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Advancing the Campaign Against Child Labor Volume II: Addressing the Worst Forms of Child Labor

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Comments

International Child Labor Program - Bureau of International Labor Affairs (ILAB)

Advancing the Campaign Against Child Labor

Volume II:

Addressing the Worst Forms of Child Labor



U.S. Department of Labor
Bureau of International Labor Affairs

2002

Advancing the Campaign Against Child Labor

Volume II:

Addressing the Worst Forms of Child Labor



U.S. Department of Labor
Bureau of International Labor Affairs

Elaine L. Chao, Secretary of Labor

2002

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I. INTRODUCTION AND EXECUTIVE SUMMARY

A. Overview

This report examines some action strategies related to efforts to eliminate the worst forms of child labor, some issues in developing these strategies, and some examples of how strategies have been implemented in actual projects. The report suggests that there is no one strategy or mix of strategies that can be isolated as appropriate or most cost-effective for addressing all cases of the worst forms of child labor. Actions taken need to be designed according to the context in which child labor is found.

B. Congressional Request

Since 1993, the U.S. Department of Labor's Bureau of International Labor Affairs has been reporting regularly on international child labor issues at the request of Congressional committees.¹ This report is written in response to a request made in fiscal year 2001 by the U.S. Senate Committee on Appropriations:

The Committee notes that in June 1999, 174 nations of the world came together at the International Labor Organization's (ILO) Labor Conference and unanimously passed ILO Convention No. 182, on the Elimination of the Worst Forms of Child Labor. The United States was one of the first countries to ratify this important convention. The Committee recognizes that conventions alone will not eradicate abusive and exploitative child labor and that international and national strategies need to be developed in order to reduce the scourge of child labor. Consequently, the Committee requests that the Bureau [of International Labor Affairs] undertake a study on the cost and benefits associated with the implementation of ILO Convention 182. As part of this study, the Bureau should develop and assess the feasibility of targeted strategies to reduce by 50 percent the worst forms of child labor. This study should be completed by November 2001.²

¹ Much of the material presented here builds on and extends the discussions contained in earlier U.S. Department of Labor reports. Among the previous reports, those most closely related to this report are: *By the Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor* (Washington, DC: USDOL/ILAB, 2000) for material related to assessing costs and benefits; *By the Sweat and Toil of Children (Volume V): Efforts to Eliminate Child Labor* (Washington, DC: USDOL/ILAB, 1998) for a wide-ranging consideration of strategies aimed at eliminating child labor; and *Forced Labor: The Prostitution of Children* [Symposium Proceedings] (Washington, DC: USDOL/ILAB 1996) for a variety of perspectives related to one particular worst form of child labor. Prior reports may be accessed on the Internet at <http://www.dol.gov/ILAB/>.

² U.S. Senate Committee on Appropriations, *Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Bill, 2001, Report to Accompany S. 2553*, 106th Cong., 2d sess., May 12, 2000, Senate Report No. 106-293, 45 [cited October 17, 2002]; available from: <http://thomas.loc.gov/home/approp/app01.htm>.

C. ILO Convention 182

At the June 1999 International Labor Conference, delegates from the 174 member governments, and representatives from employer and worker organizations, unanimously adopted International Labor Organization (ILO) Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.³ Adoption of an ILO Convention means that member-states consider it worthy for ratification by national governments. To date, 132 countries have ratified ILO Convention 182.⁴ In fact, the rate of ratification of this convention has been faster than any other in the 83-year history of the ILO, an indication of the consensus in the international community for the elimination of the worst forms of child labor.⁵

ILO Convention 182 applies to persons under the age of 18 years. The objective of the Convention is set out in Article 1:

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 3 defines the worst forms of child labor as follows:

For the purposes of this Convention, the term *the worst forms of child labour* comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

³ For the remainder of this report, ILO Convention 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, also cited in short form as the Worst Forms of Child Labor Convention, 1999, will be referred to as “ILO Convention 182.” The text of ILO Convention 182 can be found in ILOLEX Database on International Labor Standards [cited October 15, 2002]; available from: <http://ilolex.ilo.ch:1567/scripts/convde.pl?C182>.

⁴ For a listing of the countries that have ratified ILO Convention 182, including the date of ratification, see “Convention No. C182 was ratified by 132 countries,” in ILOLEX Database on International Labor Standards [cited November 8, 2002]; available from: <http://ilolex.ilo.ch:1567/cgi-lex/ratifce.pl?C182>.

⁵ See, e.g., “Support for the Global Ratification Campaign: The World is Uniting,” ILO-IPEC [cited October 15, 2002]; available from: <http://www.ilo.org/public/english/standards/ipecc/index.htm>.

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4, Section 1, indicates that the types of work referred to under Article 3(d) should be determined “by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.” Section 2 of the Article calls for identification of where these so-determined types of work exist, and Section 3 calls for their periodic review and revision.

Article 7, Section 1, requires ratifying countries to “take all necessary measures to ensure the effective implementation and enforcement” of the Convention, including the provision and application of penal sanctions or, as appropriate, other sanctions. A great deal of energy has been devoted to evaluating the merits of strategies that will realize the goal of eliminating the worst forms, including enforcing an outright ban on child labor, which is the most stringent form of legal intervention possible.

In developing strategies and programs to achieve the goals of Convention 182, the preambular language of the Convention notes the connection of the worst forms of child labor to poverty:

Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education . . .

Further, Article 7, Section 2 lists various additional actions⁶ that seem to indicate that the effective elimination of the worst forms of child labor may not be immediate or that just removing or keeping children out of the worst forms may not be enough:

Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:

(a) prevent the engagement of children in the worst forms of child labour;

⁶ See also “R190, Worst Forms of Child Labour Recommendation, 1999,” in ILOLEX Database on International Labor Standards [cited October 15, 2002]; available at <http://ilolex.ilo.ch:1567/scripts/convde.pl?R190>.

(b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;

(c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;

(d) identify and reach out to children at special risk; and

(e) take account of the special situation of girls.

Finally, Article 8 requires ratifying countries to assist each other in implementing the Convention “through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programs and universal education.”

Thus, ILO member-states ratifying ILO Convention 182 are obligated to take immediate and effective steps to eliminate the worst forms of child labor. The implementation of this Convention by ratifying nations signifies a renewed social commitment to improving the opportunities afforded to children, and may entail developing new laws, enhancing law enforcement, identifying and rescuing those at risk, and developing programs for prevention and rehabilitation, among others. The development of effective strategies and programs at the national, local, and community levels will be critical to the success of these efforts.

D. The Development of a Social Consensus on the Benefits of the Elimination of the Worst Forms of Child Labor

The unanimous adoption of ILO Convention 182 by delegates at the 1999 International Labor Conference meant that the international community and ILO member states considered that the social benefits of eliminating the worst forms of child labor clearly outweigh the costs. Therefore, this report does not provide comprehensive estimates of the benefits and costs associated with the implementation of ILO Convention 182.

The rapid ratification of ILO Convention 182 by ILO member countries also demonstrates that an international consensus is indeed emerging to take actions to eliminate the worst forms of child labor by national governments.⁷ This emerging consensus is founded upon several other international instruments that also address rights and protections for children:

⁷ The distinction between adoption and ratification of an ILO Convention is as follows. Adoption essentially means that the delegates to the body involved in negotiating the text of the Convention vote that it is ready to be submitted to national governments for consideration. Ratification is the affirmative result that could follow from the process of vetting the Convention at the national level. The “rules” governing the ratification process are defined by a nation’s constitution and are generally those that govern how it considers treaties. Ratifications of ILO Convention 182 have been occurring at the fastest rate of any Convention in ILO history. See “Support for the Global Ratification Campaign: The World is Uniting,” ILO-IPEC.

- The United Nations Universal Declaration of Human Rights (10 December 1948) declares in Article 25(2) that: “childhood is entitled to special care and assistance.”⁸
- The United Nations Declaration of the Rights of the Child (20 November 1959) notes in a preambular paragraph: “the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth.”
- The United Nations Convention on the Rights of the Child (CRC) (20 November 1989)⁹ applies to every person under the age of 18 unless a child attains his/her majority under applicable national law at an earlier age (Art. 1) and provides for the following rights and protections related to a child’s education, development, and welfare, including: “the right of the child to education,” including the obligation of states making available compulsory and free primary education (Art. 28); “the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child” (Art. 31); “the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development,” including the obligation of states to take legislative and administrative measures to ensure this (Art. 32); state actions “to protect children from the illicit use of narcotic drugs and psychotropic substances...and to prevent the use of children in illicit production and trafficking of such substances” (Art. 33); actions “to protect the child from all forms of sexual exploitation and sexual abuse,” including exploitative use in prostitution and pornographic performances or materials (Art. 34); “measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form” (Art. 35); and ensuring that persons less 15 years of age “do not take direct part in hostilities” and are not recruited into the armed forces of a nation (Art. 38).¹⁰

This international consensus on the worst forms of child labor has been strengthened by several more recent actions. On May 25, 2000, the United Nations General Assembly adopted and opened for signature, ratification, and accession two optional protocols related to the CRC:

⁸ See *All Human Rights for All: Fiftieth Anniversary of the Universal Declaration of Human Rights 1948-1998*, UN General Assembly [cited October 15, 2002]; available from: <http://www.un.org/Overview/rights.html>.

⁹ The Convention on the Rights of the Child was adopted by the United Nations General Assembly on November 20, 1989 and entered into force on September 2, 1990. For the text of the Convention, see *Convention on the Rights of the Child*, Office of the High Commissioner for Human Rights, [cited July 10, 2002]; available from: <http://www.unhchr.ch/html/menu3/b/k2crc.htm>. As of July 10, 2002, 189 member-states of the United Nations and 4 non-member states were a party to one or more UN human rights treaties; for the Convention on the Rights of the Child, there were 186 country accessions or ratifications, 2 signatory countries, and 5 country denunciations (successions).

¹⁰ The UN Convention on the Rights of the Child requires acceding or ratifying state parties to submit reports through the UN Secretary-General to the Committee on the Rights of the Child, a UN “treaty body” comprised of experts and established to monitor the implementation of the Convention. The Committee reviews the submitted reports on measures state parties have adopted to effect these rights, within two years after entry into force for the state party and every five years thereafter (Art. 44).

- The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography,¹¹ which entered into force on January 18, 2002 and extends measures that the state parties should undertake to guarantee the protection of children from sale, prostitution, and pornography; and
- The Optional Protocol to the Convention of the Child on the Involvement of Children in Armed Conflicts,¹² which entered into force on February 13, 2002 and calls for all persons under the age of 18 not to participate in hostilities nor be compulsorily recruited into the armed forces and raises the voluntary military recruitment age to 18.

E. Structure and Content of the Report

Chapter 2 presents an analysis of various national strategies aimed at eliminating the worst forms of child labor. Four general strategies for direct action are considered: (1) legal; (2) education and poverty alleviation; (3) market-based; and (4) rescue, rehabilitation, and reintegration. These general strategies have been prominent in academic and policy discussions on eliminating child labor, including the worst forms of child labor. Some assessments of the feasibility of alternative strategies are also offered. The effectiveness of the strategies for direct action depends critically on the willingness and capacity of society to identify and help the children in or at risk of entry into the worst forms of child labor. That is, it may be necessary to raise awareness and empower different segments of society in order to facilitate the implementation of directly targeted action programs to eliminate the worst forms of child labor. Accordingly, the second half of Chapter 2 considers the identification, awareness raising, and capacity building aspects of implementing strategies. The chapter concludes with some lessons for the development of programs to eliminate the worst forms of child labor as well as some limitations in making quantitative assessments of the cost-effectiveness of these action programs.

Chapter 3 views the process of implementation from a more practiced angle, namely, how various strategies have been applied in actual country projects. To illustrate the complexity in designing and implementing actual child labor interventions, projects that seek to eliminate the use of children in the commercial sex sector (i.e., prostitution and pornography), are described. Each project relies on a unique combination of strategies, different from the mix in other projects facing a different set of challenges. While program costs are provided for each example along with the number of children served or rescued, these costs are only illustrative and do not provide a sound basis for calculating the cost of the general elimination of this worst form of child labor.

¹¹ See *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, Office of the High Commissioner for Human Rights, [cited October 15, 2002]; available from: <http://www.unhchr.ch/html/menu2/dopchild.htm>. As of July 10, 2002, there were 32 country ratifications or accessions and 72 signatory countries to this protocol.

¹² See *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, Office of the High Commissioner for Human Rights, [cited July 10, 2002]; available from <http://www.unhchr.ch/html/menu2/6/protocolchild.htm>. As of July 10, 2002, there were 33 country ratifications or accessions and 70 signatory countries to this protocol.

This report demonstrates that the actions that can be taken to eliminate child labor are not the same for all cases. While it is possible to identify broad strategy areas, e.g., legal, education, and so forth, the precise mix will differ greatly from context to context. Both in theory and in the examination of examples of actual projects aimed at elimination of the worst forms, it becomes apparent that the precise conditions under which any given action can bring about the elimination of child labor are highly context specific. Among the key variables are: the particular form of child labor; wealth, at both the society and family levels; societal attitudes toward discrimination, particularly gender discrimination; geographic context; and the views of the child and his or her family about what is best for the child. A basic component to all strategies is providing more and better alternatives to child labor by expanding the opportunities open to children and their families.

An appendix to the report provides some background information on child labor that may be of particular interest to readers not familiar with earlier U.S. Department of Labor International Child Labor reports, or with issues surrounding child labor.

II. STRATEGIES TO ELIMINATE THE WORST FORMS OF CHILD LABOR

A. Overview

This chapter offers a conceptual analysis of strategies to eliminate the worst forms of child labor. Strategies are evaluated primarily in terms of their likely ability to aid in achieving the goals of eliminating the worst forms of child labor and making the affected child better off. First, consideration is given to strategies targeted directly at removing children from, or preventing entry into, the worst forms of child labor. Four general approaches are considered: (1) legal strategies; (2) education strategies; (3) market-based strategies; and (4) rescue, rehabilitation, and reintegration strategies. The effectiveness of these actions depends critically on the willingness and capacity of society to find and help these children, and in some cases it may be necessary to take steps to foster an enabling environment. Accordingly, the focus of the following discussion shifts towards actions that facilitate the implementation of programs that seek to eliminate the worst forms of child labor. The approaches considered are (1) identification of children in the worst forms, (2) awareness raising, and (3) capacity building.

