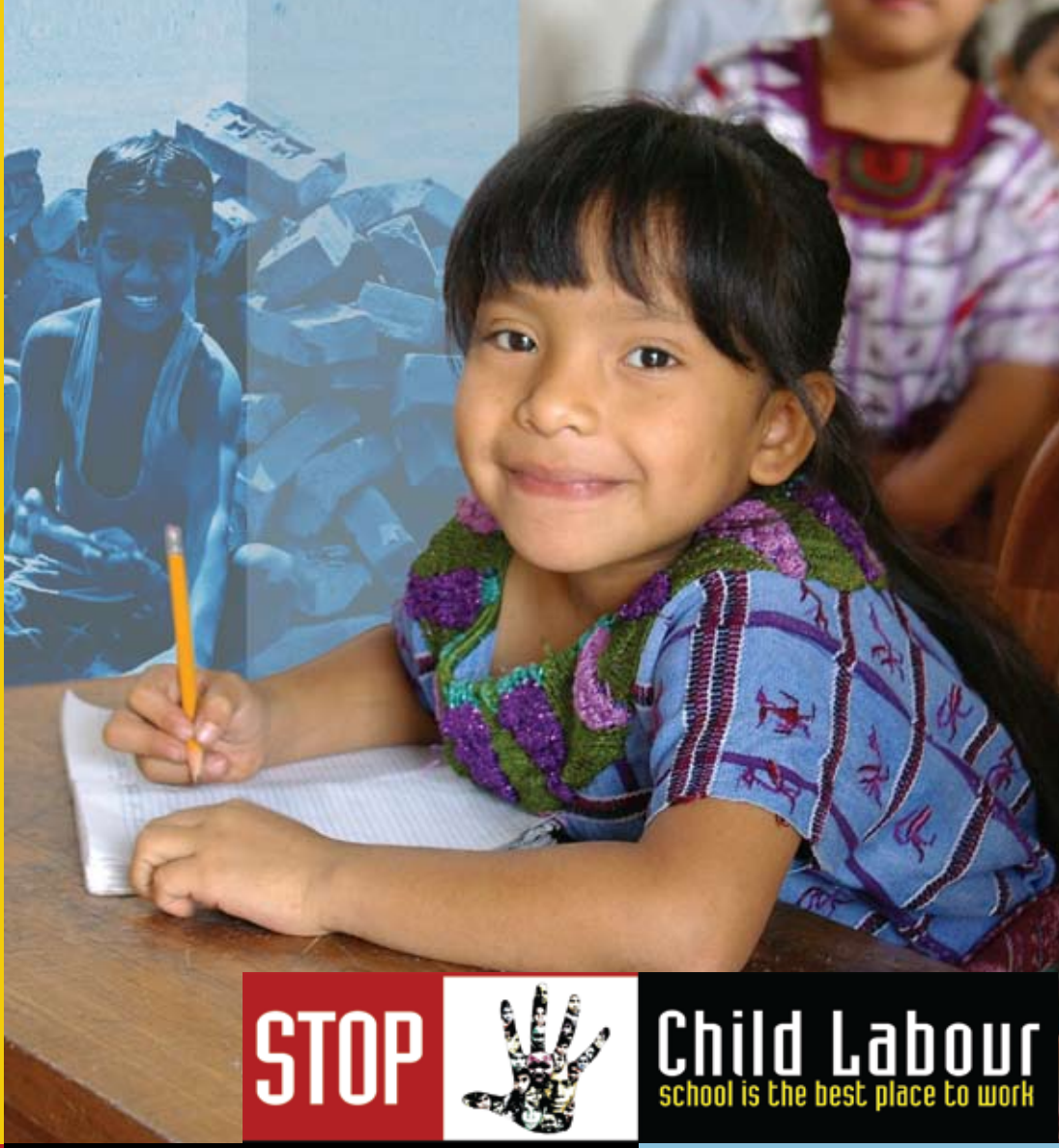

STOP Child Labour

school is the best place to work

Out of work and into school

Action plan for companies to combat child labour

Photo's:
Page 2, 5, 10, 12, 14, 15, 16, 19, 20, 23, 24, 26, 29, 30 + cover: Peter de Ruiter

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Out of work and into school

Action Plan for Companies to Combat Child labour

May 2008

Foreword

Making poverty history requires an end to child labour

In developing countries, one often sees children working. Girls weaving carpets in small businesses along the Nile in Egypt, boys fishing on the shores of Mauretania, boys and girls working in stone quarries or cotton fields. Some of their products end up on our markets. Some of these children might do their work proudly, others are little more than slaves. But what all of them have in common: they are missing out on education and time to play.

Child labour is not just a consequence of the low wages of parents. In fact children working depress the wages and employment opportunities of their parents. A child who spends even part of the day working, instead of going to school, remains un(der)educated and is condemned to badly paid jobs. Companies increasingly seek well educated employees and will not invest in countries where the population is lacking even the most basic educational qualifications.

