now bringing the children via Bangkok and Hongkong and sometimes via India.

## STRUGGLE AGAINST SLAVERY THROUGH EDUCATION

Bonded Labour Liberation Front is now running 180 primary schools. They are called APNA SCHOOLS (our schools) because they are run by the bonded workers themselves. 8,000 free bonded children are getting education. 30% out of them are girls. The idea of education is to build confidence among the children and create awareness about their rights and bring the children out of work. The experience is successful. When children go to school there are more job opportunities for the adult.

Our dream is to meet next century with 1,000 schools.

## SUGGESTIONS

On behalf of BLLF I submit the following suggestions in view of the gravity of the situation in South Asia.

- All Trade Unions should evolve an action programme for the elimination of Bonded Labour and child labour especially from this region.
- ILO should hold an International Seminar to accelerate the elimination of bonded labour system.
- United Nations should make special arrangements for the repatriation of about 100,000 Afghan refugees from Peshawar and send a special representative for their release from bondage immediately.
- 18th September should be celebrated as Freedom Day of Bonded Labour throughout the world as is being done in SAARC Countries.
- Agricultural workers should be given right to Trade Union.
- The UNO should ask the governments of all countries to enact suitable laws to ban imported goods wholly and partially by children.
- A National Commission on bonded labour, including child servitude, should be appointed representatives from Bonded Labour Liberation Front vested with statutory power to identify, release and rehabilitate the bonded labour.
- There should be no loans, aid or support by any of the U.N. Organizations like Development Bank project which is likely to involve or perpetuate bonded labour and/or child labour.
- Education for all children up to the age of 14 years irrespective of caste, creed, colour or sex must be made compulsory and free. Incentives should be provided to the poor parents. There should be global mobilisation of resources towards this end. There is no better investment than this for the future of humanity.
- To make arrangements of legal aid for workers and free and compulsory education to the children up to the age of 18 years.

## REMARKS BY TERRY COLLINGSWORTH

AAFLI Country Program Director

I am very pleased that representatives from so many trade unions are here today. I thank the co-chairs, Brother Grimsrud and Brother Thomas, for having the personal conviction to get the ICFTU directly involved in the fight to abolish child labor. It's curious that trade unions in Asia have largely ignored the issue. Trade unions, I thought, share a fundamental concern for ending the exploitation of workers, and child workers are the most vulnerable of all. Further, there is a direct connection between the use of child labor and the decline of wages. If adult workers must compete with child workers, who often are hidden and stripped of all rights and all bargaining power, then adult workers are going to suffer from depressed wages. Finally, only organized labor has the power and the stature to demand an end to child labor from employers, and also governments that refuse to enforce the laws.

The issue of child labor is finally getting the attention it deserves in large part because of the introduction of legislation in the U.S. Congress to ban all imports coming to the U.S. made with child labor. The law, known as the Harkin bill, deals with employers the only way they understand - economically. They have ignored the moral arguments, the appeals to national interests, but now that they risk losing access to a lucrative market and must deal with decision-makers they cannot bribe, they appear ready to listen. The German government is considering similar legislation, which would be particularly meaningful in South Asia because of the large percentage of carpet exports that go to Germany.

I have passed out a copy of the Harkin bill. You should read it carefully later and feel free to ask me any questions once you have read it. For now, let me explain the main points:

The major feature is that it is an attempt to provide effective enforcement machinery for ILO Convention 138 and other international laws and norms that prohibit child labor. This is not, as some have accused, a unilateral imposition of U.S. law. The Harkin bill is an effort to provide an effective enforcement mechanism for existing international norms. Every country represented here has signed at least some of the ILO child labor conventions and has a domestic law prohibiting the use of child labor.

Any category of products that are made with child labor, or that have components made with child labor, in any country, will be completely banned from entry to U.S. markets.

Importers who intentionally violate the law will be subjected to fines up to \$35,000 and/or one year imprisonment.

To make enforcement as effective as possible, "any person" can petition the U.S. Secretary of Labor to investigate a specific industry in a specific country. Once the investigation starts, "any person" can provide supporting information. In both these contexts, the word "person" includes you, representatives of trade unions and NGOs.

If the finding is that child labor was used, products from the entire industry will be banned, which creates a strong incentive for industry to police itself to ensure that no members are in violation. It is not yet clear how much of an industry must be found to use child labor to justify a ban on the entire industry, but at present that is not a problem because industries that use child labor, like the carpet and garment industries, are thoroughly infected with the scourge of child labor.

As part of the law, the President is required to encourage other countries to adopt similar laws, so that eventually, there will be a global ban.

The law will become effective on August 1, 1994, if it is passed, giving us a little more than a year to convince employers to save the children and save their industries. There is little doubt in the U.S. that the law will pass. Employers are finding it difficult to mount any principled arguments to oppose the bill.

The one major gap in the coverage of the Harkin bill is that it only reaches export industries. If a match factory in Sivakasi uses child labor to produce matches for local consumption, the Harkin bill cannot "ban" the matches from U.S. markets. There is, however, another U.S. law that still applies, the Generalized System of Preferences Act. Most of you know about that law because every country represented here has had at least one GSP petition filed against it. GSP requires that a country comply with a five-factor definition of "internationally recognized worker rights," including having a prohibition on child labor, in order to remain eligible for duty-free access to U.S. markets. During the Reagan and Bush years, this law was largely ignored. But now we have a new administration, and the Clinton administration has given strong indications that it intends to take worker rights seriously. Further, the GSP law has expired and requires new legislation to extend it. The same members of Congress who support the Harkin bill will also introduce a new, tougher GSP law that will be a valuable tool in creating leverage to force governments hostile to unions and worker rights to respect international standards.

Abolishing child labor is not going to be easy. There are really two major steps: Getting the children out of the factories and providing them with a constructive alternative, like meaningful education. For each of these areas, there are some good ideas floating around to achieve real results.

### **Getting the children out of the factories.**

A. The main problem is poor enforcement of the laws. But unlike other areas, like worker health and safety where technical skills may be required, enforcing child labor laws does not require skilled inspectors. It only requires political will for the governments to get their inspectors to enter the factories and use common sense in spotting children who are clearly underage, and using minimal investigatory skills to check on those who are closer to the line. In the carpet and garment factories I have been in, there was never a question of whether children were there. The real question was whether they made up more or less than half of the workforce.

If the governments won't do it, then others must. Using the threat of the Harkin bill, and the requirement that questionable industries be certified, I plan to offer industries a choice. Either they allow impartial inspectors to monitor their factories and work with us to give the child workers a future, or we use all available means to document the use of child labor and shut them down. It's that simple. One idea I hope to use if an industry refuses to cooperate is what we call a "whistleblower incentive". If funds can be raised to offer a reasonable reward for documentation of the use of child labor, there will be a line around the block of people willing to come forward and report violations.

B. A second and related issue is that we must have some means of certifying which products are child free. If only part of an industry has cooperated and allowed inspections, we must make sure that others are not slipping child-tainted products in. This is one area Satyarthi of Saccs has pioneered with his idea of using a bar coding device that cannot be counterfeited. Unfortunately, he was not able to attend due to politics in India. Getting children out of factories and into schools should be a non-partisan issue. What could be more important and fundamental? My colleague, John Sloan, will be able to add his observations on the bar code and other labeling devices.

C. A third issue relating to getting the children out of the factories is to have better minimum wage laws and better enforcement of those laws. If adult workers are able to support their children, the children could go to school. If adult workers were not so desperate, they wouldn't borrow money at usurious rates and then, when they can't pay, see their children forced into labor. Also if wages were higher, adults would want the jobs that children are performing now for a fraction of a liveable wage.

### **Getting the children into schools.**

A constructive alternative must await the children to make them want to stop working. In Bangladesh, one seven-year old girl who worked in a garment factory told me that she didn't want to go to school. She had

the job now that would await her when she finished school. She sensed at that young age that she had no other options, so why should she miss out on several years of her meager earnings to go to school? We must be prepared to accept that this will be the attitude until governments and employers understand that the children are the future. Unless they are well educated and have skills relevant to the modern world, their countries will remain in the cycle of poverty, attracting only unskilled, low wage jobs.

A. To tackle the job of providing for a constructive alternative for the children, tremendous resources will likely be needed. But just throwing money at the problem has never worked before. We need to better understand the social and economic reasons for child labor. We shouldn't wait for years while patient academics study the problem in every conceivable form, but we do need to know some basic information in any given situation where there are large numbers of children in an industry. For example:

1. What is the typical economic situation of the child worker's family. Does the child support non-working adults in the family unit? Are there older siblings who cannot find work because they are no longer considered children? Is it a gender issue, meaning that the young girls work while the boys stay home or attend school? Has the child worker's life improved in any measurable sense once he or she started working? What happens to the money the child earns? Does he or she get to keep any of it?
2. What are the barriers to a child worker attending school. Are there public schools in the area the child could attend? Are other children in the neighbourhood able to attend school? Does the government have a compulsory education law? Why isn't it enforced? If there are no schools, will the government cooperate in contributing towards the creation of one?
3. What are the economics of the industry. Is the industry so marginally profitable that child workers keep it going? What is the differential between an adult worker's salary and a child worker's salary? Are child workers receiving the applicable minimum wage? What other incentives exist to hire children besides wages, i.e. are they perceived as less likely to cause trouble? What is the chain of distribution for the industry products? Are there low cost or cost free options, like getting the employers to agree to hire family members of the children? Is a multinational squeezing the local factory owner? Is there a middleman who is raking off a large share? What is the percentage cost of labor in the finished product? What is the retail price of the finished product and how does that compare to the cost of labor to produce one finished product?
4. What are the reasons the government is not doing more to enforce the laws and to make education available to the children. Is it a resource problem? A corruption problem. Indifference to the poorest and least powerful members of society?

With this information, intelligent steps can be taken to use limited resources in the best way to take the next step.

B. Any solution requires a cooperative effort. NGOs, worker groups, government and industry must pool their resources and implement a plan to get the children out of factories and into meaningful, relevant education programs. The idea of forming a tripartite foundation to monitor and implement a specific action plan stands the best chance. The government haven't responded, the employers generally want the cheapest way out, so trade unions and interested NGOs must be part of the process to represent the interests of the children.

**How do trade unions fit into this?** Based on what has been said so far at this conference, we have to admit that trade unions in South Asia have generally ignored the issue. We must then look to basic steps the unions can take to contribute to a solution. Among these are:

1. In Bangladesh, child rights activists like Roseline Costa of CARITAS, and in India, people like Satyarthi, stand alone in calling for the end of child labor. They alone are being hounded by their governments for causing trouble. Not a single one of the more than 23 National Labour Centers in Bangladesh has had the courage or the will to take a stand beside Roseline and say, "We call upon the government and the employers to end the exploitation of children." That's a good first step. Go back

home and have your union issue a strong statement condemning the use of child labor. Use Freedom Day, September 18, to begin a major public campaign.

2. Use your members as a resource. Ask them to each be responsible for reporting to the union if any children are working in their place of employment.
3. Push your governments to enforce the child labor laws and minimum wage laws. Remember that the lack of fair wages for your members is directly related to the widespread use of child labor.
4. Conduct **useful** studies, getting at the issues I have previously outlined. We are, I hope, beyond debating whether there are children working in the carpet industry or the garment industry. We need to move on to more important questions of what to do about the problem.
5. Use leverage in collective bargaining to ensure that in an industry where you represent workers, you have a right to monitor for the use of child labor. Put a clause in the contract making child labor use a prohibition.
6. Link up with other groups. As I said earlier, this issue is too fundamental to be derailed by petty partisan politics. In the U.S., the AFL-CIO has teamed up with many NGOs and other unions to form the Child Labor Coalition to work jointly on solving the problem. In AAFLI's programs in Bangladesh and Nepal, I plan to do the same and create a broad-based coalition of people who are going to leave partisan politics at the door and focus together on eliminating the use of child labor. I hope that the representatives here from Bangladesh will join the Coalition under those terms and work with us. I know that the NTUC here in Nepal will. Brother Laxman's speech left little doubt about the NTUC's commitment.
7. Educate your members and the public at large with your newsletters and other forms of media access. Make clear that child labor hurts everyone. It locks the country into a cycle of poverty, it deprives children of their childhood, and now, it threatens to shut down important export industries if short-sighted employers refuse to comply with the Harkin bill.
8. Organize boycotts. Identify a few local manufacturers who are particularly notorious for using child labor and organize a boycott of their products among your members. Cooperate with others who are doing the same thing to ensure an effective boycott. Employers respond when you hit their wallet.