The approaches that are presented in this chapter have been prominent in academic and policy discussions that focus on eliminating child labor, including the worst forms, and implementing ILO Convention 182. To the extent that the worst forms of child labor exist for the same reasons as all other types of child labor, strategies that eliminate child labor more generally should do the same with respect to the worst forms. This chapter often draws on literatures that do not distinguish between worst-forms and non-worst-forms of child labor. However, because the worst forms are more severe and may occur under a different set of circumstances, they may require different actions, demand additional impetus for action, or imply limitations on certain types of actions. Where such feasibility issues related to the worst forms *per se* matter, they are identified.

This chapter considers not only the effectiveness of various strategies in eliminating child labor, but also their ability to make the affected children better off. In evaluating the latter, the entry route taken by the children into the worst forms is often considered since it can provide information on how the children may fare once they are prevented or removed from the work. Children may be in a worst form because they or their labor have been taken against their will (i.e., literally stolen), or because their families' economic opportunities and circumstances have left them little other choice. Theft of a child's labor can take three forms: (1) outright kidnapping and subsequent compulsion to perform work; (2) trickery that leads children into work they would never accept knowingly, and compulsion to stay once there; and (3) parents who force a child to work when it is not in the child's best interests to do so.¹³ The first two of these forms of theft can victimize both

¹³ Kenneth A. Swinnerton and Carol Ann Rogers, "A Theory of Exploitative Child Labor" (Department of Economics, Georgetown University, Washington DC, 2002, mimeograph), 2-3. See also R. Barri Flower, "The Sex Trade Industry's Worldwide Exploitation of Children," *Annals of the American Academy of Political and Social Sciences* 575 (May 2001): 149-150. In the typology presented in the text, parents are assumed to be making decisions on behalf of their children. Children without parents (e.g., abandoned, orphaned, or runaways) and without the guidance, encouragement, and support normally offered by parents may be even more vulnerable to involuntary entry into the worst forms of child labor.

children and their parents. The third is a form of child abuse in which the parents or guardians, for their own gain, victimize the child. Whether children have entered a worst form of child labor against their will or as a result of choice from a very limited set of available opportunities will affect the selection of strategies to be applied in action program to eliminate the worst forms.

B. Legal Strategies

1. Bans on Child Labor

Legal strategies have often been pursued and debated as an approach to eliminate child labor.¹⁴ A legal strategy typically combines some sort of prohibition on work below certain ages, in certain types of work, or both, with a criminal or civil penalty levied on employers found in violation. For example, ILO Convention 182 calls upon ratifying countries to establish that some forms of work are not appropriate for children below the ages of 18 years under any circumstances.¹⁵ In short, a legal strategy seeks to impose and enforce a *ban* on certain types of work done by children.

A ban on the worst forms of child labor may be an effective prevention tool if it deters the theft of a child's work, i.e., taking it against the will of the child and the child's guardian. This theft is most likely to occur for the worst forms of child labor described in Articles 3(a)-(c) of ILO Convention 182 (i.e., forced and bonded labor, prostitution and pornography, and other illicit activities). The feasibility of using a legal strategy to prevent children from engaging in the worst forms will depend on the capacity of a country to identify and punish those who kidnap, steal, or trick children for the purpose of sending them into a worst form. However, the chances of being caught and the penalty imposed if caught must be high enough to make these activities unattractive. In addition to legislation, countries need to consider the factors that affect enforcement, e.g., the hiring and training of labor inspectors and law enforcement officials.

A ban on the worst forms on child labor may also be an effective component of a program to remove children from the worst forms. For children who have been taken against their will from a satisfactory living environment, a ban on the worst forms that leads to their removal can be beneficial since the children are provided with a better place to which to return. However, children working in the worst forms who are the victims of kidnapping may not be close to home, or even in their native country. At a minimum, children who have been stolen and placed in the worst forms must be restored to their homes or some other viable alternative. Quite often, victims of the worst forms will also require rehabilitative services. For a ban on the worst forms to benefit children who entered the worst forms as a result of their theft, the coordination of enforcement efforts with, at the very least, rehabilitative social programs will be necessary.

¹⁴ See, e.g., Kaushik Basu, "Child Labor: Cause, Consequence and Cure, with Remarks on International Labor Standards," *Journal of Economic Literature* 37 (September 1999): 1083-1119. See also Myron Weiner, *The Child and the State in India*, (Princeton, NJ: Princeton University Press, 1991).

¹⁵ See Articles 1 and 3 of ILO Convention 182.

Bans on the worst forms of child labor can contribute to efforts to prevent child labor or to remove children from such situations as well as to the prevention and removal efforts, but their success in doing so may be limited in some situations. When children work in the worst forms because no better alternatives are available, it is not apparent that the impact of legislation will be necessarily positive.

When children are in or entering the worst forms because a better alternative is not known to the family, the consequence of a legal ban on child labor in the worst forms may actually be detrimental because it makes a limited set of choices even smaller.¹⁶ In these cases, for a legal strategy to be effective in eliminating the worst forms and making children better off, it must be complemented by programs and/or services that expand the opportunities available to families. For example, since individuals may not be aware of all of the opportunities that are available to them, a country may need to create and implement programs that expand the economic opportunities for adults or to promote awareness of existing alternatives to improve the effectiveness of child labor laws.

The immediate removal of a child from work is likely to present a hardship for a family that relies on the child's contribution to household income. In the short term, the pairing of an income transfer to the family in conjunction with child labor legislation may help those families that depend on the income from their children's participation in the worst forms to comply with child labor laws and improve the quality of their lives at the same time. This approach, however, may not be fiscally feasible in some of the poorest countries. A recent study suggests that in countries with very low levels of potential labor productivity and insufficient income transfer programs, imposing a ban on child labor may actually achieve the contrary effect of *increasing* child labor.¹⁷ In cases such as these, international cooperation and assistance may be appropriate or even necessary to allow the poorest countries to effectively enforce child labor laws, as suggested by Article 8 of ILO Convention 182. Such outside assistance could provide for programs to fill the needs in these poorer countries.

Under some circumstances, a ban on the worst forms of child labor may improve the conditions of the adult labor market, and thereby reduce the financial need of some families to send

¹⁶ See, e.g., Sylvain Dessy and Stéphane Pallage, "Why Ban the Worst Forms of Child Labour?" (Department of Economics, Université Laval, Quebec City, 2002, mimeograph).

¹⁷ Basu and Van (1998) suggest that families will send their children to work if household income per person falls below a sustenance threshold; when income falls below the threshold, at least one member of the household will starve. Rogers and Swinnerton (2001) show that in some cases redistribution from the wealthier families to the poor can raise the income of the poor above the sustenance threshold without causing any of the wealthy families to fall below the threshold. When potential labor productivity is too low, the economy cannot support everyone without child labor, and neither a ban on child labor nor direct redistribution will effectively eliminate child labor and make the affected children better off. In fact, it may have the effect of increasing child labor. This would happen if the amount of the income transfer from the non-poor to the poor was large enough to cause household income per person of the non-poor to fall below the sustenance threshold but not large enough to raise the income per person of the poor above the threshold. See K. Basu and P.H. Van, "The Economics of Child Labor," *The American Economic Review*, 88 no. 3 (1998): 412-27. See also Carol Ann Rogers and Kenneth A. Swinnerton, "Inequality, Productivity and Child Labor: Theory and Evidence" (Department of Economics, Georgetown University, Washington, DC, December 2001, mimeograph).

children to work.¹⁸ Many children in the worst forms are found in what is considered to be hazardous work.¹⁹ While this work is not appropriate for children, it may pose less of a threat or risk to adult workers. For these types of work, if children are seen as substitutes for adults, the children's participation increases the supply of competing workers and therefore forces down the wages paid to adults. If all children were removed from this type of work, the adult wage might rise high enough so that families would be sufficiently well off and they would not want to send their children to work in the first place. In this case, if a law banning child labor in these activities were passed and effectively enforced, it might ensure that adult wages would rise sufficiently so that families with child workers would not want their children to work. Whether or not the adult wage would rise sufficiently for this to happen depends on whether the economy has the productive potential to support the population with less input of labor, i.e., on the average labor productivity of the remaining adult laborers. Both theory and empirical evidence suggest that the possibility for the successful application of a child labor law by itself to lead to higher adult wages or other superior opportunities for children and their families may only exist in middle to upper income countries.²⁰

2. Compulsory Education Laws

In addition to legal strategies that outlaw children's participation in the worst forms, there are legal strategies that require that children's time be spent in beneficial ways that will further their knowledge and development, such as attending school. These typically take the form of compulsory education laws, which provide that children who are in a particular age range attend school. Compulsory education laws raise feasibility issues similar to those raised by child labor laws. In particular, poorer households may require financial assistance to send their children to school. A more detailed discussion of assistance programs that promote basic education is provided in the next section, which describes the strategies that encourage education.

Some have argued that promotion and enforcement of compulsory education laws may be a better legal strategy to apply than one that simply bans child labor. This is because it is usually easier to observe whether a child is attending school than it is to verify that the child is *not* working.²¹ Nonetheless, it is important that child labor laws, especially those with regard to minimum work age, and compulsory education laws be complementary. If they conflict or leave gaps between the age when a child completes compulsory schooling and when a child can legally begin work, they may have a perverse effect and encourage illegal child labor.

When child labor and compulsory schooling laws are in balance and enforced, the financial pressure felt by families to send children to work may be eliminated over time.²² If children are

¹⁸ See Basu and Van, "The Economics of Child Labor," 412-27. In addition, Genicot (2000) suggests that the existence of the worst forms may close off non-worst-forms opportunities. By way of example, she describes the conditions under which the existence of bonded labor obstructs access to credit markets. See Garance Genicot, "Bonded Labor and Serfdom: A Paradox of Voluntary Choice," *Journal of Development Economics* 67, no. 1 (February 2002): 101-127.

¹⁹ This refers to work that is described by Article 3(d) of ILO Convention 182.

²⁰ Rogers and Swinnerton, "Inequality, Productivity and Child Labor: Theory and Evidence."

²¹ Myron Weiner, *The Child and the State of India*.

²² Sylvain E. Dessy, "A Defense of Compulsive Measures Against Child Labor," *Journal of Development Economics* 62 (2000): 261-75.

forbidden to work and at the same time are given the opportunity to get an education, then, as a result of schooling, their earnings potential as adults would also be expected to rise. As educated adults they should be in a better position (relative to adults without education) to support their families since they are more likely to be bringing in a higher income and are more likely to have fewer children than their parents did, and therefore have more resources to allocate to each household member.

Legal remedies, such as legislation against the worst forms of child labor or requiring compulsory education, can be an appropriate strategy to eliminate the worst forms. If laws are written so that those who exploit children are held accountable and punished, then the demand for children in the worst forms will be reduced. If properly implemented and enforced, over time they can also reduce the supply of children into the worst forms. To guarantee that a child will be made better off by the enforcement of such legislation, however, thought must be given to the situation of the child and how he or she ended up working in a worst form.

The bottom line is that when considering the use of a legal strategy to eliminate the worst forms particular attention needs to be paid to making sure that more beneficial options than child labor are made available to children. To expand the set of options open to children and their parents, other programs and activities such as improvements to the quality and provision of schooling, poverty reduction programs, and rehabilitative services may also be required.

C. Strategies that Encourage Education

In general, a positive relationship has been observed between education and income or wealth and between wealth and the elimination of child labor, and a negative association between participation in school and participation in child labor.²³ Given these results, it follows that strategies that encourage children to pursue education are a way to address child labor and improve the lives of the affected children, their families, and society.

While very little research has been conducted on the relationship between the worst forms of child labor and education, some anecdotal evidence supports the conclusion that many children in the worst forms of child labor do not regularly attend school.²⁴ Thus, any strategy that puts and keeps a child in school contributes to the elimination of the worst forms of child labor by preventing children from entering those forms and providing them with a better option. The discussion of education strategies to eliminate the worst forms of child labor that follows is framed in terms of what factors are needed to lead children to school and keep them there.

²³ See U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 4-6, for a discussion of the relationship between child labor and schooling.

²⁴ For example, children who are sold and abducted as young children are rarely given the opportunity to attend school, and street children and child soldiers may require rehabilitation and informal schooling to get them up to grade with their cohort group.

1. The Role of Credit Constraints and Poverty

Some families send children to work because education in many countries is not free and poor families cannot turn to a bank or some other financial institution to finance their children's education. In some cases, parents may not be able to pay off a loan in the future unless their children reimburse them later in their lives from the potentially higher earnings their education has brought them. But, there is no guarantee that grown children will keep this commitment to their parents. As a result, these types of loans for the education of children are more risky to lenders. This situation of "credit constraints" or "capital market failures" in limiting access to education and encouraging child labor has been examined more extensively in the recent economic literature.²⁵

Even if children in these cases took loans directly — a remote possibility given the treatment of children under the law and the fact that uneducated children are unlikely to understand their commitments — there is a risk that some children will not be able to repay the loan. That is, while the expectation is that the future income of educated children will be higher than that of uneducated children, in some cases the differential may not be high enough to cover the cost of their schooling. Thus, the "missing credit market" or "credit constraint" can be viewed as: (1) lending for educational purposes, particularly of young children from poor families, is too risky; and (2) it is too difficult to enforce financial commitments made by children or their parents.²⁶

Recent economic literature shows that the credit constraint for the education of children does indeed matter, but only for poor families. Wealthier families are less likely to need to borrow to finance education for their children. Thus, there may be an explicit link between poverty and child labor, but this link may be mediated by providing poor families' access to credit markets and free schooling for their children.

