

## The Hague Global Child Labour Conference, 10 & 11 May 2010

*(Partial summary of speeches)*

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From 10-11 May 2010, The Hague Global Child Labour Conference, a two-day international conference under the title 'Towards a World Without Child Labour-Mapping the Road to 2016' was organised by the Dutch government and the International Labour Organization (ILO). The event involved more than 400 participants from 80 countries, including government officials amongst others from Bangladesh, Brazil, South Africa, India and the Netherlands, representatives of employer and employee organisations from various countries, non-governmental organisations, and international organisations. Mr Piet Hein Donner, the Dutch Minister of Social Affairs and Employment, was the conference host.

The Conference opened with an introduction by the moderator, Ms. Zohreh Tabatabai, managing director of Quince Partners and former director of communication of the ILO and a performance by the Dutch children choir and dance group, *Kinderen vor Kinderen*. This was followed by an introductory session featuring speeches by the chair of the conference Mr. Donner (Minister of Social Affairs and Employment, the Netherlands), Mr. Nitte Manjappa Adyanthaya (Worker Vice-Chairperson) and Mr. Dagoberto Lima Godoy (Employer Vice-Chairperson). The ILO presented the ILO Global Report for 2010 on child labour, entitled 'Accelerating Action against Child Labour' including the new global statistics and an analysis of child labour trends. The report showed a worrying stagnation in the decline of child labour with a minimal decline by only 3% between 2004 and 2008. Of these, 115 million children continue to be exposed to the worst forms of labour.

During the High-level opening, the first panel consisting of Mr. Arup Banerji (World Bank), Ms Joane Dunn (UNICEF), Ms. Constance Thomas (ILO) and Mr. Furio Rosati (Understanding Children's Work (UCW)) presented and discussed a technical report prepared by UCW, an inter-agency research project of the ILO, UNICEF and the World Bank. The report argues for the need to address simultaneously the need to provide quality education, a social protection network for the poor and decent employment opportunities in accordance with the 2009 'ILO Decent Work Agenda', as well as ensure advocacy and social communication down to the household levels.

Concerning education, the benefits of collaboration with the UNICEF 'Global Task Force' working on the "Education For All" Campaign were stressed, in addition to the necessity to ensure relevance of education to the concerned population and the reduction in direct costs. In addition, the importance of distributing information on the benefits of education amongst others for future salaries, allowing affected populations to make informed decisions was highlighted. On a similar note, and in accordance with the requirement to boost grassroots-level advocacy, the panellists stressed the need to change the perception and social norms prevalent amongst affected populations. Potential social protection measures that have been widely successful in Latin America to further diminish child labour include conditional transfer schemes, alternate earnings, expansion of household access

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to credit or the provision of social pensions to grandparents. However, unfortunately, experience shows that while families benefit from these measures, children are ultimately still made to work.

Further difficulties that were stressed related to those of migrant children and those children that have been freed from child labour, requiring a 'second chance' and sufficient support and effective measures to boost their skills. So far, existing programmes (such as the 'Solidario Programme' in Chile) have remained rather fragmented. Finally, the importance of monitoring, both nationally and internationally, was stressed, including the need to agree on harmonized and standardized benchmarks.

The second part of the opening included high-level speeches discussing the 2016 goal, challenges and suggested solutions, including presentations from Ms. Marcia Helena Carvalho Lopes (Minister of Social Development and Fight Against Hunger, Brazil), Mr. Diakaria Diaw (Minister of Public Services, Labour and Professional Organizations, Senegal) and Mr. Shri A.C. Pandey (Joint Secretary, Ministry of Labour & Employment, India). A panel-discussion followed with contributions from Mr. Saad Y. Houry (UNICEF), Mr. Kailash Satyarthi (Global March) and Mr. Olav Seim (UNESCO).

The presentation by Brazil showed evidence of a strong rights-based approach to the issue, including all rights enumerated in the 1989 UN CRC. Amongst the numerous initiatives implemented in Brazil since the mid-90s, the 'Bolsa Familia' Programme introduced under President Lula da Silva as part of the 'Fome Zero' initiative stood out. Through the Bolsa Familia programme, families are provided with cash-transfer, based on the condition that their children attend school and regular health checks. Despite the fact that the programme is considered a success, difficulties remain, particularly in domestic and rural work, as well as with sexual exploitation. Brazil is exploring opportunities in this regard through the 'South-South' dialogue involving countries from Africa and Asia.

