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Foto: Anne Sofie Fischer



TACKLING CHILD LABOUR IN GLOBAL SUPPLY CHAINS



WHY FOCUS ON CHILD LABOUR?

More than 215 million children are caught in child labour in the world today, approximately 1 in 7 of the world's children. In addition 115 million children are exposed to hazardous work. Children represent the future of any society or country. Any harm done to the children is a harm done to the future of the society. Ethical behavior therefore includes the protection of all rights of the child.



The State of the world's working children

The International Labour Organisation (ILO) has made a study of the state of the world's children:

- Children in employment: 360 million.**
 These are children age, 5-17, who are doing some kind of work of which some are permissible according to the ILO Conventions and national law. This term covers all kinds of work from light permissible work to illegal child labour and worst forms of child labour.
- Child Labour: 215 million.**
 These children, app. 70% of all 'children in employment', are classified as child labourers because they are either under the minimum age for work or above that age and engaged in work that poses a threat to their health, safety or morals, or are subject to conditions of forced labour.
- Children in hazardous work: 115 million.**
 This term is often used as a proxy for measuring the extent of the worst forms of child labour that is illegal and need to be stopped immediately.

Source: 'Accelerating action against child labour', Global report ILO, 2010

WHAT IS CHILD LABOUR?

Child labour is per definition illegal. It is work that by its nature and/or by the way it is carried out, harms, abuses, and exploits the child or deprives him/her of an education. But not all work done by children should be classified as child labour that is to be targeted for elimination. Child labour should be clearly distinguished from legal work that benefits the overall life situation of children and youth. However, children's legal work should not jeopardise any of their other rights, including the right to education or the right to relaxation and play.

Child labour not only damages children's physical and mental development and deprives them of their childhood, but also deprives them of an education and in some cases separates them from their families. Uneducated children will most likely grow up illiterate and lack the skills needed to acquire a job that can support their future families, and consequently, will not be able to contribute to poverty reduction and the development of a skilled workforce in the developing country.

The key conventions on child labour

UN Convention on the Rights of the Child (article 32)

Children should 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. States Parties shall provide for a minimum age for admission to employment, regulation of the hours and conditions of employment and provide for appropriate penalties to ensure the effective enforcement of the present article.

ILO Convention no. 138: Minimum Age

A minimum age shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years. National laws or regulations may permit the employment or work of persons 13-15 years of age in *light work*.

ILO Convention no. 182: Worst Forms of Child Labour

States should take action to eliminate the worst forms of child labour that comprises: 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; prostitution or pornography; illicit activities, 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.

THE RESPONSIBILITY OF COMPANIES

The ILO conventions no. 182 'Worst Forms of Child Labour' and no. 138 'Minimum Age' as well as UN Convention on the Rights of the Child provide the framework for all national laws concerning children in employment. These conventions are directed primarily at governments, but these obligations cannot be fulfilled without respect for those laws by employers, who should promote the 'best interest of the child' at all times. Companies are morally and ethically obliged to respect these conventions.

The ILO core conventions are formulated as principles for companies to follow by the UN Global Compact that ask of companies to embrace, support and enact within their sphere of influence. Companies are responsible for raising awareness and actively contribute to the elimination of child labour. The supply chain is within the sphere of influence of companies.

WHAT SHOULD COMPANIES DO?

DIEH recommends companies to raise awareness and gain knowledge of the causes and consequences of child labour as an action toward eliminating child labour. This means identifying the issues and assessing the risks of whether or not child labour is a problem within the busi-

ness. As emphasised by UN Global Compact it is important to have in mind that child labour not only exists in developing countries but also exists less visibly in developed, industrialized countries where it occurs, for example, in some immigrant communities.

DIEH AND CHILD LABOUR

Child labour is one of the key focus areas of the Danish Ethical Trading Initiative, DIEH. The DIEH Guidelines on Ethical Trade is the basis of the work on ethical trade in DIEH and is founded on key UN and ILO conventions and guidelines including the provisions on child labour. DIEH seeks through dialogue and collaboration between its members, which represent trade unions, NGOs, business associations, companies and public institutions, to identify and promote good practices and develop practical solutions to ethical dilemmas including child labour. Thus the DIEH members have shared their knowledge of child labour and its root causes. Through this dialogue they have reached a common

understanding of the challenges and dilemmas, which companies face in tackling child labour in their supply chains and agreed on recommended actions.

