



## Roundtable on The Elimination of Child Labour Creating Child Labour Free Sectors

Thursday 3rd of December 2009

European Parliament. Brussels

Hosted by: Harlem Désir (MEP)

### Report

On the 3rd of December the *Stop Child Labour Campaign*, with the support of *International Trade Union Confederation (ITUC)*, organised a Roundtable meeting on *The Elimination of Child labour. Creating Child Labour Free Sectors* hosted by Mr. Harlem Désir MEP.

The Roundtable should be seen as a follow-up to a Workshop organised in May 2006 by the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL). At this workshop the participants adopted a statement which included a common commitment to work for the elimination of all forms of child labour in line with the definitions of ILO Conventions 138, the need to ensure that all children have access to free quality education and the commitment of the international trade union movement and the Stop Child Labour Campaign to regularly exchange information and examine the possibility of future cooperation.

The Roundtable consisted of two parts, moving from a sectoral approach to a global and EU policy level. The first session focussed on the existing sectoral initiatives on child labour. Are these initiatives comprehensive and adequate enough to address the issue? What role can Corporate Social Responsibility play? What can be learned from these initiatives? How can sectoral approaches around products and product groups be better linked to a geographical approach to child labour, using for instance 'human rights diplomacy' and a push to include measures to get all children in a certain region to school.

The second session broadened the discussion to include decision makers at EU and ILO/IPEC level. How can the report drafted by the EC's DG on Trade contribute to the discussion? Issues as the kind of policy support needed from the EU and the EU Member States not only to further the existing sectoral initiatives, but also to introduce new incentives and other measures to broaden the initiatives and increase their impact. The overall objective of the roundtable was to identify the best way to create a synergy between the activities of different actors such as the business community, trade unions, governments, the EU and other stakeholders to create child labour free sectors. The basis of any solution to child labour will be ILO Conventions C138 and C182, the Convention of the Rights of the Child (CRC) and the right to education.

---

The chair of the meeting **Mr. Tim Noonan** welcomed the participants and apologised for the fact that Mr. Harlem Désir, the host of the meeting, could only join the Roundtable around 10 o'clock due to his very busy work schedule. He pointed out that the Roundtable had a very full agenda aimed to come up with some proposals as to what needs to be achieved and how that can best be done. He then invited the first speaker to take the floor.

**Mrs. Sofie Ovaa**, acting coordinator of the Stop Child Labour Campaign (SCLC), introduced the campaign (2003-December 2009), pointing out that it was a joint lobby, education and awareness raising campaign (supported by the EC), run by a consortium of Alliance2015 partners and the Dutch organisations ICN, FNV and AOb<sup>1</sup>. The SCLC also works closely with partners in the South such as the MV Foundation and other organisations that are working towards getting children out of work and into schools. Mrs. Ovaa highlighted some of the achievements to date of the SCLC and stressed that the Campaign takes a rights-based and regional approach aimed at creating Child Labour Free Zones. No distinction is being made between the different forms of child labour as all forms of child labour should be eliminated allowing every child to exert its right to attend full-time quality education. This means that all stakeholders in the respective countries are targeted: teachers, parents, children, trade unions, community groups, local and national authorities and employers. Within the EU the SCLC targets its campaign activities at national EU governments, the EU institutions, international organisations, companies and consumers to mobilise them to take measures to combat child labour. This Roundtable should be seen as an important opportunity to discuss possible sectoral initiatives and the contributions the EU, the ILO, the various industrial branches and the trade unions can make to the fight against child labour. By creating a synergy between these different actors and other stakeholders we can make progress and move towards the establishment not only of child labour free zones, but also of child labour free sectors.

The next speaker, **Mr. Tim Noonan**, Director Campaigns and Communications at ITUC, started by saying that within the trade unions both at national and local level discussions were going on about how child labour could be eliminated. These discussions would be going on for the next few months, focussing on developing guiding instruments on the fight against child labour and the role of ILO's conventions 182 and 138. While in the 1990s the elimination of child labour was high on the agenda, attention has flagged since. Now is the time to re-focus on the issue as in May 2010 there will be an important meeting on child labour organised by the Dutch government in The Hague and in June 2010 the ILO will also be organising the international labour conference which will include child labour. These two events form the framework for our discussions today. 'We hope to hear about some of the practical experiences and find some answers to such questions as are the age-limits to go to school acceptable, identify in how far poverty is a cause for child labour, can we get an overview of the use of child labour within households, how can the labour standards be guaranteed and what is the situation for forced labour?', he said.

Mr. Noonan acknowledged that the current economic crisis will have a serious impact, with many adults losing their jobs. An additional 200 million people will be living in poverty, and although in the Western governments will try to find solutions for this problem, this will not be so easy in the developing world. There is a need to define what trade unions, employers and others can do particularly towards eliminating child labour. The focus should be on creating child labour free zones, but as 70% of child labour occurs in the agricultural sectors, it will be important to focus on child labour free sectors in agriculture. If the MDG target on education is to be achieved by 2015 a lot still needs to be done.

**Ms. Svetlana Boincean**, representative from the international Union of Food Workers (IUF), introduced the IUF, the international trade union of workers in the food chain, with 363 affiliated trade unions in 128 countries. The ILO estimates that half of the world's workforce and 70% of all child labour, or 132 million children aged between 5 and 14 years old, are active in agriculture. Agriculture is one of the three most dangerous industries (the other two are construction and mining) with some 170.000 fatal accidents a year and many more serious accidents and industrial diseases (c.f. the consequences of the use of pesticides). Only 11 countries have so far ratified ILO Convention 184 *on Safety and Health in Agriculture*. Children work because their parents are poor, but child labour, in fact, undermines the capacity of adult workers to negotiate decent wages. The labour standards in agriculture are such that employers break direct employment contracts to replace full-time labourers by temporary/short-time workers resulting in lower wages, longer working hours and lower Health and

---

<sup>1</sup> The participating Alliance2015 partners are: Cesvi (Italy), Concern (Ireland), Deutsche Welthunger Hilfe (Germany), IBIS (Denmark), HIVOS (The Netherlands), People in Need (Czech Republic); and the Dutch General Education Union (Aob), the Dutch Confederation of Trade Unions(FNV) and the India Committee of the Netherlands (ICN)

Safety standards. Many agricultural workers are denied the right to bargain collective work contracts and workers are excluded from social protection schemes.