The vicious circle of poverty, child labour and missing out on education can be broken. To achieve that we need the involvement of all actors in society to offer every child the chances it is entitled to. The struggle to end child labour simply can only be won with the full engagement of responsible employers, labour unions and governments. The campaign 'Stop Child Labour - School is the best place to work' understood the importance of a fruitful and positive partnership with employers worldwide and designed this very concrete and concise guide for the eradication of child labour. May this guide be used intensively. May it also become superfluous as soon as possible : let's make child labour history.

Thijs Berman - Member of the European Parliament (party of European socialists) and co-chair of the Development Committee

Preface

Children's rights are human rights. Children have the right to be free from child labour and the right to education. But rights also imply that others have duties. While states have the primary responsibility to respect, protect and fulfil these human rights, it is increasingly recognised that companies and other non-state actors also have obligations to contribute to the realisation of internationally-recognised rights.

The realisation of these rights is intrinsically linked to economic and social development. The International Labour Organisation (ILO), for example, published a study in April 2004 showing that the benefits of eliminating child labour will be nearly seven times greater than the costs[1]. The study by ILO's International Programme on the Elimination of Child Labour (IPEC) says child labour - involving one in every six children in the world - can be eliminated and replaced by universal education by 2020 at an estimated cost of US$ 760 billion.
At the practical level the worldwide movement against child labour consists of a range of activities by private actors, including companies, contributing to the realisation of labour rights including the fight against child labour. The campaign 'Stop Child Labour - School is the best place to work' builds on the varied experience of companies, trade unions, non-governmental organisations (NGOs), multi-stakeholder initiatives, governments and international organisations. Some examples of this experience can be found in the text and in separate boxes.

We see the added value of this document in the combination of:
- a focus on all forms of child labour (under the two ILO child labour conventions) instead of primarily the worst forms of child labour and its link with the right to education, as the basis for corporate policies on child labour;
- a focus on engagement of companies in the supply chain aimed at systemic planned improvement, instead of immediately withdrawing orders in case of problems;
- explicitly combating child labour within the broader goal of realising labour rights and the experience gained in the field of corporate responsibility and accountability;
- the focus on engagement with other stakeholders such as unions, NGOs, governments, multi-stakeholder initiatives etc.

This document is primarily written for companies as well as multi-stakeholder initiatives that are working or intend to work on the elimination of child labour. However, we think this document is also useful for governments to (re)consider their policies and regulations, for NGOs to guide their action and engagement regarding company or sector-related activities and for international organisations to further specify their policies on the subject of child labour. The campaign 'Stop Child Labour' will present this Action Plan at several meetings with companies, multi-stakeholder initiatives, governments and international organisations in the coming years. We will update you on this consultation process on a regular basis. Unfortunately we will not be able to guide many individual companies on implementation. Of course we are open to requests for dialogue and consultation on the Action Plan according to our capacities.

This document was finalised after receiving valuable input from a range of people worldwide, including employers, unions, NGOs and people working for international organisations such as the ILO. We sincerely thank them for their contribution. Comments continue to be welcome for further improvement of this document.

Why should businesses take action against child labour?

The Universal Declaration of Human Rights[2] states that 'every organ of society' should contribute to ensuring that human rights are observed and implemented. This of course includes the business community. The Convention on the Rights of the Child (CRC)[3] , which has been ratified by almost all states worldwide, obliges them to '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' (Article 32.1.CRC). Member states to the CRC have committed themselves to incorporating this obligation in their national legislation. Businesses are therefore also obliged to comply with international agreements - both at home and in operations outside their home markets.

The Guidelines of the Organisation for Economic Co-operation and Development (OECD) for multinational enterprises[4] spell out what the national governments of OECD member states expect from their national business sector, including outside their home markets and throughout their supply chains. This includes combating child labour. In the Guidelines it is specified that businesses should encourage their suppliers and subcontractors to comply with them as well. The Guidelines are voluntary but the OECD requests that countries deal with complaints about violations by making use of their National Contact Points.

Furthermore, the United Nations' Global Compact consists of a number of principles that businesses should adhere to - including principle 5: taking effective action to end child labour[5].

The two 'Conventions' on child labour of the International Labour Organisation (ILO), ratified by more than three-quarters of its 181 members, are the most explicit international agreements in specifying what combating child labour should amount to in practice. These are the Minimum Age Convention (No.138)[6] and the Convention on the Worst Forms of Child Labour (No. 182)[7] . These Conventions have been jointly drafted in the ILO by national governments, employers' associations and trade unions. The business community is therefore politically and morally obliged to implement them. The Minimum Age Convention specifies that work is banned for children under the age of 15 (developing countries may opt for 14 years of age). Fifteen years is not a maximum; several countries including Brazil have adopted 16 as the minimum age for employment. Light work is allowed for 12- and 13-year-olds in most developing countries, provided it does not interfere with their schooling. Both Conventions include a ban on hazardous work for children under the age of 18. The Worst Forms of Child Labour Convention also bans 'working' as a child soldier, as a drugs trafficker and children working in pornography and prostitution, and other forms of forced labour.

