

## The International Movement of Working Children

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***This paper addressing the above issues is based on the work done over five years in 36 countries and the author's personal interaction with movements of working children in three continents as the Chairperson of the International Working Group on Child Labour [IWGCL] and her involvement with working children in India since the 70's as a trade unionist and founder of the Concerned for Working Children [CWC] a children's rights based private development organisation that was nominated for the Nobel Peace Prize 2012 for the pioneering work done to enable children's self determination through their participation.***

### **INTRODUCTION:**

Working children in many parts of the world have been claiming their right to be protagonists and participating as social actors for centuries. Children are their own first line of defence and to resist exploitation is a fundamental right and they found organised resistance more effective than any other and they did not wait for adult permission or for statutes to recognise this right.

Even after 40 years of the ILO Convention 138 [1973] children still work in occupations and processes that are hazardous. The blanket ban on children's work with a limited focus on exploitation in the workplace as simply a violation of minimum age standards, leave the children involved in even worse shape and with lessened prospects for the future than when working. We have seen that many of the initiatives to address child labour have been counterproductive and in some cases harmful to the very working children they set out to help.

Despite the obvious failure of this approach and attempts to narrow down the field to tackle the intolerable forms of child labour [ILO Convention 182, 1997] and the setting up of the ILO-IPEC [1992], the members of the ILO tripartite; that is Governments, Employers and [adult] workers unions, refuse to admit that the strategies they have adopted have failed to benefit children and it is more than obvious that a new conceptual framework is needed to think about children and their work.

For decades many practitioners have been insisting on a child-centred approach to working children; one which views the problem from the child's perspective and includes them in the discussions and results in improving the quality of the life of the child for the present and the future. Such an approach is backed by the most widely ratified international human rights treaty to date, the United Nations Convention on the Rights of the Child (UN-CRC).

It is also ironical that though working children are the ones experiencing the problem, they are the ones who are the least involved in designing and developing the solutions. Though children's participation has been discussed for years, it is apparent that the degree and level of participation of children in 'adult affairs' depends on the extent adults enable it and are willing to open up space for

children. In the 90's working children's unions with the support of the International Working Group on Child Labour [IWGCL] were able to participate in the discourse at the international level and they made it clear they wanted to be consulted before any actions were taken. They said; "we, working children, are not the problem, but we can be part of the solution". They were quickly silenced by vested interests and without the IWGCL to support them; they were unable to counter the backlash.

Historically, the working children who have received the most attention are those that have 'intruded' or 'invaded' the world of adults<sup>1</sup>. But though these initiatives by children succeeded in bringing them into the spotlight, it did not result in policy makers consulting them. It is clear that for children to participate and influence policy to define viable and appropriate solutions that are closer to their realities, adults need to create 'child rights friendly' spaces for children in adult dominated patriarchal policy arenas. Adults who believe this and are committed to this principle enunciated by the UN Convention on the Rights of the Child [CRC] need to unite to pave the way to enable children's right to self determination through their participation. The increased participation or protagonism of children entails increased adult responsibility and accountability.

A case in point is the International Working Group on Child Labour [IWGCL] their initial support to working children's movements; the formation of the International Movement of Working Children [IMWC] and the hope and expectations it generated among working children of the world; and finally the dashed dreams when the IWGCL was disbanded by the International Organisations that put it in place; leaving working children more vulnerable than ever before.

This was exacerbated by a consumer model of globalisation that increased the incidence of child labour and reduced working children's ability to be protagonists. This is not only because of the economic impact on poor families, but because of the cooption of global agencies, the shift in their policies and perspective and most of all the 'exclusion' of working children from the debate.

Today we can see the devastating result of this on the lives of working children globally. Their work has been criminalised making it impossible for working children to stand up and be counted or to draw any attention to themselves. In India if a child below 14 years admits to or is found working, even if it is a summer job to fund schooling, they are in danger of being 'rescued' and committed to a juvenile home thus depriving them of their right to an organised defence and the possibility of negotiated solutions.

### **LOOKING BACK:**

Forty years ago in the 1980's the world was a different place. Globalisation was a distant murmur and Nation building was infused with the principles of human rights, the values and ethics of democratic participatory decentralization and ecological concerns.

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<sup>1</sup> IWGCL [1997] *Have we asked the Children?* International Working Group on Child Labour, Discussion Paper

The philosophy of political activists such as Gandhi, Lohia, Mandela, Martin Luther King Jr. and the Dalai Lama influenced progressive thought and the writings and ideas of Jeremy Seabrook, Wendell Berry, Gabriel García Márquez, Tagore, Paulo Freire and Noam Chomsky provided the building blocks for action.

E. F. Schumacher with his *Small Is Beautiful: Economics As If People Mattered* that opposed the tenets of neo-classical economics set in motion a new economic paradigm by declaring that single-minded concentration on output and technology was dehumanising.

The nonviolent, anti-nuclear movements of the 1970's and 80's and the more general response to the vast social changes brought by industrialization inspired thousands of people to radical, leftist political action with the vision of an ecologically balanced, egalitarian society. Then UN Agencies still had a pro people agenda and had not succumbed to economic barons such as the WTO and the World Bank.

