



## Roundtable on

### Education and the Elimination of Child Labour

#### 'Africa – South Asia: learning from each other'

Tuesday 11th of November 2008

Time: 12.00 – 14.00

Hosted by: **Jean Lambert (MEP)** and **Maria Martens (MEP)**

Venue: **European Parliament**

## REPORT

On the 11<sup>th</sup> of November 2008 the Stop Child Labour Campaign organised a *Roundtable on Education and the Elimination of Child Labour: Africa – South Asia: learning from each other*, hosted by Ms Jean Lambert MEP and Ms Maria Martens MEP at the European Parliament.

The aim of the Roundtable was to present the findings of the participants in the Stop Child Labour Africa Tour 2008, together with the outcome and recommendations of a regional conference on the Elimination of Child Labour organised in Nairobi. Representatives from three organisations working on child labour and education, - MV Foundation (India), Aasaman (Nepal) and SNE (Morocco) - visited five countries in Africa (Morocco, Uganda, Ethiopia, Zimbabwe and Kenya), meeting government representatives, the ILO, trade unions, teacher unions and many other stakeholders and organisations in an effort to assess the present situation of child labour and education in those countries. The Africa Tour 2008 ended with a regional conference organised in Nairobi (Kenya), where the findings of the Tour were presented and discussed.

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**Ms Martens**, MEP, opened the Roundtable by welcoming everybody to the meeting. The Elimination of Child Labour figures very highly on the international agenda, but it is not an easy topic as it has a strong socio-economic and cultural dimension. The Dutch Minister of Foreign Affairs recently called for more efforts towards eliminating child labour, while both the European Parliament (EP) and the ACP-EU Joint Parliamentary Assembly (JPA), are developing their positions on the issue by drafting the EP resolution on *A Special Place for Children in External Action*, and the ACP-EU JPA Resolution on *Social consequences of child labour and strategies to combat child labour*. These are important resolutions as the first reflects on the work the European Commission needs to do, while the second will be adopted not only by Members of the European Parliament, but, more importantly, also by the Parliamentarians from the ACP countries. Ownership is crucial, therefore it is fundamental to ensure the active involvement of ACP states. Ms Martens said that the elimination of child

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labour required a multi track focus: (i) the worst forms of child labour need to be banned; (ii) for those forms of child labour that are not dangerous and harmful a transitional mechanism needs to be developed, especially where the child's labour forms an essential part of the family's income, so that an alternative form of income needs to be provided for; (iii) the education system needs to be open for all children, irrespective of ethnicity or social economic status. In the past she had already recommended that the EC should include a clause on the implementation of fundamental labour standards, including the banning of child labour, in all bi-lateral trade agreements and strategic partnerships, particularly those with India and China, which are gaining in importance. The EC cannot do it alone, therefore it is crucial that all stakeholders, whether economically, politically or socially motivated, come to an agreement on how to eliminate child labour and get all the children into the classroom. She then invited to next speaker to take the floor.

**Jetteke van der Schatte Olivier**, International Coordinator of the 'Stop Child Labour Campaign', welcomed the four guests from Africa and South Asia explaining that the Stop Child Labour Campaign Africa Tour was organised, because child labour is a rather pertinent problem in Africa. She briefly introduced the Stop Child Labour Campaign, run by a consortium of six like minded NGPOs from different EU Member States, the so called Alliance 2015, joined in the Netherlands by the teachers union AOB, the Trade Union FNV and the India Committee ICN and in close cooperation with Southern partners. The overall objective of the campaign is the eradication of all forms of Child Labour through the provision of full-time formal quality education for all children. The members of the campaign commit themselves to work towards getting every child up to the age of fifteen into formal education – in line with the UN Convention of the Rights of the Child, ILO Conventions 138 and 182 and MDGs 2 and 3. She mentioned three points why the discussion on child labour was important: i) Generations carry responsibilities for next generations; ii) Fundamental obligations have been anchored in international treaties and conventions which need to be included into strategies, policies and programmes and implemented; iii) From an economic point of view there needs to be a focus on poverty eradication and the well-being of children as a an effective and structural approach to development cooperation.