While not fully congruent with ILO Convention 138, which sets a minimum age for employment at 15, the universally-supported Millennium Development Goals (MDGs) 2 and 3 on education are aimed at a 'full course of primary education'. Companies should contribute to the realisation of the MDGs by eradicating child labour and assisting in getting children to school.

What action should businesses take?

1 Make explicit in your company's formal policy or code of conduct that all forms of child labour prohibited by the two ILO Conventions (C 138 and C 182) will be pro-actively prevented and, if nevertheless found, be combated and eliminated.
This is not self-evident, because many companies feel it is enough to combat the worst forms of child labour. Given that both Conventions against child labour have been ratified by most nations, there is no conceivable reason why governments and companies should act only against some types of child labour. While developing countries are allowed, according to Convention 138, to choose the age of 14 instead of 15 years for a limited period as the minimum age of employment, we suggest sticking to an age limit of 15.

2 Make sure that company policy is based, at the very least, on the international conventions against child labour - and complies with national and local legislation if their standards exceed those of the international conventions.
So far, 150 countries have signed Convention 138 and 165 countries have signed Convention 182. Moreover, all ILO members have agreed that they have an obligation to respect, promote and implement the ban on child labour and comply with three other core labour standards, even if they have not ratified the Conventions in question (see also recommendation 10). Where national legislation is more stringent, for example by imposing a higher minimum working age, companies are of course obliged to comply with such domestic legislation.

Eliminating Child Labour: Guides for Employers

The Bureau for Employers' Activities at the ILO and the International Organisation of Employers (IOE) have published Guides for Employers to eliminate child labour. They introduce the Guides as follows:

"The Guides are designed to help businesses and their organisations understand and take action against child labour. The three practical guides provide ideas, advice and examples for the prevention of child labour, the withdrawal of children from work and the protection of young workers from hazardous conditions.The package will be a key resource for the executives, directors and managers of employers' organisations and other business associations that wish to take action on this important and sensitive issue.The guides focus on developing countries and provide examples of enterprises and employers' organisations that have taken concrete action, either by themselves or in cooperation with the International Labour Organiation, donors and other local, national and international organisations.

The first guide provides definitions, an explanation of the causes and the consequences of child labour, and the rationale for why enterprises should not employ children. In short, it provides an understanding of the issues. The two subsequent guides explain what can be done about child labour from the business point of view. Guide Two addresses enterprises and explains their options and possible strategies for eliminating child labour. Guide Three is about the collective role that employers' organisations and other business associations can play in helping their members on this important topic."

The Guides can found at:
www.ilo.org/public/english/dialogue/actemp/index.htm

3 Make it explicit in contracts with your suppliers that they must eradicate child labour and realise labour rights across all sub-contracted operations.

Child labour is widespread in operations that companies have outsourced to other businesses. Moreover, 'first tier' suppliers also frequently outsource manufacturing to sub-contractors. This is no coincidence. In their attempt to cut costs, many companies outsource some or all of their manufacturing and service operations to low-wage countries, most often to developing countries or countries in Eastern Europe. Such operations frequently involve child labour or fail to comply with other labour standards. Cutting costs, however, can never be used as an excuse by a company to dodge its responsibility on labour rights when outsourcing manufacturing or service operations. Companies should therefore have a written contract with their suppliers to ensure that the entire supply chain is free from child labour, to facilitate that children are released from work and start going to school, and to observe and implement labour rights. To achieve this in practice the outsourcing company will have to have provide the names and full contact details of all suppliers and subcontractors, and make them available to the public.

In order to prevent suppliers from hiding children when child monitoring is first carried out, the outsourcing company should reward and support suppliers for co-operating and helping to get all children to attend school instead of working for them. Once the 'no-child labour policy' is firmly in place, the company should become stricter - resulting in penalties - when children are found in new monitoring rounds.

Suppliers can also be individual families making products for a company. These home-based workers are normally paid on a piece-rate basis while their production targets are set in such a way that children have to work as well to make sure family remuneration equals minimum wages. This makes home-based work a source of child labour. Companies should ensure that production targets for home-based work do not compel children to work alongside adults. In the case of light work by 12-14 year olds there should be no conflict with education, no hazardous work, clear supervision and pay for the parents equalling 'a living wage'.

4 Ensure that children hitherto employed at the company's own plants, plantations or service operations, and/or in outsourced or sub-contracted operations across the entire supply chain, are transferred to free, full-time regular education.

