

Internal Document

**Child Labour Policies of Selected International Agencies:
Review and Recommendations**

By

Rekha Wazir
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International Child Development Initiatives, Hooglandse Kerkgracht 17, 2312 HS Leiden,
The Netherlands. Tel: 31-71-5127429; Fax: 31-71-5127432; Email: ICDI@ICDI.nl

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1. Introduction

This paper provides a review of the child labour and related basic education policies of ILO, UNICEF, UNESCO, the World Bank and the European Union.¹ The policy instruments and strategies of each of the agencies are outlined briefly, and where available, information is provided on the agencies' programme in India. This is followed by a critical review of these policies and an elaboration of policy recommendations aimed at the organisation. These recommendations are geared to feed into the campaign "School, the best place to work". This campaign is a joint activity of three Alliance 2015 members based in the Netherlands, Germany and Republic of Ireland. The main objective of this exercise is to ensure that all children classified as child labourers will be guaranteed a primary education by the year 2015. This will be done through awareness raising, education, lobby and advocacy work in the three participating countries.

The review is limited to an analysis of the policies and strategies of the agencies mentioned above. An evaluation of their programmes on the ground, their outreach and efficacy in reaching target groups, and, most importantly, their success in eliminating child labour is beyond the scope of this paper.

2. ILO/IPEC

Background

The International Labour Organisation is the lead international agency for policy development on child labour. The entry point of the ILO to the issue of child labour is through its central concern with defining **international labour standards**. With respect to child labour, this traditionally meant regulating child labour through the establishment of a **minimum age for entry into different sectors of employment**. Since its inception in 1919, the ILO adopted 10 Conventions that set standards for minimum age in different sectors such as industry, agriculture, maritime work, non-industrial employment, fishing and underground work.

In 1992, the **International Programme for the Elimination of Child Labour** was established within the ILO with an initial grant from the German government. It is worth noting that until this point there was no one department within the ILO that was responsible for child labour. This injection of funding, which came as a surprise even to the ILO,

¹ The focus is limited to education policies that interface with the issue of child labour.

necessitated a clearer focus and a clearer policy framework within which the organisation could develop its own programme for combating child labour (Fyfe 2001). This led to the formulation of Convention No. 182, which has taken over from the earlier Convention No. 138 as the main policy instruments on the issue of child labour.

Main policy instruments

Minimum Age Convention No. 138

It was in 1973 that the earlier sector-specific conventions were consolidated into the comprehensive **Minimum Age Convention No. 138**. This was a landmark policy instrument that applied to all economic sectors and to all working children, whether they were employed for wages or working on their own account. The main recommendations of Convention 138 are as follows:

- The **general minimum age** for entry into employment should not be less than the age of completion of compulsory schooling and in any case should not be less than **15 years**. Light work may be undertaken from the age of 13 and hazardous work from the age of 18 (16 under certain strict conditions).
- **Developing countries** are allowed to make the exception and may apply a minimum age of no less than **14 years**. Light work may be undertaken from the age of 12. The age at which hazardous work can be undertaken remains the same.

The early Conventions, all of which were adopted before the second world war, had made a link with **schooling** to the extent that they stated that the minimum age for entry into employment should not be less than the age of completion of compulsory schooling. This link was further strengthened in Convention 138. Article 7 explicitly states:

“1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is:
(a) not likely to be harmful to their health or development; and,
(b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.”

Worst Forms of Child Labour Convention No. 182

After the establishment of IPEC, a series of consultations were undertaken in Geneva and internationally, culminating in 1999 in the Worst Forms of Child Labour Convention No. 182. By 1 January 2002, 113 countries had ratified this Convention which requires states to take **immediate and effective measures to prohibit and eliminate the worst forms of child labour as a matter of urgency**. The worst forms of child labour are defined as:

- All forms of **slavery** or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, as well as forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

- The use, procuring or offering of a child for **prostitution**, for the production of **pornography** or for pornographic performances;
- The use, procurement or offering of a child for **illicit activities**, in particular for the production and trafficking of **drugs**;
- Work which, by its nature or the circumstances in which it is carried out, is likely to **harm the health, safety or morals** of children, such harmful work to be determined by national authorities.

The ratifying states are advised to “design and implement programmes of action to eliminate as a priority the worst forms of child labour”. Reference is made (Article 7) to “the importance of education in eliminating child labour” and ratifying states are advised to take “effective and time-bound” measures to “ensure access to free basic education, and, wherever possible and appropriate, vocational training for all children removed from the worst forms of child labour”.

Programmes

ILO’s international programme for child labour is implemented through IPEC. At present, IPEC operates in 75 countries of the world where it aims to provide technical assistance to national programmes to combat child labour. Funding is provided by a number of countries (25 in all) including Germany, Netherlands, United Kingdom and the Nordic countries. Within the organisation, IPEC is one of 8 ILO InFocus Programmes. These programmes implement activities that are seen to be of high priority to the organisation and that combine three elements: knowledge, advocacy and service.