Again, I thank the ICFTU for organizing a conference on such a crucial issue. I urge you all to think carefully about an effective action plan. Let's move beyond talking. And, true to my words, I look forward to working with those of you who are willing to cooperate in the goal of freeing the children.

103D CONGRESS  
1ST SESSION

# S. 613

To prohibit the importation of goods produced abroad with child labor, and  
for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 18 (legislative day, MARCH 3), 1993

Mr. HARKIN (for himself, Mr. CONRAD, Mr. INOUE, Mr. GRASSLEY, Mr. ROCKEFELLER, Mr. METZENBAUM, Mr. FEINGOLD, Mr. CAMPBELL, Mr. DORGAN, and Mr. RIEGLE) introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To prohibit the importation of goods produced abroad with  
child labor, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

### 3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Child Labor Deter-  
5        ence Act of 1993”.

### 6        **SEC. 2. FINDINGS, PURPOSE, AND POLICY.**

7        (a) FINDINGS. — The Congress finds the following:

8                (1) Principle 9 of the Declaration of the Rights  
9        of the Child proclaimed by the General Assembly of



1 the United Nations on November 20, 1959, states  
2 that "... the child shall not be admitted to employ-  
3 ment before an appropriate minimum age; he shall  
4 in no case be caused or permitted to engage in any  
5 occupation or employment which would prejudice his  
6 health or education, or interfere with his physical,  
7 mental or moral development ....".

8 (2) Article 2 of the International Labor Con-  
9 vention No. 138 Concerning Minimum Age For Ad-  
10 mission to Employment states that, "The minimum  
11 age specified in pursuance of paragraph 1 of this ar-  
12 ticle shall not be less than the age of compulsory  
13 schooling and, in any case, shall not be less than 15  
14 years".

15 (3) According to the International Labor Orga-  
16 nisation, worldwide an estimated 200,000,000 chil-  
17 dren under age 15 are working, many of them in  
18 dangerous industries like mining and fireworks.

19 (4) Children under the age 15 constitute ap-  
20 proximately 11 percent of the workforce in some  
21 Asian countries, 17 percent in parts of Africa, and  
22 a reported 12-26 percent in many countries in Latin  
23 America.

24 (5) The number of children under age 15 who  
25 are working, and the scale of their suffering, in-

crease every year, despite the existence of more than 20 International Labor Organization conventions on child labor and laws in many countries which purportedly prohibit the employment of under age children.

(6) In many countries, children under the age 15 lack either the legal standing or means to protect themselves from exploitation in the workplace.

(7) The employment of children under the age of 15 commonly deprives the children of the opportunity for basic education and also denies gainful employment to millions of adults.

(8) The employment of children under the age of 15, often at pitifully low wages, undermines the stability of families and ignores the importance of increasing jobs, aggregated demand, and purchasing power among adults as a catalyst to the development of internal markets and the achievement of broad-based, self-reliant economic development in many developing countries.

(9) Adult workers in the United States and other developed countries should not have their jobs imperiled by imports produced by child labor in developing countries.

1 (b) PURPOSE. – The purpose of this Act is to curtail  
2 the employment of children under age 15 in the production  
3 of goods for export by –

4 (1) eliminating the role of the United States in  
5 providing a market for foreign products made by un-  
6 derage children; and

7 (2) encouraging other nations to join in a ban  
8 on trade in such products.

9 **SEC. 3. UNITED STATES INITIATIVE TO CURTAIL INTER-**  
10 **NATIONAL TRADE IN PRODUCTS OF CHILD**  
11 **LABOR.**

12 In pursuit of the policy set forth in this Act, the  
13 President is urged to seek an agreement with governments  
14 that conduct trade with the United States for the purpose  
15 of securing an international ban on trade in products  
16 of child labor.

17 **SEC. 4. IDENTIFICATION OF FOREIGN INDUSTRIES AND**  
18 **THEIR RESPECTIVE HOST COUNTRIES THAT**  
19 **UTILIZE CHILD LABOR IN EXPORT OF GOODS.**

20 (a) IDENTIFICATION OF INDUSTRIES AND HOST  
21 COUNTRIES. – The Secretary of Labor (hereafter in this  
22 section referred to as the “Secretary”) shall undertake  
23 periodic reviews using all available information, including  
24 information made available by the International Labor Or-  
25 ganization and human rights organizations (the first such

1 review to be undertaken not later than 180 days after the  
2 date of the enactment of the Act), to identify any foreign  
3 industry and its host country that –

4 (1) utilize child labor in the export of products;  
5 and

6 (2) has on a continuing basis exported products  
7 of child labor to the United States.

8 (b) PETITIONS REQUESTING IDENTIFICATION. –

9 (1) FILING. – Any person may file a petition  
10 with the Secretary requesting that a particular for-  
11 eign industry and its host country be identified  
12 under subsection (a). The petition must set forth the  
13 allegations in support of the request.

14 (2) ACTION ON RECEIPT OF PETITION. – Not  
15 later than 90 days after receiving a petition under  
16 paragraph (1), the Secretary shall –

17 (A) decide whether or not the allegations  
18 in the petition warrant further action by the  
19 Secretary in regard to the foreign industry and  
20 its host country under subsection (a); and

21 (B) notify the petitioner of the decision  
22 under subparagraph (A) and the facts and rea-  
23 sons supporting the decision.

1 (c) CONSULTATION AND COMMENT. – Prior to identi-  
2 fying a foreign industry and its host country under sub-  
3 section (a), the Secretary shall –

4 (1) consult with the United States Trade Rep-  
5 resentative, the Secretary of State, the Secretary of  
6 Commerce and the Secretary of the Treasury re-  
7 garding such action;

8 (2) publish notice in the Federal Register that  
9 such an identification is being considered and invit-  
10 ing the submission within a reasonable time of writ-  
11 ten comment from the public; and

12 (3) take into account the information obtained  
13 under paragraphs (1) and (2).

14 (d) REVOCATION OF IDENTIFICATION. –

15 (1) IN GENERAL. – Subject to paragraph (2),  
16 the Secretary may revoke the identification of any  
17 foreign industry and its host country under sub-  
18 section (a) if information available to the Secretary  
19 indicates that such action is appropriate.

20 (2) REPORT OF SECRETARY. – No revocation  
21 under paragraph (1) may take effect earlier than the  
22 60th day after the date on which the Secretary sub-  
23 mits to the Congress a written report –

24 (A) stating that in the opinion of the Sec-  
25 retary the foreign industry and host country

1 concerned does not utilize child labor in the ex-  
2 port of products; and

3 (B) stating the facts on which such opinion  
4 is based and any other reason why the Sec-  
5 retary considers the revocation appropriate.

6 (3) PROCEDURE. - No revocation under para-  
7 graph (1) may take effect unless the Secretary -

8 (A) publishes notice in the Federal Reg-  
9 ister that such a revocation is under consider-  
10 ation and inviting the submission within a rea-  
11 sonable time of written comment from the pub-  
12 lic on the revocation; and

13 (B) takes into account the information re-  
14 ceived under subparagraph (A) before preparing  
15 the report required under paragraph (2).

16 (e) PUBLICATION. - The Secretary shall -

17 (1) promptly publish in the Federal Register -

18 (A) the name of each foreign industry and  
19 its host country identified under subsection (a);

20 (B) the text of the decision made under  
21 subsection (b)(2)(A) and a statement of the  
22 facts and reasons supporting the decision; and

23 (C) the name of each foreign industry and  
24 its host country with respect to which an identi-

1           fication has been revoked under subsection (d);

2           and

3           (2) maintain in the Federal Register a current  
4       list of all foreign industries and their respective host  
5       countries identified under subsection (a).

6       **SEC. 5. PROHIBITION ON ENTRY.**

7       (a) PROHIBITION. –

8           (1) IN GENERAL. – Except as provided in para-  
9       graph (2), during the effective identification period  
10      for a foreign industry and its host country, the Sec-  
11      retary may not permit the entry of any manufac-  
12      tured article that is a product of that foreign  
13      industry.

14          (2) EXCEPTION. – Paragraph (1) shall not  
15      apply to the entry of a manufactured article –

16           (A) for which a certification that meets the  
17      requirements of subsection (b) is provided;

18           (B) that is entered under any subheading  
19      in subchapter IV or VI of chapter 98 (relating  
20      to personal exemptions) of the Harmonized  
21      Tariff Schedule of the United States; or

22           (C) that was exported from the foreign in-  
23      dustry and its host country and was en route  
24      to the United States before the first day of the

1           effective identification period for such industry  
2           and its host country.

3           (b) CERTIFICATION THAT ARTICLE IS NOT A PROD-  
4 UCT OF CHILD LABOR. –

5           (1) FORM AND CONTENT. – The Secretary shall  
6           prescribe the form and content of documentation, for  
7           submission in connection with the entry of a manu-  
8           factured article, that satisfies the Secretary that the  
9           importer of the article has undertaken reasonable  
10          steps to ensure, to the extent practicable, that the  
11          article is not a product of child labor.

12          (2) WRITTEN EVIDENCE. – The documentation  
13          required by the Secretary under paragraph (1) shall  
14          include written evidence that the agreement setting  
15          forth the terms and conditions of the acquisition or  
16          provision of the imported article includes the condi-  
17          tion that the article not be a product of child labor.

18 **SEC. 6. PENALTIES.**

19          (a) UNLAWFUL ACTS. – It is unlawful –

20               (1) during the effective identification period ap-  
21               plicable to a foreign industry and its host country,  
22               to attempt to enter any manufactured article that is  
23               a product of that industry if the entry is prohibited  
24               under section 5(a)(1); or



1           (2) to violate any regulation prescribed under  
2       section 7.

3       (b) CIVIL PENALTY. – Any person who commits any  
4       unlawful act set forth in subsection (a) is liable for a civil  
5       penalty of not to exceed \$25,000.

6       (c) CRIMINAL PENALTY. – In addition to being liable  
7       for a civil penalty under subsection (b), any person who  
8       intentionally commits any unlawful act set forth in sub-  
9       section (a) is, upon conviction, liable for a fine of not less  
10      than \$10,000 and not more than \$35,000, or imprison-  
11      ment for 1 year, or both.

12      (d) CONSTRUCTION. – The violations set forth in sub-  
13      section (a) shall be treated as violations of the customs  
14      laws for purposes of applying the enforcement provisions  
15      of the Tariff Act of 1930, including –

16           (1) the search, seizure and forfeiture provisions;

17           (2) section 592 (relating to penalties for entry  
18      by fraud, gross negligence, or negligence); and

19           (3) section 619 (relating to compensation to in-  
20      formers).