In situations where education for children is free, the lack of credit markets may seem like a secondary concern. Another point that recent studies make is that borrowing may not be limited to just paying the direct out-of-pocket expenses of schooling (e.g., expenses for books, uniforms, transportation, and other school fees), but may also be used to replace the income that a child going to school would have generated by working. In poor households in developing countries, the income generated by child labor can represent a significant portion of the household's total budget.²⁷ To poor families, "free" education may still be too expensive (i.e., in terms of income lost from a child not working). Without viable credit markets or some other mechanism to replace that lost income, a considerable cost may be imposed on the household's current living standards. Thus,

²⁵ Jean-Marie Baland and James A. Robinson, "Is Child Labor Inefficient?" *Journal of Political Economy* 108, no. 4 (August 2000): 663-679. See also Priya Ranjan, "Credit Constraints and the Phenomenon of Child Labor," *Journal of Development Economics* 64, no. 1 (2000): 81-102.

²⁶ In particular, any law to alleviate such a problem would have to be crafted carefully so that it does not lead to a situation of bonded labor. In an economy where legitimate capital markets exist, borrowers typically provide some form of non-human asset as collateral for a loan. In the context of educational loans for elementary schooling for children from poorer families, the collateral would essentially be the value of the child's future labor — the only asset that very poor children possess.

²⁷ See, e.g., U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 19-20.

strategies that seek to replace the income lost by poor families as a result of sending their children to school rather than work in some cases may be integral elements of broader strategies that encourage education.

2. Overcoming Credit Constraints and Poverty

A way to provide some alternative income-generating opportunities to poor families is to provide adult members training, access to credit, or capital equipment and machinery. If properly designed, these programs could be self-sustaining and have positive effects on future generations by overcoming credit constraints.²⁸ For example, these programs might set up revolving funds of credit. Seed money from donors could allow participating families to purchase an income-generating asset such as a piece of machinery that could provide enough income to raise the standard of living of each family, and allow each to provide a contribution back to the fund, thereby financing program continuation. Subsequent generations of families would thus be able to participate in the program because the repayment by generations before them provides the program with continued funding.²⁹

Another way to provide basic income-support to poor families might be to provide a direct subsidy to poor families that send their children to school. However, the success of this type of program will depend on the conditions under which families with children are eligible to participate. Targeting a subsidy to families with working children may have the unintended effect of actually encouraging child labor because families that might not otherwise send their children to work would do so in order to get the subsidy.³⁰

To avoid providing unintended incentives, subsidy programs may have to be targeted more broadly on attributes over which families have little control or have little incentive to alter just to become eligible for the subsidy. Many subsidy programs tend to target families living below the poverty line, i.e., some financial measure of low income, with the condition for continued eligibility often being the continued participation of the children in schooling.³¹

Education subsidy programs can require large budgets because of the need: to offer support to families over a long period of time, (e.g., for the entire course of a child's schooling);³² to provide a substantial level of support to actually induce continued school enrollment;³³ and to offer

²⁸ Chapter 3 provides examples of programs that do this.

²⁹ Drusilla K. Brown, Alan V. Deardorff, and Robert M. Stern, *Child Labor: Theory, Evidence and Policy* (Department of Economics, Tufts University, Medford, MA, June 2001, mimeograph), 40-41.

³⁰ U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 46-47.

³¹ See, e.g., T. Paul Schultz, *School Subsidies for the Poor: Evaluating the Mexican Progresa Poverty Program*, Yale University Economic Growth Center Discussion Paper, no. 834 (New Haven, CT, 2001), 5-6. See also World Bank, *Brazil: An Assessment of the Bolsa Escola Programs*, World Bank Human Development Sector Management Unit, Report No. 20208-BR (Washington, DC, 2001), 7-8.

³² U.S. Department of Labor, *By the Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 47.

³³ Brown, Deardorff, and Stern, *Child Labor: Theory Evidence and Policy*, 36-38.

subsidies to substantial numbers of families that would have sent their children to school even without the subsidy in order to avoid perverse incentives related to targeting.³⁴

In the end, successful strategies to encourage education and prevent child labor need to consider whether families have to replace the income lost from their children's work. Combining "free" education with some sort of income-based support for poor families may be a promising strategy, but there may be certain conditions in particular contexts that limit the feasibility of such a compound strategy.

3. Other Factors Affecting the Success of Education Strategies

Most recent economic analyses that examine the relationship between child education and the sustained elimination of child labor assume that the payoff from education will be the future generations of educated adult workers who should be able to support their children without sending them to work.³⁵ Sometimes, however, this assumption may not be fulfilled because of the poor quality of education provided.³⁶ Existing evidence suggests that poor school quality may lower the payoff from education.³⁷ Since a sufficiently high payoff from education is necessary for schooling to be chosen over work, poor school quality is likely to contribute to the incidence of child labor and limit the ability of education incentives to lower it.

The education of children may also not pay off because the labor market fails to provide opportunities for educated workers to apply the skills obtained through their education to their jobs, or does not compensate them adequately for doing so.³⁸ Sometimes the problem is a general one, resulting from the inability of the country's macroeconomy to create jobs that require educated skilled workers. In other instances, it may be a matter of opportunities being restricted for certain classes of workers. Overcoming discrimination with regard to gender, ethnicity, or caste in schooling is unlikely to be successful in encouraging education if such discrimination still persists and restricts access to jobs requiring education, or affects the wages associated with these jobs.³⁹ When these types of conditions prevail, viewing child labor policy in isolation from broader economic and social policy goals may be myopic. Child labor, in this case, may be a symptom of larger problems.

³⁴ Schultz, *School Subsidies for the Poor*, 32.

³⁵ Ranjan, "Credit Constraints and the Phenomenon of Child Labor," 87. See also Dessy, "A Defense of Compulsive Measures Against Child Labor," 266. See also Baland and Robinson, "Is Child Labor Inefficient?" 668. See also Clive Bell and Hans Gersbach, *Child Labor and the Education of a Society*, IZA Discussion Paper, no. 338, Bonn, August 2001 [cited October 16, 2002], 6; available from: <http://papers.ssrn.com/abstract=280803>.

³⁶ Brown, Deardorff, and Stern, *Child Labor: Theory Evidence and Policy*, 23-24. See also U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 23-24.

³⁷ David Card and Alan B. Krueger, "Does School Quality Matter? Returns to Education and the Characteristic of Public Schools in the United States," *Journal of Political Economy* 100, no. 1 (1992): 1-40. See also Anne Case and Motohiro Yogo, *Does School Quality Matter? Returns to Education and the Characteristic of Public Schools in South Africa*, NBER Working Paper, no. 7399, 1999, [cited October 16, 2002]; available from <http://www.nber.org/papers/w7399>.

³⁸ Rossana Galli, *The Economic Impact of Child Labour*, Discussion Paper, no. 128 (Geneva: International Institute for Labour Studies, 2001), 18-20.

³⁹ U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 24-28.

Another limitation on the feasibility of strategies that encourage education is a financial one at the macroeconomic level, rather than just the family level. Until children who receive an education grow up and become more productive adult workers, an economy's resources will be limited, in large part, by the productivity of its current adult workers. As mentioned earlier, many struggle in poorer countries just to survive but it may not be possible for these countries to generate sufficient resources to provide for quality education and income support for those in need in their population. In this case, financial assistance from outside sources may be necessary (e.g., from the World Bank or other international financial institutions or donor countries).⁴⁰ However, if the educational efforts supported are successful (i.e., pay off in terms of sufficiently enhanced productivity among future generations of adult workers), then the support should be needed only temporarily.

D. Market-Based Strategies

Another strategy to eliminate child labor is to eliminate the demand for products made or services provided by children through the market.⁴¹ Product labeling⁴² and corporate codes of conduct⁴³ are two specific market-based strategies that have been proposed. Their success depends on whether consumers prefer to purchase “child-labor-free” goods and services rather than ones that might be produced using child labor — even if this means paying a higher price.

Child-labor-free product labels are meant to convey information to consumers that children have not been employed in the manufacture of a particular product. If consumers prefer products not made with child labor, they will benefit from a credible label that informs them that a given product is child-labor-free. If a child-labor-free product is preferred to an identical product without such a label, consumers should be willing to pay more for it, thus revealing their preferences for the credible certification of such conditions. Hence, there is scope for both consumers and producers to gain from a credible labeling program, and a market should exist for these labeled products.⁴⁴

In a similar manner, consumer preferences can create a market for corporate codes of conduct, which assure child-labor-free production of goods and services. If consumers can be assured that producers have credibly enforced a corporate policy that bans the use of children in the manufacture of goods or the provision of services, consumers who value child-labor-free products

⁴⁰ Rogers and Swinnerton, *Inequality, Productivity and Child Labor: Theory and Evidence*, 28.

⁴¹ An obvious limitation on these market-based strategies arises if consumers actually prefer products made with child labor. With some of the worst forms of child labor, for example, child pornography or child prostitution, the product many consumers desire is the child. In the case of drug trafficking and other illicit activities, the consumer may not have a particular preference for a child to be involved in the delivery or provision of the goods, but they are unlikely to respond to a market-based information strategy.

⁴² U.S. Department of Labor, *By the Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor* (Washington, DC: USDOL/ILAB, 1997).

⁴³ U.S. Department of Labor, *The Apparel Industry and Codes of Conduct: A Solution to the International Child Labor Problem?* (Washington, DC: USDOL/ILAB, 1996).

⁴⁴ For example see Richard B. Freeman, “A Hard Headed Look at Labor Standards,” in *International Labor Standards and Global Economic Integration: Proceedings of a Symposium* (Washington, DC: U.S. Department of Labor, 1994), 26-33.

and services might provide a sizable market for these companies' goods and services. To the extent that consumers are willing to pay extra for these goods and services, sales may more than offset the cost of implementing and enforcing the codes.

Even when consumers prefer that child labor not be used in the manufacture of a good or the provision of services and are willing to pay for this, there are other possible limitations to this approach. For example, if producers can sell goods that are labeled as child-labor-free at a higher price than those that are not so labeled, there is incentive for firms that use child labor to falsely label their goods as child-labor-free. In other cases where the price differential between accurately labeled goods and otherwise identical goods produced by child labor is not sufficiently large to offset the cost of monitoring, firms will have an incentive to claim child-labor-free production processes when in fact they do not ensure the use of such processes.⁴⁵ The credibility of market based programs is central to their success; if the procedures for guaranteeing the absence of child labor are imperfect and some goods are inaccurately portrayed as child-labor-free, then the label or corporate code of conduct may be perceived as a sham and become a meaningless instrument.⁴⁶ One way to address this is through a tripartite (government, labor, and business) cooperative program with community and NGO representation, perhaps also with outside technical assistance from the ILO, to assist firms in the monitoring of production.

A criticism that has been leveled at labeling and codes of conduct programs is that they only aim at the removal of children from labor without guaranteeing that the affected children will be better off.⁴⁷ In order to be effective at both reducing child labor and making children better off, labeling and codes of conduct programs need to be coupled with strategies that improve and widen the set of opportunities available to children. It is important to note that some labeling efforts do couple the labels with programs to promote education or other opportunities for the affected children.⁴⁸

⁴⁵ See Arnab K. Basu, Nancy H. Chau and Ulrike Grote, *Guaranteed Manufactured without Child Labor* (Economics Department, College of William and Mary, Williamsburg, VA, 1999, mimeograph). This paper argues that the risk of this happening may be larger as the supply of "child-labor-free" goods increases because the larger supply, assuming demand is held constant, drives down the price of the child-labor free good. If a larger supply does not commensurately affect the costs of monitoring, the incentive for firms to cheat grows. If enough firms cheat and it may become impossible to distinguish truly child-labor-free goods from fraudulent ones, and consumers will not trust the label or the monitoring programs. As a result, these programs will become ineffective.

⁴⁶ The importance of credibility to these programs was stressed in U.S. Department of Labor, *Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor*, xiii and U.S. Department of Labor, *The Apparel Industry and Codes of Conduct*, xi.

⁴⁷ In 1994, thousands of children working in the apparel industry in Bangladesh were dismissed in response to a proposed ban on U.S. imports made with child labor. However, more attractive alternatives to working and social safety nets were not in place to assist the fired children, and some found work in worse jobs, including prostitution. With the support of the U.S. Department of Labor, the Bangladesh Garment Manufacturers and Exporters Association, UNICEF, and the ILO worked together to place children in schools and to offer legitimate work opportunities to the oldest members of the children's families. See U.S. Department of Labor, *The Apparel Industry and Codes of Conduct*. See also Sarah L. Bachman, "The Political Economy of Child Labor and Its Impacts on International Business," *Business Economics*, July 2000, 30-41. See also, e.g., Drusilla K. Brown, "A Transactions Cost Politics Analysis of International Child Labor Standards" (paper presented at University of Michigan and Congressional Research Service Conferences on Social Dimensions of U.S. Trade Policies, April 16-17, 1998), 5-10; and Basu, Chau and Grote, *Guaranteed Manufactured without Child Labor*, 19.

⁴⁸ See, e.g., Rugmark, a labeling program in the carpets industry, in U.S. Department of Labor, *Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor*, 24-32.

E. Rescue, Rehabilitation, and Reintegration Strategies

Up to this point, only strategies that lead to direct action to eliminate or prevent child labor have been discussed. However, for many of the children engaged in several of the worst forms of child labor, such as those defined by Article 3(a)-(c) of ILO Convention 182 (e.g., those engaged in forced labor, prostitution and pornography, and drug trafficking and other illicit activities), remedial activities may be needed before the direct action strategies discussed above can have their full effect of making the affected children better off. One obvious concern is whether some targeted intervention, termed *rescue*, is needed to remove children from these worst form situations, or some other action taken to prevent street children and others dangerously at risk from entering these worst forms in the first place. For those children rescued, it is likely that they will not be ready to immediately resume the normal activities of childhood, e.g., to go directly into a regular classroom with cohorts of the same age and benefit from a formal education strategy. They are likely to need some sort of help to become ready to live, learn, play and perhaps even work, like other children as well as be provided with a new set of opportunities to prevent re-entry back into the worst forms. That is, they may benefit from *rehabilitation* and *reintegration* strategies.