The Indian representative reflected on different Indian measures and the recent success of the coming into force of the 'Free and Compulsory Education Act' in India on 1 April 2010. Along the lines of a four-pillar approach (education, social protection, decent work for adults, legislation), India has been taking a number of measures to provide health care, and address questions relating to employment under the Mahatma Gandhi Rural Employment scheme. However, although Indian legislation is relatively advanced, including provisions in the Indian Constitution and a number of relevant legislative acts, certain constraints remain that have so far precluded the ratification of ILO Convention No. 182. Nonetheless, the focus of the national action policy is primarily on the elimination of the worst forms of child labour. In addition, various projects, amongst others with financial assistance from the US and UNICEF, have been implemented and a number of general measures introduced such as the 'mid-day-meal-scheme' aiming to improve the overall situation of children and trigger their return to school.

Before the panel discussion, MV Foundation, an Indian NGO based in Andhra Pradesh, and the Dutch Trade Union FNV presented a petition to Minister Donner under the 'Stop Child Labour Campaign'. The petition, which was signed by 12 000 individuals from 70 countries, stresses the need to end all child labour and criticises the focus on its worst forms alone.

Kailash Satyarthi from the NGO 'Global March' stressed the need to make child labour a more prominent topic and called on the United Nations to use the upcoming Millennium Development Goal (MDG) Summit as well as the G20 Summit to address the issue. Responsibility had to be accorded more clearly, including in terms of corporate social accountability. Reference was made to the value of information and education, citing estimates pertaining that the realisation of global primary education that would prevent 700 000 people per year from getting infected with HIV-AIDS.

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Mr Houry UNICEF concurred with the importance of the eradication of child labour as necessity to reach the Millennium Development Goals (such as global education, MDG 2, or eradication of child mortality, MDG 4). According to him, those MDGs carrying a 'female' characteristic (maternal mortality, child mortality, and education (in terms of girls' access to education)) were those that had made the least progress. The link between all MDGs and the issue of child labour was a reflection of the complexity of the problem and most of all required holistic solutions with 'a clarity of purpose'. He further stressed the necessity to enhance the existing data on child labour. According to him, it was crucial to prevent overgeneralization, looking at large age-groups or entire sectors without distinction as to specific needs. An aggravating factor not to be overlooked in this regard was the hardship of children suffering due to discrimination and exclusion. In addition, it was necessary to increase the dissemination of the existing data to recoup the missing voice of the children themselves. Mr Houry stressed the legal entitlement that children have to enjoy their rights, including the right to education.

Mr Seim UNESCO cautioned against rapid action devoid of quality, pointing out that, while measures to foster enrollment in school had been successful in terms of numbers, the recent meeting of the 'High level Group on Education' had found a clear decrease in the quality of education provided. Developing national assessment programmes on the learning outcome and relevance of education provided was therefore crucial to guarantee an effective incentive for school attendance.

In the semi-plenary sessions in the afternoon, policy integration and financing needs were discussed. For policy integration, representatives of Bangladesh, Sri Lanka, the employers and workers group discussed with experts the potential to integrate economic and social policies to eliminate child labour. In the session on financing needs, representatives of Mongolia, Namibia, the employers group, the workers group and relevant experts discussed the financing needs to end (the worst forms of) child labour, keeping in mind the effect of the financial crisis. Both sessions were followed by parallel technical workshops further developing the respective topic. The sub-themes included 'Youth-employment and Child Labour', 'Education and Child Labour', 'Social Protection and Child Labour' and 'Globalisation, Human Rights and Child Labour' under the policy integration stream. The workshop for the financial needs stream was titled 'Innovative Financing and the Economic Recovery'.

The first day concluded with a discussion of the draft 'Roadmap' as presented by Mr Ad Melkert, (Rapporteur for the Roadmap to 2016 and currently UN Secretary-General Special Representative for Iraq). Mr Melkert elaborated on the three parts of the Roadmap consisting of a first section on political will, a second section containing the plan of action and a third section on the promotion and monitoring of the agreed action. He urged governments to follow up on the Roadmap and the momentum created at this conference which he regarded as meeting of a 'coalition of the willing' engaged in an exercise of 'stock-taking' of 'what makes sense for children'.