21   **SEC. 7. REGULATIONS.**

22      The Secretary shall prescribe regulations that are  
23      necessary or appropriate to carry out this Act.

24   **SEC. 8. DEFINITIONS.**

25      For the purposes of this Act:

1           (1) MANUFACTURED ARTICLE. - A manufac-  
2       tured article shall be treated as being a product of  
3       child labor if the article -

4               (A) was fabricated, assembled, or proc-  
5       essed, in whole or part;

6               (B) contains any part that was fabricated,  
7       assembled, or processed, in whole or in part; or

8               (C) was mined, quarried, pumped, or oth-  
9       erwise extracted, by one or more children who  
10      engaged in the fabrication, assembly, process-  
11      ing, or extraction -

12               (i) in exchange for remuneration (re-  
13      gardless to whom paid), subsistence, goods  
14      or services, or any combination of the fore-  
15      going;

16               (ii) under circumstances tantamount  
17      to involuntary servitude; or

18               (iii) under exposure to toxic sub-  
19      stances or working conditions otherwise  
20      posing serious health hazards.

21           (2) CHILD - The term "child" means an ind-  
22      ividual who has not attained the age of 15.

23           (3) EFFECTIVE IDENTIFICATION PERIOD. - The  
24      term "effective identification period" means, with re-

1       spect to a foreign industry or country, the period  
2       that –

3               (A) begins on the date of that issue of the  
4       Federal Register in which the identification of  
5       the foreign industry or country is published  
6       under section 4(e)(1)(A); and

7               (B) terminates on the date of that issue on  
8       the Federal Register in which the revocation of  
9       the identification referred to in subparagraph  
10      (A) is published under section 4(e)(1)(B).

11      (4) ENTERED. – The term “entered” means en-  
12      tered, or withdrawn from warehouse for consump-  
13      tion, in the customs territory of the United States.

14      (5) FOREIGN INDUSTRY. – The term “foreign  
15      industry” includes any entity that produces a manu-  
16      factured article in any possession or territory of a  
17      foreign country.

18      (6) HOST COUNTRY. – The term “host country”  
19      means any possession or territory of a foreign coun-  
20      try that is administered separately for customs pur-  
21      poses and on which a foreign industry produces a  
22      manufactured article.

23      (7) MANUFACTURED ARTICLE. – The term  
24      “manufactured article” means any good that is fab-  
25      ricated, assembled, or processed. The term also in-

1 cludes any mineral resources (including any mineral  
2 fuel) that is entered in a crude state. Any mineral  
3 resources that at entry has been subjected to only  
4 washing, crushing, grinding, powdering, levigation,  
5 sifting, screening, or concentration by flotation,  
6 magnetic separation, or other mechanical or physical  
7 processes shall be treated as having been processed  
8 for the purposes of this Act.

9 (8) SECRETARY. – The term “Secretary”, except  
10 for purposes of section 4, means the Secretary of the  
11 Treasury.

## CHILD LABOUR IN CARPET INDUSTRY

The ICFTU-APRO Compendium of Action, which serves as a guidepost to our activities, among other things, has accorded priority attention to the issue of child labour - its situational analysis, the nature and dimensions of the problem.

Recently the APRO had embarked on two pilot projects on child labour, one by the ICFTU-APRO South Asia Office in New Delhi with the collaboration of APRO affiliates in India and Bangladesh, and the other by the Trade Union Congress of the Philippines. While the former project was carried out in Sivakasi in India and Dhaka in Bangladesh, the latter was conducted in the Southern Luzon region.

In line with the above approach, the ICFTU-APRO has planned to intensify its efforts in eliminating child labour. The present Sub-regional Seminar on child labour in South Asia is intended to analyse the problems of child labour in greater scope and depth. In this connection, the significance of general situational analysis as well as industry specific studies cannot be gainsaid.

The paper presented herewith is an attempt to highlight the issue of child labour in the carpet industry in India, where considerable controversy has surfaced.

### CHILD LABOUR IN INDIAN CARPET INDUSTRY

Child labour in the Indian carpet industry, in recent months, has in fact assumed almost an international dimension. Reaction from the West, especially from the German and United States' governments has compelled the attention of all concerned in India - the manufacturers of carpets, the government and the workers and the trade unions - to look into the implications of the continued prevalence of this scourge.

Carpet weaving is by and large a traditional industry, the major centres of carpet-weaving being situated around Jaipur, Agra, Kashmir and Mirzapur and Bhadoi district of Varanasi, the holy city of the Hindus. In reality, the Bhadoi district region of the Varanasi district in Uttar Pradesh, the most populous State in India, is the nerve centre of carpet weaving. The place is well-known world-wide for its hand-knotted woollen carpets and 80-90 per cent of the hand-knotted carpets of export quality are produced in the Bhadoi-Mirzapur region.

According to a research study child workers in the carpet industry number between 100,000 and 150,000. The Bonded Labour Liberation Front of India has placed the figure at 300,000. The New York Times, however, recently has indicated that an estimated 300,000 to 1,000,000 children work in the Indian carpet industry. Germany, one single largest buyer in the European community, accounted for exports worth Rs. 2.7 billion and the US for Rs 2.61 billion.

The carpet weaving industry is stated to have experienced a boom in recent years. Exports of carpets, according to an estimate, had jumped from Rs 4.20 billion in 1989-90 to Rs. 7.45 billion in 1990-91. As on date, the country is said to earn Rs 10 billion a year from exports in the carpet industry.

### CRISIS SITUATION

The industry, as on date, is faced with a crisis situation, particularly in the context of the introduction of what is known as the Child Labour Deterrence Bill of 1992 by Senator Harkin in the US. The Harkin's Bill aims to prevent the import of goods from any country that is made of child labour.

The purpose of the Bill "is to curtail the employment of children under the age of 15 in the production of goods for export by: Eliminating the role of the United States in providing a market for foreign products made by under-age children; and encouraging other nations to join in a ban on a trade in such products".

The US Bill, which is yet to be adopted, has already caused shock waves in the industry circles in India. The manufacturers fear that such a ban would encourage other importing countries also to follow suit, jeopardising further the industry. A similar ban is already stated to be imminent by Germany, Japan and Australia, which are viewed as potential big markets, are presently reported to import carpets worth Rs. 160 million and Rs. 90 million respectively.

Confronted by such a reactive trend, the parties involved in the business as well as the Government are engaged in negotiations to retrieve the situation, with the primary objective of protecting the industry stepping into recession, if not complete destruction. In essence, the great apprehension revolves round the view that the US-led ban, if carried through, could sound the death-knell of the industry.

## PROFILE OF CHILD LABOUR

It is important to realise that the estimates of child labour in the industry exhibit vast differences, and also the prevalence of bonded labour. Some employers have placed the estimate to be around 15 to 20 per cent of the labour force in the industry and only 1 per cent of it being bonded labour. Organisations which have spearheaded a movement against child labour argue that the component of bonded labour should be as high as 13 per cent. The government sources do not have precise estimates. However a recent random survey of 40 villages out of a total of 3400 villages in the Varanasi division undertaken by the Commissioner of the District has indicated that percentage of child labour ranged between 12 to 14 per cent while the bonded component was 3 to 4 per cent.

## IMPACT OF FACTORY ACT 1948 AND EXPLOITATION OF CHILDREN

The passing of the Factory's Act of 1948 ushered in a fundamental change in the situation of child labour. The Act, among other things, prohibited the employment of children below the age of 14. It also defined the term 'factory' as "any premises" including the precincts thereof, wherein the strength of workers is above ten" and where manufacturing processes are carried out with or without the aid of power.

The structure of the carpet industry underwent a change, as a consequence. Taking advantage of the loopholes of the Act, the manufacturers shifted the workplace from the factory to the home, where the Act was not applicable.

Two developments followed suit. a) the mushroom growth of looms, whose numbers are still to be precisely known. b) the size and composition of the labour force, which is still to be compiled accurately and remains a guess work, on approximations. The children work behind closed doors and the clandestine nature of the work is an obstacle in arriving at a proper estimate.

The looms are placed in charge of several master weavers who engage about three more persons to work each loom. At least one, and in many cases two, of these helpers are children between the age of 10-12 years. In Mirzapur, it is reported, every two of the four workers in a loom are children.

## INDUSTRY'S STRUCTURE

The structure of the industry can be roughly described as a simple three-tier arrangement like the following:

Manufacture/Exporter  
Master weaver/Loom holder  
Weavers (adult and children)  
Largely family members or hired

The various stages in the carpet making process showing where children are employed is as follows:

Sheep rearing .....Adults and children mainly for sheep grazing  
Purchase of wool .....Adults

|  |                     |
|--|---------------------|
| Selling to manufacture .....                           | Adults              |
| Dyeing of wool .....                                   | Adults              |
| Individual manufacturers making of balls ....          | Children and women  |
| Setting up of loom and placing of<br>kabh on top ..... | Adults              |
| Weaving .....  | Children and adults |
| De-loomng of carpets .....                             | Adults              |
| Binding .....  | Children and adults |
| Washing.....   | Adults              |
| Clipping .....   | Adults              |
| Packing .....  | Adults              |

It is important to note, that the advocacy of a simple 'decentralised' three-tier arrangement, as maintained by the employer, is simply fallacious and misleading.

While the employer provides the designs and raw material, the master weaver or the loom holder gets the job done on commission basis. It may be by themselves or through the third tier, which comprises mostly of self employed weavers assisted by other members, including children of their own family. The job on looms is also sought to be dispersed in single or double units in about 15,000 villages in the core zone and periphery.

Two arguments are advanced in defence of employers in this respect. The manufacturers asset that there is no question of their employing or exploiting children. They cannot be held responsible, in other words. Secondly, even admitting the practice, the onus lies squarely with the 'master' weavers.

However in strict legal terms, their contention is not maintainable. Carpet industry is classified according to law as a hazardous industry wherein children below the age of 14 are not to be employed. But the employers circumvent the law, which allows however the loom owner to employ his own children, so as to keep alive the tradition of family expertise. They employ not only their children but also others whom they declare as their own!

## CAUSES OF CHILD LABOUR

Whatever the defence put up by the employer, the cause of child labour remain to be looked into in the specific context of the industry.

First of all, it is to be noted that a carpet is not woven, it is knotted and each individual knot has to be made by hand. Children under the age of sixteen, do really eight percent of the knotting work.

Child labourers, with their soft and nimble fingers are deemed to be very important for hand knotting the carpet. They could be also made to work for long hours say 12 to 16 hours a day and can be easily disciplined or coerced.

Children, moreover, are compelled to do unpaid 'beggar' work (personal work) for the loom owner like working in the fields, herding his cattle etc. It is a common practice in as much as children are to be put to work only when there is a carpet order to be met.

Poverty and illiteracy, in fact, have been at the root of child labour's exploitation. Most of the children working as carpet weavers come from households belonging to scheduled castes and tribes and to some extent from the Muslim and tribal communities. By and large they are migrants from the neighbouring State of Bihar; particularly they include children from the caste known as 'Mallah' (the fishermen's community). Labour contractors arrange to procure them for a pittance ranging from Rs. 200 to Rs. 1500 loaned out to their poor parents. Some children are got free as their parents are unable to feed them!

Lack of job opportunities in the villages, inadequate land holdings, constant drought, lack of irrigation facilities, and hence low family incomes which require support from children's work are factors which drive

children to learn a craft like weaving and commence work even as they are of as early as 6 or 7 years age. Truckloads of children are traded along the Uttar Pradesh - Bihar border almost every month. The stark truth is that child labour is cheap and convenient to order about.

## WORKING CONDITIONS

Working hours normally range between twelve and sixteen hours, with an half-an hour break for lunch. No paid holidays exist, though workers could avail of a holiday as they are paid only for work done. The labourers in some cases are reported to work even on official holidays. The period when children are permitted to visit families in their house is only the real time off for them.

Exact date is not available as to the wages paid to child workers; rough estimates, however, indicate that the minimum wage set in 1979 was Rs. 5.42 per day. However even out of this wage, deductions were effected by the loom owners (say about 10%) for defects, late delivery of carpets or other reasons. There are also instances where child labour is not paid in cash and loom owners prefer to keep them half starved, least they should fatten and run away!

Generally payment is effected on completion of a carpet. Depending on the size, quality, colour and design, a carpet could be completed within 15 days to four months. If lawful wages are to be paid, the loom owners feel, it would add 40 per cent to the cost of the carpet.