IPEC works in three ways:

- Through **country based programmes** that include an assessment of the nature and extent of child labour, devising national policies and legislation, setting up mechanisms for implementing a national programme of action, and creating awareness.
- **International and national campaigns** to change attitudes.
- In depth **research** at regional and international levels.

The Time Bound Programme – a new development

In June 2001, IPEC launched the **Time-Bound Programme** (TBO) as a means of helping states to eradicate the worst forms of child labour within a determined time period. The first three time-bound programmes have been launched in El Salvador, Nepal and Tanzania. The government of Tanzania has set the target of 2005 for reducing the involvement of children in prostitution, mining, domestic work and commercial agriculture by 75 percent and completely by the year 2010. In Nepal, six categories have been targeted i.e. rag-picking, portage, domestic labour, carpet weaving, mining and sexual exploitation. Similar programmes are being planned for another 15 countries.

IPEC in India

IPEC started its work in India in 1992. In fact India was the first country to sign a Memorandum of Understanding with the ILO. According to the terms of co-operation, activities are to be implemented through Action Programmes selected by the National Steering Committee consisting of representatives of government, employers and workers organisations and NGOs. The Secretary of the Ministry of Labour is the chairperson. IPEC's targets in India are children employed in:

1. Factories, industrial enterprises, cottage industries and home based activities.
2. Agriculture including plantations and fisheries.
3. Service sectors, and
4. Street children.

Within these broad categories, the focus has been narrowed down to the **most intolerable forms of child labour**. This has been defined as children:

- Working under forced labour conditions and bondage.
- In hazardous working conditions and occupations.
- In vulnerable age groups under 12 years of age.
- The working female child.

The main strategies used in reaching this target group are **education** (mainly non-formal education); **compensation** for families of working children in the form of school uniforms, study kits and micro-finance projects, especially for mothers; and **awareness campaigns**.

There has recently been a shift in IPEC strategy reflected in a move away from supporting small, stand-alone projects to supporting programmes. At present IPEC is supporting two major initiatives: the Integrated Area Specific Project which is operational in 6 districts of 4 states, and the State Based Project in Andhra Pradesh. The budget of the IPEC programme from 1992 to date amounts to US\$5.0 million.

IPEC has recently negotiated three new projects, representing a considerable expansion of its programme and budget. All three are due to start between January to March 2003:

1. *Survey on Activity Pattern of Children and development of database*. This time-use survey is funded by **DFID** to the tune of US\$ 4.5 million. It will be implemented by the Ministry of Labour and National Sample Survey Organisation in the Ministry of Statistics & Programme Implementation.
2. *Combating child labour and economic exploitation among adolescents in the sericulture industry in Karnataka*. The **Italian government** has provided funding for this project to the amount of US\$3.2 million. The time duration is three years.

3. *Preventing and eliminating child labour in identified hazardous sectors.* This is a technical co-operation project of the Government of India and the **United States Department of Labour**. Both parties are contributing US\$20 million each. The time duration is 3 years; the states selected are Madhya Pradesh, Maharashtra, Tamil Nadu and Uttar Pradesh; and the sectors covered are bidi, brassware, bricks, fireworks, footwear, glass bangles, locks, matches, quarrying and silk.

This project is noteworthy for its large budget and scope as well as for the strategies spelt out in the project document. The project has ten components, as follows: (1) identification of children at risk, (2) withdrawal and provision of transitional education, (3) vocational education/training of adolescent workers, (4) income generating alternatives for families, (5) strengthening public education of child workers, (6) monitoring and tracking, (7) social mobilisation, (8) capacity building, (9) raising interest toward action on hazardous child labour in other states, and (10) knowledge management.

The project uses a range of strategies with schooling seen as the “most appropriate alternative” for children withdrawn from hazardous work. Young children will be mainstreamed directly into school, while children in the 9-13 age group will receive “transitional education as a bridge to formal or vocational training”. In addition, the quality of education in public schools will also be tackled under component 5 of the programme. These elements represent a departure from earlier IPEC programmes that have focused on non-formal education. **In this project document non-formal education is consistently referred to as ‘transitional’ education implying that it will be used as a bridge to formal, mainstream education.** This is at the level of intent. It remains to be seen how it will be translated into practice.

Review of ILO Policies

The following remarks focus mainly on Convention No. 182, which is *de facto* the main policy instrument of the ILO regarding child labour.

Action or rhetoric?

Far from being an advance on earlier policy, Convention No. 182 offers at best an **incomplete solution** to the problem of child labour. By focusing on the “worst forms of child labour” it fails to offer a policy instrument for eliminating child labour in its entirety. What is more damaging is that it does not provide an unequivocal framework for action even for the group that it singles out for immediate attention. Three areas i.e. slavery, prostitution and illicit activities are absolutely prohibited for all persons under the age of 18. These are seen as the most intolerable forms of child labour. However, even for these “unconditional worst forms of child labour” as they are called, the focus is on taking immediate **measures** and not on immediate **eradication**. There is no mention of targets, nor of a time scale within which these forms of labour will be eliminated.