The Vice-Chairpersons, Mr. Nitte Manjappa Adyanthaya (on behalf of the Workers) and Mr. Dagoberto Lima Godoy (on behalf of the Employers) gave a first reaction after which all participants were invited to share their views on the draft Roadmap.

Mr Lima Godoy, while highlighting the importance of the role of social interlocutors, stressed that the primary responsibility to act was with States and their governments. Urging a separation between private interests and common norms to be upheld by the international community, and in the face of the economic crisis, he appealed to all actors to agree to compromises to end child labour. The responsibility to monitor and follow up on this process, according to him, should lie with the ILO.

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Mr Adyanthaya stressed the importance of including the issue of funding in the discussion. While universal ratification of ILO Convention No 182 was aspired, the implementation on the ground should not be left aside. He urged the international financial institutions and the wider international community to go beyond paying 'lip-service' to the initiative and live up to their promises.

A number of comments and requests for alteration of the draft text were made from the floor, including the following:

A representative from the OSCE Office for the Special Representative for Human Trafficking, stressed the need to clarify that trafficking was internationally recognised as crime amongst others leading to child labour, whereas migration may be regarded as positive process. The Dutch rapporteur on human trafficking concurred with the intervention and suggested that reference be made to the Palermo Protocols where relevant.

A representative of the FAO requested a specification of the special efforts to be made to effectuate the end of child labour. Three areas to be mentioned in this regard were 1. Africa, 2. the informal sector as well as 3. rural and other areas deprived of energy and water. She further requested the inclusion of demands for 'cross' sectoral national action plans to combat child labour to stress the need to involve all government ministries, not labour and education alone. She further requested the inclusion of a provision requiring governments to set up programmes guaranteeing decent rural work, social security, food and nutritional security, as well as livelihood diversification plans and measures to strengthen local communities. Concerning such national measures, a representative of Human Rights Watch requested a clear inclusion of the informal sector, so that all children would benefit equally and without discrimination. In relation to this, a representative of Uganda criticised the failure to mention disabled children.

A representative of India requested that the Roadmap would include a provision requiring the prioritization of children affected by crisis and conflict.

Gary Craig of the Wilberforce Institute stressed the need to include the voices of children as well as researchers representing children's interest.

Jan Buck criticized some of the vaguer formulations within the Roadmap (f.ex 'agree to *develop* plans, instead of *implement* plans'). He further requested that existing legal obligations be included in the document, such as Article 3 of Convention No. 182. Further, reference should be made to the two Optional Protocols to the CRC that explicitly address some of the worst forms of child labour.

A representative of the 'Stop Child Labour Campaign' as well as a representative of the 'Stop the Traffic Campaign' found the document too soft on issues pertaining to corporate social responsibility. They pointed to the 'Ruggie framework' and suggested that reference to it be included in the Roadmap.

Further criticism included the lack of a provision addressing penal legislation for breaches of children's rights and the lack of guidance on how bilateral donors (such as the EU) were to be engaged. Criticism concerning the lack of provision on funding was repeated a number of times, including remarks by the representative of Australia that there was a need to define the different expectations in accordance with the available resources in a country as to what can be considered 'adequate'.

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One issue of general concern related to the extent to which the document is legally binding. Criticism was raised amongst others by a representative of the Ivory Coast concerning the generic formulations ('we, the representatives of governments') or the inclusion of responsibilities of regional organizations, when some of the most relevant were absent, e.g. ECOWAS. It was clarified that considering the level of participants at the conference, the outcome could not be considered part of a legally enforceable framework, but constitutes a 'framework for action'. Mr Mekert pointed to the effectiveness of annual review sessions to take stock and exercise peer pressure to effect a successful implementation.

One aspect of disagreement was whether the initial focus of action on the worst forms of child labour was beneficial. While representatives of the US, India, Bangladesh and others were for an initial approach centring on the worst forms of labour, some participants argued that measures targeting the worst forms of child labour alone would be ineffective and missing many of the targeted children due to the very nature of the worst forms of work that is generally carried out in clandestine settings.

The **second day** started with a session focusing on the particularities of child labour in Africa as the region with the highest number of child labourers. Mr. Marc Atibu Saleh Mwekee (representative of the Employers' Group), a representative of the Workers' Group, Mr. Membathisi Mphumzi Shepherd Mdladlana (Minister of Labour, South-Africa), Mr. Jamal Rhmani (Minister of Labour and vocational training, Morocco), Mr. Milton M. Mahanga (Vice-Minister of Labour, Employment and Youth Development, Tanzania) and Ms. Wambui Njuguna (AUPPCAN) shared experiences concerning best practices and possible solutions as well as remaining challenges.