The environment for the child labour debate was more open and the concerns were humanitarian not GDP or economic growth. What we confronted was ignorance of the causes and conditions of children's work and therefore the inability to devise solutions. But child labour evoked compassion, concern, curiosity and debate. There was the space and time to give the issue deep thought and examine situations and consequences to evolve sustainable solutions. Issues such as work and labour and all the nuances in between, were already being debated in the context of adult workers, especially from the gender perspective, so interjecting this analysis into the child labour discourse was a natural consequence. Child labourers were respected, their organisations taken seriously. They were the first to open up the space for children's participation.

Though the ILO Convention 138 had been in force since 1973, it had had little or no effect on the numbers of children joining the work force or on their conditions of work. The ban on children's employment in the formal sector had pushed children into the informal sector and more invisible occupations and processes.

At this time the issues that practitioners were grappling with were several. For one, given the quality and content of education whether the simple equation that replaced work with education for working children was a viable solution, especially when education only served the interests of the elite, if anybody, and provided poor quality education for poor children and did not prepare them for any form of employment.

*One of the main reasons for the failure of strategies and interventions designed to address the problems faced by children who work is that the group closest to the problem and who possess the deepest knowledge of the situation, that is the children themselves, have not been the ones setting the global child labour agenda.*

Children's work consists of a wide continuum from that which can be beneficial to their normal growth and development (depending on their level of development, gender and ability) to that which is extremely harmful and in some cases intolerable. Attempts to try and distinguish between 'work' as a beneficial skill forming learning arena at one end of the continuum and 'labour' that was exploitative,

repetitive, hazardous and even intolerable on the other end of the continuum resulted in a somewhat simple separation of children's work into two categories – the good and the bad. Children's work, given its range and diversity, cannot be so neatly classified. Most children work in circumstances that fall somewhere between the extremes of intolerable and beneficial.

What were the methods to identifying the beneficial aspects of work at all points of the continuum in order to preserve and protect these and address the hazards in order to eliminate and protect children from them?

Therefore, how would one separate the work that was beneficial as it is, the work that could be made beneficial if the hazards were removed? What were the alternatives to work that is hazardous and/or intolerable that ensures that the quality of life of the child and her family is superior to the present and in the short and long term?

In formulating strategies it would be necessary to consider both the characteristics of the work that children do (including occupation and conditions of work) and the characteristics of the child (including level of development, gender and ability).

A full understanding of how children come to be working is essential before planning interventions to ensure that they are not inappropriate, even harmful, and that they promote the well-being of children.

The options available to children and their families determine the choices that are made. When children and their families are faced with a severely constrained or limited set of options there may be no choice but to let children work, even in potentially harmful situations. The challenge is to expand and enhance the options available.

This argues against a single global strategy, and implies looking at work situations in a more localized and concrete manner in order to ascertain their specific characteristics while, at the same time, keeping the child and his/her situation as the central focus<sup>2</sup>.

Strategies for addressing the problems that working children faced were discussed with the children themselves to elicit whether the best means to address the problem. Working children themselves said; "we are against exploitation at work, but we are in favour of work with dignity and appropriate hours, so that we have time for education and leisure<sup>3</sup>".

*Our goal, our understanding of children's work and our beliefs about appropriate responses are shaped by the UN Convention on the Rights of the Child (UNCRC) and a rights-based approach to programming. Implicit in our goal is a belief that children's work is not a uniform activity and we*

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<sup>2</sup> IWGCL [1997] *Have we asked the Children?* International Working Group on Child Labour, Discussion Paper

<sup>3</sup> IWGCL [1996] *The Kundapura Declaration of Working Children*, International Working Group on Child Labour

*must recognise that, while some forms of work violate children's rights, other forms of work do not. Most forms of work have both good and bad elements, and for this reason, can be both harmful and beneficial to children's development and well-being. Therefore, we accept neither blanket bans of all child work, nor an approach which unequivocally promotes children's work. We believe different responses are appropriate for different forms of work and for different working children<sup>4</sup>.*

For children work meant instant employment for migrant children; the possibility of learning a trade while earning; a back door entry into the formal sector; for girls it meant an escape from household drudgery, possibility of delaying marriage and increased bargaining power at home.

*No pedagogy which is truly liberating can remain distant from the oppressed by treating them as unfortunates and by presenting for their emulation models from among the oppressors. The oppressed must be their own example in the struggle for their redemption.*

Freire [1970], *Pedagogy of the Oppressed*

It gave children the possibility of participating in the socio-economic arena to obtain a means of survival, dignity and identity.

The real point of departure came from the experience of unionisation of the informal sector in many parts of the world that combined the Freirian Pedagogy with the belief that individuals had the right to self determination through democratic participation. It was only natural to adopt the same

principles when working with working children.

In the Asia, Africa and Latin American continents that had struggled and freed themselves from the enslavement of colonial rule it was only a normal progression that practitioners working with working children adopted a pedagogy that stemmed from the Paulo Freire philosophy of education. In many ways it responded to the need to provide indigenous populations with an education which was simultaneously new and modern (rather than traditional) and anti-colonial (not simply an extension of the culture of the coloniser).

In this approach, for the oppressed to regain their sense of humanity by overcoming their condition the oppressed individual must play a role in their liberation; similarly, working children, in order to free themselves of the oppressive or exploitative aspects of work need to be involved in the process of overcoming their circumstance. Likewise, the oppressors or exploiters must also be willing to rethink their way of life and to examine their own role in the oppression if true liberation is to occur. The right of children to organise to transform their situation was a natural consequence of this.