1. Rescue

In policy and program documents discussing the worst forms of child labor, *rescue* is a term used to emphasize the urgency of the removal of children from work that causes them harm. Rescue can range from persuading parents to take their children out of a worst forms situation (or persuading the children to leave themselves), to direct intervention of law enforcement or other officials.⁴⁹ Rescue also often includes ensuring that children's immediate basic needs for food, shelter, and medical attention are met.

For some children (e.g., children who have been trafficked away from their homes or child soldiers), home may be far away and locating a parent or guardian may take time. If a child's family is in the vicinity, the participation of the child in the worst forms may imply that the family is either unable or unsuited to care for the child's basic needs. Often the need for medical care is acute. Children may have injuries and diseases that need treatment. The emotional trauma that they have experienced causes some children to experience severe depression, and in some cases rescued children have been observed to be suicidal.⁵⁰

Rescued children often require additional assistance to meet basic needs; in addition, children who are currently working in the worst forms may also benefit from similar services. The delivery of basic needs can take place in an institution setting such as a care center, or may be given

⁴⁹ International Labor Office, *A Future Without Child Labour: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Right at Work* (Geneva: 2002), 104.

⁵⁰ See, e.g., "Briefing Notes on the Final Report on the Impact of Armed Conflict on Children by Ms. Graca Machel, Expert of the UN Secretary General of the United Nations" in *Children in Armed Conflict*, UNICEF Staff Working Papers, Evaluation, Policy and Planning Series, no. EPP-99-001, (New York: 1999), 234-261. See also International Labour Office—International Programme on the Elimination of Child Labour, *The Elimination of Child Labor and Risk of Sexual Exploitation of Girls and Teenagers in the Bus Station of León*, Progress Report No. 5 (Geneva: September 2000).

out on the streets in a designated area; the mode of distribution will depend on the situation of the children. Typically, care centers operate successfully if they are located in a single place, or set of places, to which a large population of children can be brought.⁵¹

In situations where basic needs services are not delivered directly to child workers, the visibility of the services is very important. Care centers should be located in places that children can see and can enter safely. In providing these, donors must be mindful of the fact that many of these children do not trust adults and have developed a heightened sense of self-reliance. Because they cannot count on children to admit to the need for help, some organizations send outreach workers to approach children on the streets. The lack of trust may also make this group reluctant to accept assistance, particularly if its receipt requires the child to submit to the authority of the donor and automatically adapt to a new lifestyle. Recidivists (repeated re-entrants into the worst forms) may come back again and again, becoming more likely to accept additional help with each exposure to the rescue activities.⁵²

2. Rehabilitation and Reintegration

Remedial action may be needed to make children exiting the worst forms of child labor ready to pursue other activities. These activities may be the normal ones of childhood, e.g., play and school. Or, depending on the needs and age of the child, they may be other forms of work. *Rehabilitation* and *reintegration* are terms used in the program literature to refer to a host of direct services provided to children with the aim of helping them make the full transition from the worst forms of child labor to a better set of activities.

Rehabilitation and reintegration strategies typically rely on the provision of some sort of “non-formal education,” i.e., some mechanism for developing skills not taught in regular schools but needed to succeed in everyday life. Sometimes this involves teaching simple life skills like cooking and other activities involved in maintaining a household. Other times it involves remedial academic training, as children leaving the worst forms are often far behind their peers who have attended school regularly. Additionally, children leaving the worst forms are often provided skills they may need for coping with the stigma of their past when they attempt to re-integrate into “legitimate” society at large. In still other cases, older children are provided with vocational training so that they may go directly into new forms of work.⁵³ For some children from poor

⁵¹ See, e.g., “Programs and Activities: Transit Homes,” Maiti Nepal [cited October 16, 2002]; available from: <http://www.maitinepal.org/programs/transit.htm>. Maiti Nepal was formed in 1993 by a group of professionals with the objective of protecting Nepali girls and women from various forms of exploitation. Their chief concentration is in preventing trafficking females for forced prostitution, rescuing victims, and providing them with rehabilitation. For additional examples, see “UNICEF Assistance to Child Soldiers in Sierra Leone,” Global Information Network in Education [cited March 20, 2002]; available from: <http://www.ginie.org/ginie-crises-links/childsoldiers/sierraleone2.html> and “A Survey of Programs on the Reintegration of Former Child Soldiers, A profile of El Salvador,” The Ministry of Foreign Affairs of Japan [cited October 16, 2002]; available from: <http://www.mofa.go.jp/policy/human/child/survey/introduction.html>.

⁵² “The Bolivian Street Children Project,” [cited October 16, 2002]; available from: <http://www.bolivianstreetchildren.org>

⁵³ International Labor Office, *A Future Without Child Labour*, 100.

regions, providing them with the skills to be productive and sufficiently well paid in non-worst forms of work may be the only viable strategy for keeping these children from going back.⁵⁴

F. Facilitating Actions

Thus far, the discussion has focused on strategies targeted directly at removing children from, or preventing entry into, the worst forms of child labor, and making improvements to the quality of their lives. Attention is now given to steps that, if taken, may create an environment in which directly targeted action programs can be successful; these are to identify the target population, raise public awareness, and build institutional capacity.

1. Identification

In order to effectively implement any strategy to help children in, or at risk of entering, the worst forms of child labor, it is necessary to first identify who they are and learn more about their characteristics. Statistics on child labor in general are hard to come by, and the hidden and illegal nature of many of the worst forms makes reliable information about these activities even more difficult to obtain. Nevertheless, the last decade has seen new efforts to generate profile information on child labor and the worst forms of child labor. This sub-section identifies several different identification approaches and the implementation issues they face.

a. Household-Based Random Sampling

In principle, the best way to learn details about the size and characteristics of a population is to study a random sample of that population. In such a sample, either each member of the population has the same chance of being selected for the sample, or—as in a stratified random sample—each has a known probability of selection based on information known before selection. Obviously enough information is needed to identify the members of the population before the sample is drawn, and, in the case of stratified random sampling, additional information is required as well, e.g., geographic location, gender, ethnicity. Typically this information or “sampling frame” comes from a population census carried out to collect data on all members of a population. Sampling systematically identifies a fraction of a census population from whom more detailed information is collected. Proper use of statistical theory ensures that appropriately identified random samples are representative of the population from which they are drawn, and that estimates and inferences about characteristics of the population can be made from the sample.⁵⁵

⁵⁴ See, e.g., *ibid*, 109-110.

⁵⁵ There are any number of good references on sampling theory and techniques. See, e.g., John Neter, William Wasserman and G.A. Whitmore, *Applied Statistics* (Englewood Cliffs, NJ: Prentice-Hall, 1993), Chapter 23.

Much of what is known about the general characteristics of child labor today is based upon information generated from random samples of households in selected countries.⁵⁶ According to the ILO:

[T]he household-based approach has been found to be the best medium for investigating child labour in all its forms. This is because a household is the most appropriate unit of measurement for identifying its members and quantifying their demographic and socio-economic characteristics as well as particulars of the dwelling. Moreover, the conditions that force children to work, to a larger extent, are related to circumstances of the households where they live.⁵⁷

Taking the household as the unit of analysis in a country is consistent with many current approaches to the issue of child labor. These place decisions about whether or not children work in the context of family-based decisions about how it supports itself. Thus, the household seems to be a logical place to look for the factors affecting the decision-making process that leads a child into work. In addition, household-based censuses are more common than other ways of counting entire populations. That is, the population of households from which to draw a random sample is much more likely to be known than, for example, the population of firms.

Even if a household-based approach is a good way generally to study child labor, it may not always be the best way and it may miss important aspects of the problem. For example, it is not particularly well suited to understanding the demand-side of child labor, i.e., why do firms hire child laborers? Nor is it apt to generate much information on the community or culturally based factors that might encourage child labor. Supplemental approaches may be needed that involve the contact with firms and community leaders, even if these contacts cannot be accommodated within a random sampling framework.⁵⁸ However, firms or community leaders may be particularly sensitive to criticisms if they admit to child labor in their realms, and they often have strong incentives to withhold information.⁵⁹

⁵⁶ Some form of household-based random sample is the primary technique used by the International Labor Organization in its Statistical Information and Monitoring Program on Child Labor (SIMPOC); by the World Bank in its Living Standard Measurement Survey program; and by UNICEF with its Multiple Indicators Cluster Surveys; all of which provide some information on working children. Additionally labor force surveys sponsored by national governments sometimes provide information on child labor, and these are also typically household-based data collection instruments. For a broad overview of current data and data collection techniques related to child labor, and links for more information, see "Understanding Children's Work," Inter-Agency Research Cooperation Project at Innocenti Research Center [cited October 16, 2002]; available from: <http://www.ucw-project.org>.

⁵⁷ ILO-IPEC, *SIMPOC Programme: Objectives and Implementation Strategy* [cited October 21, 2002]; available from: <http://www.ilo.org/public/english/standards/ipecc/simpoc/simpoc00/page3.htm#3>.

⁵⁸ Very often information on the population of firms or community leaders is not available and therefore there is no identified population from which to draw a random sample.

⁵⁹ International Labor Office, *Child Labour Surveys: Results of Methodological Experiments in Four Countries, 1992-93* (Geneva: 1996), 84.

Similarly, households are not immune from concerns that they may suffer if they admit to child labor. In particular, if their children are involved in the worst forms of child labor and the family understands and accepts the illegality or immorality of their children's participation, there are strong incentives to hide any worst forms of child labor that occur in their household. From a data collections standpoint, there is an even more fundamental problem: a household-based survey provides information on the population that lives in identified households. There is plenty of anecdotal evidence to suggest that an unknown, but possibly substantial portion of the population of children involved in the worst forms of child labor do not live in formal households. In this case, a household based survey covering the population of children actually living in households would clearly not provide results representative of this population.

b. Rapid Assessment

An alternative approach to gathering more complete information on the worst forms of child labor in a country seeks to understand the worst forms in much more specific circumstances, and without the delay often associated with broader and more comprehensive random sampling methods or surveys. Called "rapid assessment," it is a methodology that:

... is well adapted for gathering information in a rapid and simplified way within small, clearly defined geographical areas, for example small individual communities, towns, villages, urban core, etc. Its scope is therefore limited and local, and it focuses on areas which are known to have substantial concentrations of children involved in activities difficult to identify and quantify. Its output is primarily qualitative and descriptive. Some numerical data may be obtained as background information or through interviews, but these usually can not [sic] be generalized to larger populations.⁶⁰

Rapid assessments are short-term studies, usually conducted in about three months. They may use information in existing literature, discussions with knowledgeable individuals and organizations, more in-depth interviews with those that prove to be key informants, geographic mapping of the area under consideration and the activities that take place there, and direct observation of children at work.⁶¹ The precise sources and combination of sources are often dictated by the situation at hand and may only become obvious in the course of the short, but intense study of a particular location.

Rapid assessments are usually carried out when there is already strong indication that a problem exists. Thus, it is not well suited to identifying new problem areas. Also, because it is more short-term, a rapid assessment often cannot gather the richness of detail that might be obtained through longer-term and more thorough surveys. This is an outgrowth both of the time constraint

⁶⁰ International Labor Organization and UNICEF, *Investigation Child Labour: Guidelines for Rapid Assessment, A Field Manual* (Geneva: January 2000), 8 [cited October 16, 2002]; available from: <http://www.ilo.org/public/english/standards/ipecc/simpoc/guides/rapass.htm>.

⁶¹ *Ibid*, 15-16.

and the inability to establish relationships based on trust. These relationships are often necessary to gain access to information that reveals the true nature and extent of an illegal or hidden activity.

The main limitation to the rapid assessment strategy is that it is not capable of producing results that can be generalized beyond the specific area or group under study. The “sample” for rapid assessment is usually not chosen according to statistical sampling principles and therefore the tools of statistical inference cannot be applied. Moreover, since much of the information is qualitative in nature, little can be said about the incidence of child labor.⁶² In short, the rapid assessment methodology seems best suited to areas where there is already a relatively good amount of information known about child labor problems, some commitment to conduct programs to address it, and some additional short-term study can provide specific details that can be used in the design of the program to ensure success.

c. *Integrated Data Collection*

Given the limited time frame of data collection imposed by rapid assessment and the limitations inherent in random samples of households, it might be useful to consider an approach that combines longer-term rapid-assessment-type information gathering methods with random sampling. Such an approach has been used with increasing acceptance and success in the study of many criminal and hidden activities.⁶³ This approach systematically collects and assesses data from administrative and professional organizations in combination with rapid-assessment-type and random sampling methods.⁶⁴

Data from administrative and professional sources have their own limitations. Even when quantitative information is available, it generally relates to reported incidents of practices, such as the worst forms of child labor. This reported information tends to undercount actual incidents, but to an unknown extent. There are a number of possible reasons for this, including a lack of sensitivity and understanding of the issue among law enforcement and other officials; a lack of policy coordination, e.g., among law enforcement and social service agencies, that also affects the

⁶² Ibid, 12-20.

⁶³ A recent example of this approach that is particularly relevant to the worst forms of child labor studies both non-commercial and commercial sexual exploitation of children in the United States, Canada, and Mexico. See Richard J. Estes and Neil Alan Weiner, “The Commercial Sexual Exploitation of Children in the U.S., Canada and Mexico: Full Report (of the U.S. National Study),” (School of Social Work, University of Pennsylvania, Philadelphia, 2001). See also Elena Azaola, *Stolen Childhood: Girl and Boy Victims of Sexual Exploitation in Mexico* (Mexico City: DIF/UNICEF/ CIESAS, 2000).