The fourth category i.e. hazardous work is to be defined by national legislation. This leaves open the possibility for a wide range of interpretations at the national level that can end up leaving a large chunk of working children without legislative cover.

Piecemeal approach

The Convention is silent on children who are not involved in the four areas singled out for immediate attention. These children are involved in work that is not 'dangerous' by the Convention's definition but may well be detrimental to their well being and development and may definitely interfere with their education. The vast majority of working children, particularly girls, belong to this category. They may be involved in full or part-time work as domestic workers, agricultural labourers, or doing piecework in the informal sector as part of family labour. The Convention fails to provide a framework of action for this category of working children.

This piecemeal approach is problematic at the level of programming as well. Singling out a few areas for attention can do more harm than good to working children. Experience from around the world shows that withdrawing children from one industry can cause child labour to go underground in this sector. Efforts to remove child labour in the carpet belt of Mirzapur-Bhadohi (in Uttar Pradesh State in India) provide a good example of the deficiencies inherent in taking a narrow focus. While it is widely acknowledged that child labour has been significantly reduced in this district, this is partly because manufacturers have shifted their looms to the neighbouring states of Bihar and Rajasthan where they can continue to employ children without coming under scrutiny. Moreover, children who have been withdrawn from work do not necessarily join school. The experience of removing children from the garment industry in Bangladesh shows that without a holistic approach such children may end up in other jobs that are less regulated, less safe and lower paying.

Poverty as the main determinant of child labour

This piecemeal approach to child labour in the Convention is partly explained by the fact that **poverty** is seen as the main determinant of child labour. As a consequence, the eradication of child labour in all its forms is seen as a very **long-term goal** linked in some way to the eradication of poverty itself. Not surprisingly, no targets or time limits are mentioned for achieving this long-term goal. In the short term, priority is given to eliminating only those forms of child labour that are seen to be 'intolerable'. But even here, no targets are set. The time-bound programme was introduced in 2001 as an attempt to correct this deficiency by putting a well-defined time limit on eliminating the worst forms of child labour. The success or otherwise of this programme is not yet evident as it is operational at present in only three countries and it is too early to evaluate the results.

Weak link between child labour and education

The link between child labour and education was fairly explicit in the Minimum Age Convention No. 138 which made a connection between the minimum age for entry into employment and the age of completion of compulsory schooling (see above). This link is much weaker in the Worst Forms of Child Labour Convention No. 182. While ratifying states are advised to ensure access to free basic education, the manner in which it is to be

delivered is left open. In practice, IPEC's field programme has been most closely associated with non-formal education, particularly of working children who have been rehabilitated.

Policy Recommendations

There are two main areas around which recommendations need to be made.

The **first**, and most obvious one, is that the ILO should use a **more inclusive definition of child labour** that takes into account the entire universe of working children. Convention No. 182 is restricted to children in the "worst forms of child labour".

The **second**, but equally important recommendation is that the link between child labour and education should be made more explicit. Education should be understood as mainstream, formal education and not as non-formal education used for rehabilitating working children that has been the norm so far in IPEC programmes.

It would appear that there is some realisation in the organisation that Convention 182 offers a very limiting approach to child labour. In one of its latest publications – a handbook for parliamentarians – child labour is defined far more broadly as:

“...work that:

- is mentally, physically, socially or morally dangerous and harmful to children;
and
- **interferes with their schooling:**
 - by depriving them of the opportunity to attend school;
 - by obliging them to leave school prematurely; or
 - by requiring them to attempt to combine school attendance with excessively long and heavy work.” (ILO 2002a: 15, emphasis added).

There is also a growing realisation that child labour can be eradicated only when there are complementary policies for achieving universal primary education. The same handbook mentions education as one of the five fronts on which action is required in order to eliminate the worst forms of child labour:

“**The obvious alternative to child labour is education...**A renewed commitment to free, compulsory education for all children (girls as well as boys), a massive investment in education and teacher training...a complete overhaul of the curriculum so that it has more relevance to local needs and situations: these are essential basic requirements for ... eliminating the worst forms of child labour” (ILO 2002 a:45).

Similar sentiments are increasingly being expressed in other internal policy documents and in statements made by IPEC staff. The project document for the recently signed technical agreement between the Government of India/US Department of Labour also marks a radical departure from conventional IPEC programmes. In this programme, children removed from hazardous work will be mainstreamed in the formal educational system.

These signs of changed thinking within the ILO are by no means universal and probably amount to no more than a drop in the IPEC ocean. But they are a good start that can be reinforced and built upon.

