



drishti

## World Day against Child Labour

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On 12th June 2002, the International Labour Organisation launched the World Day Against Child Labour. Since then, every year, the day is marked to highlight the plight of child labourers worldwide and also to take required measures to eliminate it. The World Day Against Child Labour, 2019 looks back on progress achieved over a 100 years of ILO support to countries on tackling child labour. The protection of children is embedded in the preamble of ILO since it was founded in 1919 yet about 152 million children are still in child labour across the world.

India accounts for more than 10 million child workers. Despite efforts and legislations through the decades to prohibit the engagement of children in occupations, the statistics regarding child labour in India are dismal.

## The World Day Against Child Labour

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- It is celebrated annually on June 12 with the aim of focussing attention on the global extent of child labour and the action and efforts needed to eliminate it.
- The day brings together governments, employers and workers organizations, civil society, as well as millions of people from around the world to highlight the plight of child labourers and what can be done to help them.
- The theme for World Day Against Child Labour 2019 is **'Children shouldn't work in fields, but on dreams!'**

The theme focuses on the major transformations being experienced in the world of work, whether the result of technology, environmental or demographic, and what this means for the youngest in society.
- The eradication of Child Labour is part of the **UN Sustainable Development Goal Target 8.7.**

The Sustainable Development Goals include a call to the global community to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of the child labour. This also includes ending the recruitment and use of child soldiers.

## Child Labour

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- **The term 'Child Labour' is defined as a work that deprives children of their childhood, their potential and their dignity and is harmful to their physical and mental development.**
- It refers to the work that is mentally, physically, socially or morally dangerous and harmful to children, interferes with schooling by depriving them of the opportunity to attend school, obligation to leave school prematurely or requiring them to attempt to combine school attendance with excessively long and heavy work.

## Forms of Child Labour

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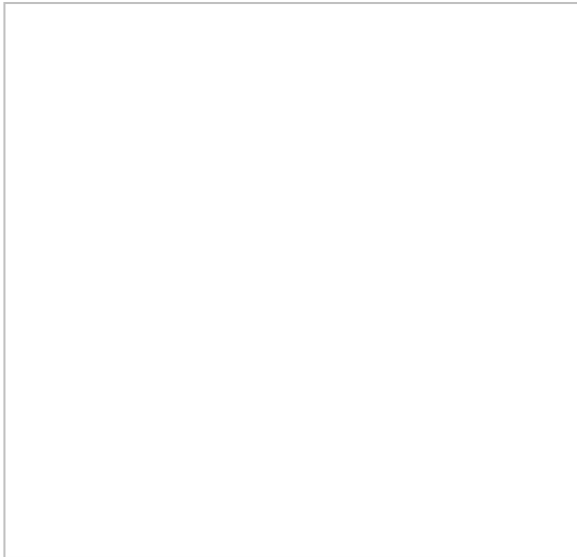
- All forms of slavery or practices similar to the slavery including but not limited to the **sale or trafficking of children, debt bondage** and forced or compulsory labour.
- It also means the **forced or compulsory recruitment** of children for use in armed conflict.
- The use of a **child for prostitution**, for the production of pornography or for pornographic performances.
- The use of a child for **illicit activities in particular for the production and trafficking of drugs** as defined in the relevant international treaties.
- It also includes work, by its nature or the circumstances in which it is carried out, that is **likely to harm the health, safety and morals of children.**

## Work that does not constitute Child Labour

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- It is also important to know that not all work done by children should be classified as child labour targeted for elimination. In fact, children's or adolescents' participation in work that does not affect their health and personal development or interfere with their schooling, is generally regarded as being something positive.
- This includes **activities such as helping their parents around the home, assisting in a family business or earning pocket money outside school hours and during school holidays**. These activities are in fact believed to contribute to children's development.

## Statistics of Child Labour across the World



- Worldwide, 218 million children between the ages of 5 and 17 years are in employment. Among them, 152 million are victims of child labour with almost half of them, 73 million, working in hazardous labour.
- In absolute terms, almost half of child labour (72.1 million) is to be found in Africa; 62.1 million in the Asia and the Pacific; 10.7 million in the Americas; 1.2 million in the Arab States and 5.5 million in Europe and Central Asia.
- In terms of prevalence, 1 in 5 children in Africa (19.6%) are in child labour, whilst prevalence in other regions is between 3% and 7%: 2.9% in the Arab States (1 in 35 children); 4.1% in Europe and Central Asia (1 in 25); 5.3% in the Americas (1 in 19) and 7.4% in Asia and the Pacific region (1 in 14).
- **Child labour is concentrated primarily in agriculture (71%)**, which includes fishing, forestry, livestock herding and aquaculture, and comprises both subsistence and commercial farming; 17% in Services; and 12% in the industrial sector, including mining.