⁶⁴ In a study of commercial sexual exploitation of children in the United States, systematic collection of data from administrative and professional sources included a random sample of relevant organizations. The researchers sent questionnaires concerning the sexual exploitation of children to a random sample of 1,130 government and non-governmental organizations that work with these children. Only 288 (or 25 percent) of the questionnaires were returned with usable information. Many of the organizations that returned incomplete or otherwise not usable questionnaires cited a lack of information in their own databases and files that would allow them to provide answers. When they contacted other organizations that did not return questionnaires, the researchers’ inquiries were met with similar answers. This example succinctly illustrates many of the limitations of this method of data collection. See Richard J. Estes and Neil Alan Weiner, “The Commercial Sexual Exploitation of Children in the U.S., Canada and Mexico: Executive Summary,” (School of Social Work, University of Pennsylvania, Philadelphia, 2001), 5.

consistency and completeness of the information collected by the two sectors; a tendency among local agencies not to apprehend and prosecute (and therefore not to create records on certain forms, e.g., sexually exploited children); a tendency to devote intervention resources more heavily to one aspect of the problem (e.g., child pornography) than another (e.g., child prostitution); and other legal, political, and budget constraints and realities.⁶⁵

The creation of administrative data is contingent not only on the capability and effectiveness of responsible authorities, but also on the existence of legal, social service, and other governmental and non-governmental organizations responsible for addressing sexual exploitation and other worst forms of child labor practices. In some parts of the world the existence or sophistication of these agencies is significantly limited. This not only constrains their effectiveness in their secondary role of data collection, but also the effectiveness of the legal and other strategies that rely on their existence for primary effect.⁶⁶

Because the worst forms of child labor include activities that are illegal, socially stigmatized, or hidden for other reasons, no single type of information is likely to describe them sufficiently. It may be possible to gain a more complete understanding of the worst forms of child labor only by examining many different information sources. Unfortunately, there is no set of hard and fast rules to guide in the processing of the various pieces of information that come from disparate sources. Deciding how much weight to give to each piece, and interpreting the information contained in them, is art at least as much as it is science.

2. Awareness Raising

As emphasized earlier in the discussion of legal, education and poverty alleviation strategies, addressing the worst forms of child labor requires the assignment of substantial resources. Society must be willing and able to make choices that provide the resources necessary to undertake efforts against the worst forms, potentially diverting them from other uses. The degree of political consensus achieved to allocate resources to eliminate the worst forms will depend on the public's perception of the children in the worst forms. This is not always initially positive or tremendously sympathetic.

Among the attitudes that often need to be changed are perceptions of children in the worst forms of child labor. They are often viewed as more like "criminals" rather than "victims." For example, in the Dominican Republic, the public has a tendency to place the blame on children and their parents for the prevalence of sex tourism.⁶⁷ In Togo, girl trafficking victims who return to their villages are sometimes perceived to be "adventurers" and thought to be infected with HIV, and therefore they face strong social rejection.⁶⁸ An ILO-conducted rapid assessment revealed that child

⁶⁵ Estes and Weiner, *Commercial Sexual Exploitation of Children in the U.S., Canada and Mexico: Full Report*, 135-36.

⁶⁶ See, e.g., U.S. Department of Labor, *Sweat and Toil of Children (Volume V): Efforts to Eliminate Child Labor*, Chapter 3.

⁶⁷ UNICEF, *Profiting from Abuse: An Investigation into the Sexual Exploitation of our Children* (New York, 2001).

⁶⁸ ILO-IPEC, *Combating the Trafficking in Children for Labour Exploitation in West and Central Africa Synthesis Report*, Geneva, ILO, 2001 [cited October 16, 2002]; available from: <http://www.ilo.org/public/english/standards/ipec/publ/field/africa/central.pdf>

prostitutes in Tanzania were perceived as loiterers by police, and were physically and sexually abused by police and prison officials.⁶⁹

According to the ILO, awareness raising and sensitization have been effective in changing attitudes and paving the way for action against the worst forms of child labor. They cite in particular the usefulness of “all forms of media from radio and TV to street theatre and exhibitions, with the participation of children and youth as well as that of prominent personalities.”⁷⁰ Elsewhere they state that “an eclectic mix of campaigns, children’s marches, front-page articles, town meetings, and official conferences have created a foundation of public awareness . . . , which can now be built upon.”⁷¹

One feasibility issue with awareness raising strategies is that it is very difficult to measure their impact. Evaluations of their effectiveness appear to be largely based on anecdotes, for example of where very specific reactions to media presentations were noted, or where groups taking actions cited such presentation among their motivations.⁷² Polling or opinion surveys taken before and after awareness raising campaigns may reveal more general indications of changes in attitude, although it will never be possible to attribute these changes to the campaigns with absolute certainty. To date, such broad-based polling does not appear to have been employed in relationship to awareness raising related to child labor.⁷³

Another set of feasibility issues has to do with how precisely the messages are interpreted. In some instances, it has proven difficult to assess public perception of the distinctions about child labor made in international conventions.⁷⁴ The general public may not make a distinction between “child labor” and the “worst forms of child labor.” Moreover, the general public may not understand some rather arcane distinctions made in international policy discussions between “child labor” and “child work.” The first may be perceived as having a more pejorative meaning, suggesting work that is harmful in some way to children, while the second suggests a more benign or even beneficial work type activity.⁷⁵ The main problem with the message being perceived as all “child work is bad” is that it may be disregarded as too far out of sync with reality as many see it. This limits the scale of change in attitudes among members of the public.⁷⁶

⁶⁹ ILO-IPEC, *Supporting the Time-bound Programme on the Worst Forms of Child Labour in Tanzania*, Project Document (Geneva: ILO, 2002).

⁷⁰ International Labor Office, *A Future Without Child Labour*, 98.

⁷¹ ILO-IPEC, *Good Practices in Action Against Child Labour: A Synthesis Report of Seven Country Studies, 1997-98 by Independent Researchers* (Geneva: ILO, 2001), 73.

⁷² ILO-IPEC, *Trafficking and Sexual Exploitation of Children: An Evaluation of ILO-IPEC Programmes in Thailand, Philippines, Colombia, Costa Rica and Nicaragua* (Geneva: ILO, 2001), 22 and 51.

⁷³ *Ibid*, 50.

⁷⁴ ILO-IPEC, *Good Practices in Action Against Child Labour*, 73.

⁷⁵ International Labor Office, *A Future Without Child Labour*, 9-13.

⁷⁶ ILO-IPEC, *Good Practices in Action Against Child Labour*, 73.

3. Capacity Building

Whereas awareness raising addresses the realization of the problem and the willingness to take actions, capacity building is more involved with enabling and empowering groups and institutions that must make the interventions to do so.

Capacity building can take many forms. In the legal sphere, it can focus on the ability of authorities to monitor and enforce existing laws and regulations.⁷⁷ There may also be some attempt to harmonize laws governing child labor and those that deal with statutory provisions on compulsory education for children. Capacity building in education may mean building schools, finding some less traditional method for educating children (e.g., mobile units bringing teachers to remote villages or worksites), and training teachers to raise the general quality of instruction.⁷⁸ In relation to identification, capacity building may focus on the ability of statistical agencies to collect, process, and disseminate data as well as the ability of researchers to analyze it.⁷⁹ Capacity building initiatives to make awareness-raising efforts more effective include outreach and training of journalists in the accuracy of their coverage and their interaction with child laborers to ensure respect for the children.⁸⁰ Finally, capacity building efforts may bring together the many actors who have different roles to play in addressing the worst forms of child labor — for example, through seminars and other meetings — to pursue more unified action.⁸¹ Among others, these actors can include government agencies, NGOs, trade unions, employer organizations, and religious organizations.

Capacity building efforts may help facilitate the ability to implement a wide range of strategies. As such, the effectiveness of capacity building lies in its contribution to overcoming the feasibility concerns raised in the context of various alternative or complementary strategies.

G. Implications for Implementing Strategies

This chapter discussed some strategies that have been used to eliminate the worst forms of child labor. In practice, no single strategy has been identified as the best method of eliminating the worst forms. In fact, the ILO and other practitioners have found that a multifaceted national plan of action, normally comprised of a mix of strategies and related efforts, is required to remove children from the worst forms, and to prevent others from entering; examples of these are discussed in Chapter 3. Nonetheless, the identification of individual strategies is important to the design of child labor programs.

⁷⁷ International Labor Office, *A Future Without Child Labour*, 110.

⁷⁸ U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 49-51.

⁷⁹ International Labor Office, *A Future Without Child Labour*, 61-66.

⁸⁰ See, e.g., the discussion of Costa Rica in the next section.

⁸¹ International Labor Office, *A Future Without Child Labour*, 98. See also ILO-IPEC, *Good Practices in Action Against Child Labour*, 74-75.

While the academic literature on child labor may seem overly abstract, it does offer some lessons that are relevant to the development of policy. A general lesson from the discussions of strategies is that some strategies cannot be implemented in isolation of others. In implementing any strategy, careful consideration must be given to the circumstances under which children work, including the type of work they perform, what were their routes of entry, what are the consequences of the work, and what alternatives are available to them and their families. These factors must be borne in mind when selecting the appropriate mix of strategies to apply so that, when implemented, children will not only be removed from the worst forms but also enjoy a higher quality of life. The application of legal strategies illustrates this point. To the extent that legal strategies affect the demand for children in the worst forms, laws and regulations that punish or fine those who exploit children are inherently valuable. However, some children may use the income from the worst forms of child labor to cover basic needs and, therefore, must be provided with a better set of alternatives so that once they leave the worst forms their basic needs can be met. In addition, some children in the worst forms may be separated from their families and support network. This group of children will require assistance and protection, including food, shelter, and health care, while they are in the process of being reunited with their families, while foster families are located, or while existent families in need are made less vulnerable to exploitation.

The participation of children in the worst forms may also be endemic of larger issues. Strategies to eliminate the worst forms may need to be decided in concert with broader social and economic policies. Many children who are found in the worst forms come from poor families; therefore, policies that address poverty and productivity should not only improve the quality of life but also reduce child labor in the long term. Policies that address discrimination with regard to gender, ethnicity, or caste in schooling and in adult access to employment may also be needed in some countries.

Some children may enter the worst forms, and child labor generally, because of the limited and bleak alternatives available to them; in this case there is a need to develop policies that expand the choice set open to families and their children. When paired with an income maintenance program, improvements in the accessibility and quality of schooling will give parents the incentive to and option of sending their children to school. The effects of a better educated population are likely to have positive spillover effects for the next generation of children. That is, investing in the education of children today will produce a population of better educated adults in the future, who are likely to earn higher incomes and therefore feel less pressure to send their own children into work. It should be noted that an income maintenance program need not take solely the form of an income subsidy. Investing in a program to enhance the skills and productivity of adult workers may help to reduce families' dependence on child labor income and reduce the need for income subsidies in the long term.

Countries with serious child labor problems often exhibit low per capita income levels and have a substantial proportion of the population living below the poverty line. Faced with limited resources and the fact that implementing strategies to eliminate the worst forms of child labor can be costly, these countries will need to assess which strategies are the most cost-effective. But this type of assessment is difficult to make for several reasons. In most cases, it is not difficult for a single organization to catalog the costs of running a particular program. However, such cost assessments are much more difficult when a national program implementing a mix of strategies to

eliminate the worst forms of child labor is conducted as a collective effort between several different organizations, including government agencies (e.g., labor ministries, education ministries, social services, and law enforcement), international organizations (e.g., the International Labor Organization, UNICEF, and the World Bank), and international, national, and local non-governmental organizations. Some of these organizations implement projects that directly target the worst forms, or a particular worst form, in a given region, country, city, or neighborhood. Others run programs that may reach a broader target group (for example, improvement of the educational system by a country's educational ministry will benefit non-working children as well as those children who may be working). Therefore it may be difficult for the organizations that contribute to the elimination of the worst forms to accurately describe the effectiveness of their operations, since the amount of funds that are dedicated solely to eliminating the worst forms cannot be determined with precision. Furthermore, it may not even be possible for organizations that concentrate exclusively on the worst forms of child labor to assess the cost-effectiveness of their projects, since some aspects of their initiatives may be very difficult to quantify. Finally, there is the element of timing to consider. The costs of running a particular project may be known at any one point in time, but the complete elimination of the worst forms of child labor usually is a gradual process. It may take years to observe the full effects of a project, or even to collect enough data to project the expected effect.

Children are found working in the worst forms in all parts of the world, but the prevalence and types of worst forms are not distributed uniformly. These variations not only exist between countries, but also within a given country, e.g., between rural and urban areas. How children come to work in the worst forms will be affected by the resources available to families, the demand for child workers, and cultural and social practices. These factors will in turn affect the relative success of approaches taken to combat child labor. Program cost structures are also likely to be affected, for example, by the political situation, the organization of the labor ministry, and social and cultural customs in a country.

While a comprehensive and accurate study of the cost effectiveness of programs that address the worst forms may be difficult, certain aspects of this exercise may be more accessible to enumeration or quantification. At the time that this report was drafted, the ILO was in the process of conducting an analysis of some of the costs and benefits associated with the elimination of child labor in general and the cost effectiveness of the child labor programs carried out by its International Program on the Elimination of Child Labor (IPEC). To assess some of the benefits and costs associated with the elimination of child labor, the ILO study is attempting to measure the economic costs of universal education in lieu of child labor, the cost of intervention programs to eliminate child labor, the income brought to families by children's labor, and the social benefits of universal education in terms of increased earning power and a healthier population.

This chapter has presented an analysis of various strategies aimed at eliminating the worst forms of child labor. While this discussion has provided some policy guidance from an analytical perspective, it will also be useful to see how these strategies have been applied in real-world situations. Chapter 3 presents, as examples, three projects that helped children working in, or at risk of entering, the commercial sex sector (i.e., prostitution and pornography).

III. STRATEGIES IN ACTION: EXAMPLES OF PROJECTS FROM THE COMMERCIAL SEX SECTOR

A. Overview

To illustrate how various strategies to eliminate the worst forms of child labor have actually been implemented, action programs are considered that were implemented in Nicaragua, Costa Rica, and Nepal and use different mixes of the various strategies discussed in the previous chapter. In particular, this chapter looks at projects aimed at the elimination of one of the worst forms of child labor, work in the commercial sex sector (i.e., prostitution and pornography).⁸² The aim is to provide examples of actual projects and to illustrate the complexity within and across projects. This analysis reveals that the complexity within a project takes the form of determining which or how many individual strategies may need to be pursued, and across projects, the fact that no two projects employ precisely the same set of strategies or employ the strategies in the same way.