The first Movements of Working Children emerged in Latin America, quickly followed by Asia and Africa though there was little or no knowledge or interaction between them. Though these movements stemmed from the same rationale, they were distinct variations based on their unique experience of

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<sup>4</sup> Save the Children's Alliance, 2007

their struggle for freedom, the subsequent politics of mass movements and the unique local circumstances that influenced the ideology of radical movements.

At this time there were also a handful of researches in Europe and the US exploring child work from an academic perspective and the ILO was drafting a possible new convention on the most hazardous forms of Child Labour that would be on top of the agenda of their annual ILO meeting in June 1998. This was to be the ILO Convention 182 following ILO Convention 138 that came into being in 1973.

Though the ILO is based on a tripartite structure bringing together governments, employers and workers and one of the four areas in the ILO Declaration on Fundamental Principles and Rights at Work [1998] clearly specifies the “freedom of association and the effective recognition of the right to collective bargaining”, these core principles were ignored when it came to working children and they were not intended to be a party to this process.

It was also in 1992 that the International Programme for the Elimination of Child Labour [IPEC] was set up by the ILO with financial support from the Government of Germany and this was the first time in its 90 year long history that the ILO decided to become an implementing agency directly intervening at the national level to ensure the implementation of its Child Labour Conventions.

#### **THE INTERNATIONAL WORKING GROUP ON CHILD LABOUR [IWGCL] 1992-1997:**

It was in this backdrop that I made a proposal during an ISPCAN Congress in 1990 in Hamburg that was taken up by Margaret Lynch a prominent member of BSPCAN and the International Working Group on Child Labour [IWGCL] was jointly set up in 1992 [Chicago] by the Defence of Children International [DCI] and the International Society for Child Abuse and Neglect [ISPCAN] with Maria Christina Salazar of Columbia as the Vice Chair and me as the Chair.

The stated objectives of the IWGCL were limited to conducting research in 36 countries of the world and informing the ILO to enable them to design strategies to address the issue of Child Labour Globally. So with an initial fund of a few thousand [think it was 25,000] dollars given by ISPCAN and DCI Netherlands acting as the secretariat we began functioning in late 1992.

There were some serious limitations to the IWGCL. Most of the members, though well intentioned and experts in the field of child abuse and neglect, had little knowledge or experience of child labour; the IWGCL was planned as purely a research based initiative and working Children were not envisaged as a party to the process; the IWGCL was set up with a fixed time frame as the primary intention was to feed into the ILO meeting scheduled to discuss a new convention on child labour; and besides a merger the start up finance, had to find ways to raise its own funds.

Thus at the first meeting of the IWGCL held in Amsterdam in November 1992 there were a few important steps taken. We agreed that working children would be our primary constituency and they would participate in the developing of the recommendation we made to the ILO, national governments and other stake holders; that the focus of the IWGCL would be two fold – the research to be conducted

in the 36 countries would include working children's views and we would attempt to bring together working children's movements at the global level to ensure their participating in the designing of recommendations, and that their voices were heard by the ILO and other policy makers.

We also felt that we should constitute a Resource Group of experts on child labour and a Network of Practitioners working with working children's movements was essential to enable the participation of working children and that we would make contact with Working Children's Movements around the world and they would be consulted at every stage of the process.

Together with the Project Coordinator Claire Feinstein we raised funds from over 30 donor agencies without the assistance of the Secretariat and often found ourselves vying for the same funds as DCI Netherlands. As a percentage of the funds raised went towards the secretariat we actually ended up substantially supporting DCI Netherlands financially. Curiously a financial statement is conspicuously missing from the final report of the IWGCL.

**Laying the foundations:**

The first years were spent in laying the foundation for the research in 36 countries and to enable working children's participation.

**Research:** A nodal person was identified in each of the countries selected for in depth research and others for supplementary reports. A protocol for the methodology was discussed and prepared. The strategy was twofold. On the one hand to facilitate work in selected countries and on the other hand to produce a report on the situation of child labour to enable the IWGCL together with working children to extract viable and appropriate strategies for eliminating the hazardous children faced and improving the quality of lives of working children in the present while increasing their choices for the future.

**Children's Participation:** In order to establish a congenial environment for working children's participation we had to enter into a dialogue with all the major stake holders, working children's movements, International Organisations and the UN Agencies with special reference to the ILO, NGOs working with working children, research institutes and practitioners. But most importantly we had to woe the members of the ILO Tripartite – the employers, trade unions and governments.

In the very first year the IWGCL engaged in several formal and informal discussions on Child Labour. To mention a few, an Informal NGO Seminar on Child Labour, ILO Geneva, May 1993, the International Summer Seminar, Combating Child Labour, The Hague, October 1993 and the Committee on the Rights of the Child: Theme Day, Geneva, September 1993.

Meanwhile we were also meeting with working children in their respective countries. The West African Movement of Working Children supported by ENDA in Senegal, MANTOC in Peru, MNMMR in Brazil and Bhima Sangha supported by The Concerned for Working Children in India [CWC] and several other national and local unions of working children.

We also began conversations with the LOs in Scandinavia, the TUC in Britain, the FNV in The Netherlands, the INTUC, CITU, HMS, HMKP and the BMS in India, the AFL-CIO in the US, Education International [International Teachers Organisation] and the International Confederation of Free Trade Unions [ICFTU<sup>5</sup>].