All children need to be enabled to attend full-time quality formal education instead of working in the fields, mines or in households. Our partners in the South show that they can make a difference. The African Tour also stresses that South-South exchanges are beneficial in helping Civil Society Organisations develop effective programmes and engage their governments in achieving the elimination of child labour. A similar tour was organised in 2007 in Central America, while the campaign also organised a conference on child labour in East Africa. The outcomes of these events have been laid down in the Honduras and Thika Declarations.

ILO, UNICEF and others have recognised the link between education and the elimination of child labour. However, so far this has not resulted in joint strategies or inclusive bi-lateral and multilateral ODA schemes for basic education. The achievement of MDG 2 is hampered by the number of out-of-school children and the high drop-out rates, while the financial crisis, and the high food and energy prices form additional obstacles to achieve both MDGs 2 and 3, increasing the number of child labourers. Politicians and civil society do not only have the responsibility, but also the potential to put the issue of the world's child labourers high on the international agenda. The Dutch minister of Foreign Affairs has done this by asking the EC to include the elimination of child labour in the framework of its work on Corporate Social Responsibility (CSR), but Mr. Hamburger, the Dutch Human Rights Ambassador and present at this Roundtable today, can also help to include a rights-based approach to the Dutch strategy for the elimination of child labour. The speaker then briefly analysed the situation where the poverty argument was used to justify child labour: i) it would prevent the creation of child labour free zones; ii) it would mean that the focus would only be on the worst forms of child labour creating a situation where only those suffering the most have access to education; iii) Child Labour will carry on indefinitely. In conclusion Ms Van der Schatte Olivier welcomed the EC's *Communication on a special place for children in external action*, which supports the creation of child labour free zones.

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**Victor Odero**, the representative of Concern in Kenya, started off with describing the education situation in Kenya since 2003, when Free Primary Education was launched. Free Primary Education is currently delivered through the public school systems, which does not extend to urban slums, because these are not considered legal settlements. Consequently, close to 65% of the population in Nairobi (currently 3 million), i.e. those living in these areas, do not have access to free education. The slum communities, e.g. in Nairobi, have themselves established non-formal schools through individual or community initiatives. However, due to the absence of adequate funding and government support these schools are characterised by a lack of qualified teachers, an absence of learning materials and poor quality assurance and inspection services. Yet, for the majority of slum children they are the only means to stay out of child labour and as such they form an essential safety net for these children. MDG 2, on universal education, should therefore also address infrastructure for education, which means building schools in slum areas. National policy on this should be equivalent to international policies, which means focusing on the most vulnerable in the urban context – slum dwellers. The European Community can play an important role by focusing on local capacity building and supporting local initiatives on education and promoting the integration of community schools into the public schooling system. It is of paramount importance that children, more so those in slum areas, get unconditional access to quality primary education with guaranteed support of government. Future progress has to be measured by their ability to link non-formal, community schools with the public sector and ensure that they become centres of access to primary education.

**Mr. Venkat Reddy**, representative of the MV Foundation and head of the Africa Tour 2008 delegation, introduced the other members of the delegation, Ms Radha Koirola (Aasaman, Nepal) and Mr. Driss Elyoubi (SNE, Morocco). The delegation had started off in October 2008 and had travelled to the remotest areas in the countries they visited. Although the countries were different in terms of culture, politics and even stability, there were also many similarities in the situations, particularly on education, in those countries. Children from three years onward were not in school, but working as labourers in the fields, beggars in urban areas and even active as child soldiers. All these children could be protected if their education through full time education is regarded as a non-negotiable. The delegation found that it is often the social norm that children out of school should work, so it is not an economic necessity. In fact all parents demand education for their children, but in many areas there are few schools. This means that the supply side is in default. This situation is enhanced by the fact that where there are schools parents are often confronted with the need to produce birth certificates, pay school fees or buy school uniforms. In addition there is a demand for cheap labour offered by child labour. In fact parents and children find themselves in a vicious circle between the failure on the educational infrastructure side and the strong demand for cheap labour. The delegation would therefore like to call for the creation of Child Labour Free regions, where education is free, schools offer children free lunches, children go to school for the whole school day and schools are flexible in accommodating for older-age children and drop-outs. In addition existing non-formal/innovative school models should be integrated into the formal education system to provide access to public funding. The private sector should also play a role by offering scholarships and school grants in these Child Labour Free zones.