Parents normally receive the wages paid to their children either by money order or when the children visit them. The middlemen who arrange for the supply of children, in some cases, had also arranged for small loans upto 1000 rupees (recoverable from the wages of children on a monthly basis). Such an arrangement makes the children become more or less 'bonded labour'.

Food served to children are stated to be insufficient, besides the quality being poor. On an average Rs. 60 to 100 per month is deducted from the wages of children for food.

Other facilities like medical, toilet or bathrooms or recreation are almost nil or negligible.

The working environment of child labourers at the loom sheds is congested, with poor ventilation and air laden with fluff. The children, who are forced to cramp on the pit loom often are reported to become victims of diseases, including boils, skin irritation, eye injury, TB etc. Summer or winter conditions add to the woes of the child workers. Cold weather conditions particularly in the UP belt make the plight of child labourers, who are already found in tattered clothes, still more miserable. Brutal and inhuman treatment would await the child workers, once they exhibit slackness or slowdown in their work. It is not uncommon for the employer to hit at a worker with a hot iron rod on his finger or other parts of the body for not getting up early to resume the day's work.

An interview with children working in a carpet factory (in Rajasthan) as to the nature of the treatment in case of accidents evoked the following reply, after a sarcastic laugh:

"Our fingers get cut. We put some turmeric paste or mehandi paste and go back to work. Our fingers are bloodless - no blood falls. We don't grow, our chests don't grow, our legs lose their strength. We are incapable of doing any other work".

## RELIEF MEASURES

The above narrated sub-human conditions of work naturally have evoked criticism and some action from welfare organisations in India. The Bonded Liberation Front, for instance, had drawn the attention of the authorities by filing a writ petition in the Supreme Court some years ago on the plight of about 30 children, aged between 7 to 15 years from village Chhachuri of District Palamau (Bihar) who were kidnapped into a carpet factory in village Belwariya in District Mirzapur. The Supreme Court of India in response, appointed a Commissioner to visit the carpet factories in Mirzapur for an on the spot study and report.



Reports of such children being rescued from bondage from time to time have been increasing.

However the proper rehabilitation of the rescued children in the carpet industry has remained a challenging task. In fact the fate of child labourers who were released under the orders of the authorities including the Supreme Court of India were not found to be different from others. The child workers, either at the local place or in their native places, were provided with looms allegedly worth Rs. 6250 towards alternative employment and rehabilitation. In reality, the looms, which were procured from the agents of corrupt government officials, were made of very rough quality wool. Their actual cost also could not be more than RS. 800 or Rs. 1000. Further the dues of the child workers like exgratia payment of Rs. 500 were not also paid, as per the agreement. On top of all, the child labourers had to wait as long as six months to one year to receive the sub-standard looms. The crucial waiting period compelled the parents of the children to enbroil themselves in borrowing, indebtedness and other forms of suffering such as the domination of landlords, and humiliation by them etc. besides stoically enduring their impoverishment.

The Government of India, for its part, has initiated, within the framework of the National Child Labour Policy a pilot project to improve the lot of children by giving them training in augmenting their skills and income generating capacity. But its aim of increasing carpet exports as argued by critics, is, however, difficult to be reconciled with its goal of reducing child labour.

The APRO pilot studies in the match and fireworks industry in Sivakasi, India and the garments and informal sector in Dhaka, Bangladesh have made a number of recommendations to improve the lot of child labour. While they relate to the specific situations studied, nevertheless they are by and large applicable to other industries, such as carpet industry as well. To make the working conditions of children in the carpet industry more human and congenial, the following are also essential: (a) effective enforcement of the minimum age of entry to work, (b) minimum four years of schooling for new recruits so as to ensure adequate literacy level (c) promotion of literacy programmes so as to help trainees to prepare for the fifth-year examination while learning how to weave (d) appropriate medical facilities including medical examinations of children and observance of minimum nutritional requirements within factories (e) effective prevention of health hazards at the worksite, and (f) introduction of a health insurance scheme etc.

But the most important requirement in the context of the Bhadoi situation appears to be the bringing about of a change in the attitude of adults towards child labour, bearing in mind the historical trends like tradition, conservative ideas, and, last but not the least important, willingness to forego the income from children and allow them to get educated.

## RESPONSE OF EMPLOYERS/GOVERNMENT

It is pertinent, in this connection, to look at the strategy being evolved by the All India Carpet Manufacturers Association and the Carpet Export Promotion Council as well as the Government of India in the wake of the threat from industrialised countries to impose a ban on products of child labour.

It has been consented to try hard to achieve "Carpets without Child Labour" as per the mandate of the Joint Action Committee of manufacturers, SAACS and the Government. The CEPC has 2700 members, out of which 1700 of them are from the Bhadoi Mirzapur belt. It has also involved itself in evolving a draft criteria for monitoring carpet production, free of child labour.

The government, which has been accused of having woken up to the situation late, has recently initiated action for the compulsory registration of looms. Such action is expected to result in a survey of the nature of employment in the carpet-weaving centres. However critics complain that there has all along been an informal understanding which would make the government turn a Nelson's eye to the goings in the industry so as to promote exports. In fact the counter lobby, promoted primarily by the US importers of Indian carpets, has of late become more vociferous. It has cautioned about the possibility of worsening employment situation, and even losses of hundreds of thousands of jobs. If trade sanctions take place, workers would lose their employment and be driven to starvation and destitution.

It is heartening to note that despite the above controversy, pressure from abroad and inside have brought about an awakening about the harmful impact of child labour. The apex body of carpet manufacturers, as pointed out earlier, have finally woken up to the fact that child labour should be eradicated.

About 50 non-governmental organisations are reported to be in the field of which a dozen are working in the Mirzapur, Bhadoi and Varanasi Carpet belt. The SAACS had, it is claimed, freed in 1992 400 children who were being forcibly used as labour in the carpet industry.

The First South Asian Consultation on Carpet Child Labour was also organised in New Delhi on July 11, 1992 by the Committee for the Eradication of Child Labour in Carpet Industry and Asian Culture Forum on Development. It was pointed out that the lack of political and administrative will has been the same as far as South Asian countries are concerned.

The Joint Action Committee for Carpet Without Child Labour, comprising of Carpet Export Promotion Council and all regional associates and NGOs in March 1993 agreed on a draft criteria for monitoring of carpet production free of child labour. It was decided that the label will be purely a graphic symbol without any written statement except code numbers of production unit and exporter. Along with the labelling procedure, three factors would be registered by code numbers - (a) actual exporter; (b) loom owner (c) the individual loom which would be marked by a small tamperproof number plate.

It was also accepted that the Swiss control system which controls "woolmark" would be invited during the process of implementation of the labelling system.

The CEPC (Carpet Export Promotion Council) had also started the process of registering looms. About 20,000 looms were registered in November, 1992 and work in 6000 had continued after it. According to an estimate, there are about 200,000 looms in the industry.

The CEPC had also been trying to evolve a rehabilitation project, with carpet exporters chipping in with 2% of their earnings to establish a trust to supervise the rehabilitation of child labour. However the idea is being resisted by others.

The CEPC and the All India Carpet Manufacturers Association (AICMA) had also agreed to initiate a move to repatriate all bonded children from Nepal in the carpet industry and stop recruiting fresh hands below 14 years of age.

The Uttar Pradesh Government has since initiated a time bound registration programme plan. It has also set up state-level and district level committees to ensure punitive action against violators of labour laws, enforcement of legislative provisions under the Child Labour (Prohibition and Regulation) Act, 1986 and the Factories Act of 1948. A Committee has been constituted for this purpose in Mirzapur district and Varanasi to carry out inspection in an organised manner and on a sustained basis.

The special task force constituted by the Uttar Pradesh Government is reported to have carried out 370 inspections in September 1992 and detected 38 cases where 172 children were employed.

Also under the National Child Labour Project, 20 special schools have been set-up in U.P. A total of 1000 child workers drawn from the carpet industry are provided with non-formal education, nutrition, health care, stipend, vocational training and recreation.

The government has also proposed to bring an amendment to the Minimum Wages Act to delete the provision allowing State Governments to fix differential rates of wages for adult and child labourers. It has also set a three years target for abolition of child labour in ten States/Union Territories.

## **IMPACT ON BANGLADESH**

The Bangladesh Daily "Star" reacting to the Harkin Bill, has pointed out that there are still one or two vital

points the Senator concerned appears to have missed. It has asserted, "Our society is neither sufficiently developed nor egalitarian to afford complete abolition of child labour".

The US Ambassador William B. Mitlan while addressing the Dhaka Chamber of Commerce, in early April (93) had affirmed that the fate of child workers in the garments industry will be a major problem for Bangladesh.

Experts in Bangladesh apprehend that in the absence of social security, the Harkin Bill would further impoverish the poor. An estimated 15 per cent of the 700,000 workers in the country's garments factories are under 15 years. Thousands of them will lose jobs and be forced on into the streets in search of jobs. Many of the girls, they have cautioned, may end up in brothels in South Asian cities. The stark reality is that the wages of child workers (who hail from poor homes) though paltry supplement family income.

In Pakistan also, the movement against child labour is gaining momentum. The carpet industry in Pakistan earns about two billion dollars annually for the country. According to Mr. Ehsan Ullah Khan, President of Bonded Labour Liberation Front of Pakistan, there were 500,000 children in the carpet trade below 14 years in 1992. 50 per cent of them died, 25% of them had TB, cancer and 10 per cent were sexually abused.

Recently the five non-governmental organisations (NGOs) of India, Pakistan, Bangladesh and Nepal have made a fervent appeal to the United Nations Human Rights Commission at Vienna to stop child labour. The organisations were the South Asia Coalition on Child Servitude (SAACS), the Bonded Liberation Front of India, Pakistan Bonded Labour Liberation Front, Nepal's INSEC and Bangladesh's Justice and Peace Commission. They alleged that more than 80 million children in the Indian subcontinent are languishing in bondage, working 14 to 16 hours in inhuman, unhygienic conditions as "voiceless non-beings". They have, among other things, demanded the stoppage of UN-aided support to projects that involve or perpetuate bonded or child labour and recommended that governments should appoint National Commissions on bonded labour and child servitude.

## CONCLUSION

To conclude, the eradication of child labour calls for a multi-faceted struggle. Despite constitutional guarantees, legal safeguards, and international conventions, exploitation of child labour and violation of basic human rights have continued unabated.

What is of utmost importance is the launching of a constant and continuous information campaign to disabuse the feelings of resentment against the steps to eradicate child labour. In fact as many as 150,000 carpet weavers including women and children in one belt of "Mirzapur-Bhadoi-Allahabad region" struck work in June to press for fulfillment of their demands. Ironically the protest was against the "propaganda of child labour" by some people in foreign countries.

The fact is that NGOs can do little to solve the problems, except draw public attention. The ultimate prevention is land reforms, a process that get stalled. The problem will persist for long, until the power structure is changed, so as to free the poor from the shackles of the rich and feudal lords in the countryside.

While the issue of child labour had come to be approached with a moral and human tone, of late, commercial interests still continue unabated. Still one hears the cry "It will be suicidal to force out child labour from the carpet industry"!

The Anti-Slavery International's Director, Ms. Lesley Roberts has observed that the problem of child labour in South Asia could take their entire time. No legislation can help, only changes in attitude can.

The sooner some consensus is reached on the various problems of child workers by all parties concerned, the better it is. But one thing appears certain. The struggle for justice and fairplay will prove long and arduous.

## CHILDREN AS CAMEL JOCKEYS

An international child traffickers' ring has been in existence to serve the brutal sport of camel racing in the Gulf. Bangladeshi and Pakistani boys aged between two and five were found to be victims of such a ploy last year.