In its work on the elimination of child labour the IUF works closely with its affiliates and with companies and international organisations. In its work with the affiliates it focuses on improving the working and living conditions of adult workers in agriculture, strengthening the position of unions to organise and negotiate collectively and help them enforce internationally accepted employment and human rights (cf. the ratification of Core Labour Conventions, including ILO Conventions 184 and 110). In its work with companies and international organisations IUF targets big agricultural producers and processing companies to eliminate child labour in their supply chain. As a result CHIQUITA, for instance, has signed a framework agreement on the rights of workers on directly owned plantations, while others agreed to take part in joint initiatives or partnerships such as the Eliminating Child Labour in the Tobacco Industry Initiative (ECLT<sup>2</sup>) and the International Cocoa Initiative (ICI<sup>3</sup>). The former aims at combating child labour in the tobacco industry, bringing together representatives of the trade unions, the tobacco growers and the corporate sector, while the latter has at its members the cocoa industry, civil society groups and trade unions jointly combating child labour in the cocoa sector. The World Day Against Child Labour 2007 (WDAACL2007) initiative brought together the ILO, FAO, IFAD, CGIAR and IFAP<sup>4</sup> in a partnership to fight Child Labour. In addition IUF works closely with Education International (EI) to promote better education in rural schools, as there is no quality education available in many rural areas. Ms. Boincean concluded by saying that the improvement of the living and working conditions of adult workers is key to the elimination of child labour. This can only be done by enforcing employment rights and by strengthening the position of trade unions in the respective sectors.

In answer to a question how the IUF ensured that CHIQUITA honoured its agreement, Ms. Boincean pointed out that members of the trade unions worked on those plantations and could therefore give first hand information.

**Ms. Esther Busser** (ITUC) and **Ms. Muriel Guigue**, M&E and Communication Coordinator at ICI, jointly presented the topic *Multistakeholder approaches at sectoral level*. The presenters started off by saying that Multi-Stakeholder Partnerships are a recent phenomenon, bringing together partners with diverse interests in order to achieve common goals. They have proven that they can deliver concrete achievements and can be useful tools to tackle complex issues. The International Cocoa Initiative (ICI) is an independent foundation aimed at addressing the Worst Forms of Child Labour (WFCL) and Adult Forced Labour (AFL) on cocoa farms. The ICI is led by a Board composed of industry and civil society representatives, with the ILO acting as advisor to the Board. It is financed by individual chocolate and cocoa companies and works at the community, regional and national level. It aims to promote attitudinal change, responsible changes, access to quality education and also addresses trafficking, a relatively new issue for the ICI. The main focus is on the worst forms of child labour, but this already requires that a range of issues are addressed successfully such as access to quality education, the availability of teachers and schools, price setting and price fluctuations of cocoa (particularly important for ITUC) and the diversification of the economy in such countries as Ghana and the Ivory Coast. Other issues to be addressed would also be the competitive advantage to be built in other areas, the ratification and implementation of relevant ILO conventions, the need for labour inspection, for social protection and for decent adult wages.

Companies traditionally aim to make a profit and not tackle human rights, developing competitive relationships rather than collaborative ones. As a result companies and civil society, traditionally, have the tendency to have a confrontational relationship. Multi-Stakeholder Initiatives tend to challenge the existing business models and raise ethical concerns, often successfully. Labour issues can be resolved

---

<sup>2</sup> <http://www.eclt.org/>

<sup>3</sup> <http://www.cocoainitiative.org/>

<sup>4</sup> International Labour Organisation (ILO), Food and Agriculture Organisation (FAO), International Fund for Agricultural Development (IFAD), Consultative Group of International Agricultural Research (CGIAR), International Federation of Agricultural Producers (IFAP)

with the active engagement of key commercial actors, while their involvement can also offer the economic change required. Participation in a multi-stakeholder should not just be a Public Relation stunt, participating companies need to be really committed to the elimination of the worst forms of child labour and adult forced labour, providing all, or at least the major part, of the funding and be fully involved in the planning and project identification as this will determine part of the success of the initiative. A partnership that includes the industry can also ensure that the issue of the fight against child labour receives a high level of political attention.

While the ICI has shown some concrete achievements, these are relatively small compared to the vastness and complexity of the problems. The low value added of cocoa farming, the existing concentration of market power and the resulting low and fluctuating prices have led to low adult wages and the use of child labour. This could be addressed by an initiative like the ICI, especially if more players in the supply chain would join the initiative. At a more political level it will be important that the value added in cocoa is increased, but also that a diversification into other higher value added activities is introduced to reduce the reliance on cocoa and diminish poverty. However, this will require that the higher tariffs on processed cocoa in Europe are reduced and that countries like Ghana and Ivory Coast are empowered to build a production in other areas, by offering them tariff protection and not tariff reductions like the ones currently discussed in trade negotiations such as on the EPAs, which would eliminate 80% of the tariffs of these countries. The speakers ended their presentation by saying that while there is still a long way to go, Multi-Stakeholder Initiatives do offer new points of view on the complex problems, reflect the various dimensions to the solution, can promote and leverage commercial responses and offers a platform for learning and innovation. 'Building an effective partnership takes time, but we can always do more together', they concluded.