## Forced Child Labour

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- According to the year 2016 estimates of modern slavery, there were about 4.3 million children aged below 18 years in forced labour, representing 18% of the 24.8 million total forced labour victims worldwide.
- This estimate also includes
  - 1 million children in commercial sexual exploitation.
  - 3 million children in forced labour for other forms of labour exploitation.
  - 0.3 million children in forced labour imposed by the state authorities.

## Child Labour Figures in India

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- In India, children are working at starvation wages in **textile factories helping with the processing of carpets** and doing backbreaking work in **brick making factories**.
- They are also employed in **making and selling tobacco products** and are also used for cheap labour in **industries such as steel extraction**.
- This year, India is at the 113th position out of 176 countries on an index that evaluates countries on the well being of children.
- According to the National Census 2011, the total child population in India in the age group of 5-14 years is about 260 million. Of these, about 10 million (about 4%) of the total child population are child labourers working either as the main or marginal workers.
- In the age group of 15-18 years, India has around 23 million working children. This means one in eleven children between the ages of five and eighteen years in the

country are working.

- The 2011 census showed a decline in the incidence of child labour in India by 2.6 million or around 20% between 2001 and 2011. The decline was more visible in rural areas. However, the number of child workers increased in urban areas during this period.
  - In the year 2001, there were around 11 million child workers in rural areas which came down to about 8 million in the year 2011.
  - In urban areas, the number of child workers went up from 1.3 million in 2001 to 2 million in 2011.

This change suggests that child labour is now invisible as the location of work has changed from the factories to the homes of urban dwellers.

## Disparities Across India

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- The year 2011 shows significant disparities across states in terms of number of working children.
- **5 states, Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh and Maharashtra account for more than half of the country's total child labour population.**
- **Uttar Pradesh is the biggest hub of child labour accounting for almost 20% of the country's child labourers.**
- Bihar has about one million child workers, Rajasthan (0.84 million), Madhya Pradesh (0.7 million), Maharashtra (0.72 million).

## Concerns

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- Child Labour is one of the biggest roadblocks to human rights worldwide. Children around the world are routinely engaged in paid and unpaid forms of work.
- In almost all regions of the world, boys and girls are equally likely to be involved in child labour. Gender disparities are observed however in the types of activities carried out with girls far more likely to be involved in domestic work.
- **Poverty and lack of school** are considered as the main causes of child labour.
- Children engaged in work do not go to school and have little or no time to play. Many even do not receive proper nutrition or care essentially being denied the chance to be children.

About 1.4 million child labourers in India in the age group of 7-14 years cannot write even their names. This means **one in three child labourers in the said age group are illiterate.**

- The extreme form of child labour that is forced labour, in which children suffer not only the impact of hazardous working conditions but also trauma of the coercion, threats of penalty and lack of freedom.

## International Laws on Child Labour

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- **The UN Convention on the Rights of the Child, 1989** : It contains the idea that children are not just objects who belong to their parents and for whom decisions are made, or adults in training. Rather, they are human beings and individuals with their own rights.
    - The Convention considers that **childhood is separate from adulthood, and lasts until 18**; it is a special, protected time, in which children must be allowed to grow, learn, play, develop and flourish with dignity.
    - The Convention became the most widely ratified human rights treaty in history and has helped transform children's lives.
  - International Labour Organizations Conventions on the minimum age for admission to employment of the year 1973 (ILO convention 138) and on the worst forms of child labour of the year 1999 (ILO convention 182).

## Initiatives by the Government of India

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- In 1979, the central government formed the first statutory committee to analyse and research on the issue of child labour in India - the **Gurupadswamy committee**. One of their major observations was that the problem of child labour is inextricably linked to poverty.

Taking into account the findings and recommendations of the Gurupadswamy committee, the union government enacted **the child labour (Prohibition and Regulation) Act in 1986**.
- **Recently, India has ratified International Labour Organizations Convention (ILO) no 138 (minimum age for employment) and convention no 182 (worst forms of child labour).**
- Another landmark step was the enactment of the **Child labour (Prohibition and Prevention) Amendment Act, 2016**.
- There are several operations that happen in India like **Operation Smile, Operation Muskaan** wherein there are a lot of raids that happen in unorganised sector, manufacturing units and other factories.
- India has a very strong system of dealing with rescued children in terms of **rehabilitating and repatriating** them with the family with certain support to family as well to come out of the poverty trap.