3. UNICEF

Background

Of the agencies covered in this paper, UNICEF is the only one that focuses exclusively on children. The rights of the child are at the centre of its mission and mandate and, along with UNESCO and the World Bank, it is one of the lead agencies responsible for basic education. Its entry point to child labour is, therefore, through its central concern with all aspects of **child rights** and through its key role in **basic education**.

Main Policy Instruments

United Nations Convention on the Rights of the Child

The Convention on the Rights of the Child (CRC), which was adopted by the United Nations General Assembly in November 1989, is in principle the major policy instrument of UNICEF with respect to all aspects of child welfare. It is important to note that the CRC was an initiative of the United Nations but was adopted by UNICEF as the framework for its own policy formulation. The CRC makes recommendations on a wide range of issues. The most pertinent to child labour include the **right to education** and the **right to be protected from economic exploitation and work**. The relevant articles are as follows:

Article 28

“1. States parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all.”

Article 32

“1. 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.”

The definition of child labour is quite clear in the CRC - it refers to work that is mentally, physically, spiritually, morally or socially hazardous or harmful, and interferes with the child’s education. No distinction is made in the CRC between different kinds of work, i.e. between work that is hazardous and non-hazardous.

Education for All

UNICEF was one of the main co-sponsors of the World Conference on Education for All (EFA) held in Jomtien in 1990. The World Declaration on Education for All that was adopted at this conference as well as the follow up Dakar declaration of 2000 would constitute the main policy instruments of the organisation in the field of education. The EFA Declaration took a rights-based approach to education by asserting that “everyone has a right to education”. **However, neither this document nor the Dakar follow up makes any reference to child labour** (see section on UNESCO for details).

Programmes

UNICEF has been supporting education programmes focusing mainly on primary education, non-formal education and early childhood education since the 1960s. However, its global policy on education was developed only in 1995, after the Jomtien conference. Similarly, the related issue of child labour did not traditionally occupy a central place in UNICEF’s programme of action. It was in the 90’s that the organisation began to give it some systematic attention, spurred on largely by the international attention that was beginning to be focused on child labour. UNICEF’s global strategy for child labour was developed as late as 1997 in a paper entitled *UNICEF: Towards a Global Strategy on Working Children*. The main elements of this policy document are:

- CRC should be used as the guide in understanding child labour
- The main emphasis should be on prevention of work that is detrimental to children
- Child work issues need to be mainstreamed in country programmes
- UNICEF must support expanded and improved primary education
- Other interventions are required beyond education, i.e. in health, nutrition, sanitation etc.

Following the development of this global strategy, UNICEF acquired major funding from Norway (in 1998) and the Netherlands (in 1999) to implement its global child labour programme. This programme was launched in 1999 and covers approximately 30 countries at present. Based on the guidelines laid out in the global strategy document, country and regional offices have devised their own strategies, using **education** as part of their preventative approach. Formal and non-formal education, as well as a combination of work and education were seen to be part of this strategy.

Recent developments

In 2001, UNICEF set out its **Medium-term Strategic Plan** (MTSP) for the period 2002-2005 in which five priority areas were marked out for intensive focus and attention. These priority areas are to be used throughout the organisation – headquarters, regional and country offices – for organising programmes, partnerships, alliances and advocacy. They are:

1. Girls’ education,
2. Integrated early childhood development
3. Immunisation ‘plus’

4. Fighting HIV/AIDS
5. Protecting children from violence, exploitation, abuse and discrimination.

In this list of priorities, pride of place is rightly given to girls' education, to getting and keeping girls in school and ensuring that they learn what they need to succeed. **However, no mention is made of the reality that faces girls in most developing countries where they are involved in a range of income earning and labour replacement activities.** It is not clear how the target of 30 percent fewer girls out of school by 2005 will be achieved without attention to this dimension. Child labour does find a fleeting reference under priority no. 5 – protecting children from violence, exploitation, abuse and discrimination. It is included in the list of 'tasks that need to be done' before 2005 and is restricted to **eliminating the worst forms of child labour.**

UNICEF in India

Unicef policy for India is in the process of being reformulated. The policy document is currently under preparation and should be available by December 2002. The UNICEF India website was not operational at the time of writing this paper.

Review of UNICEF Policies

CRC as rhetoric

UNICEF has adopted the CRC as the basis for its policy formulation and this is widely referred to in its promotional literature and publications. For example, the brochure on child labour has the title "Beyond Child Labour: Affirming Rights" (UNICEF 2001:3-4). It starts with the need to put child rights at the centre of the debate on child labour:

"This landmark treaty [CRC], which is the pillar of UNICEF's work, expresses the **intertwined and complementary human rights of all children.** With the clarity the Convention bestows, child labour can be seen in its broadest and most damaging sense as a human rights violation on many different levels. As such, it can be addressed only through a complementary range of measures, from laws and mechanisms to create and enforce minimum working-age regulations to the multiple protections enumerated in article 32 of the Convention on the Rights of the Child." (emphasis added).