The next speaker, **Mr. Venkat Reddy**, representative from the MV Foundation (MVF) in India, explained that the MV Foundation works for total abolition of child labour in India through intensive social mobilisation based on universal principles. It adopts an Area based approach focussing on abolition of all forms of child labour and works towards creation of child labour free zones. Conflicts arising with the employers are resolved through dialogue, discussion and consensus building between classes, ethnic groups and local participants. Working in this manner, we have withdrawn over 600000 children from work and mainstreamed them to schools. The older children in the age group of 9-14 years were mainstreamed through the Residential Bridge Course centres. These centres played a significant role in reintegrating them into the formal school system by enrolling them into classes appropriate to their age. The strategies of MVF are being replicated by the Government of India in its mission programme of *Sarva Shiksha Abhiyan* and several NGOs across the country. These interventions which were applied in different geographical locations depicted that elimination of all forms of child labour is possible.

Out of 2000 working villages in our project area, 853 villages have been made child labour free villages / zones. Reduction in child labour created an increasing demand for adult labour with higher wages. Our experience clearly demonstrated that the elimination of child labour is an important strategy to fight against poverty.

He also emphasised constant engagement with the state departments and institutions through community pressure and public action. MVF also collaborates with Trade Unions at the local and national levels to build pressure against all forms of child labour.

Targeting only worst forms of child labour is impractical at the community level. Child labour is a dynamic phenomenon. The enormous demand for child labour and cheap labour often keeps shifting children from one form of work to the other. Addressing only worst forms of child labour justifies children working in other forms of work.

Child labour free zones can only be created by adopting a policy to abolish all forms of child labour and by realising children's Right to Education as a non negotiable.

**Ms. Gertrude Hambira**, Secretary General of GAPWUZ (Zimbabwe), started by saying that GAPWUZ<sup>5</sup> is convinced that basic education is one of the key factors in the eradication of poverty and can play a vital role in the eradication of all forms of child labour. It therefore teamed up with the Progressive Teachers' Union (PTUZ) and the African Network for the Protection and Prevention against Child Abuse and Neglect (ANPPCAN) to form the Coalition against Child Labour in Zimbabwe (CACLAZ). The activities of CACLAZ over the past three years have centred around the twin problems of child labour and the provision of full-time, formal, free and compulsory education. Besides offering them a safe environment, education gives children the potential to secure decent employment in the future and the opportunity to pull out of the cycle of poverty. However, the efforts to eliminate child labour were hampered for the greater part of 2007 and 2008 by the unstable political and economic environment, where the clampdown on human rights activists and the run-away inflation made it difficult for the coalition to assess its constituency, while the decline in economic activities led to the eventual collapse of the education system. As a consequence many children dropped out of school and became vulnerable to child abuse and child labour. Farmers, no longer able to pay for adult workers, started to employ more children at their farms for very low wages. Initially, according to a base-line study done by CACLAZ, child labour prevalence stood between 32 and 35% in 2007. Now, due to the collapse of the school system and increasing poverty levels, the figure has increased to about 50%. The coalition has been teaming up with other NGOs and trade unions in Zimbabwe to create a stronger voice, and make a strong effort to secure a separate bill of rights for children in the new constitution that is currently being drafted for Zimbabwe.

Besides the different lobbying activities the coalition has included human rights education in all its activities, including the training and setting up of child rights protection committees at selected farms, such as the Valley Growers farm in the Acturus area. The Coalition is convinced that there is a need to set up 'Child Labour Free Zones' as practiced in India, where with the guidance from PTUZ so-called 'Bridge Schools' can be set up. The concept of 'Fair Play Zones', used in the Horticulture industry is also proving to be very effective in combating child labour. At farms like Valley Growers and Southern Roses children are no longer engaged in economic activities. If this concept would be extended to most of the farms that are exporting to the EU and other international markets child labour would, most likely, be greatly reduced.

Having in the mean time joined the Roundtable, **Mr. Harlem Désir**, MEP, was given the floor. He recognised that the timing of the Roundtable was very appropriate with the current discussions on the global economic situation taking place and the need for all the stakeholders to work towards a joint objective that touched not only on the environment, but also on human and social development, the achievement of the MDGs, economic development and trade. People in the third world needed to be supported and this could, among others, be done through corporate social responsibility (CSR). In the past he had been a rapporteur for the report on decent work and had been working on similar reports drafted by others, including the report on '*A special place for children in EU external action*'. The European Parliament feels itself responsible for the attitude companies have vis-a-vis their responsibilities in the third world. The accountability of those companies is subjected to EU law, irrespective of where they have established branches. Mr. Désir confirmed that it will be impossible to eradicate poverty if you do not eliminate child labour. As a consequence he can whole-heartedly support the 2006 statement and new statement drafted in preparation of the Roundtable.

**Mr. Andrews Addoquaye Tagoe**, representative from GAWU<sup>6</sup>, stated that child labour can only be fought by joint actions at all levels. It should not be approached piecemeal but dealt with in a holistic way. GAWU had been working with some 10.000 farmers in the formal economy looking for alternative production methods and possible additional activities that could generate a regular annual income. One of the sustainable strategies GAWU has used in addressing child labour and improving the income level of farmers is adopting an alternative income strategy where farmers are given additional skills to be economically productive during non-farming periods. For instance, amongst its cocoa farmers membership in the cocoa sector GAWU is piloting how cocoa farmers could use at least 70% of

---

<sup>5</sup> General Agricultural and Plantation Workers Union of Zimbabwe (GAPWUZ)

<sup>6</sup> Guyana Agricultural and General Workers Union (GAWU)

their produce waste for alternative products such as local soap. It had success and these farmers have now started to send their children to school. At national level a plan of action has been developed by the Government and its partners (Trade Unions, employers and other CSOs) with technical support from the ILO. The plan stems from 2010-2016. This also looks at accelerating the achievement of the MDGs. In view of the realisation of this Plan of Action a donor conference is envisaged in the early part of 2010 to raise funds for this policy. Indeed, this policy, if well executed, will ensure a holistic approach to eliminate child labour, which also includes the voice of children.