In the course of the fundraising that was critical for the functioning of the IWGCL we also met several funding agencies and Ministries of Development Cooperation and these discussions invariably centred on the objectives of the IWGCL and methodology, but the subject that garnered the most interest was the issue of children's participation. In this way more than 10 governments including the European Commission bought into the concept and we expand our support base.

Several international agencies such as Save the children Norway, Sweden and Canada, the international Federation of TDH and of Switzerland and Germany, Christian Children's' Fund Canada, and Misereor Germany, to mention a few supported the IWGCL.

These dialogues gave us insights into the stands these various organisations and governments had regarding child labour and the strategies to address it. However, when it came to the Trade Unions it was a different story. On the whole they felt threatened by the possibility of organised participation by working children and used various arguments including the 'age of majority' to form a union, the question of recognition and the prevailing perception of the role of trade unions as an organisation that was concerned primarily with collective bargaining for implementation of workers' rights and improved working conditions. So for children they argued that this would mean the perpetuation of child labour or the situation of work.

The larger original purpose of unionisation, that of transforming ones situation for the better or 'liberation' from oppression of all kinds was dismissed as 'idealistic' and impossible to achieve. They were protecting their position as representatives of the working class and their influence to determine National and International Policy, even with regard to workers that they did not legitimately represent, such as the informal sector, women and children.

There were many 'well intentioned' organisations that 'felt sorry' for working children and they often used extreme examples to justify their 'raid, rescue and rehabilitation' interventions. Their lack of economic analysis and political understanding of the big picture and the root causes of the problem, and the fact that they undermined children's ability to devise ways and means to improve their situations, input into policy and strategy and their capacity to campaign their own cause was a hurdle to thinking of children as agents of change.

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<sup>5</sup> The ICFTU was dissolved on 31 October 2006 when it merged with the World Confederation of Labour (WCL) to form the International Trade Union Confederation (ITUC).



These were the organisations that supported initiatives such as the Global March and as working children's voices became more audible these organisations also began to promote their brand of children's participation.

In 1994 the guidelines for the country and regional reports was prepared in January in Bangalore, India and meetings were also held in Latin America, in Amsterdam to discuss Africa and again in India to discuss Asia.

By 1995 the IWGCL had established its credentials and was internationally recognised. Three noteworthy meetings were held in Harare [Africa], Guatemala [Latin America], Amsterdam [Europe] to review the work done in these regions and plan further interventions.

The IWGCL made important contributions to the debate at the Committee on the Rights of the Child: Theme Day, Geneva, September 1993; the World Summit for Social Development, Copenhagen, March 1995; the Rādda Barnen-ILO Workshop on Child Labour, Stockholm, June 1995 and the CRC-UNICEF Meeting, Kathmandu, October 1995.

But the most significant dialogue was between the Trade Unions and NGOs in Amsterdam in October 1995. This meeting was jointly sponsored by the IWGCL and the Federatie Nederlandse Vakbeweging [FNV], a federation of trade unions of the Netherlands.

This two day meeting brought together more than 50 participants from 26 countries representing trade unions, international agencies, institutes of development studies and UN agencies. It was the first [and perhaps the last] time that such a dialogue had taken place on child labour. Groups that were otherwise on opposing sides of the debate were actually able to find common ground and come to a minimum common agenda. It was a major breakthrough and gave the IWGCL a foot in the door.

### **The International Movement of Working Children:**

In my first keynote address to ISPCAN in Hamburg in 1990 when the International Working Group on Child Labour (IWGCL) was first mooted, I ended my speech by saying "that in the not too distant future children will stand here instead of me and tell you what they want". By 1996 that that day had come. In August 1996 working children from three continents flew into Senegal to plan for the first ever International Meeting of Working Children that would take place later that year.

In November 1996, the IWGCL in partnership with Bhima Sangha, the first union of working children of Asia and The Concerned for Working Children [CWC], hosted the First International Meeting of Working Children at Kundapur, India. Working children's organisations representing 33 countries of Asia, Africa and Latin America with a history of more than 20 years met for two weeks in Kundapur, India to share their realities, experiences and views regarding solutions.

It was here that the children formed the International Movement of Working Children [IMWC] and recorded their consolidated views as what has come to be known as the 'Kundapur Declaration'.

While the children carried on with their deliberations the Network of Practitioners together with Resource Group and IWGCL members discussed plans for intervening in the series of International Labour Organisation [ILO] consultations on child labour planned for the following year by the ILO, the first of which was to be hosted by the Netherlands in Amsterdam in February 1997.

A large number of international policy makers, development organisations and agencies had considered it important to listen to what the children had to say and were present in Kundapur. They were representatives of governments, international organisations like the ILO, UNICEF and the Committee on the Rights of the Child and international agencies such as the Save the Children Alliance and the IWGCL. Among them were representatives of the Government of The Netherlands and the children used this opportunity to make a very strong case for their participation in the ILO consultations.