Smuggling of minor children from Bangladesh through Indian agents in Calcutta, with associates in Bombay, had resulted in despatch of children to Dubai, which is said to have great demand for them for camel racing. Not only Dubai but most of the Arab countries need them. Boys of the age group four to nine are reported to be tied to the camel's throats, under loose garments. The children are preferred as jockeys for camel racing not because they are light, but more because their shrill cries of fear stimulate the animal to run faster. The prospect of winning races are thought to be better with minor boys, who also add to entertainment.

The children are normally hired, the charges ranging from Rs.2,000 to 4,000 per trip. Poor people offer their children for a price in the hope of getting a job for them in camel sheds. There are also instances of those who sell off their property to get jobs. The children are usually returned after they attain the age of 10. However, what really happens is that in many cases, they die. Or else they are made to work as slaves in the Middle East for the rest of their lives. The tragic part of the story is that the agents hold no liability for their deaths.

Investigative agencies have found it very difficult in bursting the gangs operating in the trade. The ring is so well organised that in most cases they appear to remain legally safe. The travel papers appear to be updated and ready. Without the parents of affected children volunteering information, it appears very difficult to prove the cases. The racket thrives on, despite constant vigilance and detection by the police.

The police had bursted on April 8, 1992 a gang which was operating in and out of Dr. Jibanratan Dhar Road, a non-descript lane in a developing suburb adjoining Calcutta airport. Badal Mazumdar who ran a confectionary in the area acted as an agent to run the trade was arrested and chargesheeted. Assisted by the neighbours, the police virtually had to storm into the three storeyed building at East Kamalapur of Dum Dum.

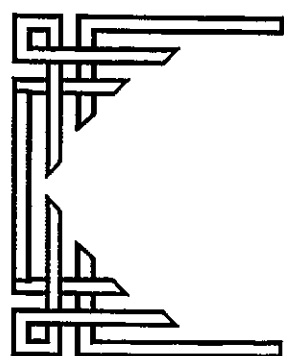
On getting confronted by the police, the accused persons introduced themselves as fathers of the children whom they were to escort on travel. However persistent interrogations proved their claims to be false.

In another incident, the Indian police rescued 25 Bangladeshi boys aged between two and five from a fourth floor flat in the port of Bombay where they were kept for two weeks on their way to the Middle East. A gang of 12 people, six men and six women, were arrested including a Bangladeshi couple, believed to have masterminded the operation. Rajesh Kochrikar who was detained, pleaded that he was running a creche, whereas one of the older boys revealed that he was supposed to be sent to a Middle Eastern country. It appeared that the boys were either kidnapped in Bangladesh or sold by their parents.

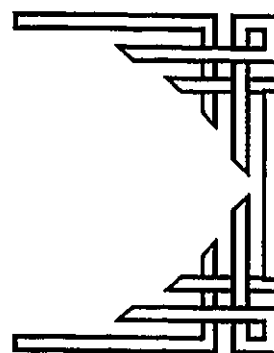
Seventy of the boys so rescued were ultimately deported to an orphanage on October 25, after spending seven months of uncertainty in Bombay. The orphanage, called the "Home of Joy", is situated in the Khulna district of Bangladesh. The organisation "Friends of Bangladesh" was formed by Faith Willard, an American lady.

The rescue process of the children as well as their subsequent rehabilitation in the "Home of Joy" is indeed a sordid tale. Initially the slow move of the government of Bangladesh which approached the Indian government only in May 1992 delayed matters considerably. Only on August 20 it awarded the custody of children to "Friends of Bangladesh".

Talks in Bangladesh with the Labour Department officials on this problem of trading in infants revealed that such happenings are dovetailed to criminal investigations which do entail long enquiries and investigations and procedures. Only effective co-ordination among the various agencies involved in the crime can bring about easy and quick solutions. Especially inter-country and inter-regional investigations take their own time to fish out the truth and result in decision-making in safeguarding the welfare of the children. Trade unions could extend their hand of cooperation to various agencies involved in the process, including the NGOs, especially in their rehabilitation and information efforts. As organisations which stand for human and trade union rights as well for social justice, they can never support the inhuman and fanciful camel racing, wherein children are brutally exploited and subjected to unspeakable misery and distress.



# Manila



## **ICFTU-APRO SUB-REGIONAL SEMINAR ON CHILD LABOUR (SOUTH ASIA)**

15-17 July 1993: Manila, Philippines

### **REPORT**

The three day sub-regional seminar on child labour for trade unionists in the Southeast Asian region was organised by the ICFTU-APRO in collaboration with the Trade Union Congress of the Philippines from 15-17 July 1993, at the Sulo Hotel, in Quezon City.

#### **OBJECTIVE**

The objectives of the seminar were the same as that for the Kathmandu seminar.

#### **PARTICIPATION**

There were 21 participants. Among them were five from APRO affiliates in the Southeast Asian region viz. Indonesia, Malaysia, Philippines and Thailand. The other participants hailed from non-governmental organisations such as the International Labour Organisation, the United Nations Children's Fund, Friedrich Ebert Stiftung, Asian-American Free Labour Institute, National Centre for Social Development and the Child Workers in Asia. representatives of the Department of Labour and Employment (DOLE) the Government of the Philippines and two academicians from the University of the Philippines also participated in the seminar. A list of the participants is enclosed.

#### **OPENING AND CLOSING**

The seminar was opened by Brother Democrito T. Mendoza, the President of the Trade Union Congress of the Philippines. Amongst those who addressed at the opening ceremony included Mr Rey Conferido from DOLE, Mr Guy Thijs from the ILO and Ms Ana Dionela from UNICEF. Brother Bjorne Grimsrud and K S Thomas conveyed the greetings of the ICFTU and ICFTU-APRO General Secretaries respectively.

#### **HIGHLIGHTS**

Mr Tony Bates from the Child Workers in Asia related how successful the use of comics as a medium to eliminate child labour was. Other effective mediums included drama and theatrical works.

Mr Bates also urged the seminar participants not to ignore the issue of seeking protection for children who were already working.

One other important issue that was discussed was the question of whether the Trade Unions should collaborate with NGOs that are active in the fight to eliminate child labour. There were instances whereby affiliates of ICFTU-APRO did not participate actively in projects/activities because of ideological or personality differences with other participating agencies. There was a general feeling amongst the participants that differences such as those cited above should be relegated to the back-water.

There was also considerable discussion as to whether boycott campaigns were an effective tool in the fight to eliminate child labour. The general consensus was that boycott campaigns should be employed but only as a last resort. Special care must be taken to ensure that the children displaced by these campaigns do not find themselves lured in even more deplorable circumstances.

#### **ACTION PLAN**

1. Concerted efforts must be made by affiliates, where the ILO is already actively involved in the fight to

eliminate child labour, to be associated in these activities.

2. The publications of affiliates should carry regular features on child labour. It was established at the seminar that there would not be any copyright violations when reprinting articles appearing in publications of organisations such as the ILO, ICFTU-APRO and Child Workers in Asia. However, it should be noted that the source of these articles should be acknowledged.

3. There was consensus that a specific day should be designated to re-energise efforts towards freeing children who find themselves hapless in the face of being exploited by unscrupulous employers.

(Many of the other recommendations were along the lines that were underscored in Kathmandu.)

## PARTICIPANTS' LIST

1. MR TONY BATES  
Coordinator, Resource Centre  
Child Workers in Asia Support Group (CWA)  
4/68 Moo Ban Tawanna  
Soi Puak Chit, Vipawadi Rangsit Rd.  
Bangkok 10900 Thailand  
Tel./Fax No. (02) 513-2498
2. MR HOMER G. PUNSALAN  
Youth Director/National Spokesman  
Trade Union Congress of the Philippines (TUCP)  
Masaya cor. Maharlika Road,  
Diliman, Quezon City, 1101 Philippines  
Tel. No. (632) 921-9466/922-2185  
Fax No. (632) 921-9758
3. MR. MATHEOS NALLE  
Deputy Director of Research & Development  
All Indonesia Workers Union (SPSI)  
Jln. Thamrin 20, Jakarta  
Tel. No. (62) 21-323872
4. MR MARI s/o MORPHAGAN  
Youth Council Member  
Malaysian Trade Union Congress  
No. 19 Bangunan Buroh  
MTUC - (KKSM), 4th Floor  
No. 19, Jalan Barat, 46000 - Petaling Jaya  
Selangor Darul Ehsan, Malaysia  
Tel. No. (03) - 7567713/7560224
5. MR. BJORNE GRIMSRUD  
Youth Secretary  
International Confederation of Free Trade Unions (ICFTU)  
Rue Montagne  
Aux Herbes Potageres 37-41  
1000 Brussels, Belgium  
Tel. No. (02) 217-8085  
Fax No. (02) 218-8415
6. MR. K.S. THOMAS  
Youth Officer  
International Confederation of Free Trade Unions-Asian and  
Pacific Regional Organisation (ICFTU-APRO)  
Trade Union House, 3rd Floor  
Shenton Way, Singapore 0106  
Tel. No. 2226294  
Fax No. 2217380



7. MR. KOSOL VANACHAI  
Thai Trade Union Congress  
420/393-394 Tipwal 1  
Theparak Rd., Amphor Muang  
Samuthprakarn 10270 Thailand  
Tel. No. 3840438
8. MR. PRASAN BOOCHALERAMSUGDI  
Vice President  
Labour Congress of Thailand  
420/393-4 Tipwan 1  
Therparak Rd., Mounng District  
Samutprakan Province, Thailand  
Tel. No. 3846789/5384490
9. MR. GUY THIJS  
Sub-Regional Coordinator  
International Labour Organisation-IPEC  
JI Thamrew 1Y  
P.O. Box 1075 Jakarta, 10010 Indonesia  
Tel. No. 0062-21-321308 1413  
Fax No. 3100766
10. MS. SHIRLEY VICOY-YORONG  
Program Assistant  
Asian American Free Labor Institute (AAFLI)  
Unit 73, 7/F Zeta II Condominium  
191 Salcedo St., Legaspi Village  
Makati, Metro Manila, Philippines  
Tel. No. (632) 818-3283/86-1107
11. MR. CARLOS ANTONIO Q. ANONUEVO  
Program Coordinator  
Friedrich Ebert Stiftung (FES)  
8th Floor, Agustin Building  
Emerald Avenue, Ortigas Center  
Pasig, Metro Manila, Philippines  
Tel. No. (632) 632-0698/631-1615
12. MR. RAJA GOPAL  
Education Secretary  
International Textile, Garments & Leather Workers  
Federation (ITGLWF)  
8, Rue Joseph Stevens, 1000 Brussels, Belgium  
Tel. No. (32) 2-512-2606
13. MR. BENJAMIN P. BASQUINAS JR.  
Youth Council Chairman  
Trade Union Congress of the Philippines (TUCP)  
Maharlika cor. Masaya Sts., Diliman  
Quezon City 1101 Philippines  
Tel. No. (632) 922-2185
14. MS. ANA R. DIONELA  
Project Officer  
United Nations Children's Fund (UNICEF)  
NEDA sa Makati Bldg.  
106 Amorsolo St., Legaspi Village  
Makati, Metro Manila, Philippines  
Tel. No. (632) 850611 to 25 Local 291