Drawing lessons from the work of the MV Foundation in India GAWU has experimented successfully with the child labour free farm and the bridge school concept also called in Ghana 'The Second Chance Academy' concept in some cocoa and fishing communities. This strategy has been included in the design of the national plan of Action for Ghana.

GAWU is extending core labour standards and union rights to its membership within the informal sector where child labour is very high. It works through farmers' organizations into cooperatives and the provision of its alternative livelihood schemes using e.g. cocoa waste products etc. in addition to its policy advocacy and campaign programmes.

In the ensuing **discussion** the question was raised how the ICI as a multi-stakeholder initiative worked with the education authorities as it is the quality of education that keeps children in school. The answer given by **Ms. Guigue** was that governments do make an effort to establish quality education, but it is very difficult. The ICI supports initiatives to improve the quality of education by providing schools and teacher training, with the agreement of local authorities and representatives from the ministry of education. Local communities can request support as can local authorities. **Mr. Tago** confirmed this and said that in his country school enrolment had increased by more than 80% as a result of the introduction of school feeding programmes and capitation grants. This increase in school attendance did not go parallel to a corresponding increase in school infrastructure, hence the numbers of children in the classroom have become larger, in most cases sacrificing the quality of education. However, it needs to be noted that the situation is even worse in the peak farming season, when most children are out of school doing farm work. So there is still a need to convince parents that during the picking season children need to go to school, too.

**Mr. Reddy** asked the representatives of the EC and the EP whether, as the EU supports education, it could not also include the reduction of child labour in those activities? After all there are models both in Nepal and India that show how this can be done. These could be brought to the international table, focussing on the elimination of all forms of child labour.

**Mr. Désir** confirmed that education is an EU development priority. There is also money available for such activities through the Aid for Trade programme. However, while there is a consensus that these issues are important, other issues are gaining prominence such as environment and climate change. The amount of money available stays the same, but has to be divided over more issues, limiting the funding for education. It would be good to have clear case studies to emphasise the importance of education and the fight against child labour. It might be an idea to organise a hearing in the EP. Mr. Désir will raise this with Ms. Joly, the president of the EP Development Committee, but the proposal for the hearing will need to be concrete and maybe also include the need for a behaviour change within the family.

Another question that was raised was whether there was a link between child labour and HIV and AIDS. **Ms. Hambira** answered that there are no clear data on the prevalence of HIV and AIDS in rural areas, but the impression is that it is going down. However, for many people it is too expensive to go to hospital, so ultimately the situation is unclear.

**Mr. Désir** commented that in principle he is not in favour of soft law, but companies need to define their corporate social responsibility. Once they have agreed and signed up to a voluntary framework for CSR, this should be turned into a law. As an example of such a procedure he quoted the process of creating a law on crimes against humanity. It now offers people the possibility to have perpetrators of crimes against humanity prosecuted even though the crimes have been performed in other countries.

Something similar could be done for the industrial world. In connection to CSR both the EP and the EC could work together to incorporate the OECD guidelines in such a law.

**Mr. Anton Jensen**, representative from the EC's DG on Development, intervened, expressing his concern about what he had heard so far. He wondered how CSR could function in Africa where some countries were already functioning badly. How could CSR make any impact there? However, although he was dubious about the effectiveness of compulsory CSR, he was happy with the fact that the discussions at the meeting included all forms of child labour.

**Ms. Lisa Svensson**, representative from the EC's DG Trade, asked whether the ICI had any impact assessments or figures on the work done so far. **Ms. Busser** replied that there have been evaluations of the work done, in particular a recent one done in Ghana, showing certain trends on the use of child labour and that fact sheets are available with more details. **Ms. Guigue** added that there is information available on the working of the ICI on the ground and she can disseminate an independent evaluation of a project implemented by ICI in Ghana which shows that there have been improvements. While school enrolment in Ghana is very high (some 90%), attendance is more complicated. Issues such as nutrition play an important role as well. It is imperative that development programmes can be replicated. While the children involved in ICI programmes are selected from the areas where cocoa is grown, the programmes should not be limited to the children, but focus on the whole community. **Ms. Boincean** added that not all companies are committed to eliminate child labour along the supply chain. Companies should commit to eliminate child labour not just look for buying a certificate proclaiming that their products are child labour free to improve their image. They need to implement CSR along the supply chain.

**Mr. Mario van de Luytgaarden** pointed at the importance of exchanging best practices as was done in the Africa Tour organised by the SCLC. He also raised the question what the EU could do to support or improve on the programmes that are discussed today. **Mr. Noonan** indicated that while most documents mention the figure of 3-5% of all the international trade products making use of child labour, this is in fact not true. Child labour might be here today, but can be found elsewhere tomorrow. This falsifies the figures. If action around the elimination of child labour is driven by international actors it would open the space for dialogue at a more global level. Wherever child labour is found in the supply chain pressure needs to be put continuously on the companies to take measures to eliminate it. The funding could be generated from the taxes paid by the companies in-country. However, it needs to be noted that much of child labour is to be found in the informal sector.

The comment was also made that it is important that it is clear how the different ILO Conventions need to be implemented, particularly on child labour and on labour rights in general. When discussing possible sanctions for those who do not abide by them, it will be crucial to make sure that sanctions envisaged are not detrimental to the people and impact negatively on their social situation.

After the break **Mr. Simon Steyne**, Director of Operations in ILO/IPEC, was invited to take the floor and reported briefly on the format of the forthcoming ILO Global Report on Child Labour. He pointed out that the borderline between the formal and non-formal economy was not always clear-cut. A decent work programme needed to be developed which covers all aspects. However, he pointed out that it is not the job of IPEC alone to eliminate child labour, but to support the ILO's constituents who are working on this. For instance, the type of agreement mentioned by Ms. Boincean could also be found in the mining sector.