The projects that are discussed in this chapter were executed by the ILO with financial contributions from the U.S. Department of Labor. They were carried out by the ILO in collaboration with the countries' national and local governments as well as non-government organizations — a method of operation common to most ILO funded projects. Forming such an alliance helps to promote ownership of the project by the country and sustainability of the initiative.

Figures for the number of children directly affected by the projects and the cost for each project are provided in the descriptions below. From these, it is possible to calculate a per-capita cost for each project. Similarly, per-capita costs could be calculated for other projects; however, it is not likely that these calculations could be used with confidence to derive estimates of the per-capita cost of eliminating the worst forms of child labor either entirely or within different contexts.

For a variety of reasons, existing projects are not likely to be representative of the scope of activities needed to eliminate completely the worst forms of child labor. For example, there is no way of knowing whether the children helped in one project are representative of all children in the worst forms. A recent assessment of selected IPEC projects aimed at child labor over the last 10 years established that project costs vary systematically by geographic region, type of child labor addressed, and whether the targeted children are male or female.⁸³ This means that reliable estimates of the incidence of children in the worst forms, broken down by region, type of worst form, or gender, would be needed to make accurate overall cost estimates. However, such estimates are currently unavailable.

In addition, activities carried out in existing projects may not be representative of the type of activities that will need to be carried out to help children still in or at risk of entry into the worst forms. For example, each of the projects described below contains awareness raising or capacity

⁸² A discussion of projects spanning each of the worst forms can be found in International Labor Office, *A Future Without Child Labour*, Part II.

⁸³ ILO-IPEC, *The Costs and Effectiveness of Programmes to Prevent or End Child Labour—Review of the ILO-IPEC Programme Interventions* (Geneva, ILO, forthcoming).

building components. The success of these components should not be limited to the affect they have on the children helped directly by the project, but should also be seen in terms of making future efforts to remove more children from sexual exploitation in each of the three countries easier and thus less expensive. Accordingly, these project elements generated start up costs that tend to inflate the cost of helping the children affected directly by the project, and therefore make these costs an inaccurate basis for making estimates of the costs of helping other children in similar situations.

Further, the children directly affected by these projects were found in areas where there was some fairly extensive pre-existing information to identify the children to be targeted. As previously mentioned in Chapter 2, a large part of the task in helping children in the worst forms is finding them. In other words, the fact that the populations in these projects were relatively easy to identify is the exception not the rule. Thus, the costs of identifying children in the worst forms would tend to be much more than they were in these projects. Accordingly, this suggests that the costs of these projects may be too low to serve as a basis for accurately estimating overall costs.

The factors related to implementation costs discussed here suggest that adjustments would need to be made to the cost figures associated with these projects if they were to be used to estimate the overall costs of eliminating the worst forms of child labor. However, this discussion also suggests that it is not possible at present to know how large these adjustments should be, or whether the factors suggesting upward adjustment would dominate those suggesting downward adjustment. Accordingly, the cost figures presented below may be considered to be illustrative of costs of projects carried out under very similar conditions, but should not be construed to be representative of costs necessary to address the worst forms of child labor more generally.

B. The Bus Station in León, Nicaragua⁸⁴

In the fall of 1998, the ILO executed a project in Nicaragua titled “The Elimination of Child Labor and Risk of Sexual Exploitation of Girls and Teenagers in the Bus Station of León”. The lead implementing organization was *Asociación Mary Barreda (AMB)*, a non-governmental organization that provides counseling and occupational training to girls at risk for sexual exploitation, and attempts to reintegrate them into a family setting. This project was coordinated with the Nicaraguan Commission for Children’s Welfare.

The Municipality of León was in dire social and economic circumstances at the time of this project. People living in the area surrounding the León bus station were living in poverty, and informal commerce (e.g., unlicensed vending, day work) had become the sole source of income for many families. The bus terminal in León was selected as a focal point because it was the preferred center of informal trade and a significant presence of child vendors and child beggars had been observed there. Children in the bus terminal were found selling merchandise with their mothers; selling goods for middlemen for a commission; and, also begging for money. Many of the girls in

⁸⁴ Information in regard to this project was found in ILO-IPEC, *Elimination of Child Labor and Risk of Sexual Exploitation in Girls and Teenagers at the Bus Terminal of the Municipality of León*, Technical Progress Report, (Geneva: June 15, 2001).

the target group had been victims of harassment, aggression, and sexual abuse while involved in economic activities at the bus terminal. Several of the girls were dependent on income from commercial sex work for survival.

The action program implemented by AMB included awareness raising and social mobilization of key actors in and around the León bus station, poverty reduction at the family level, and rehabilitation and education for the girls and their families.

- **Identification:** AMB and ILO-IPEC staff identified the León bus station as a center for informal economic activity and observed that a significant concentration of children were working there. In addition to studying the activities at the bus station, project workers visited the homes of families participating in the project to observe the children's living conditions.
- **Awareness Raising and Social Mobilization:** Project staff met with authorities and potential partners including the mayor's office, the national police, transportation cooperatives, NGOs, health center and telecommunications offices, and the local cooperative of shoe shiners. The purpose was to coordinate action and educate the institutions on project activities and issues related to the commercial sexual exploitation of minors. In addition, seminars were conducted for teachers to help them understand the physical and mental consequences of child commercial sexual exploitation, and their role in helping the children.⁸⁵
- **Poverty alleviation at the family level:** To improve their economic situation, families participating in the project were given micro-credit loans to make improvements to an existing business or start a new business. Beneficiary families received training on alternative income generating activities, the basics of marketing, and credit management.
- **Rehabilitation of the girls involved:** A great deal of attention was given to the physical and emotional health of the girls. AMB worked with the Health Ministry to provide the girls with free medical attention, and case workers routinely followed up on their physical and psychological health. Girls received individual emotional counseling, and self-help groups were formed with a focus on increasing girls' self-esteem, self-awareness, and roles in the family.⁸⁶ Workshops were offered on the development of social skills, and it was observed that the girls became more sociable and less aggressive over the course of the program. The girls were encouraged to participate in recreational activities; girls took part in kickball, dance, painting, and theater.⁸⁷ In addition to these activities, a multi-purpose room was created to provide girls with a constructive and healthy place for them to spend free time.
- **Rehabilitation of the affected families:** A common family structure in León is a single mother with children living in extreme poverty. Substance abuse and violence at home are

⁸⁵ ILO-IPEC, *Elimination of Child Labor at the Bus Terminal of the Municipality of León*, Technical Progress Report.

⁸⁶ Project staff found that the girls needed care for suicide, depression, and self-destructive behavior.

⁸⁷ ILO-IPEC, *Elimination of Child Labor at the Bus Terminal of the Municipality of León*, Technical Progress Report.

prevalent. Parents of the children working in the León bus station often do not have a healthy model to follow in raising their children. To improve the dynamics within the family, care workers made regular home visits, to gain understanding of the girls' home life and to develop an individualized assistance plan for each household. A majority of the parents gradually become involved in the project and in their daughters' education.

- **Education:** At the conception of the project, it was intended that the girls would receive vocational training. However, the low level of basic education among participants precluded this and efforts were focused on literacy training. The project placed the majority of the girls into formal schooling. The few who were illiterate at the beginning of the program were given literacy training and subsequently placed in formal education. All girls received after school tutoring and instruction in personal care. The project workers negotiated with school directors to have school fees waived, and acted to sensitize schools to the problem of commercial sexual exploitation. All girls received school supplies packages twice a year to motivate them to attend and do well at school.

The U.S. Department of Labor contribution to this project was \$148,940. One hundred and sixty girls were identified as potential participants in the project, of which 127 were included in the project.⁸⁸ Forty-nine girls were removed completely from commercial sexual exploitation work, and 59 girls working in other, and more appropriate, activities have decreased their workloads and are attending school. All of the girls were integrated into the education system and received school supplies twice a year. Eighty girls received psychological counseling, and a medical record was created for each girl identified as a potential participant. Sixteen workshops on health and personal hygiene and 460 workshops on social interaction were organized for the girls. Twenty-four workshops that focused on psychosocial themes were conducted for the families of the girls in the project. Seventy-three families with a child in the project were given loans to fund income-generating activities. In addition, several events to involve and educate the local community were organized.

In carrying out this project, the ILO found that more time was needed than expected to convince the participants' parents of the merits of the program.⁸⁹ For example, many parents did not understand the importance of extracurricular activities or preventative health care. There was also some difficulty getting the parents to participate in the micro-credit loans because the adults were afraid that the projects would fail. In addition, the adults were more accustomed to making informal borrowing arrangements with local lenders and were not comfortable with the more formal requirements of the program's credit fund. Training sessions on alternative economic opportunities, marketing, and credit management were designed and offered in response to these fears.

The ILO concluded that in order for such a project to achieve national coverage, intervention and prevention strategies would have to be adopted and implemented by public institutions. At the local level, it was found that the training of schoolteachers and modifying cultural values that perpetuated sexual exploitation and discouraged schooling could improve sustainability.⁹⁰

⁸⁸ Nineteen girls out of the 127 dropped out of the project before it was completed.

⁸⁹ ILO-IPEC, *Elimination of Child Labor at the Bus Terminal of the Municipality of León*, Technical Progress Report.

⁹⁰ Ibid.

C. Combating Child Prostitution in San José, Costa Rica⁹¹

The ILO supported a project to eliminate prostitution by girls in Costa Rica from October 1998 to July 2001. The broad objective of the project was to contribute to the elimination of the commercial sexual exploitation of girls and adolescents in four districts of San José, with the majority of resources applied to the prevention, withdrawal, and rehabilitation of child prostitutes.⁹² The *Fundación para el Desarrollo de la Lucha contra el Sida* [Foundation for the Development of the Fight Against AIDS] (FUNDESIDA) was the lead agency in this project with support from *Patronato Nacional de la Infancia* (National Institute for Children) and other organizations.⁹³

At the time of program design, it was estimated that more than 2,000 children were engaged in prostitution in San José. The prevalence of prostitution was linked to poverty, rural-urban migration, discrimination against girls, and a large population of street children. In addition, a rise in sex tourism in Costa Rica had increased the demand for young persons in commercial sexual work. A tolerance among Costa Rican families of children's participation in prostitution contributed to the problem.

This particular project focused on offering outreach and services to street children in San José. Specifically, the goals were to prevent at-risk children from entering prostitution and to remove and rehabilitate children already engaged in prostitution. The program adopted to achieve these goals included the identification of children and an assessment of their circumstances; the provision of education; physical, social, and emotional rehabilitation; raising public awareness; and capacity building among key groups needed for making the project successful. To address the increase of sex tourism in San José, project workers found it was necessary to educate the local police force about the problem of commercial sexual exploitation of children.

- **Identification:** FUNDESIDA and ILO-IPEC staff identified sexually exploited children and at-risk children. Project workers interviewed children in the area to gain an understanding of the conditions, the entry routes into child prostitution, and the conditions under which it was practiced.
- **Rehabilitation:** Rescued children were given medical attention and information on how to prevent sexually transmitted disease.⁹⁴ Rescued children were also engaged in recreational activities to promote their normal development. Workshops on sexuality, HIV/AIDS, interpersonal relationship, and human rights were conducted for identified girls and their families. The workshops were intended to educate the girls and to help them to develop

⁹¹ Information for this case study was taken from ILO-IPEC, *Combating Child Prostitution in Costa Rica*, Project Document Summary Outline (Draft) (Geneva: 1998) and ILO-IPEC, *Contributing to the elimination of Commercial Sexual Exploitation of Children and Adolescents in San José*, Final Technical Progress Report (Geneva: June 15, 2001).

⁹² ILO-IPEC, *Contributing to the elimination of Commercial Sexual Exploitation in San José*, Final Technical Progress Report.

⁹³ FUNDESIDA is a non-governmental organization in Costa Rica that works in HIV/AIDS prevention and provides social, psychological and medical services to women and girls engaged in commercial sex work.

⁹⁴ Examples of the medical care services are pregnancy control, gynecological exams, pregnancy tests, identification of sexual transmitted infections, laboratory test including HIV tests, and vaccinations against Hepatitis B. See ILO-IPEC, *Contribution to the Elimination of Commercial Sexual Exploitation in San José*, Final Technical Progress Report.

appropriate social skills. Project workers noticed that the workshops were not enough and the children needed more concentrated treatment to alleviate the emotional trauma of sexual abuse. As a result, the children were given individual and group therapy.

- **Education and Poverty Alleviation:** FUNDESIDA collaborated with the Ministry of Education to reintegrate the children into schools. The Institute for Social Help provided economic support for children who attended school, and university students volunteered to help the girls with their schoolwork. In addition, literacy instruction and vocational training were offered to the girls so that they could develop work skills and thereby expand the set of economic opportunities available to them.
- **Awareness Raising:** FUNDESIDA worked with the National Commission Against the Commercial Sexual Exploitation of Children and Adolescents, which is composed of more than 40 public and private institutions that span the entire country.⁹⁵ Public conferences, workshops, and activities were organized, and informational materials were created in consultation with relevant organizations. The project developed an award-winning public service announcement that was aired on Costa Rican television.
- **Capacity Building Among Journalists:** To dispatch the message to a broader audience, FUNDESIDA invested in training workshops for journalists, and found that training journalists could have positive spillover effects. As a result of the training, the journalists published more featured articles in their newspapers on child prostitution that highlighted the effects on children in a sympathetic and factual manner.
- **Capacity Building in the Legal System:** To promote the legal and human rights of at-risk and prostituted girls, FUNDESIDA trained police officers on victims' rights and how to treat sexually exploited children. They also collaborated with the police and the Judicial Investigation Agency to specify the most effective procedures for presenting evidence of exploitation in court proceedings.⁹⁶

The U.S. Department of Labor contribution to this project was \$160,700. Two hundred and twelve girls were included in the project. One hundred and twenty seven girls took part in education programs, and all girls received medical services. Eighteen information workshops were held for the girls and their families, and meals were offered to the girls during the workshops. Eight recreational trips (4 each year) were organized. A public conference and workshop were organized, and informational materials on commercial sexual exploitation were produced (including a variety of documents, pamphlets, posters, training modules, and a video). A manual for training police officers was also developed.