A further reading of the same document leads to a discreet jump from the lofty goals of the CRC to an alignment with the ILO's Convention No. 182 against the Worst Forms of Child Labour. No justification is given for this shift in stance and there is no explanation why the rights of working children not covered by this convention are ignored. This discrepancy between the CRC and the actual policy stance of the organisation is apparent in other statements as well. It would appear that the programme and policy implications of the CRC have still not been fully grasped within the organisation and are neither reflected in its policy statements on education and child labour nor in its work.

Rhetoric and reality

Rhetoric apart, child labour still does not occupy a central place in UNICEF's programme. If staffing levels are anything to go by, at present, only one person is responsible for holding the portfolio of child labour at headquarters. The topic of child labour does not figure on the organisation's website, despite numerous references to education. Also, child labour does not figure as a theme on which documents are available. This might not be surprising, considering that even education – the central focus of UNICEF – was not a priority area for policy formulation till the organisation went to the Jomtien conference in 1990. As Fyfe (2001:75) points out, "Having convinced the world to take basic education more seriously, UNICEF decided it had better do the same". UNICEF's singular focus on child survival in the past has been partly responsible for the neglect of other aspects of child welfare including education and child labour. The legacy of this strategy is still evident today as the organisation struggles to take a broader approach and to position itself as a champion of child rights.

No complementarity between child labour and education policies

The child labour and education policies of UNICEF were developed in the 90s in response to international focus and attention to these issues. These policies have not been elaborated in a manner that takes account of the "intertwined and complementary human rights of all children", to use the organisation's own words. Rather, the policies stand-alone and fail to make the crucial link between eliminating child labour and achieving universal literacy.

The Medium-term Strategic Plan for the period 2002-2005 which was formulated in 2001 gave UNICEF a chance to develop its work in a more integrated manner. Unfortunately, no attempt is made in this plan to give importance to child labour nor to link it to girls' education and early childhood education – two themes that are inextricably linked to child labour.

Policy Recommendations

There are four areas around which recommendations need to be made:

The **first** is that UNICEF should provide the lead in taking a **rights based approach** to child labour. The organisation is uniquely positioned to do so, given the fact that it takes the CRC as the starting point for its work. As the most widely ratified human rights convention, the CRC has relevance beyond UNICEF and has been adopted as a policy instrument by many international as well as local NGOs. However, the rights based approach has been hijacked by the more limited stance taken by ILO and the economics driven strategies of the World Bank. UNICEF can play a key role in shifting the focus to rights.

The **second** recommendation would be to **reinforce the link between child labour and mainstream education**. UNICEF can learn from the experiences gained in its own global programme on "Education as a Preventive Strategy Against Child Labour", as well as from others, to refine its position and redesign its strategies. It is also quite clear that targets for education will not be met unless attention is paid to the related issue of child labour.

Third, UNICEF should take account of child labour in its current programme on girls' education. This is a crucial dimension that is missing from UNICEF's Medium Term Strategic Plan. The organisation needs to be alerted to the fact that in order to go beyond rhetoric on girls' education, it will have to take account of their involvement in all forms of labour – hazardous and otherwise.

Fourth, UNICEF is also uniquely placed to promote the use of **early childhood programmes as a strategy to eradicate child labour**. It is well known that such programmes – ranging from child care for the 0-2 age group and pre-school for 2-6 year olds - facilitate the entry of children into primary school and make an important contribution to releasing siblings, mainly girls, from childcare responsibilities and allowing them to attend school. UNICEF has a long experience in this area and should use this to promote early childhood programmes as a preventative strategy.

4. UNESCO

Background

UNESCO is the lead agency for **education** but it has been forced to play the role of junior partner to UNICEF and the World Bank on account of its limited programme budget and its weak presence in the field. However, it has a key role to play in policy formulation on education. It was one of the main co-sponsors of the Jomtien conference and holds the secretariat for EFA with responsibility for all follow up activities.

Main Policy Instruments

Education for All

The World Conference on Education for All, Meeting Basic Learning Needs was held in Jomtien, Thailand in 1990 with participants from 155 countries and representatives of 160 governmental and non-governmental agencies. The World Declaration on Education for All was adopted at this meeting. At the heart of this declaration is the concept that **education is a basic human right**. Article 1 pledges that:

“Every person – child, youth and adult – shall be able to benefit from educational opportunities designed to meet their basic learning needs.”

The year 2000 was set as the target date, and an “expanded vision” consisting of the following elements was spelt out for achieving this goal:

- universalising access and promoting equity
- focus on learning
- broadening the means and scope of basic education
- enhancing the environment for learning; and
- strengthening partnerships.