The next speaker **Ms. Inge Piso**, from the Dutch Ministry of Social Affairs and Employment, gave some more information on the Global Child Labour Conference to be organised on the 10<sup>th</sup> and 11<sup>th</sup> of May 2010 in The Hague, the Netherlands. It will be taking place 10 years after ILO Convention 182 came into force and 6 years before goal of the 2006 Action Plan against the worst forms of child labour (WFCL) has to be achieved. It will be hosted by the Dutch Ministry of Social Affairs and Employment in collaboration with the ILO and with the active involvement of both UNICEF and the World Bank (WB). It will be truly global as stakeholders from all over the world have been invited. The objectives of the Conference are to deliver on the commitments made in 2006 to take immediate and effective

measures to end child labour, focussing on the worst forms of child labour in particular, to agree to significantly intensify efforts to reach the 2006 target and to strongly push for a universal ratification of ILO Conventions 138 and 182. The focus will be on getting a strong commitment to act, consequently the Dutch organiser aims to ensure high-level participation and invited important experts. There will be ample opportunity to share good practices and lessons learned and voice renewed commitment to the fight against child labour. There will be a high-level opening and closing session, with the launch of the Global Report and of an Interagency Report on Child Labour as important agenda points. The discussions will be held on five broad themes: policy integration, financing needs, political awareness, tripartite action and the focus on Africa. The adoption of a Roadmap on combating child labour will be the main outcome of the Conference, which will restate the commitment to achieve the 2016 goal. This will be prepared through a thorough process of consultations, including on-line, with the formal (and final) consultation to be held during the plenary meeting on the 10<sup>th</sup> of May 2010, chaired by the rapporteur. Ms. Piso concluded by saying that 2010 will be an important year, which should see an upscaling of the fight against child labour.

In her presentation on the state of affairs in respect to EC report on Trade and the fight against child labour drafted by the EC's DG Trade **Ms. Lisa Svensson** could be very brief. The report was drafted in line with the 2008 Council Conclusions. The present draft report identifies and assesses current efforts to combat child labour, it points out the complexity of the issue and recognises the link to poverty reduction and development efforts. As of now the report is in limbo due to the changes in the EC due to the ending of the mandate of the previous Commission. All the relevant DGs have been involved and consulted in the drafting of the report while DG Trade has 'held the pen'. The intention is to have the report out as a Staff Working Paper, this would enable the EC to engage in dialogue with the EP and the Council on how to move forward with the issue of combating child labour, before moving to any policy recommendations.

**Mr. Gerard Oonk**, Director of the India Committee of the Netherlands, a member of the SCLC, would like to focus on what the EU could do in the fight against child labour. Mr. Oonk stated that the concept of child labour free zones, as he had seen developing in India, is a crucial one. The eradication of child labour maybe is a complex issue, but not more so than other issues, and experience shows it can be tackled effectively. There is a great demand for education from the parents and as, in many cases, the basic infrastructure already exists, it is a question of ensuring that working children indeed get the chance to go to school. NGOs and governments are already implementing programmes and exchanging best practices. We are discussing here how the EU and companies can contribute to the creation of child labour free zones. So far most companies have not been mainly driven by their own conviction to draft thorough programmes in their supply chains. Some companies which are very visible to the consumers have started to take up the issue more seriously, but many still implement the odd project while not effectively dealing with (child) labour issues in their supply chain.

What measures can the EU and the EU Member States take, Mr. Oonk asked. Some member States are already taking measures, these could be upgraded and spread. For instance, introducing transitional education for older children will be important to ensure that all children can go to school, also those that have been left out and are therefore behind their peers. Other measures to be discussed are in the realms of trade measures and the promotion of CSR. Mr. Oonk was not in favour of sanctions, but felt that it was important to link trade agreements with programmes on the elimination of child labour taking a rights-based approach. The EU could introduce labour rights impact assessments, which cover all the labour rights, but particularly include all forms of child labour. When preferential treatment or financial support is given to companies they should include the condition to ensure that no child labour is used. The EU should also make it mandatory for companies to report on their use of child labour throughout the whole supply-chain. This information should then be made available to the consumers. The Action Plan for Companies, drafted on the basis of consultations with employers, unions, companies the IKLO, NGOs etc., and published by the SCLC, could be used as a guide by the companies.

In negotiations with partner countries the eradication of child labour should be on the agenda so that the final agreement, hopefully, includes commitments to eradicate child labour as was done in he



agreement with Korea, but sadly not yet with India. It is crucial that child labour is eliminated world-wide, he concluded.

**Mr. Noonan** then opened the floor for a second round of **discussions** saying that as every parent is very keen on education for their children it is crucial to mobilise the political will to make this possible. Finland only started making progress when it had ensured universal basic education.

**Mr. Steyne** once more stressed the two-way link between child labour and education: elimination of child labour required universal education, but universal education, with every child in school would not be achieved without the elimination of child labour.

All EU Member States have ratified the ILO core conventions, so their activities should not be limited to the worst forms of child labour. National organisations, trade unions, employers and others have a role to play in developing national policies, but at the level of the workplace, enterprise and sector it required the intervention of the social partners working there.

**Mr. Van de Luytgaarden** confirmed this, stating that the promotion of the elimination of child labour together with decent work for adults was a well-known concept among the unions, for instance, in the sector of the brick kilns in India.

**Ms. Boincean** commented that it is very difficult to eliminate child labour on small farms as some farmers say child labour is linked to the tradition or the way the crops are traded keeps them in poverty. The crop prices are currently very low, e.g. cotton prices and usually subject to fixed pricing, while the prices of fertiliser and seeds are depending on the market prices, so the farmer remains or becomes poor. This negative trade mechanism promotes child labour.