Experience shows that companies with a no-child-labour policy frequently limit their involvement to merely seeing to it that the children concerned are removed instead of facilitating their transition to formal day-time schooling. There have been several highly visible examples of companies keen to rid themselves of the children who worked for them in order to boost their public image. One recent example involved international fashion brand Esprit, which announced it intended immediately to sever all links with its supplier in India after the latter had been found to be engaged in child labour. Businesses that simply make children 'redundant' and leave them to fend for themselves, behave highly irresponsibly. Precisely because they have benefited from children working for them, they have an even greater obligation to create or help facilitate the alternative to work - i.e. education. 'Hybrid' solutions, for example having children do part-time jobs and provide for school in the evening, are fundamentally unacceptable. Every child is entitled to free, quality, full-time education - not 'separately' in part-time schools, but together with other children.

5 **Make sure that young people aged 15 to 18, who are allowed to work according to international agreements, are not engaged in the worst forms of child labour as specified in ILO Convention 182. At least comply with agreements - required by the Convention - between governments, labour unions and industry umbrella associations on hazardous, dangerous work.**

Many children - up to the age of 15 but particularly those aged 15 to 18 (and often beyond) - fall victim to forced labour or prostitution, are recruited as soldiers, or are engaged in hazardous work unsuitable for their age. Examples of forced and hazardous labour can be found in the industrial or service sectors. As many children work in agriculture, yet another ILO Convention is relevant here: Convention 184 on Health and Safety in Agriculture. This Convention requires, for example, protective measures when working with chemicals (e.g. pesticides) and agricultural tools. One recent instance where such protection is not available is cottonseed production in India. Farmers growing cottonseed for multinational and Indian companies replaced some young children with youths up to 18 years old. The latter, however, are also exposed, without protection, to pesticide spraying and the burning sun while working in the fields for 12 hours or more a day.

Companies should at least ensure that children do not do the types of hazardous work agreed on by government, unions and employers at national level. But companies can also decide not to hire (or allow subcontractors to hire) children for work of a type that is not nationally agreed on but which is nevertheless considered hazardous by the company and/or other stakeholders. Work in commercial agriculture is often not on such an agreed list of hazardous work, but is seen by many as very hazardous. A company should advocate, together with unions, NGOs, and (local) governments for a comprehensive list of hazardous forms of child labour, including agricultural and domestic work.

There is also the problem of fake apprenticeships: children being employed under the banner of an apprenticeship, for long hours and without pay. Apprenticeships should be limited in duration, performed in conjunction with a school programme, supervised by ministry of labour/labour organisations, and should not interfere with education.

6 **Involve your own staff and your suppliers in combating child labour: inform them and involve them in your company's action plan against child labour.**

It is very important to involve your company's own employees in corporate policy which explicitly terms child labour as unacceptable - both in the company's own operations and throughout its supply chain. Inform your employees about this ban on child labour and provide training to instruct them in how they can contribute to the fight against child labour (see als the box on the IFC/World Bank). The same applies to your company's suppliers. Set up an internal and supply chain monitoring system, which is externally verified. Include a clause in your company's contract with suppliers, or with other parties that you can influence or select, to the effect that child labour should be prohibited, and specify too what this prohibition means in practice. This should be at the very least an obligation to take concrete steps to facilitate that children who are taken out of the production system attend school. Make binding agreements

with suppliers to ensure that they, in turn, make sure their suppliers and sub-contractors meet the same standard.

7 Collaborate and team up with other segments of society, for example local and/or national governments, to achieve full-time schooling for former child labourers up to the age at which they are allowed to work under Convention 138 or national law.

Companies who find that their operations (or supply chains) involve large numbers of child labourers often find it very difficult or even impossible to 'guide' these children to school. In most cases companies should not attempt to set up or fund a school of their own, but team up with other stakeholders and jointly develop a more structural solution. This should include the Ministry of Education and/or its agencies and the local government. The preferred option, by far, is that former child labourers enter the regular education system and that companies support these efforts. Where children cannot (immediately) enter a regular school, companies should, in cooperation with local authorities and civil society organisations, contribute to 'bridging' or 'transitional' education that enables somewhat older children to enter the regular - typically full-time - school system. Should reintegration into either the regular school system or into private schooling (temporarily) not be possible, companies should support the entry of older children - typically 12 to 14 years old - into vocational training.

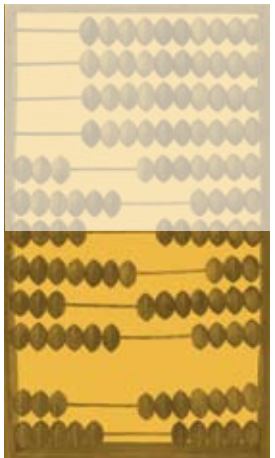
Research has shown that children who combine work with school perform less well at school and run a greater risk of dropping out. Efforts must be made not to create parallel structures to formal schooling. Bridge schools should only serve as a transitional tool to move children into formal full-time education. Though this is mainly for the government and local (non) governmental organisations to tackle, companies and their stakeholders should be aware that children are sometimes forced by teachers to work for them. Companies should be partners in fighting those practices.