In 2010 DIEH launched as a result of this work a briefing paper, position and recommendations to guide its member companies in tackling child labour in their supply chains. In line with the ILO's and UN Global Compact's recommendations, the DIEH recommended actions include measures to be taken both in the workplace and in the community in order to effectively address child labour in global supply chains.

DIEHs POSITION ON CHILD LABOUR

- In accordance with ILO conventions, children shall not be engaged in labour if they are under the age of completion of compulsory schooling and in any case not under the age 15. However, light work may be permitted for children age 13-15 if it is not harmful to their health and development and does not interfere with compulsory schooling.
- Children and young persons under the age of 18 shall under no circumstances be engaged in hazardous work or any other "worst forms of child labour" that compromises their health and safety or their moral integrity.
- Companies should not engage in new recruitment of children that is in violation of relevant ILO conventions, thus the minimum age of 15 should be respected. If child labour is already existing, sustained efforts shall be made to redress the situation in a responsible way as quickly as possible and always based on the best interest of the child involved.
- Children should be removed from the workplace and given a viable alternative. In some situations where children are the sole providers of income, their immediate removal from work may exacerbate rather than help improve their situation. Companies need to be aware that, without support and viable alternatives, children may be forced into worse circumstances such as prostitution and other highly damaging kinds of child abuse.
- The caretakers of the children concerned shall, in accordance with the UN Convention on the Rights of the Child, be given the possibility of earning a livelihood to support the children as "they have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development".
- The children should be able to acquire an education until they are no longer of compulsory school age. However, children in developing countries should be given the opportunity to be better educated than their parents. This implies for companies to consider how to support education after compulsory schooling.
- Policies and procedures for remediation of children found to be working in situations which are prohibited by the ILO Convention No. 138 and Convention No. 182 shall be established, documented, maintained, and effectively communicated to personnel and other interested parties. There shall be provided adequate, financial and other, support to enable such children to attend and remain in education until no longer a child as defined by the UN Convention on the Rights of the Child.

RECOMMENDED ACTIONS

In the workplace

Prevention

- Be aware of which countries, regions and sectors where you do business there is a greater likelihood of child labour and respond accordingly with policies and procedures and communicate them internally to relevant employees e.g. buyers and externally to suppliers.
- Make sure to engage in a dialogue with the suppliers to ensure that they adhere to minimum age provisions of national labour laws and regulations and international standards and conventions whichever is higher. However, in any case the minimum age should not be under the age of 15.
- Communicate to your suppliers what measures you recommend should be taken if children are identified within the supply chain and engage in a dialogue about the mechanisms they might already have in place. Make sure that measures are based on the best interest of the involved child. DIEH recommends using the DIEH Good Practice Guide on Child Labour to hand out to suppliers.
- When recruiting new workers it is important to use adequate and verifiable

mechanisms for age verification. Medical examinations should always be with a parent or other caretakers present to reduce the risk of abuse. Assist your supplier if they need guidance to such mechanisms.

- As part of their technical training, older children can be integrated as interns in workplaces in safe and legal work.

Remediation

- If children below the legal working age are found in the workplace, make sure the supplier takes measures to remove them from work and help them to seek viable alternatives and access to schooling for the children. If unemployed adults are identified in the family, the supplier can offer them to take the child's place but to a decent wage paid to an adult. In any case do not leave the family without an alternative income as this might lead the children into even worse alternatives.
- As a company you should exercise influence on subcontractors, suppliers and other business affiliates to combat child labour.

In the community

Child labour is deeply rooted in poverty and lack of decent alternatives and cannot be eliminated through efforts by one single actor alone. Many international organisations (NGOs, trade unions, UN, ILO etc.) have therefore made recommendations for companies to contribute to the broader agenda and work in partnership with other companies, associations and employers' organisations to develop an industry-wide approach to address the issue, and build bridges with trade unions, governments and others. DIEH recommends companies to:

- Join multi-stakeholder initiatives to support their efforts nationally and internationally in finding broader solutions to help combat child labour in responsible ways by supporting suppliers and help design educational/vocational training, and counselling programmes for working children, and skills training for parents of working children.
- Encourage and assist in launching supplementary educational programmes/schooling for children removed from workplaces for instance in cooperation with local NGOs, and provide medical care and programmes focusing on health and nutrition for children removed from hazardous work.