Upon evaluation of the project, the ILO found that the sustainability of the project would depend on the ability of the Costa Rican government to establish a national policy and to define and

⁹⁵ ILO-IPEC, *Contribution to the Elimination of Commercial Sexual Exploitation of Children and Adolescents in San José*, Technical Progress Reports #2T/ICLP Response, July-December 2000.

⁹⁶ ILO-IPEC, *Contribution to the Elimination of Commercial Sexual Exploitation in San José*, Final Technical Progress Report.

supply the necessary protection and services to at-risk and affected children. They identified a need to balance the treatment of victims' immediate needs with government capacity building to address the problem, particularly in preventing the entry of children into prostitution. A need was identified to collaborate with national public institutions that have the authority to intervene, for example, in cases of domestic violence against children and child abandonment.

D. Addressing the Trafficking and Prostitution of Girls in Nepal

The ILO implemented a project to address the trafficking and prostitution of girls in Nepal, in collaboration with the Nepalese Ministry of Women and Social Affairs and Maiti Nepal, a non-governmental organization, in 1997.⁹⁷ The objective of this project was to strengthen the capacity of the Nepalese government and relevant non-governmental organizations to develop policies and programs to fight child trafficking at the local and national levels. A two-part action plan was developed. The first part developed the country's institutional framework, with a concentration on the role of the government. In the second part, direct support was provided to at-risk and affected girls on the local level by Maiti Nepal.⁹⁸

While the estimates vary, most observers felt that a significant number of girls were being trafficked from Nepal to brothels in India. A network of local NGOs, including ABC Nepal, Child Workers in Nepal (CWIN),⁹⁹ and Maiti Nepal, and other organizations had established a knowledge base on trafficking and prostitution. Their work permitted the identification of areas prone to trafficking, patterns of recruitment, and the characteristics of trafficked children, and ultimately resulted in the recognition of the trafficking and prostitution of girls as a persistent and significant problem.

Because the recruitment and trafficking of girls is widespread in Nepal, the scope for the project was the entire country, with special attention given to particular localities and territories. A widespread public interest, an established network of concerned organizations, and a commitment from the government to address child trafficking and prostitution provided an environment conducive to a successful national program. Collaborating institutions included six other government ministries, the Nepal Police Academy, UNICEF, international aid agencies, and international and local NGOs.

The ILO was aware that the long-term sustainability of a national project to combat child trafficking in Nepal was dependent upon the abilities of the national and local governments to plan and implement a policy. One of the features that made Nepal an attractive choice is that the Nepalese government had already included the protection of children as a responsibility of several government agencies. As a preventative and rehabilitative measure, the Ministry of Labor had

⁹⁷ Information on this project comes from ILO-IPEC, *Setting national strategies for the elimination of girls' trafficking and commercial sexual exploitation of children in Nepal*, Technical Progress Report (Geneva: May 2000). See also ILO-IPEC, *Setting national strategies for the elimination of girls' trafficking and commercial sexual exploitation of children in Nepal*, Project Document (Geneva: 1997).

⁹⁸ See footnote 51 for information on Maiti Nepal or see the Maiti Nepal website at <http://www.maitinepal.org>.

⁹⁹ For further information see the CWIN website at <http://www.cwin-nepal.org>.

developed a program to improve the work skills, and therefore future vocational opportunities, for girls. The police throughout Nepal had worked with NGOs to raise awareness on trafficking, prostitution, and HIV/AIDS. The charge of assisting trafficked and prostituted children was assigned to the Ministry of Women and Social Welfare (MWSW),¹⁰⁰ and they were delegated the primary responsible agency for the project. Along with the independent efforts of concerned groups, the pre-existing commitment of the Nepalese government made a national program achievable.

The strategies implemented in the first part of the program included capacity building at the local and national levels; identification and situation assessment; and legal work.

- **Capacity Building:** In response to the need for a national plan of cooperation, the MWSW set up a National Task Force, made up of representatives from relevant government agencies, NGOs, and international organizations, to create guidelines and coordinate activities on the country level. District Task Forces (DTF) were set up to guide efforts against child trafficking on the district level. Action plans were created at four district planning workshops to be used in the definition of district level programs of action. The MWSW also established a fund to finance the rescue and rehabilitation of the victims of child trafficking.
- **Identification and Assessment:** Within the MWSW, a documentation center was established to collect and disseminate information on child trafficking. The MWSW staff and members of the DTFs were trained and sensitized on child trafficking issues. Research on the trafficking in children for commercial sexual exploitation in the country was conducted, and reports were developed and issued on rescue, rehabilitation, and reintegration activities; the effect of awareness raising and advocacy programs; and a situational analysis on Deuki's and their children.¹⁰¹
- **Legal:** A discussion paper on the law and enforcement system against trafficking and sexual exploitation was prepared and, in conjunction with Ministry of Law and Justice, legislation against trafficking in women and children in Nepal was developed for submission to the National Parliament. A national plan of action (NPA) was prepared and approved by the Government of Nepal. The intervention activities identified under the NPA included policy, research, institutional development, legislation and enforcement, advocacy and sensitization, networking and social mobilization, health, education, income, employment, rescue, reintegration of victims of trafficking, but the implementation of this plan was not within the scope of the ILO-sponsored project.

¹⁰⁰ The Ministry of Women and Social Welfare (MWSW) was renamed the Ministry of Women, Children and Social Welfare (MWCSW) in 1998.

¹⁰¹ Under the traditional Deuki system in Nepal, girls are dedicated to a god or goddess. These girls are not permitted to marry, and many have been observed to engage in prostitution as a source of income. See UN High Commission on Human Rights, *Report of the Special Rapporteur on the sale of children, child prostitution and child pornography (Ms. Ofelia Calcetas-Santos)*, 53 sess. (Geneva: March-April 1997), para 34; available from: <http://www.hri.ca/fortherecord1997/documentation/commission/e-cn4-1997-95.htm>.

The focus of the program's second component was on direct action at the community level. The implementing NGO, Maiti Nepal, already provided protection and rehabilitation to trafficked women and girls and was also running three temporary shelter homes for girls in border towns that are used as transit routes by traffickers for entering India.¹⁰² Girls who are intercepted along the trafficking routes by law enforcement officials are delivered to the Maiti Nepal houses. During their stay, the girls are given shelter, health care, counseling and assistance in finding guardians or parents. These efforts were continued in this component and extended to include awareness raising activities.

- **Awareness Raising:** Maiti Nepal carried out awareness raising activities in areas where a high risk of trafficking and recruitment had been identified. Awareness raising efforts targeted 30 villages in three districts (Kathmandu, Sindhupalchok, and Nuwakot) in the vicinity of the Maiti Prevention Camp at Chisapani. These villages were sensitized on trafficking of girls for commercial sexual exploitation and the public was mobilized against trafficking. Carpet factory owners and the girls working in their factories in the Nepalese Kathmandu and Lalitpur Districts were informed that the factories had been used in trafficking girls away for the purpose of commercial sexual exploitation.
- **Rehabilitation:** Rescued girls were given basic health care and shelter at the Maiti Nepal's prevention camp in Chisapani, Nuwakot, where each girl remained for a period of six months.
- **Education:** At the rehabilitation center, girls were provided with non-formal education, vocational training, and assistance in establishing small businesses to supply them with an alternative to seeking employment from traffickers.

The U.S. Department of Labor contribution to this project was \$170,101, of which \$89,000 was dedicated to strengthening the Nepalese government's capacity to address child trafficking and \$24,777 to the direct action implemented by Maiti Nepal. The action program implemented by MWSW resulted in the preparation of a NPA; the development of an institutional mechanism to address child trafficking at the local and national levels, i.e., the national and district task forces; the establishment of an emergency rescue fund; and the preparation of legislation against child trafficking. In addition, the MWSW set up a document center on child trafficking and the MWSW staff received sensitivity training. As a result of the Maiti Nepal's activities, 30 communities and 23 carpet factory owners were involved in awareness raising activities. One hundred and twenty girls who were identified as being at-risk of being trafficked received rehabilitative services and vocational training. Eighteen girls were given sewing machines; 5 joined the police force; and 5 were employed by Maiti Nepal.

The lessons to be drawn from the case of Nepal are that advocacy, awareness raising activities, and collaboration between non-governmental organizations and government agencies can be effective in making child trafficking a prominent policy issue. This project built upon the knowledge and activities of many NGOs and the Nepalese government and provided a coordinative

¹⁰² See footnote 51 for more information on Maiti Nepal projects.

structure to the efforts. The creation of task forces and a NPA were among the outputs of this project. While pleased with these outputs, the ILO recognizes that the district task forces are still weak, and the NPA will not be effective unless it is successfully implemented.¹⁰³ Capacity building activities may facilitate the elimination of child trafficking and prostitution, but they must be joined with available resources to implement activities for the goal of elimination of this worst form of child labor to be achieved.

E. Concluding Remarks

From the analysis contained in this report, two broad inferences can be made. First, ILO member countries have demonstrated their belief that the social benefits of eliminating the worst forms of child labor outweigh the costs by their unanimous adoption of ILO Convention 182. The rapid ratification of ILO Convention 182 by individual ILO member countries also signals that an international consensus is emerging for national governments to take actions to eliminate the worst forms of child labor. The second conclusion relates to the actions that governments should take to eliminate the worst forms. These actions will not necessarily be the same for every country. While it is possible to identify general strategy areas, e.g., legal, education, and so forth, within a each strategy area, the actual form of the strategy (or set of strategies) used in one instance can differ greatly from another in different contexts. Also, not all strategies may necessarily contribute to every project designed to address a worst forms situation. Examples of projects from three countries to eliminate one worst form of child labor illustrated that the mix of strategies implemented will depend on the situation of the affected children and the scope of the project.

¹⁰³ ILO-IPEC, *Setting national strategies for the elimination of girls' trafficking in Nepal*, Technical Progress Report.

IV. APPENDIX: BACKGROUND ON CHILD LABOR

A. Overview

The U.S. Department of Labor's Bureau of International Labor Affairs (ILAB) has been reporting on international child labor issues since 1993. Previous volumes in the series have examined a variety of topics, including the use of child labor in items imported into the United States, forced and bonded labor, codes of conduct in the apparel industry, consumer labels, efforts to eliminate child labor, and economic considerations. This appendix provides some general background information and context on international child labor issues.

B. What is Child Labor?

Child labor is recognized today as a problem that affects countries around the world. The ILO estimated that there were at least 211 million economically active children between the ages of 5 and 14 years in the world in the year 2000.¹⁰⁴

Not all work performed by children is considered harmful, hazardous, or exploitative. In this and previous ILAB reports, the term “child labor” generally refers to work performed by persons under the age of 15, in agreement with the standard set forth in Article 2 of ILO Convention 138 on Minimum Age for Employment.¹⁰⁵ Child labor does not usually refer to performing light work after school, participation in legitimate apprenticeship programs, or work on family or small-holdings producing for local consumption and not regularly employing hired workers. Rather, the child labor of concern is work that prevents children from attending and participating effectively in school or that is performed by children under hazardous conditions that place their healthy physical, intellectual and moral development at risk.

The term “worst forms of child labor,” as used in this report, is intended to coincide with the definition given in ILO Convention 182 on the Worst Forms of Child Labor and related ILO Recommendation 190.¹⁰⁶ In the case of children engaged in activities considered among the “worst forms of child labor,” the term “child labor” applies to persons up to the age of 18, in agreement with the standard set forth in the Convention.

¹⁰⁴ See International Labor Office, *A Future Without Child Labour* (Geneva: 2002), 15-20; and International Labor Office, *Every Child Counts: New Global Estimates on Child Labour* (Geneva: 2002).

¹⁰⁵ Article 2 of ILO Convention 138 permits countries “whose economy and educational facilities are insufficiently developed” to initially specify a minimum working age of 14 (rather than 15), and reduce from 13 to 12 years the minimum age for light work. Article 7 of the Convention defines “light work” as work that is not likely to harm a child’s health or development, or prejudice his or her attendance at school. Article 3 of the Convention prohibits all children under the age of 18 from undertaking hazardous work—that is, work that is likely to jeopardize their health, safety, or morals. For the full text of ILO Convention 138, see ILOLEX Database on International Labor Standards [cited October 17, 2002]; available from: <http://ilolex.ilo.ch:1567/cgi-lex/convde.pl?C138>.

¹⁰⁶ For the full text of ILO Convention 182, see <http://ilolex.ilo.ch:1567/scripts/convde.pl?C182>; for the full text of ILO Recommendation 190, see <http://ilolex.ilo.ch:1567/scripts/convde.pl?R190>.

C. Why do Children Work?

Child labor is generally the result of a combination of factors. The most frequently cited cause, however, is poverty. Children often work to provide for themselves or to help their families meet basic needs such as food and shelter. Families may suffer financial hardship because of adult unemployment, underemployment, low prevailing adult wages, or the death, illness, or injury of a parent or guardian. Child labor perpetuates poverty since children who work in lieu of going to school are generally more likely to earn a lower income in the future.¹⁰⁷

An increase in the incidence of child labor may also be associated with the impact of a domestic or regional pandemic or economic shock. For example, in Africa, the rapid spread of HIV/AIDS has undermined the ability of many extended families to provide for children, leading to a rise in the number of child-headed households and of children engaged in various forms of child labor.¹⁰⁸ The East Asian financial crisis, which began as a currency crisis in 1997, created economic hardship and led to a rise in adult unemployment, leaving many households less able to provide for their children.¹⁰⁹ Natural disasters, such as Hurricane Mitch, which struck Central America in 1998, can also have a severe impact on households, exacerbating the child labor situation in a country or region.

Many children also work because they lack viable alternatives. Globally, an estimated 113 million children do not have access to primary education.¹¹⁰ Some lack access because schools are not available or are located too far from their homes. Costs of schooling that have to be paid by the family—such as school fees or the cost of textbooks or required uniforms—can also place education beyond the reach of children from poor families.