Moreover, where originally there was some sort of cooperation with the teachers to promote access to education this support fell away when the government cut the salaries of teachers as a result of IFIs policies. Teachers prefer to look for better paid jobs in urban areas or migrate to other countries, which affects the quality of education.

**Mr. Oonk** commented that the example of Ms. Boincean shows that multistakeholder initiatives such as the ICI cannot limit themselves anymore to the worst forms of child labour. True commitment of companies should be extended to all forms of child labour and implementing all labour rights.

**Mr. Proinsias de Rossa, MEP**, observed that he felt that the Roundtable was very timely as the EP will be holding hearings in the beginning of next year questioning the proposed Commissioners on their vision and future activities. MEPs can then pose questions so it would be good if all the MEPs would receive a short letter introducing the importance of eliminating child labour and proposing some question the MEPs could ask the relevant Candidate Commissioner on the issue. This could make the elimination of child labour an important priority for the proposed Commissioner.

Mr. De Rossa said that he had visited the MV Foundation some time ago and had been impressed with the work they had done in cooperation with the ILO in Andhra Pradesh. He had the impression that within the EP there were many that would like to do more on the issue of child labour, so it might be good to involve them also in the Conference in The Hague in May and the ILO meeting in June. He pointed out that the restructuring taking place in the EC might also create an opportunity to raise the issue to a higher level there.

**Mr. Theo Peters**, the Dutch permanent representative for Development, raised the issue of the EC report. The Dutch government had been key in demanding the EC report, but was very disappointed in the fact that there was still no report and that it seemed to become a staff working paper instead of the Communication as the Dutch had proposed. He asked how the EC proposes to use this document if it was only a staff working paper? He called on the MEPs to put strong pressure on the EC, when they discussed the document, in order to ensure that ultimately the document would be published as a Communication. **Ms. Svensson** referred to her earlier intervention. There is a draft report at this point in time that has been drafted with all relevant DGs, however, due to the institutional changes it has not been possible to finalise the report. But the report itself shows the EC's commitment to be involved in the issue of combating child labour. Furthermore, the format as such does not put any restriction on

engaging the Member States, rather the opposite. The Commission would like to engage with the MS and EP on how to move forward with the issue of child labour before making any policy commitment.

After the discussion **Ms. Jean Lambert**, MEP took the floor for some concluding remarks. She said that while in the European Parliament many MEPs are concerned about children's rights, they are not willing to take up the issue of (mandatory) CSR, believing that it is up to the companies to implement their (voluntary) code of conduct on CSR. However, it should be clear that if there is to be a level playing field all companies need to eliminate all forms of child labour and not only the worst forms. At the moment the EP is reflecting on the 'lost generation' in the developing world, this offers an entry point to raise the issue. Likewise the discussions currently taking place at EU level, including in the EP, on the financial crisis also creates the possibility to introduce the issue of pricing to be presented not only at EU level, but also in discussions of the MEPs with their national governments. In that sense Ms. Lambert was disappointed that the EC report was, for the time being, still a staff working paper.

'2010 is an important year and we should move things forward', Ms. Lambert said. 'If necessary we should not hesitate to go to court to ensure not only decent wages and employment for adults, but also the eradication of child labour and universal access to education to every child in the world'. With these words she closed the Roundtable.

## Annex 1

### **How can the EU support Child Labour Free Zones and Sectors? *Recommendations related to trade and the role of companies***

#### ***Concluding Statement of the 3 December 2009 Round Table***

Around 218 million children – probably more now the definition of child labour also includes domestic child labour – are suffering from child labour worldwide. What can be done to change this? We are of the opinion that the whole world should be a Child Labour Free Zone and that everyone should help to create such zones.

*A Child Labour Free Zone is a (geographical) area where all children are systematically withdrawn from work and are (re)integrated into formal, full-time schools. No distinction is made between different forms of child labour in this process because every child has the right to education. The process of creating Child Labour Free Zones involves all stakeholders like teachers, parents, children, unions, community groups, local authorities and employers.*

Such zones have been created in India and Nepal, while various organizations in Africa and South America have also embraced the concept. Two concrete examples: the Building and Woodworkers Union in India (BWI) has made 86 villages child labour free in .4 states. The NGO MV Foundation (MVF) has created 830 child labour free villages in the Indian state of Andhra Pradesh where all children up to 14 are going to school. MVF has been supported by the EU from 2001-2009 In addition the EU supported the evaluation of all education programmes in terms of reducing child labour as one of the outcomes in the project areas.

How can European companies operating in child labour-affected countries contribute to the creation of child labour free zones and how can they contribute to making their economic sector child labour free? It is crucial that companies and multi-stakeholder initiatives link their efforts to combat child labour, including in their supply-chains, as much as possible to broader regional efforts. They can support and stimulate such broader efforts. Efforts to create a Child Labour Free Sector can be undertaken through so-called multi-stakeholder initiatives or 'International Framework Agreements' with one of the Global Union Federations. The 'Action Plan for Companies to Combat Child Labour' of the campaign 'Stop Child Labour – School is the best place to work'<sup>7</sup> gives concrete suggestions what companies can do. The Action Plan is also stressing that combating child labour should always go hand in hand with compliance with ILO's other core labour standards and other broadly agreed workers' rights.