The next speaker, **Arjan Hamburger**, Human Rights Ambassador for the Netherlands, took human rights as his entry point. In the Netherlands' human rights policy- a central pillar of its foreign policy- the rights of children are one of the priorities. *The Universal Declaration of Human Rights* clearly states that motherhood and childhood are entitled to special care and assistance and that all children, whether born in or out of wedlock, shall enjoy the same social protection. The Convention on the Rights of the Child states that the child has the

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right 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. Child labour, such as for instance being a sex slave, goes against the grain of the rights of the child, just as the fact that they are often in bad health and do not go to school. In referred to a recent FIDH report on Bangladesh where children were working in ship breaking yards. Many countries do not comply with the Convention on the Rights of the Child or with ILO conventions on child labour, even when they are ratified. In the Netherlands opposition to products made with child labour is growing stronger. It invests in education and pushes certain countries, such as Uzbekistan, to sign the ILO Conventions and ban Child Labour. However, children still work in the cotton fields. The Netherlands cannot push for this, on its own. The EU needs to put its weight behind it. At the initiative of the Netherlands the European Commission has now started a study on child labour. The study will collect data, look at existing experiences (ILO for instance) and best practices, and consider possible options, including trade measures, although these will need to be in compliance with WTO rules. One step that could be considered is the possibility of banning of products made with the worst forms of child labour, such as child-slave labour. There are examples of possible solutions - such as on illegal timber or the sale of sealskins. It is key to also look at positive action, especially in the area of education. It is time for action and ministers need to be convinced of the need to take measures to eliminate child labour. The Netherlands has asked for an early conclusion of the EC study and subsequent decision at political level. He called on the participants to start the dialogue with politicians to ensure that action is taken.

**Ms Hélène Bourgade**, head of the Social and Human Development and Migration Unit of EuropeAid Cooperation Office of the European Commission (EC), pointed out that the EC promotes a holistic approach in promoting children's rights and combating child labour. This means that it combines a number of measures including labour market interventions, promoting social dialogue and social protection and improving access for children to education, as a means to combat poverty and promote development. The EC is committed to achieving the MDGs – many of which are related to the well-being of children. This multifaceted approach was confirmed in the recent Commission Communication *A special place for children in external action* and its *Action Plan* (February, 2008) which both put the fight against child labour as a priority for the promotion and protection of the rights of the child in the EU's external action, taking a rights-based approach. The EU is working closely together with the ILO to implement the ILO Conventions related to the fight against child labour.

The EC has targeted education as an important entry point, allocating € 1.8 billion to supporting education through national, regional and thematic funds. 32 countries chose education as a focal sector for development aid. The funds are to be used for national education reforms and are offered through either general budget support, sector budget support or project or basket funding, in collaboration with other donors in agreement with the Paris Declaration. In addition, support is channelled through international initiatives such as through the different financial instruments within the Education for All – Fast Track Initiative (EFA-FTI). As specific EU financial instruments used by the EC Ms Bourgade referred to the EDF (notably € 15 million for combating child labour through education (TACKLE) in 11 ACP countries), the European Initiative on Democracy and Human Rights (EIDHR), through 'Investing in People', a thematic programme within the Development Cooperation Instrument (DCI), and the European Neighbourhood Instrument (ENPI). She pointed out that since 2005 the EU only awards contracts to those companies that respect core labour standards, including the banning of child labour. She then proceeded to give examples of EC support in countries supported by the EU, sometimes in collaboration with international organisations such as ILO and UNICEF. As the EC has a decentralised approach it sets great store by training and capacity building within the EU delegations often in cooperation with ILO. Regional seminars are organised to raise awareness of the importance of decent work and its various pillars and to demonstrate how to address decent work not only in social cooperation programmes, but also in non-traditional sectors such as infrastructure, transport, etc. These seminars were organised in Asia (2006), Latin America (2007) and will be

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organised for the ACP region in 2009. Ms Bourgade finished by announcing that the EC (DG Trade) is carrying out a study analysing the impact of positive actions to fight child labour as indicated by the Council Conclusions on children in development cooperation (26/27 May 2008). The Commission believes that a negative approach, such as for instance calling for child labour free labels, would not be effective and prefer to work with positive incentives.

After Ms Bourgade the chair of the Roundtable opened the floor for a debate.