The IWGCL, Practitioners and members of the Resource Group strongly supported the children's demand. William Meyers argued that 'there is no cause of the ILO that is more sacred or central than the right of workers to organise. It is recognised that organised movements, even if their actual membership is limited, do represent the concerns and demands and reflect the aspirations of the many, while individuals represent no group at all. There is a repeated reference in all ILO documents to the participation of 'workers organisations', whose comments are solicited in the formulation of all conventions. In the questionnaire regarding the proposed ILO convention on the most intolerable forms of child labour, there is reference to finalising the instrument in 'consultation with the organisations of employers and workers concerned, where such exist<sup>6</sup>'. The IWGCL took the stand that this should have been interpreted as 'working children's organisations' as in this case the workers concerned are child workers and there are organisations of working children in three continents - Africa, Asia and Latin America, a movement that was spreading fast.

As a result eight children from seven movements representing the IMWC were invited to attend the Child Labour Conference in Amsterdam as full-fledged participants on an equal footing with other delegates.

This was a glimmer of hope. A brave new world of working children had emerged united and vocal, clear as to their purpose and intent. A cohesive group of organisations and individuals were there to supported, inform and protect them. The IWGCL was making headway with one of its core principles; children's right to be heard!

This international meeting was the first global attempt to organise children on an international platform with a collective identity. If they were to participate in developing solutions to the problems faced by child workers world-wide, it was clearly necessary to strengthen working children's protagonism globally and to open international political space to their organised representation.<sup>7</sup>"

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<sup>6</sup> Meyers, William [1996], *A Time to Listen*, IWGCL Documentary by Deepa Dhanraj

<sup>7</sup> IWGCL [1997], *Have we asked the Children?* International Working Group on Child Labour, Discussion Paper

The IWGCL had come a long way. We were close to completing the tasks assigned to us. The objective that was the most difficult, but of which we were very proud, was the space we helped to create for working children to participate in policy formulation. The IWGCL was the first international organisation to consult children throughout their process.

The work in partnership with working children and the situation of constant learning had enriched and empowered the IWGCL. The process of empowerment for the children meant that working children could now dare to dream and dare to hope and have a say in reshaping their world. The only thing they want from us adults was that we listen. We had managed to give them a chance.

#### **Amsterdam Child Labour Conference February 1997:**

The IWGCL took on the role of facilitating children's participation at the conference – this included negotiating for meaningful space for them in what was essentially a very formal adult forum. Children also had to have background information regarding the issues that were to be discussed and understand the documents circulated. Children needed to understand the protocol of such meetings and the procedures adopted in this highly unfamiliar arena of international policy making. We had to demystify the process and unpacking the documentation by simplifying the content without making it simplistic.

The children had a week of intense preparation during which several members of the Resource Group acted as facilitators. The seriousness with which the children approached this meeting and their level of concentration was an eye opener to us all. The way they shared responsibilities among themselves and extent of groundwork and study by each one of them was amazing.

Consequently the children used the space to their advantage. They were able to present their arguments against a blanket ban approach to child labour with great conviction using examples and facts to present their case. They were able to present an alternate view from their perspective, as the so called 'beneficiaries' or recipients of policy and programmes designed to help them.

Eight children, all in their teens, participated in a panel discussion at the Conference. Six children engaged in a Plenary Debate moderated by Max van den Berg, Director Netherlands Organisation for Development Cooperation (NOVIB) and two of them were panellists in a workshop moderated by Minister Jan Pronk. These children demonstrated through their very lucid and eloquent presentations that they were capable of handling the formality of the conference, though for all of them this was a first experience and that given the opportunity they could participate in an international forum with poise. Children challenged stereotypical representation of children who work as 'anti-social' and their families as 'dysfunctional'. They said 'the policy makers know what needs to be done; it is just that they lack the political will to address poverty and imbalanced development'. They raised several fundamental questions regarding international trade and western concepts of what constitutes childhood. They demanded reforms in the education and justice system.

The presence of well informed working children who were representing their movements and were therefore accountable to their organisations changed the nature of the deliberations. It forced an awareness of the language that was used, the perspective from which the problem was viewed and questioned many existing assumptions regarding working children. When the phrase 'eradicate child labour' was used, one of the questions the children asked was; "Do you want to eradicate us or the problems we face?" A simple question, but fraught with deep implications that force us to question our basic intentions.

This active participation of working children brought about two things. Their very presence introduced an unwritten accountability. When your constituency is monitoring your every word and action you become extremely careful about the steps you take and determines where you place the lens of your camera - are you looking down at their problems from your ivory tower or through their eyes.

At Amsterdam the Swedish Minister for Development Cooperation invited representatives of the International Movement of Working Children [IMWC] to their Conference on Child Labour to explore the positions they should take on ILO Convention 138.

The fact that the recommendations of this Amsterdam conference reflected many of the concerns that the children voiced proves that they were convincing and able to convert the majority of participants to their view. The children's success can be measured, in part, by the hostility that the children faced for some stake holders after the conference.

There was a very hostile response from the trade unions of the North, especially those from the UK, Scandinavia and certain other parts of Europe. They realised that if working children were recognised as a constituency by the ILO would threaten their own status in the tripartite and open the gates for other constituencies that were unrepresented as well. This would also make it extremely difficult to 'use' the child labour issues for other economic and political ends. The ILO, instead of seizing the opportunity to have a serious dialogue with unions and movements of working children from different parts of the world and to develop a Convention which had the mandate of working children themselves aligned with the Trade Unions in blocking any further participation on their part.