15. MS. MILAGROS A. BALMES  
Senior Labour & Employment Officer  
Institute for Labor Studies  
Department of Labor & Employment (DOLE)  
5th Floor, DOLE Building  
Intramuros, Manila, Philippines  
Tel. No. (632) 475384/482157/400822
16. MR. REYDELUZ D. CONFERIDO  
Deputy Executive Director  
Institute for Labor Studies  
Department of Labor and Employment (DOLE)  
5th Floor, DOLE Building  
Intramuros, Manila, Philippines  
Tel. No. (632) 400822
17. RENATO S. VELASCO, Ph.D.  
Associate Professor  
College of Arts and Sciences  
University of the Philippines (UP)  
Padre Faura, Ermita, Manila, Philippines  
Tel. No. (632) 501566/586524
18. MR. ROBERTO ENRIQUEZ REYES  
Assistant Professor  
College of Arts and Sciences  
University of the Philippines (UP)  
Padre Faura, Ermita, Manila, Philippines  
Tel. No. (632) 501556
19. MS. JOSEPHINE MENDEZ-GONZALES  
Development and Training Officer  
Associated Labour Unions  
Trade Union Congress of the Philippines (TUCP)  
Elliptical Road cor. Maharlika St.  
Diliman, Quezon City 1101 Philippines  
Tel. No. (632) 922-2575 / 922-6168
20. MS. GLORIA A. GONZALES  
President  
National Council of Social Development  
Foundation of the Philippines, Inc.  
59 10th Avenue , Cubao  
Quezon City, Philippines  
Tel. No. (632) 721-3895 / 731-3897 / 911-4180
21. MR. ARIEL B. CASTRO  
Education/Family Welfare Officer  
Trade Union Congress of the Philippines (TUCP)  
Maharlika cor. Masaya Sts.  
Diliman, Quezon City 1101 Philippines  
Tel. No. (632) 922-2185 / 921-5236
22. MS. L. VAN MEIRIAEGHE  
Training Program Officer  
International Labour Organisation (ILO)  
NEDA sa Makati Bldg.,  
106 Amorsolo St., Legaspi Village  
Makati, Metro Manila, Philippines  
Tel. No. (632) 850611 to 25 Local 227

## PROGRAMME

### 15 JULY 1993 (Thursday)

|               |   |                                   |
|---------------|---|-----------------------------------|
| 09:00 - 10:00 | - | Opening Ceremony                  |
| 10:00 - 10:15 | - | Reception                         |
| 10:15 - 10:30 | - | Programme Objectives              |
| 10:30 - 11:00 | - | Report from DOLE                  |
| 11:00 - 11:30 | - | Report from ILO                   |
| 11:30 - 12:00 | - | Report from Child Workers of Asia |
| 12:00 - 13:00 | - | Discussions                       |
| 13:00 - 14:00 | - | Lunch                             |
| 14:00 - 14:30 | - | Country Report - Malaysia         |
| 14:30 - 15:00 | - | Country Report - Indonesia        |
| 15:00 - 15:30 | - | Country Report - Thailand         |
| 15:30 - 15:45 | - | Break                             |
| 15:45 - 17:30 | - | Discussions                       |
| 18:00         | - | Dinner Reception hosted by TUCP   |

### 16 JULY 1993 (Friday)

|               |   |   |
|---------------|---|---|
| 09:00 - 10:15 | - | Project Joel and Country Report-Philippines |
| 10:15 - 10:30 | - | Break                                       |
| 10:30 - 11:00 | - | Report from ITGLWF                          |
| 11:00 - 11:45 | - | Report from NGOs (AAFLI, FES, DOLE others)  |
| 11:45 - 13:00 | - | Discussions                                 |
| 13:00 - 14:00 | - | Lunch                                       |
| 14:00 - 15:00 | - | Slide and Video Show                        |
| 15:00 - 18:00 | - | Field Visit                                 |
| 18:30         | - | Dinner Reception hosted by ICFTU-APRO       |

### 17 JULY 1993 (Saturday)

|               |   |   |
|---------------|---|---|
| 09:00 - 11:00 | - | Development and Adoption of Action Plan |
|---------------|---|---|

## PRESENTATION OF MR GUY THIJS, ILO

### IPEC'S OBJECTIVES

#### Long-term development objective

- The long-term development objective of the ILO, and indeed of IPEC, is to contribute to the effective abolition of child labour. This objective, however, cannot be attained immediately.

#### Immediate objectives

- To have enhanced the capability of ILO constituents and NGOs to design, implement and evaluate policies and programmes aimed at the elimination of child labour and the protection of working children;
- To have determined the comparative strengths and weaknesses of various types of intervention at the local community and national levels as models for replication and adaptation; and
- To have established mechanisms at both the national level capable of generating and supporting intensive awareness and social mobilisation campaigns to combat child labour.

### IPEC'S OPERATING LEVELS

IPEC is a unique programme within the ILO because of its scale and the articulation of its various component elements. The programme operates at three levels:

– INDIVIDUAL ACTION PROGRAMMES, many at the community level

which constitute;

– NATIONAL ACTION PROGRAMMES, which in turn comprise

THE INTERNATIONAL PROGRAMME

## **IPEC'S TARGET GROUPS**

### **Intended beneficiaries**

- Children working in manufacturing in the formal and informal sector, e.g. factories, industrial enterprises, home production, etc..
- Children working in agriculture in the formal and informal sector, e.g. commercial agriculture, plantations, etc..
- Children working in commercial trade and service industries, e.g. street vending, restaurants, garbage collection, etc..

Within these categories priority will be given where appropriate to:

- Children working under hazardous conditions whether in factories, cottage industries or agriculture;
- Children working under forced labour conditions, whether in agriculture, industry or service industries;
- Children that are especially vulnerable, e.g. those under 12 or 13 years of age and girls; and
- Children living and working on the street without family support.

### **Direct recipients**

- Governmental institutions, policy-makers and political leaders, in particular the Ministries of Labour, Education, Health and Welfare, Information and Statistics; and
- Non-governmental organisations, including voluntary agencies (local level community groups), workers' and employers' groups, religious organisations and the media.

# **CHILD LABOUR AND WORKERS ASSOCIATIONS**

The first international association for workers was founded in London in 1864. Two years later it called for international solidarity to abolish child labour. And When trade unionists from Britain, France, Belgium and Italy met in Leeds, England in 1916 to call for the establishment of a permanent international labour office, they also called for an international labour standard to regulate child labour. In 1986 the ICFTU declared "as trade unions we have more than ever an active role to play in informing and alerting public opinion about the problem, and in pressing for government action to combat child labour".

It is a myth, therefore, to suggest that trade unions have shown little interest in combatting child labour. Indeed in the nineteenth century trade unions were part of a broad alliance in Britain, Germany and the USA calling for the abolition of child labour. Despite these historical precedents, it is still sadly the case that trade unions in developing countries have not lived up to their considerable potential to be part of social mobilisation to effect change for working children. There is however more than enough scope for trade union involvement, below a number of examples are given:

## **RAISING AWARENESS WITHIN TRADE UNIONS**

The potential of trade unions will never be realised without firstly raising the awareness of the membership - putting it on the agenda. This will require the development of specific trade union education programmes using manuals, videos, slides, etc. and the organisation of workshops, seminars and conferences. This might be combined with developing awareness of women's issues, and the need to enhance the status and role of women in the movement and the society at large; this has profound implications for reducing child labour.

## **DEVELOPING INSTITUTIONAL CAPABILITY**

There is a need next to develop the skills and structures that will enhance the capability of trade unions to act, once they are aware and motivated.

There are a number of skills which need to be developed: how to design projects; how to develop effective communication campaigns; how to develop specific welfare/training projects for children, etc..

This must go hand-in-hand with developing enabling structures - committees and/or officials with the responsibility of taking charge of child labour issues within trade unions at all levels from local, regional to national levels.

## **BRINGING CHILD LABOUR ABUSES TO LIGHT**

The first action of trade unions must be to contribute to problem/situation analysis. Here trade unions could co-operate with social sciences departments of Universities where they have good contacts. They could help with the survey design, which the members could help implement on a sector-by-sector basis.

## TELLING OTHERS AND MOBILIZING OTHERS

Having detected abuses these must be fashioned into messages and effectively communicated to important target audiences; governments, employers, NGOs and the general public.

The message will need to be about the nature and extent of the problem and the alternatives to work, e.g. education. This could also be tied in with messages concerning the status and role of women.

Communication channels to be used could include their own journals and newspapers with regular features on the problem; what is being done and what needs to be done. Trade unions must also use television and radio. They should develop information networks and exchanges on child labour abuses, etc..

Trade unions must act as a pressure group using their political machinery to mobilise their own members, but also to help develop broad child protection alliance incorporating health professionals, teachers, women's groups, NGOs, political parties, mass media, etc.

## DIRECT SUPPORT TO WORKING CHILDREN

Trade unions can also provide direct support to working children through special welfare, education and training projects. The improvement in the quality of apprenticeship schemes is an obvious intervention, as is skill training and health and safety education. Enhancing the skills of women will have an important subsequent impact on child welfare.

Trade unions should explore ways of offering protection to child workers in the informal sector where many work, but where trade unions are least present. Through affiliation schemes, it would be possible to bring marginal workers within the protection of trade unions, short of making children trade union members.

## ACTING AS A WATCHDOG

Not only can trade unions lobby for improved legislation, they can also monitor the effectiveness of legal instruments and the performances of the labour inspectorate. They can as a result lobby for the updating of national legislation in line with international standards and the improvement in the quantity and quality of the inspectorate; which brings us back to raising their own pressure and then starting to pressure for action.

The logic which applied in the last century still applies today; the attainment of basic trade union objectives of a decent wage, employment protection and the regulation of working conditions makes Trade Unionists the natural enemy of child labour. Consciousness of this vested interest can only be forged by, and through, action to help eliminate child labour.

## CHILD LABOUR AND THE ILO

The international labour organisation has since its foundation been at the forefront in the struggle against child labour, and its actions have played an important role in the protection of working children and the reduction of child labour. Looking back we can distinguish with some simplification a number of stages that ILO has gone through in its approach to wards child labour.

The first stage, roughly from 1919 to 1975 mainly focused on protective legislation. The protection of children was one of the priority task set for the ILO in the Preamble of its constitution. Accordingly, at its first session in October 1919, the ILO adopted the Minimum Age Convention (No 5) which fixed at 14 years the minimum age for admission of children to industrial employment. Since then many Conventions and recommendations have been adopted which set standards for the employment of children in particular sectors and occupations. Their objective is to secure abolition of child labour in the long term through a progressive raising of the minimum age for admission to employment.

In 1973 the Conference re-examined the problem in depth and adopted today's comprehensive standards, which are laid down in the Minimum Age Convention, 1973 (No.138), and its accompanying Recommendation No 146. These international labour standards have become very influential, and nowadays the principle of a minimum age for admission to employment is generally well recognized.

### BOX. 1

#### INTERNATIONAL LABOUR STANDARDS

International labour standards have been the principle means of action of the ILO since its creation in 1919. The significance of international labour standards lies in their practical effect. They must on the one hand, reflect what is possible to achieve now and on the other hand, show the way to social and economic progress. Since the ILO is characterised by its tripartite structure employers' and workers' organisations alongside the governments play an important role in the standard setting process. International conventions once adopted are open for ratification by member states. They are international treaties which are binding only to the countries that ratified them. These countries voluntarily undertake to apply their provisions, to adapt their national law and practice to their requirements, and to accept international supervision. The bulk of the supervision work consists of monitoring the application of ratified conventions through the regular procedures which are based on government reports.



## CONVENTION No. 138

Convention 138, which is ILO's most comprehensive standard in the field of child labour requires all countries that have ratified it to specify a minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. The convention spells out that the minimum age for admission to employment or work shall not be less than 15 years. However the convention provides different age thresholds for different types of work. Thus the minimum age for admission to employment or work which is likely to jeopardise the health, safety and morals of young persons shall not be less than 18 years. This may be lowered to 16 years provided that certain conditions are met. On the other hand, national laws or regulations may permit the employment of children 13 to 15 of age (12-14 for developing countries) on light work. Thus the convention although comprehensive provides flexible standards and guidelines for which countries at different stages of socio-economic development can aim and which they can progressively raise as living standards improve. One other important characteristic of the convention is that countries ratifying it are requested 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. Element of such a policy include: firm commitment to full employment; progressive extension of measures to alleviate poverty; progressive extension of social security; progressive extension of adequate facilities for education and vocational training appropriate to the needs of children etc..