Dakar Declaration

Ten years after Jomtien the World Education Forum was convened in Dakar to assess progress in achieving EFA around the world and to analyse the reasons why the goal had remained elusive. Despite upbeat reviews of progress on various fronts, it was quite clear that the main goal of achieving universal access to and completion of basic education by the year 2000 had not been realised. In fact, some countries and some regions had witnessed a decline in enrolment due to a variety of reasons. A renewed commitment was made at this meeting to “the achievement of education for all (EFA) goals and targets for every citizen and for every society”. The Dakar Framework for Action, Education for All: Meeting Our Collective Commitments was adopted at this meeting. This Framework reaffirms the goal of EFA and sets out specific educational targets with deadlines for achieving them. Briefly, the six goals elaborated at Dakar are as follows:

1. Expand and improve early childhood care and education.
2. Ensure that by 2015 all children have access to and complete, free and compulsory primary education of good quality.
3. Ensure that the learning needs of all young people and adults are met through equitable access to appropriate learning and life-skills programmes.
4. Achieve a 50 per cent improvement in levels of adult literacy by 2015.
5. Eliminate gender disparities in primary and secondary education by 2005, and achieve gender equality in education by 2015.
6. Improve all aspects of the quality of education.

It is important to note that neither the original EFA declaration nor the Dakar Follow-up makes any reference to child labour.

UNESCO and Child Labour

This avoidance of the issue of child labour is also evident in UNESCO’s programme of action. While education forms a major strand in UNESCO’s work, the organisation has not yet turned its attention to the related issue of child labour. The closest it gets to address this problem is through its programme on “**street and working children**” which is a part of the overall programme on children in difficult circumstances. This programme was set up in 1992 in collaboration with UNICEF directly after the Jomtien conference. It was a response to meeting the needs of certain groups of children who were seen to be left out of the educational process.

While ‘working children’ are included in the title, the focus of this programme is squarely on street children. In fact, there is considerable conceptual confusion about the use of the categories ‘street children’ and ‘working children’ in documents about this programme. At times the terms are used inter-changeably, at others they are lumped together as identical rather than overlapping categories. There are also a few references to the need to eradicate child labour but this argument is never developed further in the discussion on street children.

Review of EFA and Dakar Follow-up

Of all the policy instruments on education reviewed in this paper, EFA offers the most blatant example of the failure to take account of the realities of children's lives. Rather than taking a holistic view, child welfare is compartmentalised and each issue is dealt with as though it stands alone. Both the EFA declaration and the Dakar Follow-up (which attempts to rectify the errors of the previous decade) fail to make any reference to the issue of child labour. The topic does not merit attention even in the accompanying frameworks of action that spell out the strategies for operationalising EFA internationally. This would appear to be a serious omission as there can be no possibility of achieving the new EFA goal of universal primary education by 2015 unless it is combined with efforts to eradicate child labour.

Similarly, the goal of eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015 will remain a distant dream unless account is taken of girls' involvement in labour.

Policy Recommendations

The most important policy recommendation is that UNESCO should **rectify the omission of child labour from the EFA agenda** and recognise the importance of eradicating child labour as a means of achieving the goal of education for all. This will be an uphill task as child labour is a non-issue within UNESCO at present. However the message that child labour and education are inextricably linked and neither can be achieved without the other is slowly filtering through to some staff. A recent interview in UNESCO's in-house newsletter *Education Today* (2002c:8) with Abhimanyu Singh, the Lead Manager of the Dakar Follow-Up Unit at headquarters, is telling:

“Governments are shying away from tackling child labour because it's a very complex political and socio-economic issue. But the bottom line is that all children have a right to education. So if we want to achieve Education for All, the issue of child labour must be taken more squarely into account.”

He goes on to make a case for giving priority to putting working children in mainstream schools rather than trying to combine work and school:

“Governments, NGOs and development partners are also coming up with education alternatives for working children, such as night schools. In Rajasthan, India, for instance, over 150,000 working children have passed through the night schools at the Barefoot College. But is a child who has worked hard the whole day fit to learn?”

This might still be a minority position within the organisation but it is a position that is worth capitalising on.

5. World Bank

Background

The World Bank is primarily a financial institution that gives loans for development and poverty reduction programmes. It approaches the issue of child labour from an **economic perspective**. According to the Bank, there are sound economic reasons for reducing child labour as involvement in work at an early age or for long hours prevents children from accumulating human capital (read education) and getting higher earnings in later life. In addition, economic growth is adversely affected by lower rates of productivity growth.

Another equally powerful reason for extending its lending to child labour and education may have to do with the social consequences of Structural Adjustment Programmes (SAPs) for which the Bank has been criticised from many quarters. There has been increasing concern that SAPs have increased poverty, reduced access to education and indirectly lead to an increase in child labour. Attention to this issue is a way of redressing the balance.