Between 2004 and 2008 the number of child labourers in Sub-Saharan Africa increased by 9 million, making 1 in 4 children a child labourer, as compared to 1 in 8 children in the Asia/Pacific region and 1 in 6 in Latin America. Besides poverty, causes include the spread of HIV-AIDS and other diseases such as tuberculosis, natural disasters or armed conflicts.

Mr Mwekee on behalf of the workers stressed that the problem was not a homogenous one. A distinction had to be made between orphaned and trafficked children as well as those forced to become child soldiers. Initiatives across the continent involved tripartite processes based on ILO Conventions 138 and 182, as well as recommendation 190. This was of particular importance in central Africa where a number of armed conflicts had occurred since the early 90s. From 2001 onwards, the ILO had paid particular attention to preventing children from joining the armed forces, demobilising them and fostering their reintegration in Burundi, Congo-Brazzaville, DRC and Rwanda. In 2004 the US Labour Department had funded a similar project in DRC. Nonetheless, Mr Mwekee stressed the role of the parents and enterprises aside the State's obligation to ensure human rights and the resulting need to formulate coherent programmes. A precondition to end the worst forms of child labour, however, was to end the occurrence of armed conflicts, even before addressing the general problem of poverty.

Mr Shepherd Mdladlana of South Africa stressed the legal background to the fight against child labour including the CRC and African Charter on the Rights of the Child. Against the background of the South African Constitution providing that 'children are the future of the country' and specific South African legislation addressing the problem, South Africa is actively combating child labour by addressing social welfare aspects and providing for reintegration of child labourers. In addition, much emphasis is placed on the handling of children, who have been forced to commit crimes. Thus, training is provided to the civil services, police and justice officials to recognise child labour and handle the children appropriately. The benefits having been derived from the South-South dialogue with Brazil and India were highlighted.

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The representative of Morocco, Mr Rhmani, elaborated on the country's experience and best practices based on an understanding of the child as right's holder. Tripartite work under the national action plan has started to improve the right of the child to development, health, education and against exploitation and violence. Amongst others, a project has been initiated to revise the list of the worst forms of child labour and identify realistic alternatives for children especially in rural areas. For this especially the monitoring and inspection of work places needed to improve and be transparent.

Mr Manhanga, Vice Minister of Employment and Youth Development of Tanzania, shared the experience of Tanzania as one of the first three countries to try time-bound programmes to end the worst forms of child labour with financial assistance by the ILO and US. Due to financial difficulties, the goal of reaching an elimination of the worst forms had to be postponed from 2010 to 2015 to match the MDG. Nonetheless, much progress has been made with the realization of universal primary education, and 15% of the national budget being invested in education. Secondary education will be made compulsory in the coming years and training centres for vocational training are set up in each county.

The semi-plenary session on political awareness featured presentations by Ms. Alma Lorena Cortés Aquilar, Minister of Labour and Labour relations, Panama as well as Ms. Marta Santos Pais, Special Representative of the UN Secretary-General on Violence against Children and Mr. Aidan Mc Quade of Anti-Slavery International. During the session, the chair, Secretary of State from Germany, Andreas Storm indicated that Germany will allocate 1.2 million euros to IPEC until 2012.

The representative of Panama explained the national action implemented by the Panama National Directorate on Child Labour, including initiatives to reach indigenous children. In addition, efforts are made to change the Panama penal code to criminalize hiring child labourers. Furthermore, the minimum wage has recently been increased by 16% guaranteeing a higher salary for parents. A scholarship programme has been created allocating 20 dollar/month and school materials to each child. Lunch programmes have been put into place and the 'Network of opportunities' provides possibilities for families to receive conditional cash transfers. Ms Lopes also drew attention to the issue of birth control to prevent homeless and possibly drug-addicted women to have more children that will most likely be forced to work to survive.

Marta Santos-Pais, the Special Representative for Violence Against Children called for an elimination of all forms of violence against children. She drew attention to the global campaign for the ratification of key treaties on the rights of the child including ILO Convention 182 and the CRC Optional Protocols to start on 25 May of this year. She called on the international community to mobilize political and social support and strive to establish extra-territorial jurisdiction over violations of core rights of children. Active intervention, both nationally and internationally was required to end the exploitation of children with a particular focus on current loopholes such as those concerning domestic workers. Concerning the latter aspect, she referred to the work currently underway to develop a binding instrument on decent work for domestic workers that should include provisions on children's rights.