8 Make a special effort where needed to address the specific challenges faced by children from groups suffering discrimination and other marginalised groups so that they too can make the transition from work to school.

Many child labourers are from groups that are economically disadvantaged, discriminated against and/or from marginalised and migrant backgrounds. Children may suffer discrimination because of the type of work done by their parents, their background, their migrant status or the ethnic group or caste they belong to. Also, children with specific vulnerabilities such as child scavengers, street children, trafficked children and HIV/AIDS-affected children - often from groups that suffer discrimination - need special attention. In China, for example, many migrant children start working because they do not have the right to education and health care if the household is not registered in the place

where the parents work. In India Dalits ('outcastes') and Adivasi (tribals) are largely 'overrepresented' in child labour and even more so in scavenging and in trafficked and bonded child labour.

Many people, often encouraged by local vested interests, feel it is 'normal' that children from 'such backgrounds' are put to work and do not go to school. This makes it even more crucial to be inclusive in fighting ALL types of child labour through the entire supply chain and to mobilise society to get ALL children out of work and into school. Children who are marginalised and/or who are discriminated against might otherwise 'disappear', be it 'further up the supply chain' or in other types of work. But being inclusive in combating all child labour does, maybe paradoxically, also mean that special efforts are sometimes needed to ensure that specific groups of marginalised children join children from other backgrounds in regular daytime schooling and do not suffer from discrimination there as well. Efforts by companies and governments - including training programmes - are needed with a view to offering jobs to parents or family members of these working children. They might also need other types of social support to enable them to compensate for the loss of their children's labour.



9 Verify the authenticity of birth certificates and lobby jointly with other parties for the establishment of reliable birth registration systems in areas where these are absent.

A child or youngster's exact age is often difficult to verify or even estimate. Birth certificates may be false, particularly because many countries lack a reliable birth registration system. Age may also be assessed through other methods, for example a medical examination by a reliable physician, or through interviews to test a child's knowledge (e.g. has it finished elementary education?). Local people or authorities can also be asked to estimate the age of the child, e.g. in relation to important village events. In more general terms, companies could contribute to the development of reliable public birth registration systems as these are frequently lacking. Together with employers' associations, trade unions and other stakeholders, companies should be strong advocates for a birth registration system and thus speed up the introduction of such systems. This can include advocacy and/or co-operation with relevant Ministries (e.g. of Health) and/or government agencies.

10 Combating child labour must always go hand in hand with compliance with the ILO's other core labour standards[8] and other broadly agreed workers' rights.

In addition to refraining from engaging child labour, the following generally recognised fundamental workers' rights should always be observed: 1) freedom of association and the right to collective bargaining, 2) the elimination of all forms of forced or compulsory labour, and 3) the elimination of discrimination in respect of employment and occupation. These three are defined by six conventions: 87, 98, 29, 105, 100 and 111. These workers' rights are fundamental human rights. In addition, the following workers' rights are also generally acknowledged: the right to a safe and healthy working environment, a living wage, and no excessively long hours or forced overtime. A company which combats child labour cannot use that as a pretext for violating other workers' rights.

Nor can companies justify employing children because of their parents' low income - the latter being precisely the area where companies can make a difference (also see recommendation 12).
For a broad vision on corporate social responsibility, we refer to the 'CSR Frame of Reference' document (edition of June 2007), in which 33 civil society organisations in the Netherlands - including the Dutch members of the 'Stop Child labour' campaign - spell out their social and environmental expectations of companies.[9]

11 Work with trade unions both to tackle child labour and to make sure that labour rights are implemented.
Trade unions have a crucial role in combating child labour. At the international level they are one of three constituents of the International Labour Organisation (ILO) and have been party to the negotiations on the present ILO child labour conventions. At the national level they represent the workers in talks with the government on (child) labour issues. At the company level they are the ones who organise (adult) labourers and therefore have a mandate to negotiate with companies on wages and working conditions. Experience shows that child labour is much less likely to occur in a situation where there are mature 'industrial relations' between a union (or several unions) and a company. In the Philippines, for example, unions have included combating child labour as part of their collective bargaining with a company. They started with demanding a policy on child labour in the main factory and then expanded it to subcontractors and suppliers. Next, they demanded a monitoring system throughout the whole supply chain. This approach to combating child labour can also be an entry point to fighting for other labour rights and issues. Alternatively the right to organise, when established, can be used to put elimination of child labour on the collective bargaining agenda. Companies should be constructive partners in these efforts.