Cultural factors may also restrict some children's access to schooling.¹¹¹ For example, in areas where girls are traditionally considered essential to the running of a household, parents may be reluctant to send their daughters to school. Parents may also see little value in investing in a daughter's education since they expect her to leave the family once she marries. Other family circumstances may make access to school particularly difficult for children. For example, children

¹⁰⁷ See U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, 41-44.

¹⁰⁸ For a general discussion, see *Child Workers in the Shadow of AIDS: Listening to the Children* (Nairobi, Kenya: UNICEF Eastern and Southern Regional Office, June 2001).

¹⁰⁹ The East Asian Crisis began in mid-1997 as a currency crisis in Thailand, but its impact was also felt in countries such as Indonesia, the Philippines, Malaysia and the Republic of Korea. While debate continues about what kind of impact the crisis had on child labor in the region, some reports suggest that the child labor rose as a result of the crisis. See *Human Development Report of Thailand 1999* (Bangkok: United Nations Development Program, 1999), 142-43.

¹¹⁰ See figures from the EFA 2000 Assessments as cited in UNESCO, Education for All, *Dakar Framework for Action, Education for All: Meeting our Collective Commitments*, text adopted by delegates to the World Education Forum (Dakar, Senegal, April 2000) [cited October 17, 2002]; available from http://www.unesco.org/education/efa/ed_for_all/dakfram_eng.shtml.

¹¹¹ See, for example, U.S. Department of Labor, *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*, and U.S. Department of Labor, *Advancing the Campaign Against Child Labor, Efforts at the Country Level* (Washington, DC: U.S. Department of Labor, 2002).

of migrant workers face unique obstacles to schooling because their families move frequently in search of seasonal work.¹¹²

Another factor contributing to child labor is the demand for children's work. Some employers may favor children for certain kinds of work—such as maneuvering through small mine spaces or harvesting plants that are low to the ground—because of their small size.¹¹³ In some cases of the worst forms of child labor, children may be sought out because they are children, for example, in the case of child pornography, prostitution, or sex tourism.

D. What Kinds of Work do Children Do?

Children engage in many types of work and are employed in many sectors.¹¹⁴ While child labor occurs in both urban and rural areas, evidence suggests that labor force participation rates for children are much higher in rural areas, where most children work in agriculture.¹¹⁵

In agriculture, children often work alongside their parents on commercial farms and plantations or in subsistence agriculture. In many cases, systems of pay, such as piece work in harvesting crops, encourage parents to rely on the labor of their children to help increase family income. Children working in agriculture face many hazards. They are exposed to the elements, risk bites from snakes and insects, and in many instances, work without protective gear while wielding dangerous tools such as machetes and working in close proximity to harmful pesticides.¹¹⁶

Children are also employed in manufacturing, mining, quarrying, and services (e.g. in restaurants and hotels, and in wholesale and retail trades). In manufacturing, children are employed in making a variety of goods, including shoes, sporting goods, carpets, surgical instruments, *bidis*,¹¹⁷ matchsticks, glass bangles, and fireworks. They often work long hours for little pay and under hazardous conditions. Many children work without any sort of protective clothing or gear, in workplaces that are poorly lit, inadequately ventilated, and generally unsafe.¹¹⁸ Most children work

¹¹² For a discussion of the link between child labor and education, see ILO-IPEC, *Good Practices in Action Against Child Labour*, 69-70.

¹¹³ Christiaan Grootaert and Ravi Kanbur, "Child Labour: An Economic Perspective," *International Labour Review* 134 (2): 195-96 (1995).

¹¹⁴ See, for example, the following reports by the U.S. Department of Labor: *By the Sweat and Toil of Children (Volume I): The Use of Child Labor in U.S. Manufactured and Mined Imports* (Washington, DC: USDOL/ILAB, 1994); *By the Sweat and Toil of Children (Volume II): The Use of Child Labor in U.S. Agricultural Imports and Forced and Bonded Child Labor* (Washington, DC: USDOL/ILAB, 1995); *Sweat and Toil of Children (Volume V): Efforts to Eliminate Child Labor*; and *Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor*.

¹¹⁵ Survey evidence suggests that, on average, children in rural areas are twice as likely to participate in economic activities than children in urban areas. See Kebebew Ashagrie, *Statistics on Working Children and Hazardous Child Labour in Brief* (Geneva: ILO, April 1998) at Section II [cited October 17, 2002]; available from: <http://www.ilo.org/public/english/standards/ipecc/simpoc/stats/child/stats.htm>.

¹¹⁶ See Ashagrie, *Statistics on Working Children* and Valentina Forastieri, *Children at Work: Health and Safety Risks* (Geneva: International Labor Organization, 1997), 10.

¹¹⁷ The term *bidi* refers to small, hand-rolled cigarettes made primarily in South Asia.

¹¹⁸ See Ashagrie, *Statistics on Working Children*.

in the unregulated “informal sector,” which is generally beyond the reach of the protection afforded by national laws on child labor.

Children work in mine shafts deep beneath the earth. They also break stones in quarries, fish off deep-sea platforms, and scavenge in garbage dumps. In the service sector, children are exploited as street vendors, porters, prostitutes, and domestic servants. Still, other children are exploited and abused at the hands of criminals who use them to smuggle illicit goods, or they are trafficked for use in various forms of exploitative labor.¹¹⁹

Child labor does not affect all children uniformly. While boys are more likely to be employed in wage-earning jobs, girls work more often in the family home or as domestic servants in the homes of others, often without pay. The nature of such work often results in girls being undercounted in child labor statistics.¹²⁰ Certain children may also face greater risks than others. Working children under the age of 12 years and working girls have been identified as being among the most vulnerable.¹²¹

E. How has the International Community Taken Action to Address Child Labor?

In 1992, the International Labor Organization launched the International Program on the Elimination of Child Labor (IPEC) with the aim of working towards the progressive elimination of child labor through strengthening countries’ capacity to address the problem and supporting a movement to address child labor worldwide.¹²² Since its inception, membership in IPEC has grown from 6 to 52 countries,¹²³ and donor participation has grown from 1 country in 1991 to 22 countries in 2002.¹²⁴ The United States has contributed funds to support the International Labor Organization’s International Program on the Elimination of Child Labor (ILO-IPEC) since 1995. As of fiscal year 2002, the United States had contributed more than US \$157 million to IPEC, making it the program’s largest donor.

In addition to USDOL-funded child labor programs conducted by ILO-IPEC, the United States has also funded child labor programs through the United States Agency for International Development (USAID). These programs include activities intended to remove children from

¹¹⁹ See Ashagrie, *Statistics on Working Children*. See also U.S. Department of Labor, *Sweat and Toil of Children (Volume V): Efforts to Eliminate Child Labor*, 22-35, for a detailed discussion of the types of work children do and the hazards they face in various sectors.

¹²⁰ See Ashagrie, *Statistics on Working Children*. See also “Statistics: Revealing a Hidden Tragedy” ILO-IPEC/SIMPOC [cited October 17, 2002]; available from: <http://www.ilo.org/public/english/standards/ipecc/simpoc/stats/4stt.htm>.

¹²¹ “What is IPEC? IPEC at a Glance” ILO-IPEC [cited October 17, 2002]; available from: <http://www.ilo.org/public/english/standards/ipecc/about/implementation/ipecc.htm>.

¹²² Ibid.

¹²³ For a complete list of IPEC member countries, see ILO-IPEC, *IPEC Action Against Child Labor: Highlights 2002*, (Geneva: 2002), 15.

¹²⁴ For a full list of IPEC donor countries, see ILO-IPEC, *IPEC Action Against Child Labor: Highlights 2002*, (Geneva: 2002), 15.

abusive child labor and to develop educational alternatives for these children and others at risk of abusive child labor.

The global campaign to address child labor has also involved the adoption of new international instruments that seek to address the most serious forms of child exploitation. In June 1998 at the 86th International Labor Conference, delegates adopted the ILO Declaration on Fundamental Principles and Rights at Work.¹²⁵ Among other things, the declaration calls for the elimination of all forms of forced or compulsory labor and the effective abolition of child labor.¹²⁶

One year later, in June 1999, delegates to the ILO's 87th International Labor Conference unanimously adopted ILO Convention 182 on the Worst Forms of Child Labor. ILO Convention 182 built upon an earlier ILO convention, ILO Convention 138 on Minimum Age for Employment, and addressed further the most exploitative and horrendous forms of child labor. ILO Convention 182 calls on ratifying countries to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency and to take time-bound steps to ensure that children removed from the worst forms of child labor have access to basic education, and where appropriate, vocational training.

On May 25, 2000, the United Nations General Assembly adopted two new optional protocols to the United Nations Convention on the Rights of the Child (CRC).¹²⁷ The Optional Protocol on the Involvement of Children in Armed Conflict calls for countries party to the protocol to "take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities" and "ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces."¹²⁸ The CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography calls on countries that are party to the protocol to prohibit the sale of children and their commercial sexual exploitation through prostitution or pornography.¹²⁹

In 2000, the United Nations General Assembly also adopted the Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The protocol aims to prevent and combat trafficking in persons, especially women and children, and calls for protection and assistance for trafficking

¹²⁵ For the full text of the declaration, see ILO In Focus Programme on Promoting the Declaration [cited October 17, 2002]; available from: <http://www.ilo.org/public/english/standards/decl/declaration/text/index.htm>.

¹²⁶ Declaration, Section 2.

¹²⁷ Article 32 of this convention establishes the right of a child to be protected from economic exploitation and from performing any work that is likely to be hazardous, interfere with his or her education, or is harmful to his or her health or physical, mental, spiritual, moral, or social development.

¹²⁸ For the full text, see <http://www.unhcr.ch/html/menu2/6/protocolchild.htm>.

¹²⁹ Where sale is defined as "any act or transaction whereby a child is transferred by any person or group for remuneration or any other consideration," child prostitution as "the use of a child in sexual activities for remuneration or any other consideration," and child pornography as "any representation, by whatever means, of a child in real or simulated explicit sexual activities or any representation of the sexual parts of a children for primarily sexual purposes." For the full text, see <http://www.unhcr.ch/html/menu2/dopchild.htm>.

victims, and cooperation among ratifying states.¹³⁰ The protocol calls for countries party to the protocol, in applying its provisions, to take into account the “the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care.”¹³¹ In addition, it calls for countries party to the protocol to “take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.”¹³²

In October 2000, the United States enacted national legislation, the Victims of Trafficking and Violence Protection Act of 2000 (H.R. 3244) to address the trafficking of persons for exploitative labor. This new legislation aims to provide assistance and protection to trafficking victims, with a special emphasis on women and children, both in the United States and abroad. The act also calls for actions aimed at prevention, including programs intended to keep children, especially girls, in elementary and secondary schools, and the development of educational curricula regarding the dangers of trafficking.¹³³

Initiatives that promote universal access to primary education for children complement the campaign to eliminate child labor. In April 2000, participants at the World Education Forum in Dakar reaffirmed the 1990 World Declaration Education for All initiative. Article 7 of the Dakar Framework for Action calls for “ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality.”¹³⁴ The vision expressed in the Dakar framework focused on education as a fundamental human right of all children. The framework calls education “the key to sustainable development and peace and stability within and among countries.”¹³⁵

In addition to its support for efforts to combat child labor through ILO-IPEC, the U.S. Department of Labor provided grants in fiscal year 2001 and fiscal year 2002 to promote and enhance children’s access to quality education. This effort aimed to raise awareness about the importance of education for all children and mobilize a wide array of actors to improve and expand existing educational infrastructures. It also sought to strengthen formal and transitional education systems that encourage working children and those at risk of working to attend school, while working to enhance national capacity to ensure the long-term sustainability of these efforts.

¹³⁰ According to the protocol, the “recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation” shall be considered trafficking even if the circumstances did not involve “threat or use of force or other forms of coercion, of abduction, of fraud, of deception.” See Section I, Article 3, points c and d of the protocol. For the full text of the protocol, see United Nations Crime and Justice Network [cited October 17, 2002]; available from: http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf.

¹³¹ Ibid, Section II, Article 6, point 4.

¹³² Ibid, Section III, Article 9, point 4.

¹³³ See U.S. Congress, *Victims of Trafficking and Violence Protection Act*, 106th Cong., 2d sess H.R. 3244 [cited October 17, 2002], available from: <http://thomas.loc.gov/bss/d106/d106laws.html>.

¹³⁴ For the full text, see http://www.unesco.org/education/efa/ed_for_all/dakfram_eng.shtml.

¹³⁵ Ibid.

F. Bureau of International Labor Affairs (ILAB) Publications on Child Labor

1. *By the Sweat and Toil of Children (Volume I): The Use of Child Labor in U.S. Manufactured and Mined Imports* (1994).
2. *By the Sweat and Toil of Children (Volume II): The Use of Child Labor in U.S. Agricultural Imports & Forced and Bonded Child Labor* (1995).
3. *The Apparel Industry and Codes of Conduct: A Solution to the International Child Labor Problem?* (1996) [also referred to as *By the Sweat and Toil of Children (Volume III)*].
4. *By the Sweat and Toil of Children (Volume IV): Consumer Labels and Child Labor* (1997).
5. *Forced Labor: The Prostitution of Children* (1996) [Symposium Proceedings].
6. *By the Sweat and Toil of Children (Volume V): Efforts to Eliminate Child Labor* (1998).
7. *By the Sweat and Toil of Children (Volume VI): An Economic Consideration of Child Labor* (2000).
8. *Advancing the Campaign Against Child Labor: Progress Made & Future Actions* (2002) [Conference Proceedings].
9. *Advancing the Campaign Against Child Labor: Efforts at the Country Level* (2002).
10. *The Department of Labor's 2001 Findings on the Worst Forms of Child Labor* (2002).

Also available are proceedings from public hearings on child labor held to gather information for several of the reports.

Copies of these reports may be obtained by contacting the International Child Labor Program, Bureau of International Labor Affairs, U.S. Department of Labor, Room S-5307, 200 Constitution Ave., NW, Washington, DC 20210. Telephone: (202) 693-4843; Fax: (202) 693-4830; Email: GlobalKids@dol.gov. The reports are available on the Internet at: <http://www.dol.gov/ILAB>.

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