The Bank arrived on the child labour scene around 1998. In their own words:

“We are the new kid on the block. UNICEF and the International Labour Organization (ILO) both have been working directly on child labour issues at the community level and in the labour market for much longer than the Bank. What we can do, together with our partners, is to place child labor in the broader developmental agenda, to mainstream it, to add further resources in the global fight for the reduction of child labor and the increase in education.” (World Bank 2001:13).

Despite being a relative newcomer, the Bank has already established itself as a major player, largely on account of the volume of funding that it provides. World Bank funding for social protection (including child labour), education and health has averaged \$4.7 billion annually during the last five years.

Bank’s Position on Child Labour

World Bank support for education started in 1963 and at present it is the **world’s largest external financier of education projects**. Lending for education averages \$1 billion a year. The Bank’s involvement with child labour is more recent and its position on the subject was set out in 1998 in a paper entitled: “Child Labour: Issues and Directions for the World Bank” (Fallon and Tzannatos 1998). Some important elements of this paper are summed up below:

- **Poverty** is the main cause of child labour. Mistakes in trying to stamp out child labour can result in deeper poverty for children and their families.
- **Not all child labour is harmful for children.** Working conditions, risk of abuse and damage to physical or mental health are some of the indicators that can be used for deciding whether work has negative consequences for children. Child labour may not be

damaging if it is undertaken in a stable environment under the supervision of a parent or guardian.

- Effective **poverty reduction** is vital to achieve progress in eradicating child labour. This is a lengthy process therefore other actions such as education, providing support services for working children, raising public awareness, legislation, and international measures are also needed.
- With respect to **education**, three approaches are possible: making basic education compulsory, making it easier for children to attend both work and school, and reducing the costs of schooling for families. However, problems are seen to be associated with all three. Compulsory education can endanger the welfare of poor households and overload children who have to combine work with school; greater flexibility can make the school year too short; and there are issues of cost and sustainability involved in subsidising households.

This paper also lays down the instruments that the Bank can use in its lending and non-lending activities and the role that it can play in reducing child labour. Several areas are highlighted for Bank attention:

- The Bank should integrate child labour concerns into its country assistance strategies. At the very least it should ensure that Bank financed projects do not contribute to child labour.
- In its lending activities the Bank should design or introduce components that reduce the harmful impact of child labour (especially in education projects) and introduce child labour concerns in the assessment of projects.
- In its non-lending activities, the Bank should bring the child labour issue into its policy dialogues with governments, undertake more research on this issue, increase awareness of its staff and develop partnerships with international agencies and NGOs.

Programmes

The Global Child Labor Programme was set up in May 1998 in direct response to the position paper mentioned above. This programme is housed in the Human Development Unit's Social Protection Unit and acts as the focal point for child labour activities throughout the bank.

Child labour initiatives can be found in the following Bank funded projects in India: The District Primary Education Projects (DPEP); the District Poverty Initiatives Projects (DPIP); the Basic Education Projects; the Rural Women's Development and Empowerment Project; and the Integrated Child Development Scheme (ICDS).

Review of World Bank Policies

No specific strategy

The World Bank does not have a specific strategy for eliminating child labour. The Bank's role lies mainly in including child labour concerns in poverty alleviation programmes – the exact means by which child labour is tackled depends on the policies and programmes of the

recipient country. As a result of this, the Bank ends up funding a wide range of initiatives and differing strategies for eliminating or reducing child labour. These vary from providing income compensation to families of working children; combining school with work; to taking a non-negotiable stand on child labour. In the end, it is the policies of the country/government taking the loan that will determine the outcome with regard to child labour. The Bank's support to the MV Foundation in Andhra Pradesh is to be seen in this context. It is possible for the Bank to support this organisation because it has been successful in influencing the policies and programmes of the Andhra Pradesh government. For example, Vision 2020 which sets out the Andhra Pradesh government's position on development lists the attainment of universal literacy by the end of this period as one of its goals. One of the strategies for achieving this is the elimination of **all forms of child labour**.

Economic perspective

While the Bank does not advocate any specific strategies, it does have a position on child labour that guides its dialogue with governments, its partnerships and research (See Fallon and Tzannatos 1998 summarised above). The World Bank is not, and does not claim to be, motivated by a human rights perspective. Its Articles of Agreement require it to take an **economic approach** and its main task is to help its borrowing members in their task of reconstruction and economic and social development.

According to the Bank, poverty is the key to understanding child labour and eliminating all forms of child labour could increase family poverty. Consequently, the Bank also takes the view that child labour is not necessarily harmful, even when it prevents a child from getting an education. However, the World Bank is not alone in promoting this viewpoint. The same position is evident in the ILO's Worst Forms of Child Labour Convention No. 182 and in UNICEF's perspective on child labour despite the fact that these organisations are supposed to take a more developmental and rights oriented perspective.

Child labour and education policies not integrated

The Bank is guided by ILO Convention No. 182 in the field of child labour and subscribes to EFA and the Millennium Goals for Children in the area of education. Consequently, the same lack of integration between child labour and education policies that is evident in these instruments is reflected in the position of the Bank as well.