12 Pay a procurement price to suppliers enabling them to avoid using child labour and to employ adults (or youngsters older than 14 or 15) instead, offering them decent pay and conditions. If needed, also adjust other elements of your company's sourcing policy with a view to implementing your company's 'no child labour' policy and ensuring that fundamental workers' rights are complied with.
Recent research on clothing and shoe manufacturing in Albania and cottonseed growing in India has shown that low prices paid by purchasing companies encourage child labour: low prices may induce suppliers to employ children, or cause parents whose earnings are insufficient for a decent life to put their children to work. Hence, procuring companies should not only demand that their suppliers refrain from employing children - they will also have to create the necessary conditions that will enable their suppliers to implement labour rights. Price is an important prerequisite to consider, but other purchasing conditions are also relevant. Late orders or bad procurement planning on the part of

the procuring companies put suppliers under pressure: fearing that no new orders may be forthcoming if they do not deliver on time, suppliers pull out all the stops to meet their deadlines - making their employees work long hours and taking on child labourers as extra hands. Normally companies should be able to tell readily if workers are compelled to put their children to work at home in order to meet a production deadline. If an adult can produce five pairs of shoes in a day on average but delivers ten, it is obvious that standards are being violated.

13 Whenever possible, try to transfer the job hitherto done by children to their parents or other close relatives, or offer the parents alternative suitable employment.

It may not always be possible or even desirable to transfer a child's job to an unemployed parent or relative, but where this is an option, companies have a moral obligation to do so. Companies are also expected to offer training to a parent or relative, enabling them to get a job at the company or elsewhere with at least a 'living' wage. Another option, which has been put into practice by fashion manufacturer Levi Strauss, is to continue to pay children their former wage on condition that they attend school, while offering them a job once they reach at least the minimum 'working age'.

14 Create, independently or working with others, facilities such as crèches and daycare centres for employees, to help them keep their children out of the child labour market.

Many children, notably in agriculture and small-scale production facilities, are forced into child labour or introduced to the work gradually because their parents start taking them along to their workplace when they are still very young. Pre-school and daycare centres can help to prevent this, while also providing playing and learning opportunities for children. Such facilities also free older children from the task of caring for younger brothers and sisters, a duty which prevents them, especially girls, from going to school.

15 Invest in a credible management system to combat child labour. This includes: pro-active investigations into child labour in the supply chain, a solid self-monitoring system and complaints mechanism, reporting and transparency on policy and practice, third-party monitoring and verification, and involving those directly concerned and/or affected.

An adequate management system, which should include the above elements, is indispensable for any company wishing to assert credibly that its supply chain is free from child labour and does not violate other labour rights. This applies in particular to industries and supply chains in

countries or regions where child labour is widespread.
In industries where child labour occurs it is not enough to state that neither the company itself nor its suppliers use child labour. The motto should be: don't tell me, show me! Companies should not passively wait for others to confront them with child labour practices or other violations of labour rights - they should be pro-active and launch their own investigations, which should be conducted independently. Companies should be transparent about the findings of such investigations and state unambiguously what they are going to do in response to any findings, whether independently or working with others. In addition, set up a complaints mechanism which is fair, anonymous and open to anyone.
Civil society organisations and trade unions understand that child labour may occur in the supply chain, especially in those countries without compulsory education and weak, understaffed, absent or corrupt labour inspection services. In practice there is considerable appreciation for companies that are transparent about the issue, and take credible steps to tackle it. Verification of problems that have been identified, whether it be child labour or underpayment of workers, can only be credible if local organisations are involved in the monitoring process. This applies even more to making improvement plans, for example to phase out child labour and 'guide' the children to school.
Therefore, companies need to work with local governments, trade unions, and NGOs. A problem may be that such partners - government bodies, unions and NGOs - have little or no presence on the ground. In that case, companies should be able to demonstrate that they have done all they possibly can. One action they can take, for example, is to support capacity-enhancement programmes of local unions and NGOs, and collaborate with them. If all efforts fail, the option of last resort is to pull out. Regular reporting on the above and willingness to react to questions by stakeholders is another element that should be part and parcel of an effective anti-child labour or broader CSR policy.

16 Use the worldwide web for an online reporting system on child labour and other labour rights violations.
Leading companies in tackling the issue of child labour and labour rights violations can use a tool that NGOs also use for highlighting (child) labour violations: the world wide web. While many workers in the supply chain of larger companies might be illiterate (though certainly not all), individual workers could avail themselves of the help of others to report complaints about child labour and working conditions on the website or through an email address of a company which is keen on monitoring their supply chain. The information on how to file a complaint should be simple and available in the local language(s). The website or email address should be prominently displayed by all the suppliers of a company. Complaints could be submitted either anonymously, with or without being published on the site. The company receiving the complaints should report publicly and regularly (e.g. once every half year) on their website on the number and character of the complaints received and what has been done about them. A multi-stakeholder initiative could also consider setting up such a 'web-based complaint mechanism'.