Mr Mc Quade urged the international community to put children's rights before economic concerns and stressed the necessity for States to fulfill their human rights obligations and protect their citizens against slavery. He pointed to the cases brought before the European Court for Human Rights amongst others against Cyprus, Russia and France in relation to this and urged the international community to support the new document on domestic labour.

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The semi-plenary session on tripartite action discussed enhanced possibilities for social dialogue in the form of cooperative industry and trade union action, down the value and supply chains in the informal economy. Good practices in this area were showcased and guidance of how to adapt these models to changing contexts were provided. The panel was chaired by Mr Kari Tapiola (ILO) and included representatives of the Employers' Group, the Workers' Group, and representatives of Global Union Federations and Multinational Enterprises.

The parallel technical workshops under the political awareness stream included sessions on 'Action against slavery', 'Action against commercial sexual exploitation of children & illicit activities', 'Action against child labour in agriculture' and 'Action against hazardous work', while the workshops under the tripartite action stream were 'Social dialogue for effective responses to child labour' and 'Labour law, inspection and Corporate Social Responsibility'. Particularly during the latter workshop, criticism was repeatedly raised for the lack of implementation of a corporate social responsibility scheme and the incorporation of the 'Ruggie framework' into approaches to fight child labour.

A special lunch was organized to discuss the role of international companies in the fight against child labour and their potential to get involved with the communities. Three international companies (IKEA, C&A, Chocolate manufacturer Toms) presented their experiences.

During the High-Level Closing, in the presence of Her Majesty Queen Beatrix of the Netherlands, former child labourer Kinshu Kumar from India described his experience and called on the international community to 'hurry up' and end child labour.

Several special invitees, including Mr. Maxime Verhagen, Dutch Minister of Foreign Affairs addressed the conference. Sharing a story about the Indian city of Nagpur, he indicated plans for the Netherlands to work to raise the issue of child labour on the EU agenda. He indicated that 13% of the Dutch Cooperation budget of the Foreign Ministry is invested in education. He made further reference to the expert meeting called by the Dutch Ministry for Foreign Affairs on Education to eradicate child labour in November 2009. As a result of the meeting, it is Dutch policy that embassies investigate in means to foster the dialogue and assist national governments and civil society to advance progress on the eradication of child labour. In closing his speech, Minister Verhagen announced that the Dutch government will allocate US \$6.8 million to the new ILO-IPEC project aiming to combat child labour through education.

Following Mr Verhagen's speech a number of other speakers, including the representative of Cambodia, Sri Lanka, Argentina, Panama, Bangladesh, Morocco, took the opportunity to announce pledges for the time to come to meet the goal of eradicating the worst forms of child labour by 2016. US Secretary of State, Hilary Clinton and US Labour Minister Hilda Solis appeared on a video message, pledging US \$40 million to be allocated to IPEC. The representative of Cambodia and Morocco invited participants to the next respective regional conferences in their countries. Minister Donner extended an invitation to the representative of Brazil to consider holding the next global conference on child labour in her country. Ms Lopes accepted the invitation and invited all participants to work for the elimination of the worst forms of child labour and to come to the next conference in Brazil.

Mr Melkert in his capacity as Rapporteur for the Roadmap to 2016 presented the final version of the document and emphasized the importance of peer pressure to make the Roadmap a meaningful tool in the fight against child labour. He stressed the importance of the underlying framework, including relevant and effective legislation in accordance with international law, especially the CRC, its Optional Protocols and ILO Conventions Nos. 182 and 138. However, he urged that practical steps for the implementation were just as necessary and crucial to successfully addressing the problem.

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He emphasized the function of monitoring mechanisms and saw great potential in the creation of a group of 'Global Leader Against Child Labour' as ambassadors to foster political will and efforts to combat child labour. An annual publication in cooperation with the UCW initiative should function to increase the envisioned peer pressure and accelerate action.

Minister Donner, on behalf of the Dutch government promised to present the outcome document to States at the upcoming ILO Conference in Geneva in June 2010 as well as the Review Conference for the MDGs in New York in September 2010, where further steps could be considered.