Important as it may be, legislation is not sufficient to halt child labour because the reason children work below the legal age is usually the poverty of their families and this is closely linked with the developmental problems of the countries in which it is most prevalent. It is also connected with the lack of compulsory schooling and generally available education, with the gaps in the protective legislation and the difficulty of supervising its application in the absence of an adequate inspection system.

The second major stage in ILO's approach towards child labour approximately started in the late 70's when there was an increasing recognition of the need to complement the traditional strategy of exclusive reliance on legislation and enforcement with direct action programmes dealing with the specific problems of child workers. During this stage ILO conducted research and organised seminars on the emerging response to child labour, documenting and analyzing the different programmes by governments and non-governmental organisations aimed at the provision of non-formal education, skill training, health, nutrition, protected employment and the like, and at mobilizing public pressure against child labour.

### BOX. 3

#### ALTERNATIVE APPROACHES TOWARDS CHILD LABOUR

Child labour is not an isolated problem and has to be seen in the overall context of school and economic development. There are various reasons why children work, ranging from poverty of their families, lack of educational facilities, to plain ignorance of the parents. Alternative responses to child labour have mainly emerged from a recognition that legislation on itself is not going to change this and that children need protection here and now. This switch to pragmatism, with an emphasis on a broad range of practical measures has mainly been initiated by non-governmental organisations at the community level. The approach taken is one which aims at meeting the child's developmental needs through a package of services ranging from provision of nutrition, education, training, health services, and increased income to the provision of opportunities for recreation and participation in community life. A review of these programmes shows that there are at least 5 types of interventions: education and training; welfare services; protected work; advocacy and regulation and enforcement. These interventions can be applied at four principal levels in society: the child; the family; the community; and the government.

A comprehensive approach would involve the 5 types of interventions at the four principal levels in society. In practice however most of the initiatives are small in size and limited in scope and time, using only a limited range of interventions. That is why they can be no substitute for national legislation and effective enforcement or for fundamental policy interventions required to deal with the root causes of child labour. These initiatives should be part of a larger policy perspective and in the context of national and international norms on the economic and well-being of children. Governments can and must establish the climate, scope and framework for action in which these small initiatives can play their role.

The contemporary picture is still one of largely experimental and fragmentary projects rather than a coherent set of programmes. Ministries fail to respond and coordinate, NGOs fail to network effectively etc..

In the late 80's the ILO entered what we can call the stage of technical cooperation activities to help governments, employers' and workers' organisations, and private non-governmental organisations to build their policy and implementation capacity in the field of child labour. This included advice and assistance in the formulation of national laws, establishment and strengthening of labour inspectorate and other enforcement machinery, formulation and implementation of policies and programmes etc..

The International Programme on the Elimination of Child Labour (IPEC) is highlighting this growing reorientation of public policy among pragmatic lines and will assist governments in the search for new and practical ways to deal with child labour. IPEC has been made possible because of support offered by the German government to ILO in mounting a major global offensive against child labour. The programme is global in its orientation and activities and provides assistance to all member states on request. Six countries: Brazil, India, Indonesia, Kenya, Thailand and Turkey, requested the ILO assistance and were selected as priority countries for action on child labour in 92-93. In addition it was agreed that preparatory work would be undertaken in an additional six countries: i.e. Bangladesh, Cameroon, Egypt, Pakistan, the Philippines and the United Republic of Tanzania.

**BOX. 4**

**THE INTERNATIONAL PROGRAMME ON THE ELIMINATION  
OF CHILD LABOUR**

The initiative for IPEC sprang from a meeting in Bonn between the Director General of the ILO and the Minister of Labour of Germany in September 1990. Since then a number of other countries have shown interest in providing political and financial support to IPEC.

At the hearth of IPEC are its nationally executed action programme which are a demonstration of hope that child labour can be effectively combatted. IPEC is calling upon governments, workers' and employers' organisations, educators, parents and children for action against child labour. Priority is given to proposals that deal with the worst abuses of child labour: hazardous work, forced labour, the employment of working children who are less than 12 or 13 years old, girls and street children.

The programme is an innovation for the ILO. Through IPEC, the ILO is moving to develop national-level demonstration activities world-wide, all of which have a direct bearing on prevention, removal, protection or rehabilitation of child labourers. In addition, it aims at forging alliances between intergovernmental agencies, governmental institutions and non-governmental organisations in a world-wide campaign against child labour.

## TYPOLOGY OF CHILD LABOUR PROJECTS/ACTIVITIES

| TYPE OF INTERVENTION     | LEVELS OF INTERVENTION   |   |  |  |
|--------------------------|--|---|--|--|
|                          | CHILD  | FAMILY  | COMMUNITY  | GOVERNMENT   |
| EDUCATION AND TRAINING   | <ul style="list-style-type: none"> <li>• Access to schooling</li> <li>• Non-formal education</li> <li>• Vocational training</li> </ul>   | <ul style="list-style-type: none"> <li>• Stipends</li> <li>• Adapting schools hours to family needs</li> <li>• Educate parents on value of education</li> </ul> | <ul style="list-style-type: none"> <li>• Provision of schooling and vocational training in community centres</li> </ul>  | <ul style="list-style-type: none"> <li>• Expansion on education, especially primary education</li> <li>• Reforms to promote access, especially for girls and those in rural areas</li> </ul>                                   |
| WELFARE SERVICES         | <ul style="list-style-type: none"> <li>• Health monitoring</li> <li>• Supplementary nutrition</li> <li>• Access to health care</li> <li>• Removal from hazardous work</li> </ul>                               | <ul style="list-style-type: none"> <li>• Health education</li> <li>• Social security</li> <li>• Welfare support</li> <li>• Income generation</li> </ul>         | <ul style="list-style-type: none"> <li>• Provision of community health services</li> <li>• Drop-in centres</li> </ul>  | <ul style="list-style-type: none"> <li>• Expansion of health and welfare provision</li> <li>• Devolving power to local level</li> </ul>  |
| PROTECTED WORK           | <ul style="list-style-type: none"> <li>• Provision of safe employment tailored to developmental needs</li> <li>• Work placement schemes</li> <li>• Sheltered work-shops</li> </ul>                             |   | <ul style="list-style-type: none"> <li>• Provision of protected work schemes</li> <li>• Voluntary support</li> </ul>   | <ul style="list-style-type: none"> <li>• Government support of community based initiatives</li> </ul>  |
| ADVOCACY                 | <ul style="list-style-type: none"> <li>• Establish contacts using peers</li> <li>• Develop awareness of situation and rights</li> <li>• Developing self-representation</li> <li>• Use of mass media</li> </ul> | <ul style="list-style-type: none"> <li>• Information on health and education</li> </ul>   | <ul style="list-style-type: none"> <li>• Citizens' group</li> <li>• Community theater</li> <li>• Mass media eg. radio, TV,</li> <li>• Mobilise teachers, religious groups, voluntary organisations</li> </ul>                                | <ul style="list-style-type: none"> <li>• Awareness raising within Ministries</li> </ul>  |
| REGULATION               | <ul style="list-style-type: none"> <li>• Raise awareness of labour laws</li> <li>• Report violations</li> <li>• Awareness of trade unions</li> </ul>   | <ul style="list-style-type: none"> <li>• Educate families concerning the law and their responsibilities</li> </ul>  | <ul style="list-style-type: none"> <li>• Mobilise trade union on behalf of child workers</li> <li>• Educate employers on the law and work effects on children</li> <li>• Citizens' committees and pressure groups for enforcement</li> </ul> | <ul style="list-style-type: none"> <li>• New legislation where necessary</li> <li>• Adaptation of laws to local reality</li> <li>• Expansion of inspectorate and enhanced quality</li> <li>• Registration campaigns</li> </ul> |
| INSTITUTIONAL CAPABILITY | <ul style="list-style-type: none"> <li>• Support for self-advocacy</li> </ul>  | <ul style="list-style-type: none"> <li>• Family co-operative support</li> </ul>   | <ul style="list-style-type: none"> <li>• Assistance in policy and project design</li> <li>• Assistance in developing tools for advocacy</li> <li>• Networking with government agencies</li> </ul>  | <ul style="list-style-type: none"> <li>• Enhanced policy programme and project design</li> <li>• Child labour units</li> <li>• Networking with NGOs between social ministries</li> </ul>                                       |

## AAFLI'S REPORT

### Background

AAFLI, the Asian-American Free Labor Institute, is a part of the American Federation of Labor and Congress of International Organizations - the AFL-CIO. It is the International affairs arm of the AFL-CIO reaching out to the working men and women of Asia, THE Pacific, and the Near East. AAFLI was founded by the AFL-CIO Executive Council in 1968 to provide technical assistance and resources for education and training to free trade unions in Asia. AAFLI has programs in 20 countries including the Philippines, Indonesia, Bangladesh, South Korea, Sri Lanka, Turkey, Thailand, Nepal, Malaysia and closed societies such as People's Republic of China, Vietnam and Burma.

AAFLI has been in the Philippines since 1969 and works closely with the Trade Union Congress of the Philippines and its affiliates, a number of other labor organizations and independent unions.

### AAFLI's response to the problem of Child Labour

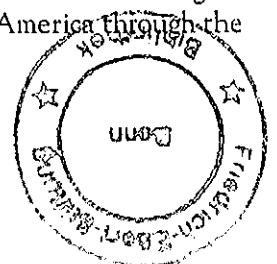
Programs undertaken by AAFLI, specifically to address the problem of child labour focused on the dissemination of information on workers rights violations in Asia and the Near East. Activities include public awareness and education efforts, coalition building, and direct assistance to worker and human rights advocates.

The most recent AAFLI initiatives to combat the problem on child labour included the following :

- acted as a resource for the Child Labor Coalition, the International Labor Organization (ILO), Senate staff journalists and others who are interested in ending the exploitation of child workers in Asia.
- cooperated with the International Confederation of Free (APRO) to investigate Nepalese carpet-making factories and document and publicize widespread abuse of child labor there. This was after a coalition of some 50 NGO's from countries all over South Asia called the South Asian Coalition on Child Servitude (SACCS) made a thousand-mile march to dramatize the terrible child problem in Nepal. According to a recent ILU survey, as many as 15 million Indian workers, 5 million of whom are children, are held as bonded labor. This is found to be most common in carpet industry where children as young as seven years toil for less than nine (9) dollars a month. AAFLI disseminated the information and arranged for the President of SACCS to meet with various organizations concerned with child labor to strengthen the move against exploitation of child labor.
- provided the AFL-CIO's food and allied Service Trades Department with background information on and contacts in Bangladesh, which FAST explored and made available to NBC Date-Line for an expose on Wal-Mart and its use of Bangladeshi child labor;
- provided the AFL-CIO with data on the exploitation of sport-shoe workers in Indonesia, which the federation furnished to U.S. and international media and human rights activists.

These actions helped prompt Reebok to adopt codes of conduct (albeit limited ones) for their contractors in the country;

- supplied information to the ICFIU on issues that its representatives took up at the UN Commission on Human Rights;
- acted as a resource for the AFL-CIO in its efforts to promote the establishment of a RAdio Free Asia;
- submitted and published in major U.S. newspaper letters to the editor discussing human and labor rights in Asia; writing articles on these subjects published in newspapers in Asia and Latin America through the AFL-CIO's international press service, INTERCO PRESS



Programs to promote economic justice and political democracy were pursued in collaboration with various national trade union centers. Programs which address rampant workers rights violations in Asia, both organised and unorganised were also adapted., through assistance to unions and non-governmental organizations (NGO's) concerned with children's, women's, and workers rights.