The European Union has '*underlined its commitment to supporting the fight against all forms of child labour*'<sup>8</sup>. It is therefore imperative for the EU to develop and implement policies and support programmes which help companies and multi-stakeholder initiatives to achieve a common goal: the eradication of all forms of child labour. The EU and its Member States have 'the duty to protect against human rights abuses by third parties, including business' while companies themselves also have the responsibility to respect human rights.<sup>9</sup>

This is also the case where this duty links up with trade and investments, an area in which the Member States have given important powers to the European Union. With regard to children's rights this is reflected by the European Commission in 'A special place for Children in EU External Action'<sup>10</sup> stating: '*EU trade policy is formulated recognising fully the need to ensure that it is consistent with the protection and promotion of children's rights.*'

<sup>7</sup> <http://www.stopchildlabour.eu/stopchildlabour/Media/Files/Actieplan-EN-nov-2009>

<sup>8</sup> See: <http://register.consilium.europa.eu/pdf/en/08/st09/st09739.en08.pdf>

<sup>9</sup> See: <http://www.business-humanrights.org/Gettingstarted/UNSpecialRepresentative>

<sup>10</sup> See: [http://ec.europa.eu/development/policies/9interventionareas/humandev/humandevchildren\\_en.cfm](http://ec.europa.eu/development/policies/9interventionareas/humandev/humandevchildren_en.cfm)

The European Parliament and the member states are eagerly awaiting a study by the European Commission on all possible measures against child labour, including trade measures. Our recommendations on what the EU can do in the realm of trade and corporate responsibility can be found below.\*

#### A. Recommendations on Trade Related Measures

##### 1. ***Make a Child Labour Impact Assessment (CLIA) of trade and investment relations and combine it with a ‘Child Labour Hotline’***

A regular Child Labour Impact Assessment (CLIA) or Labour Rights Impact Assessment (LRIA) of trade and investment relations would give the EU a solid factual base on which it can work out and implement its anti-child labour and pro-labour rights policies. It can be used to inform consumers, to provide (or withdraw) subsidies, implement trade-related measures, help to shape an agenda for political dialogue, shape development co-operation programming, support fair public procurement and make corporate CSR reporting more focussed. Such a CLIA or LRIA would have to be linked to a ‘Child Labour Hotline’ with substantial research capacity’ as proposed by MEP’s Berman and Howitt.<sup>11</sup>

To begin with a list of products in which child and/or forced labour are involved and which are imported into the EU should be drawn up, making use of recently published lists in the USA. The government of the Netherlands has recently decided to do this.

##### 2. ***Include plans to monitor and remediate child labour in EU agreements with child labour-affected countries. Set up programmes eradicating child labour in the supply-chain of EU-based companies***

Existing agreements with e.g. the ACP countries and the countries with a Partnership and Co-operation Agreement with the EU, already mention the mutual commitment or even co-operation to combat child labour. Linked to these agreements there should be a time-bound programme to eradicate child labour in the supply-chain of EU-based companies. Similar programmes should be part of new Free Trade Agreements such as with India and ASEAN.

##### 3. ***Link trade preferences to credible time-bound programmes to support the creation of Child Labour Free Zones and Sectors***

The EU should adopt a stricter assessment of the implementation of the ILO Conventions on child labour and other fundamental and basic labour rights. The EU should actively use the human rights and good governance provisions under both the GSP and GSP+ to insist upon credible time-bound programmes to combat all forms of child labour and help create Child Labour Free Zones. This could also be linked to an agreement as proposed in recommendation 2 to work on the eradication of child labour in the supply chain of EU-based companies.

#### B. Recommendations on CSR Related Measures

##### 4. ***Support and promote the ‘Action Plan for Companies to Combat Child Labour’<sup>12</sup> in all relevant economic programmes, political dialogues and development programmes of the European Union***

A range of multi-stakeholder verification systems have included the principles and provisions to eliminate child labour. Building on these, the ‘Out of Work and Into School - Action Plan for Companies to Combat Child Labour’ is a more specific guide focussing on the elimination of child labour by companies. In this Action Plan, developed by the ‘Stop

<sup>11</sup> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+WQ+E-2008-3220+0+DOC+WORD+V0//EN&language=EN>

<sup>12</sup> See: <http://www.indianet.nl/pdf/actionplanchildlabour.pdf>

Child Labour' campaign,<sup>13</sup> guidance is given in 18 concrete recommendations on what companies can do to fulfil the responsibility to combat child labour.

5. ***Make it mandatory for companies to report on child labour, also in their supply chain and thus provide consumers the 'right to know' how a product is made, e.g. by child labour***

Mandatory reporting and the right to know how a product is made, e.g. by child labour, are crucial prerequisites for the consumer to play their role in combating child labour. Although child rights should principally not be a consumers' choice, consumers can be important drivers for change.

6. ***Make sure that any support given by the European Commission and its Member States to companies (trade missions, subsidies, export credit guarantees, studies etc.) is combined with the obligation that no child labour is used in the company or its supply chain***

Companies receiving subsidies or credits, participating in trade missions or otherwise supported by the government, should provide evidence that they do not make use of child labour in their supply chain. In case they are not able to do so, they should be obliged to develop and implement a public time-bound plan to remove children from work and get them into school, whilst the results should be reported publicly.<sup>14</sup>

7. ***Create a 'child labour free' and pro-labour rights public procurement policy, also in companies' supply chains***

Fair public procurement should include social criteria as various municipalities and the Dutch government has recently done. An EU directive provides the basis for such a policy. However, Member States are slow in implementing such policies because of legal ambiguities as well as practical and political obstacles and hesitations. The EU should therefore play an active role in encouraging as supporting EU Member States to implement social criteria in public procurement, including in companies' supply chains.

8. ***Create appropriate legal safeguards to prosecute EU based companies who violate (child) labour rights***

This proposal has been reiterated in several forms by various resolutions of the European Parliament. E.g. in a report by Mrs. Roberta Angelilli a large majority in the European Parliament said: '*Points to the fact that products being sold in the EU may be produced by child labour; calls on the Commission to implement a mechanism by which victims of child labour can seek redress against European companies in the national courts of the Member States.*' The Commission should respond swiftly with a proposal to make this long-standing demand of the European Parliament a reality.