And so they ganged up against the working children's movements and as a result of their pressure the invitation extended by Sweden to the IMWC was withdrawn a few days before the conference for what was claimed as 'technical' reasons – clearly an attempt to keep working children away from the debate and for the Oslo Conference only three working child representatives were invited and an alternate forum for children had to be organised.

As the Chairperson of the IWGCL, I had also been invited to at the Sweden's ILO conference [May 1997]. I took the opportunity to inform the audience about the invitation to working children that had been withdrawn and presented to them the points the children had wished to make at the conference. The audience response to this was significant enough to ensure that the Development Minister of Sweden, during his visit to India met the delegates of Bhima Sangha to personal apologies for the 'inconvenience' caused to them.

### **Oslo International Conference on Child Labour October 1997:**

The International Movement of Working Children's opposition to the ban approach on child labour and demanding that the causes of child labour be addressed seemed to be causing alarm. This did not, however, prevent an invitation being extended to the IMWC to attend the third ILO consultation on child labour in Oslo in October 27<sup>th</sup> – 30<sup>th</sup> 1997 the next and last in the series of ILO consultations was.

Only three child representatives were invited to the Oslo Consultation [October 1997] by the then ruling Labour Party that was not really in favour of working children's participation. The children felt this number was grossly inadequate to represent the views of child workers across three continents and wanted to hold an alternate parallel conference that Redd Barna Norway agreed to support. Just before this conference there were general elections in Norway and Redd Barna entered into an agreement before the conference took place with the Christian Peoples that was likely to come to power. They agreed that if they came to power they would embrace the alternate children's conference as a part of the official proceedings. The Labour Party lost and stepped down to be replaced with centrist coalition led by the Christian Peoples Party.

The IMWC had no information regarding this agreement and were they informed about this until they arrived in Norway. As agreed the new government agreed to inaugurate the IMWC parallel conference and gave it official status and also invited children's representatives to make a presentation to attending heads of states on the final day of the conference. However, this invitation was on the condition that the children would not mention (i) the earlier disagreement on the number of invited child representatives and (ii) the controversy regarding the parallel meeting. This proposal was not acceptable to the Latin American movements. Their argument was that they had decided to protest against the Norwegian Government for inadequate representation of the IMWC at the conference and even though the circumstances had changed, they could not change their agenda. The Asian and African movements disagreed and welcomed the changed circumstances and wanted to make the best use of the opportunity to make their views heard under.

While the Asian and African movements were presenting to the heads of state, the Latin American movement held protests outside the venue. This exposed a rift in the IMWC and diverted the attention of the delegates from the real issues of working children. These protests extensively covered by the local and international media upset the Christian Peoples Party and embarrassed the Norwegian Government. This also placed Redd Barna in an awkward position in relation to their government that and LO Norway got the upper hand. Redd Barna that had taken a bit risk felt let down.

In addition to the national meetings, the ILO was also hosting regional meetings – to which they had assured the IMWC that they would invite child representatives. When a member of the IWGCL, who took part in the Asia event raised a question about the total absence of working children at the meeting, the host minister read from a pre-prepared speech that he pulled out from his pocket explain how 'international spaces were not appropriate for children' and proceeded to add that 'children would be invited to national processes'. Unfortunately that too did not happen in most countries.

## **THE POLITICAL BACKLASH:**

The children's success at Amsterdam and subsequent events had brought on a political backlash from the trade unions and by the end of 1997, it was apparent that several large shifts had occurred in the child labour scenario.

- **Trade Union Retaliation**

There was organised resistance from Trade Unions. In the 70's and early 80's the Trade Unions were not interested in the child labour issue and did little or nothing for the children who worked in the establishments and sectors that they had organised. They were content with banning child work on paper in the organised sector. However, with more doors opening up for children's participation, trade unions immediately went on the offensive and lowered the age for membership to 'youth wings' and announced that they would include the membership of workers [children] under the age of 14 years into their unions, an attempt to counter the legitimate and autonomous nature of the working children's movements.

It became critical for international workers federations led by the interests of the Trade Unions of the North to control the child labour agenda in this era of rapid Globalisation, as child labour threatened the jobs of adult workers. First world workers saw child labour as a means for third world countries to lower costs of production enabling their products to be more competitive in the global market. They began actively blocking the organised participation of working children under the guise that this would legitimise child labour.

- **US takeover of ILO/IPEC**

By the end of the 90's the US began funding the ILO-IPEC even though they had not ratified any of the ILO Child Labour Conventions. Trade Unions became implementers of programmes for child labour and had access to funds from the ILO-IPEC for the very first time in the history of the ILO.

- **Dismantling of UN agencies**

UN organisations such as the ILO and UNICEF that were set up to uphold human rights, workers rights and children's rights and had been fairly independent and free to act according to their conscience were now under the threat of being dismantled as they were overshadowed by the WTO and the World Bank and were starved for funds. [For example the only growth area in the ILO is the child labour cell]. They began to work according to the dictates of the countries that funded them and were unable to honestly uphold their core objectives.

- **WB introduces Structural Adjustment**

The development agenda was being set by the World Bank through their Structural Adjustment programmes and began using child labour as one of their indicators and Social Sanctions, Trade Boycotts and labelling as means to bring third world producers to heel.