In the Philippines, AAFLI support programs aimed at promoting the growth, unification and self-sufficiency of a free and democratic labor movement by upgrading the institutional capabilities of the TUCP and its constituent democratic unions. The following are among the activities supported by AAFLI/P:

- Support for research studies on national issues of interest to workers:
- Activities to support equal rights for women;
- Activities to support the protection of young workers:
- Support for membership programs i.e credit unions, consumer/producer cooperative. Primary Health Care, seed capital through a revolving loan fund program:
- civic advocacy program which seeks to enhance TUCP's role in the formulation and implementation of government policies and programs that affect workers and that promote democratic constitutional practices;
- publication support for TTUCP and its affiliates.

AAFLI/P has "built-in" the issue on child labor in its labor/human rights awareness campaign programs. The program consisted of radio dramas and training-workshops aired and conducted all over the country in an effort to expand the philosophical understanding of human rights in the Philippines and to encourage the awareness of civil and political rights. Special emphasis was on how abuses of human rights can be resolved through the efforts of the government to strengthen its legal system and re-establish the fundamental principles of law.

A new program soon to be implemented by AAFLI-Philippines with TUCP is a tripartite undertaking where labor, management and government join hands and address problems on labor/human rights violations, and the implementation of laws like occupational safety and health, environmental, women's rights, and child labor laws.

### **Role trade unions can play in the issue of Child Labor**

Trade union can be an advocate against child labor. A first step can be reporting and consequently initiating for the investigation of violations occurring in their place of work and/or community. They can help disseminate and increase people's awareness on the problem through the union's publication if any, or through posters. More importantly, trade unions can treat the issue on child labor as inseparable from the issues of labor/human rights violation and should assert for the proper implementation of laws governing these issues.

## Presentation of Friedrich Ebert Stiftung (FES)

1. What has been your organization's response to the problem of Child Labor? Please give detailed information on past/present projects/activities.

The Friedrich Ebert Foundation conducts its activities with a particular partner which may be an NGO, a trade union or an academic institution. In this arrangement, we just cooperate with the partners in terms of their own organizational trajectory and priorities.

On the issue of child labor, I could cite only two projects that we have involved ourselves in the past.

First is the "Conference on Child Labor and Labor Relations" which we conducted with the University of the Philippines - School of Labor and Industrial Relations (SOLAIR) in July 12, 1986. It was attended by 105 participants from trade unions, academe, NGOs and from the government. Three (3) papers were presented namely: The Child Labor Phenomenon in the Philippines; Laws and Policies Protecting Child Labor; and Child Labor in the Garments Industries.

Second is our assistance in the publication of the book "Child Labor in Malaysia" in 1992. Edited by J.S. Komo, the book tackled several topics that describe the extent of Child Labor in Malaysia. The topics included in the book are: Children in Employment; Risk Factor for Children at Work; Child Labor in Small Scale Industries in Penang; Forgotten Little People: Urban Child Labor; and Early Labor; Children at Work in the Plantations.

The rest of our offices in the region are still in the early stages of coming up with projects on child labor. Though it must also be noted that appreciation and recognition in the other countries differ based on culture, traditions and stage of economic development, it is an imperative now to respond to this pressing and widespread concern.

2. What role do you think can trade unions play in this issue of Child Labor?

As a significant institution in the society, trade unions certainly has a role in protecting the children at work or at most abolishing child labor. Since the issue is a poverty/income problem, it is an integral part of the effort of trade unions to revise existing social relations and provide better opportunities for laboring people and their families. Children at work is a graphical manifestation of the over-all problem of labor.

In this context, trade unions as change-oriented movements has the capability and strength to introduce changes in this phenomenon. Unions have impact on the individual workers, on the family, on the community and in the society as a whole. This places the union in a critical role in confronting the pressing issues of the society. But of course, revising and expanding its role is an important step for trade unions.

- a) **Trade Unions as Pressure Groups.** The labor movement has always been in the forefront of the social movement. Its social actions has led to the introduction of reforms both in the state and in the civil society. If the unions would take up child labor as an integral issue of the working people, then the government and other concerned institutions could be influenced to approach, regulate or abolish child labor.
- b) **Setting of a Legislative/Policy Agenda.** As a pressure group it is important that the trade unions could develop a legislative agenda that could ensure the protection of children. The limitations and misgivings of the existing laws can be remedied if unions actively pursue a legislative agenda. Equally

important is the formulation of a definitive trade union policy on the issue. There should be a leveling off on the child labor on which an agenda could be hinged.

- c) **Advocate and Network Facilitator.** As we have mentioned, trade unions have a broad network that reaches to other sectors and many geographical areas. Efforts for education and information dissemination can be done by unions for its members and for the other sectors in the society. The labor movement could even be a network covenor or facilitator of NGOs, civic groups, workers' groups and even government in confronting child labor.
- d) **Participant in Enforcement and Monitoring.** One of the typical obstacle in protecting the workers (adult or child) is the failure in monitoring and enforcing basic labor standards. Again, the broad network of unions and its constituents could be harnessed for such endeavor. In the Philippines, with only more than 200 labor inspectors covering 400,000 establishments, such participation is a pressing action that unions should be launched not only for the interests of the union members but also for non-organized workers and even child workers.
- e) **Internal Campaigner.** Child labor is also an emotional issue specially if viewed from the angle that child workers are extended income sources which any low-paid parent would be happy to have. In that case, there is an implicit encouragement from the part of the family. The unions could educate its members on the issues, problems and concerns attach to child labor.
- f) **Trade Unions as a Community Facilitator.** The broad network and the mass base of the labor movement facilitates its presence in the community. It could even develop a network of community groups, NGOs, civic groups etc. in a particular area. Transcending its role in the workplace, unions could utilize a community-based approach on child labor since it is a more focused strategy that could involved both the families and the immediate social environment. Family and Community based livelihood activities are both protective to the children and responsive to the poverty/income issue. Moreover, the capability of unions to implement education program can be transplanted to the communities since child labor is influenced by access to education which in turn is crucial in social mobility and opportunities.



## **CHILD WORKERS IN ASIA SUPPORT GROUP (CWA) BY TONY BATES**

Firstly, I'd like to thank ICFTU for inviting us to attend this sub-regional seminar on child labour and for having the opportunity, as an NGO, to meet our trade union and ILO friends so that we can examine strategies for cooperating together. This is a rare opportunity and I hope we are able to make the most of it.

Because of the limited time available, I would like to spend just a short time talking about CWA and our activities. This will also allow me to share with you some requests recently made by working children in the region and I hope help us to see things from the point of view of the children that we aim to protect.

CWA was formed in 1985 at a consultation facilitated by the International Movement on Apostolate for Children (IMAC), with the aim of building up a regional network to strengthen the role of small NGOs working on the issue of child labour as well as listening to the voice of working children.

Our objectives are:

1. To provide a channel of communication for sharing experiences, information, ideas and aspirations among people who are involved with working children.
2. To advocate and create awareness of the rights of working children at a country, regional and international level.
3. To coordinate action related to the child labour issues among NGOs in the region.
4. To assist and facilitate the formation of support groups for child workers at a country level.
5. To seek new ways to support working children.

In working towards these objectives we are involved in various programmes of action:

CWA, as a network, conducts regular analyses of the child labour issue in order to understand the problems and needs of working children in different countries and trying to find ways to meet their specific needs. As a result new groups have developed and support groups have formed for working children in Nepal, Indonesia and Thailand. We are also very much involved in supporting the activities of other groups through human and material resources.

Since the beginning CWA has produced and circulated a quarterly bulletin providing information about the situation of working children in various countries, action programmes being implemented, news from the network and most important of all, the stories of the child workers themselves.

We have also been involved in the publication of pictorial story books about child workers. We use the popular medium of the comic book, for conscientization and to communicate the plight of child workers and how they might help themselves. We are currently also in the process of producing a book of case profiles on the lives of working children, which have been built up over the years.

In our small office in Bangkok we are building up a resource centre with information, printed materials and audio visuals relating to working children in Asia. We are also hoping to develop training materials using the experiences of field workers from throughout the region.

So I think you can see from that brief overview of our activities, and you can get more information from our leftlets and bulletins, is what we are really striving is for the protection of working children and the promotion of their rights, with at the centre of everything, of course, the working child.

In the preparatory notes sent out for this seminar, there are strong calls for the elimination of child labour through campaigns, embargoes and the implementation of national legislation. But I must say that we were a bit concerned that there was no mention of protection for working children. Of course we agree that our ultimate aim must be a world where children do not find themselves in situations where they have to work. But while we strive for this we mustn't forget the children who at this present time are working in exploitative situations.

It is going to take far reaching social reforms, as well as campaigns, embargoes and national legislation, before we win the fight against child labour. The present reality facing many working children and their families is that they have no choice. We must also fight for children that must work, that they are in jobs that are not harmful to their health and physical and mental development, that they have opportunities for education and recreation and that they receive the same conditions of employment and protection as other workers.

Recently, at separate events in Thailand and India, working children got together to present their demands and requests to their respective governments. These demands are not new, we have heard similar calls from working children throughout the region, but they are very important as they are the demands of the children themselves, and I would like to take this opportunity to share them with you.

At a Seminar on Child Labour, organised by the National NGO Coordinating Committee on Child Labour to highlight May Day events in Thailand, child workers were asked what demands they would like to make and they requested the following:

- That child workers be paid the minimum daily wage.
- That the working hours should be limited to 8 am. till 5 pm., for 5 days a week.
- That welfare and safety facilities should be provided in the work place.
- That opportunities for additional education and vocational training should be provided.
- That proper food, accommodation and toilet facilities should also be provided.
- That there should be a proper ventilation system in the work place.
- That a serious effort should be made to tackle the issue of exploitation of child workers.

In India at the same time, children at the first ever Working Children's Conference in Tamil Nadu, organised by the Indian Council for Child Welfare, presented a memorandum to their local government in the following way:

- We are forced to work for longer than we can, but the wages we get for our hard work are too low, sometimes we are not paid at all. We request you to lessen our working hours. We want holidays. We need medical facilities.
- Some of us have been pledged by our families. We are treated cruelly in the workplace. We appeal to you to somehow release us from our bondage.
- We are treated in an inhuman way in our workplace. They beat us, abuse us, tie chains and weights on our limbs. We are being humiliated constantly. We appeal for protection.
- Some of our friends who pick rags on the streets are abused by the police. They also need protection.
- Many of us work in hazardous conditions - in industrial workshops, mechanic shops etc. Our eyes burn when we work near flames, our hands blister when we roll beedis or make matchsticks. We even find it difficult to hear. Please stop them from making us work in such conditions.
- We would like to study. Some of us attend classes run by different organisations and this should be made available for all working children.
- Our families need more income. Our parents need better jobs, at least then our sisters and brothers can go to school.
- In many of our families, our fathers drink away our earnings. Please stop them.

As I said, similar requests can be heard throughout Asia. Working children often play a major role in providing for their family, a role they take very seriously and one which we should also recognise just as seriously.

When we look at the role trade unions can play in the issue of child labour, I think the requests we have just heard from the working children can give some clues. Many children, being in the unorganised sector or in the hidden workforce, are unable to become members of trade unions but they still need trade union support in their struggle for justice. Trade unions are in a good position to be able to represent and protect children in the workplace, ensure they have their rights, as well as working towards the elimination of child labour.

Also there is certainly a need for increased cooperation between different organisations. Coalitions between trade unions and NGOs and other organisations directly involved with working children, have the potential to become really effective, that is why meetings such as this, and the action that follows, is so important. I don't think anyone is saying that it is going to be easy, there are still many differences and misunderstandings between us, but these can and must be overcome and I think we are making a start here.

In summary I would like to say that important steps towards the total elimination of child labour can come by eliminating the exploitation of working children, supporting the rights of working children and protecting children in their working situations.

I'd like to end with a quote from a drama production, recently put on in Bangkok by working children in order to raise awareness:

"It's not that we don't want to work, but we feel we should also have the same rights as other workers and the same opportunities as other children"