Policy Recommendations

The World Bank is an important target for policy recommendations. It wields considerable power with governments on account of the substantial funding/loans that it disburses. It plays a key role with respect to the other international agencies as it provides the lead around which they all too readily converge.

It would be unrealistic to expect the Bank to change its fundamental economic stance. However, it should be possible to make suggestions that allow it to reach the entire universe of working children while remaining within its own remit and mandate.

First, the Bank should make a concerted effort to learn from initiatives that use a more inclusive definition of child labour and that link the elimination of child labour to mainstreaming children in formal schools. The MV Foundation is one such initiative that receives World Bank funding under the District Poverty Initiatives Programme.² This organisation aims to eliminate all forms of child labour and universalise education in its programme area. It has been remarkably successful in achieving these objectives and in making entire villages ‘child labour free’. The Bank could learn from this experience and use it as a basis for discussions with other loan receiving countries/governments. For a start, the campaign “School, the best place to work” could provide information about the MV Foundation approach to Bank staff responsible for child labour at headquarters.

Second, there must be other initiatives that take an inclusive approach to child labour and link its elimination with the universalisation of education. The Bank could use its considerable resources to extend its research programme to focus on these approaches and them the subject of research, evaluation and policy analysis. It could play an important role in documenting these experiences and distilling the lessons that emerge from them for global dissemination.

6. European Union

There is no widely recognised or integrated policy statement regarding child labour in developing countries emanating from the European Union. (The EU does have a policy regarding child labour in its own member states.) It is, therefore, difficult to identify precisely the formal and operational position of the organisation. The approach has to be constructed indirectly through its diverse funding and other activities in individual spheres, for example the directive regarding corporate social responsibility in the sports goods industry. On the whole, there is no indication that there is any conflict with the common policy platform which is evolving through the convergence of the positions of the other key players.

7. Understanding Children’s Work: An Interagency Project

Understanding Children’s Work (UCW) is an interagency project involving co-operation between the ILO, UNICEF and the World Bank and is based in the UNICEF Innocenti Centre in Florence. Funding is provided by the governments of Norway, Finland and Sweden. The rationale for setting up this collaborative project is that it will minimise duplication of efforts and bring some uniformity to the data collection efforts of the three agencies. The project aims to:

- Improve child labour data collection and research;
- Enhance the capacity of child labour data collection and research at the local and national level; and
- Improve impact assessments of child labour projects.

This joint project is yet another example of the convergence that is taking place between the major agencies. While there are clearly some advantages to such collaboration, the danger is

² For a detailed description of the mandate and strategies of the MV Foundation see Wazir (2002).

that it does not leave room for other viewpoints and approaches. This is more so as the convergence is around a minimum platform, i.e. worst forms of child labour, which excludes a large section of working children. Such premature convergence can crowd out the possibility of taking a more inclusive approach to defining and measuring child labour. This project has just started and it will be important to engage with this process and to influence it.

8. Concluding Observations

- There is a **move away from a rights based approach** to the issues of child labour and education in the policies of all the agencies covered in this paper. While they all pay lip service the CRC, it does not form the basis for their policy formulation regarding children. The right to education and the right to protection from any activity that interferes with education is clearly laid out in the CRC, but even UNICEF does not follow these guidelines through in its programming.
- There has been a **convergence** in the policy standpoints of all the agencies regarding child labour and education. Most international agencies and governments are falling behind ILO's Worst Forms of Child Labour Convention No. 182. There is considerable agreement on the need to focus, in the first instance, on the group of children involved in the most intolerable forms of child labour. While not denying that child labour needs to be eliminated in all its forms, this is seen as the first step in a long process. The total elimination of child labour is not seen as a realistic goal in the short run. This is despite evidence to the contrary provided by NGOs such as MV Foundation and the experience of states like Kerala.
- The **inter-linkage between child labour and education** remains at the level of rhetoric in most organisations. Even Unicef that claims to see these as the “intertwined and complementary human rights of all children” does not make this connection in a systematic manner in its programmes. Where it does, education is often defined as non-formal or part-time education that can be combined with work.
- There is an urgent need to **disseminate information** about projects that have been successful in eradicating child labour and universalising education by taking an inclusive definition of child labour. The MV Foundation is a prime example of such an approach. The list needs to be extended.
- This paper has focused on the relationship between child labour and education and it has repeatedly pointed out that these twin issues have to be simultaneously understood and addressed. However, this nexus is itself embedded in wider social, economic and cultural processes. The success of any child labour/education initiative is itself often influenced by wider actions or mobilisations focusing on the removal of other social and cultural constraints and the development of partnerships. The MV Foundation provides an example of this. This dimension needs to be understood through **independent research** and the findings fed back into the process of policy formation for education and child labour.

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