The following points were raised:

- It is difficult to measure input. Enrolment rates and drop out rates can be used as indicators, but it is more important to look at the quality of education by for instance looking at the training of teachers and the training of trainers. (Ms Bourgade)
- It is not so much the family that relies on child labour, but more the market, which requires cheap labour. The family does not really benefit that much. The problem therefore requires an area-specific approach: a child out of school creates a dangerous situation. (Venkat Reddy)
- In how far is the situation of child domestic workers included? Focussing on basic education is not enough. There is also a need to look into such sectors as agriculture, which offers little employment so that there is a move to urban areas, where children can find work as domestic servants. As there are no laws on domestic employment of children they are often used as slaves. If measures are taken to improve the employment situation in agriculture fewer families would move to the cities. (Agung Wibisono). The EC includes domestic workers within the list of worst forms of child labour. However, in some cultures (e.g. Vidomegon in West Africa) poor children are confided to richer relatives' care, who then, in quite a number of cases, use them as domestic slaves. How can that be countered? Does it fall under education or trafficking? (Ms Bourgade)
- The question was raised as to how the EC assessed the situation in countries where they contemplate using budget support, as the recent 2015-Watch report by the Alliance 2015 was very critical of these assessments. (Olive Towey) Ms Bourgade pointed out that there is in fact no harmonised approach to assessment of country situations. ILO and UNICEF will need to help in developing a mechanism on how to measure situations and impact in relation to child labour. The EC has limited human resources for this. So far it has mainly relied on studies done by others.
- In some areas school governments exclude children on certain grounds such as for instance the lack of a birth certificate. Drop-out rates are therefore not always the consequence of poverty. Another problem is that older children are excluded from basic education because of their age. In this case a transitional system needs to be set up to help those children to stream into the level appropriate for their age. Communities, including parents and teachers will need to be mobilised to help find means and funding to create this and link the elimination of child labour with education. (Gerard Oonk) Ms Bourgade pointed out that the EC can only hold dialogues and offer support. In heavily aid dependent countries it might be possible to exert some pressure, but the EC needs to remain modest to what it can really do in-country.
- It is essential to have child friendly schools. Social protection is another important element and the EC has already put this higher on its agenda. However, this issue of urbanisation could also offer a new entry point. In relation to the study mentioned by Ms Bourgade UNICEF would like to offer its services to contribute to the study. (Ms Wachenfeld)
- Full participation of civil society organisations is not always easy to guarantee as it also depends on the partner country governments. The problem is also that there is often little funding for support to CSOs. (Ms Bourgade)
- In Kenya there has been a major breakthrough in the context of urbanisation as the government has realised that something needs to be done about education in slum areas. It has partnered with NGOs and non-formal education stakeholders,

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but so far nothing has been done to realise something at the level of the non-public schools. However, ultimately this new partnership should lead to the integration of more community schools into the public school system and to all children in slums. (Victor Odera)

Mr. Venkat closed the debate by stating that children can only be successfully targeted if there is an area specific approach. There is a need to go down to the level of the child and create child labour free zones.

**Ms Jean Lambert**, MEP, was then invited to make the closing remarks. Ms Lambert summarised the discussion by saying that there are some major questions which will need to be answered. How do you work with those that are most excluded? How do you increase capacity at all the different levels involved? How do you keep partnerships going and make sure that governments do not see them as a threat? How do you make sure that governments use the same definition for both (child) labour and education? A differentiated geographical approach would be very practical, but how to manage that? It would be good to have a good buy-in and support at the local level, it would offer better ownership and spread capacity. In that respect the Africa Tour 2008 plays a very important role as it was a peer-to-peer visit. Another important stakeholder that needs to be included are the trade unions, and the teacher unions in particular. It will be important to include them in a partnership working on education and the elimination of child labour. The challenge at EU level will be to identify the best approach and best practices. Within the European Parliament we need to look at the different Committees that should be working together on this issue. The Civil Liberties Committee, for instance, drafted a report on the Rights of the Child, that included the need to eliminate child labour, but other committee could play a role as well, such as the Committee on Employment and Social Affairs (EMPL), the Committee on Culture and Education (CULT) and the Committee on International Trade (INTA). So, much still needs to be done.

On this note the chair closed the meeting.

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