9. ***The EU should contribute – as part of the upcoming review process - to make the OECD Guidelines for Multinational Enterprises more effective in order to tackle (child)labour rights violations***

The EU should – both at the systemic and implementation level - contribute to strengthening the OECD Guidelines for Multinational Enterprises during the coming review. It should urge the OECD and its Member States to broaden the scope of the OECD Guidelines for Multinational Enterprises from investment to trade relations between companies, as well as strengthen its monitoring, complaint and sanctioning mechanism.

10. **The EU should ensure that all the above measures contribute to the maximum extend to the creation of child labour free sectors and zones.**

<sup>13</sup> See website: [www.stopchildlabour.eu](http://www.stopchildlabour.eu)

<sup>14</sup> Recently the Dutch Parliament has almost unanimously supported such a policy and the government has reacted with a partial implementation.

The European Union should therefore encourage multi-stakeholder initiatives in various economic sectors which, if the full supply chain is being tackled, can have a greater combined impact than the pure addition of individual efforts. It will be easier to use this combined impact to link to regional child labour free initiatives.

In this context it is also very important (see also the Action Plan for Companies Against Child labour) that private sector initiatives in education are mainstreamed with local formal education programmes or - even better - are directly supporting such programmes instead of creating a parallel system.

\* A number of these recommendations have been described more in detail in the paper 'Child Labour, Trade Relations and Corporate Social Responsibility'<sup>15</sup>. While this a paper by the campaign "Stop Child Labour – School is the best place to work", the present recommendations have received the support of the group undersigned below.

In the recommendations listed above we are *not* dealing with *all* instruments available to the EU to combat child labour, including structured political and human rights dialogue, action in multilateral fora and development cooperation. On the envisaged role of the European Union (and other donors) in combating child labour through the education you can find the position of the 'Stop Child Labour' campaign in the document 'Child labour, basic education and the role of international donors'.<sup>16</sup>

## Annex 2

### **Important documents & statements of the campaign Stop Child Labour – School is the Best Place to Work (2003-2009)**

*May 2003*

**Launch of European Stop Child Labour Campaign (2003: Netherlands, Germany, Ireland, from 2006 also Italy, Denmark and Czech Republic)**

*October 2004*

**Policy paper: Basic Education, Child labour and International Donor Policies**  
<http://www.indianet.nl/donorpolicies.html>

**Policy paper: Basic Education, child labour and the European Union**  
<http://www.indianet.nl/beclcu.html>

*November 2004*

**Report of the: International Conference on 'Out of work and Into School – Children's Right to Education as a Non-Negotiable', 2-5 November 2004, Hyderabad, India**  
[http://www.indianet.nl/hyderabad\\_041102.pdf](http://www.indianet.nl/hyderabad_041102.pdf)

*February 2005*

**Recommendations to the European Parliament on the Report 'Child labour in Developing Countries – A Common Position Paper on child labour and education', 17 February 2005** <http://www.indianet.nl/recomcl.html>

*November 2005*

**Stop Child labour campaign hands over 170.000 signed petitions to EU Commissioner Louis Michel** <http://www.indianet.nl/pb051118.html>

<sup>15</sup> See: <http://www.indianet.nl/clcsreu.html>

<sup>16</sup> See: <http://www.indianet.nl/donorpolicies.html>

*May 2006*

Joint Statement ICFTU, WCL, Stop Child Labour and Global March with regard to new ILO Global Report: <http://www.indianet.nl/js060516.pdf>

*June 2006*

Policy paper: Seven reasons why ILO should focus on all forms in its global action plan – A reaction to the ILO Global Report 2006 ‘The end of child labour – Within reach’  
<http://www.indianet.nl/sevenreasons.html>

*June 2006*

Report: International Conference on Stop Child Labour, Yes to Education in Honduras  
<http://www.indianet.nl/declregconfca.pdf>

*January 2007 – November 2008*

Thika Declaration on Child Labour – Africa Tour 2008  
<http://www.indianet.nl/pdf/ThikaDeclaration.pdf>

*November 2007*

Report: Central America Tour of Stop Child Labour campaign with South-South exchange  
<http://www.indianet.nl/pdf/StopChildLabourTourCentralAmerica.pdf>

*February 2008*

Action Plan: ‘Out of work and into school - Action Plan for Companies to Combat Child Labour’ in New Delhi, during the International Conference for Child right organisers and campaigners  
<http://www.indianet.nl/pdf/actionplanchildlabour.pdf>

*May 2008*

Report: Roundtable in Brussels on Child Labour and CSR  
<http://www.stopchildlabour.eu/stopkinderarbeid/Media/Files/Round-Table-May-13th>

*June 2008*

Policy paper: ‘Child Labour, Trade relations and Corporate Social Responsibility – What the EU should do’  
<http://www.indianet.nl/clcsreu.html>

*October 2008*

Africa Tour of Stop Child Labour Campaign with South-South Exchange - Final Report 2008 <http://www.indianet.nl/pdf/AfricaTour2008FinalIntegratedReport.pdf>

*November 2008*

Roundtable on Education and the elimination of child labour: ‘Africa and South Asia: Learning from each other’, Brussels  
<http://www.indianet.nl/pdf/RoundtableOnEducationAndEliminationOfChildLabour.pdf>

*September 2009*

Lunchtime Meeting on the Elimination of Child Labour – What role can the European Union Play?  
<http://www.indianet.nl/pdf/RoleEuropeanParliament.pdf>

## Annex 3

### 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 that is likely to interfere with his or her 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*)

#### **Principle 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 and retain all ‘out of school’ children into formal education systems. Children have the right to education at least until the age they are allowed to work which is 15 (while developing countries can choose 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.

#### **Principle 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 prioritize and segregate solutions to different types of child labour depending on certain categories. These range from children working in hazardous industries, 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.

#### **Principle 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 permit, or allow child labour to exist within their state. Furthermore they have a duty to ensure that state agencies, 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.

#### **Principle 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 collective bargaining, freedom from forced labour, child labour and discrimination. A living wage, health and safety at work, 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.