17 Get involved in efforts to combat child labour in industries where child labour is rampant (e.g. stone quarries, tourism, cocoa, tobacco, cottonseed, cotton and garment production, coffee, tea, rice, and flowers) through a so-called multi-stakeholder initiative and/or join, if your company is a multinational, an 'International Framework Agreement' with one of the sectoral global unions.

In industries where child labour is endemic the practice might be very difficult or impossible to tackle if a company acts on its own. The best option for companies, though not always feasible, in such sectors is to work through multi-stakeholder initiatives (MSIs). MSIs are collaborative efforts by companies, trade unions and NGOs, which sometimes also involve the government, researchers and specialised institutes. MSIs have many advantages. For one, working together makes it far easier to share experience in combating child labour. Secondly, companies can also share the costs of monitoring and can learn from each other and from other stakeholders. Thirdly, and this is particularly important, by working together companies can create a new 'level playing field' in terms of costs when they, or their suppliers, have to hire more expensive adults. Finally, collaboration with unions is essential to give workers a say in fighting child labour and in improving working conditions. However, multi-stakeholder initiatives should meet certain quality criteria. As already stated, trade unions should be fully involved in the effort. Furthermore, the MSI should be vigilant in guarding against the risk that its most tardy members effectively set the pace of change. Therefore, transparency, the general public's 'right to know', independent investigation, and campaigns if need be, remain necessary ingredients of the overall effort so as to keep the members of an MSI focused. A good example of an MSI in the garment industry is the Fair Wear Foundation.

18 Companies should have a policy to prohibit their employees from using children as domestic servants.

Combating child labour by employees and management should not stop at the factory gate. For the sake of furthering children's rights and the coherence and credibility of company policy against child labour, a ban on owners and employees employing child domestic workers should be in place. One could even consider making it part of the labour contract.

The IFC (World Bank) on combating child labour

The International Finance Corporation (IFC) is a unit of the World Bank that provides project advice and funding to companies — typically for major projects. The IFC has developed an extensive policy on CSR and also provides advice on the implementation of fundamental labour standards including child labour. In its 20-page Good Practice Note 'Addressing Child Labor in the Workplace and Supply Chain'[10] the IFC spells out several recommendations for combating the 'harmful' types of child labour.*

The IFC has made useful recommendations, including:

Implementation

- *Create a procedure for age verification of applicants as part of hiring policy;*
- *Establish a protocol for how to respond when harmful child labour is detected;*
- *Communicate the policy to employees, suppliers/contractors and the community;*
- *Obtain support of senior management and provide training to all senior staff;*
- *Cultivate a core group of committed staff to act as 'champions' of the issue;*
- *Provide training and awareness programmes to employees at all levels;*
- *Build accountability by assigning clear responsibilities at all levels;*
- *Reward staff for their efforts toward eliminating harmful child labour;*
- *Create a mechanism by which employees and others can report violations with the assurance of confidentiality.*

What to do if child labour is discovered?

- *Release children from work that is harmful;*
- *Enrol them in school;*
- *Reintegrate children with their families and communities in cases where they are alienated from them;*
- *Provide alternative income-generating activities for the parents or other adult relatives of those children who are relieved from harmful work;*
- *Address the physical and mental health of children working under harmful conditions;*
- *Create conditions that remove the need for children to do harmful work;*
- *Protect and educate children who work legitimately;*
- *Identify safe work with fair wages and healthy working conditions for working children who meet minimum age requirements.*

** 'Harmful child labour' as such is not a term used in treaties and conventions on child labour but the IFC says it coined the phrase in line with the recommendations of the Worst Forms of Child Labour Convention as well as the UN's Convention on the Rights of the Child. The IFC defines the term as follows:*
'Harmful child labour consists of the employment of children that is economically exploitative, or is likely to be hazardous to, or interfere with, the child's education, or to be harmful to the child's health, or physical, mental, spiritual, moral or social development.' It is not made explicit in this definition if 'the child's education' refers to compulsory regular education. If that is the intended meaning, this would be an internationally accepted definition. Even so, it is unclear why the IFC has opted to use the term'harmful child labour', as companies tend to interpret this as meaning 'the worst forms of child labour', which does not cover types of child labour that obstruct schooling.

A Final Appeal

Do not allow yourself, as a company, to be lured into thinking that child labour is a fact of life and that the company does something good by employing a child.
Employing even one child helps to perpetuate child labour. And child labour perpetuates poverty. Combating child labour helps to create more jobs and better wages for adults and thus also helps to alleviate poverty!