- **Pressure on Developing Nations**

Governments were disinterested in the child labour issue in the past and had no political will to solve it rationalising that child labour was a part of their present stage of development. Some governments were even the biggest employers of child labour in the areas of public works and construction. However, with many first world countries propagating boycotts, trade sanctions and other protectionist measures in the name of child labour third world countries were pressurized into having a 'political will' without knowing the way and were forced into taking drastic measures like rounding up street kids and putting them in Remand Homes. Two important examples were the girls working in the garment industry of Bangladesh and the Marks and Spencer intervention in Meknes, Morocco<sup>8</sup>.

- First World Consumers Set the Agenda

Earlier, for trade and business organisations child labour was not an issue until it became a stick to wield against third world competitors. There were several instances when compelled by their first world consumers, they took extreme steps but their responses in most instances were ill conceived and simplistic knee jerk reactions; some examples are Marks and Spencer, NIKE and LEVI who became implementers of programmes to eradicate child labour and major players in the field.

- International Agencies Toe the Line

Unfortunately even international agencies that were committed to the CRC and children's right to participation began to toe the ILO line.

- Dismantling of the IWGCL

The murmurings of discontent among the founders of the IWGCL had begun in Kundapura. The final meeting was called in a hurry in Geneva in October 1997 and the responsibility of compiling the final report was given to an external contractor and was finalised excluding the Chair, and members of the IWGCL and Recourse Group who were intimately involved with the process. The final report signed by Dr. Philip Veerman [DCI] and Howard Levy [ISPCAN] reads like a deliberate attempt to underplay the role and impact of the IWGCL. The findings and therefore the recommendations do not mirror the expanse or depth traversed by the IWGCL.

*"Those who authentically commit themselves to the people must re-examine themselves constantly".*

Freire [1970], *Pedagogy of the Oppressed*

The IWGCL had become a player to contend with in the child labour arena. This platform had brought together more than a 100 different players – governments, national and international agencies and organisations, working children's unions and movements, practitioner, researchers and experts in the field as one unified voice. The research together with the real life experience of working children gave the IWGCL compelling tools for advocacy and communication with arguments that were difficult to refute. International instruments such as the UN-CRC and the core principles of the ILO provided the moral standing for working children's participation and the fact that they were partners in the process bestowed an unquestionable mandate. The IWGCL was a counter to the WTO and a de-facto World

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<sup>8</sup> IWGCL [1998], *Forgotten on the Pyjama Trail*, a case study of young garment workers in Meknes [Morocco]

Social Forum for Working Children. But this obviously threatened existing power relations and those who were supposed to care [DCI and ISPCAN] were the ones who pulled the plug. This was the gravest injustice done to working children globally.

The fact that the absence of the IWGCL would cripple the International Movement of Working Children and they would lose the advantage they had gained was not a consideration and reasons such as 'time bound' nature of the IWGCL and 'the objectives had been reached' were offered as the rationale for disbanding the IWGCL. Pleas to reconstitute the IWGCL with a revised terms of reference fell on deaf ears and there appeared to be a general consensus on terminating it. The real reasons will probably never be known, but the timing and the hurried manner in which it was dismantled were very suspicious.

Even funding agencies such as the Save the Children who were one of the lead agencies for children's rights globally slipped into the background. Whether it was the experience of Sweden and Oslo that scared them or the fear of antagonising their governments or the pressure of their trade unions is not clear. But once the IWGCL was disbanded, all the players went back to what they were doing in their little corners of the world, only the environment for working children had dramatically changed.

The ILO went ahead with Convention 182 and countries were pushed to take a hard line to eradicate child labour. The Global March against Child Labour was actively promoted as a counterpoint to the International Movement of Working Children and they were the antithesis in every way. To quote from 'Rights and Wrongs of Children's Work;

*Organisations of working children also differ from the Global March against Child Labour, which is presented by some as an exemplary contemporary movement of children concerning child labour (ILO 2002,99) and which has received extensive funding and publicity. Although this movement involves children, it is explicitly under adult control and the adults determine the policy and agenda of the movement. Susan Levine described the selection and preparation in South Africa for an international meeting within this movement. Children initially indicated that they did not want to be stopped from working, but took up slogans for the abolition of child labour when they realised this was required for selection as a delegate (S. Levine, 1999, 151-152). Here children did not make decisions about policy but participated in activities controlled by adults<sup>9</sup>.*

Against this very complex backdrop and the fragmentation of the support system that had reinforced and championed the IMWC the working children's movement were not prepared to counter the forces that were working against them. The fragmented as well. Their own internal differences that had surfaced in Oslo were not resolved and the IMWC also went into hibernation. Now the playing field was cleared of all opposition to the 'abolitionists' and they proceeded to implement their inflexible rigid strategies that addressed the demand side of child labour completely ignoring the supply side or the root causes, mainly poverty.

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<sup>9</sup> Michael Bourdillon, Deborah Levison, William Myers and Ben White [2012], *Rights and Wrongs of Children's Work*, Rutgers University Press



### **PICKING UP THE PIECES:**

One wonders whether those responsible for the dismantling of the IWGCL and all those who encourage and supported this decision with their silence have ever taken the trouble to introspect and consider the damage they have done to working children globally.

Too shocked by the suddenness of the decision, pained by the irreparable harm done and powerless to act, I withdrew into the folds of my organisation, The Concerned for Working Children [CWC] carrying the guilt of my own failure and the inability to prevent the collapse of the international scaffolding we had so painstakingly created and betraying the aspirations we had nurtured in the hearts of working children.