## UNICEF's work against Child Labour in India

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- UNICEF has also been working for long against child labour in India.
- Most of its programs in India focus on children in specific types of work, for example cotton production in the states of Gujarat, Rajasthan, Maharashtra, Tamil Nadu, Karnataka and Andhra Pradesh, metalwork and carpets in Uttar Pradesh and tea gardens in Assam.

- These programmes reach tens of thousands of children and their families in areas with high levels of child labour.

## Child Labour Laws in India

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- According to the **Child Labour (Prohibition and Regulation) Amendment Bill, 2016:**
  - **employment of children below the age of 14 years** in any commercial enterprise is illegal. However, it excludes a section of toiling children in the unorganized sectors including agriculture as well as the household work.
  - The bill also **bars the employment of adolescents in occupations that deals with hazardous working conditions** such as chemical plants and mines.
  - The act says that **children can only work after school hours or during holidays** and that children are allowed to work in family owned secure sectors.
  - However, **no child is permitted to work between 7 pm and 8 am.**
  - Children are also **not allowed to work overtime.**
  - An establishment must provide **holiday of one whole day in each week** to every child employed.
- **National Policy on Child Labour** (1987), with a focus more on rehabilitation of children working in hazardous occupations and processes, rather than on prevention.
- **Juvenile Justice (Care and Protection of Children) Act** 2000 (the JJ Act) and **amendment of the JJ Act** in 2006: includes the working child in the category of children in need of care and protection, without any limitation of age or type of occupation.
- **The Right to Education Act, 2009** has made it mandatory for the state to ensure that all children aged 6 to 14 years are in school and receive free education. Along with **Article 21A** of the Constitution of India recognizing education as a fundamental right, this constitutes a timely opportunity to use education to combat child labour in India.
- According to the **Mines Act of 1952**, employment of children below the age of 18 years is illegal in mines.

### Drishti Input: PENCIL Portal

- Platform for Effective Enforcement for No Child Labour (PENCIL) Portal is an electronic platform that aims at involving Centre, State, District, Governments, civil society and the general public in achieving the target of child labour free society.
- It has been launched for the effective implementation of **Child Labour Act and National Child Labour Project (NCLP) Scheme.**
- PENCIL Portal has five components- Child Tracking System, Complaint Corner, State Government, National Child Labour Project and Convergence.
- PENCIL portal is administered by the Ministry of Labour & Employment.
- Under **National Child Labour Project (NCLP) Scheme**, children in the age group of 9-14 years, rescued/withdrawn from work are enrolled in the NCLP Special Training



Centres, where they are provided with bridge education, vocational training, mid day meal, stipend, health care, etc. before being mainstreamed into formal education system.

## Way Forward

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- Experts opine that child labour has become a social norm in the country that is largely accepted and tolerated by the society. This exploitative and abusive practice will continue unless society adopts a zero tolerance attitude towards it.
- Right kind of focus and orientation with state level authorities is also needed to avoid this practice.
- Convincing families to send their children in schools is not a tough job provided that families are provided with a vision of a better future for their children.
- Pre school education should be a priority and also there is a need to reach more and more children to reap the benefits of RTE.
- Forced Child Labour requires an urgent action from governments and the international communities.
- The Government generally focuses on immediate rescue and not on the long term situation or the prevention dimension. The prevention dimension needs to be focussed upon.

### **Drishti Input: Social Partners Tackling Child Labour**

There are good examples of trade unions and employers' organizations playing a key role in the elimination of child labour in the rural sector.

- In India for example, in Tamil Nadu and Madhya Pradesh, trade unions and their recently organized rural members are implementing the **concept of child labour-free villages** through dialogue with local leaders and employers. Many collective agreements are being concluded targeting child labour.
- Similarly, the **Federation of Uganda Employers has set up child labour monitoring committees at the local level**, including in the coffee, tea, rice and sugar sectors.
- **Collaboration and alliances are also being formed between trade unions and representative organizations of indigenous people**, especially in Latin America. In some countries this has led to the inclusion of indigenous organizations in national committees on the prevention and elimination of child labour.