Sometimes, local social pressure or heartbreaking individual circumstances may seem to suggest that the most humane or easiest remedy is to give employment to a young child that should be at school. But doing so would undermine the norm that children should be in school instead of working ánd the efforts of those who are working towards achieving that norm. Moreover, even in the direst of circumstances, the best solution is to hire a parent or other adult relative who would be entitled to a higher wage. Then this adult can support the child, and can see to it that it receives a proper education. If this option is not available, then companies are of course free to support poor children and their families without employing the child!

May 2008
'Stop Child Labour — School is the best place to work'

Notes

[1] See: http://www.ilo.org/global/About_the_ILO/Media_and_public_information/Press_releases/lang--en/WCMS_005220/index.htm
[2] See: http://un.org/Overview.rights.html
[3] See: http://ohchr.org/english/law/pdf/crc.pdf
[4] See: http://www.oecd.org/dataoecd/56/36/1922428.pdf
[5] See Global Compact website: http://www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/principle5.html
[6] See: http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138
[7] See: http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182
[8] See ILO page: http://www.ilo.org/dyn/declaris/DECLARATIONWEB.INDEXPAGE
[9] See CSR Frame of Reference of 36 Dutch civil society organisations: http://mvo-platform.tuxic.nl/files/Publicaties/MVO%20referentiekader-web%20(2).pdf
[10] See: http://www.ifc.org/ifcext/enviro.nsf/AttachmentsByTitle/p_childlabor/$FILE/ChildLabor.pdf

About the campaign 'Stop Child Labour – School is the best place to work'

The 'Stop Child Labour - School is the best place to work' campaign is based on the conviction that the Millennium Development Goals can only be achieved if all forms of child labour are eradicated and all children up to the age of 15 are given the opportunity of full-time education. The campaign aims to convince policy makers that they should close the gap between Millennium Goal 2 - i.e., that all children receive an undefined 'full course of primary education' - usually 4 to 6 years - and ILO Convention 138, which states that children should only be allowed to work from the age of 15. The campaign aim, therefore, is to ensure that by 2015 every child receives formal, regular and uninterrupted education for at least 8 or 9 years.

The campaign is being carried out by the Alliance2015 network of European development organisations: Cesvi (Italy), Concern (Ireland), Deutsche Welthunger Hilfe (Germany), IBIS (Denmark), Hivos (the Netherlands) and People in Need (Czech Republic) in co-operation with three other Dutch organisations: the General Education Union (Algemene Onderwijsbond), FNV (Federation of Dutch Trade Unions) and the India Committee of the Netherlands (ICN).

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Guiding principles

Campaign 'Stop Child Labour – School is the best place to work'

Definition of Child Labour: Child Labour is work performed by a child, which is likely to interfere with their education, or to be harmful to their health or physical, mental, spiritual, moral or social development. (*Convention on the Rights of the Child, Article 32.1*)

Principe 1

Child labour is the denial of a child's right to education

The elimination of child labour and the provision of full-time formal education are inextricably linked. The focus of attention must be to actively integrate all 'out of school' children into formal education systems and to retain them. Children have the right to education at least until the age at which they are allowed to work, which is 15 (developing countries can opt for 14). In addition efforts must be made to remove all barriers to local schools as well as ensuring the necessary financial and infrastructural support for the provision of quality education.

Principe 2

All child labour is unacceptable

The Convention on the Rights of the Child (quoted above), along with a host of other international agreements, unequivocally affirm the right of all children to live in freedom from exploitation. Approaches to the issue have tended to prioritise and segregate solutions to different types of child labour according to certain categories. These range from children

working in hazardous industriesto children doing so-called non-hazardous work - including domestic work - but missing out on school.
The SCL campaign believes that such distinctions, while helping to cast a spotlight on the worst abuses, tend to be too narrow in their focus and offer only partial solutions. Efforts to eliminate child labour should focus on all its forms, preferably aiming at all children in a certain community.

Principe 3

It is the duty of all Governments, International Organisations and Corporate Bodies to ensure that they do not perpetuate child labour

All governments have a duty to ensure that they do not allow child labour to exist within their state. Furthermore they have a duty to ensure that state agencies and corporate bodies, as well as their suppliers and trading partners worldwide, are fully compliant with the CRC and other international agreements protecting the rights of the child.
As part of their corporate social responsibility, all transnational and other business enterprises using child labour should create and implement a plan to remove children from their workforce, including their supply chain, and enrol them in full-time education.

Principe 4

Core labour standards must be respected and enforced to effectively eliminate child labour

The eradication of child labour is closely linked to the promotion of other labour standards in the workplace: the right to organise and the right to collective bargaining, freedom from forced labour, child labour and discrimination. A living wage, health and safety at work, and the absence of forced excessive overtime are also crucial. Child labour undermines the opportunities for adult employment and decent wages. Experience has shown that child labour is highly unlikely to exist when a free trade union is present and where core labour standards are respected.

STOP Child Labour

school is the best place to work

Alliance 2015

towards the eradication of poverty

FNV

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