*We will have to repent in this generation not merely for the vitriolic words and actions of the bad people, but for the appalling silence of the good people.*

Martin Luther King, Jr

With interventions at the international level now rendered impossible, I retreated to India to reflect on this whole experience with my colleagues at CWC. It was initially felt that if regional and national working children's structures were strengthened, they together with us [adults] could rebuild the IMWC and so children's voices would be once again heard on the international stage.

CWC also went further to design and put in place formal structures for children's participation at the local level linked to local governments; (*CWC 2004 unique revolution and the Protocol of the Makkala Panchayat*) and laying the foundation or building blocks for a solid structure based on an adult-child partnership.

In this connection there were several attempts at the regional level to reinvent the IWGCL. One such was the South Asia Task Force on Children's Participation [2003] of which CWC was one of the founding organisations. It was set up to advocate for and promote children's participation and protagonism in the region. Kavita Ratna [Director Advocacy CWC] was the founding Convenor of this Task Force comprising of 14 members from 5 South Asian Countries representing child's rights NGOs and children's organisations. The primary aim of the Task Force was to identify and establish best practice in children's participation to make it integral to all international development initiatives.

Dhruva, the Capacity Building and Consultancy Unit of CWC, was requested to conduct workshops on Child Participation to build the capacity of the members for the first two years. Because of the wide reach of the Task Force it was possible to spread the message of child participation to a larger audience than previously possible in South Asia. Unfortunately, most of the member organisations of the Task Force were members of the Global March and felt that the Task Force was undermining the position of the Global March and Child Workers in Asia, the forum that set up the Task Force. To resolve this dilemma they made membership in Global March mandatory for the Chairing organisation. This was

not something the CWC was prepared to do and so on ideological grounds, CWC parted ways with the Task Force, which very soon lost its momentum and its focus on children's protagonism.

The International Movement on Working Children due to lack of finance, adult support and internal disputes, remained inactive for 5 years. However, in 2002 with the support of the ItaliaNats some representatives of the IMWC were able to meet in Milan where they expressed the need to meet in a world-wide meeting.

The ItaliaNats emerged as a serious and sincere player on the scene and made some concerted efforts to revitalise the IMWC. In September 2004 the IMWC held a meeting in Berlin, Germany with the support of ItaliaNats. At this meeting Working Children established the Berlin Declaration in which they strongly denounced the ILO policy banning child labour and demanded that their work be treated with dignity and respect. This meeting was organized by the Italian NATs with support from the Technical University of Berlin and the COOP Centro Italia. Here adults organisation that supported the IMWC formed the 'International Forum in Solidarity with Working Children' to support the International Movement of Working Children.

In October 2004 I was invited to Italy by the ItaliaNats and met with the COOP Centro Italia who were willing to fund a meeting of the IMWC. In my discussions with the members of ItaliaNats, one of the main issues was to enable the next meeting of the International Movement of Working Children, which was one of the demands made by the IMWC at their meeting at Berlin the previous year. The ItaliaNats had been approached by one of the Coops in Italy (COOP Centro Italia who were also at Berlin) who wanted to fund the next meeting of children. In preparation for this meeting they were also willing to fund a pre meeting for both representatives of children's organisation and adult organisations that were supporting this movement. They however wanted the main meeting to take place in Italy, while the pre meeting could take place in any other country.

I was fortunate to have an extensive meeting with this COOP. My main concern was to ascertain their reasons for supporting the International Movement of Working Children. They said that the COOP movement was primarily concerned with the producers unlike most other businesses where the primary concern is the consumer. They had signed the SA 800 of the ILO declaring that they will not encourage child labour, but they were aware of the problems such a position could create for the children themselves after hearing the children speak in Berlin. Hence they wished to take an open stand in support of the working children's movement and also educate their members and consumers as to the rationale of such a stand. As children were also producers, they, as producers wished to align with them. I felt that they were genuine and very concerned. They had been deeply moved by the children and were willing to take a very controversial stand because of their convictions. I strongly felt that the COOP would be a very powerful ally.

In my discussions with ItaliaNats and the COOP I also proposed that we, the adult organisations supporting the Working Children's Movement, should also meet to discuss the role we needed to play and the nature of collaboration we needed to enter into to play our role as advocates of working children more effectively globally. With the absence of the IWGCL there was no such organisation as of

then and the child labour arena was monopolised by those who did not necessarily work directly with the movements and had little understanding of the issues involved. Besides supporting the movements we also needed to play a proactive role viz a viz international policy, our voices also needed to be heard and to do this we also needed a platform. But to do so we needed the time and space to discuss several questions and develop a strategy of our own and this I felt, might be the opportunity we had all be waiting for.

For the above reasons I proposed that a select group of adults, who had demonstrated a strong and lasting commitment to the working children's movement and children's participation, meet during a pre meeting of working children to explore this possibility and also enlist other possible adults who may be interested in such a movement.

The venue for the pre meeting was Kundapura, India during 11 to 15 April 2005 as suggested by ItaliaNats and CWC hosted this meeting. I proposed that the adults meeting also be held at the same time at the same venue as that would also give us an opportunity to have some interactions with the children and receive their suggestions as to our role.

At this meeting, the International Forum in Solidarity with Working Children attempted a review of the International Movement of Working Children. The key challenge identified at this meeting was the criminalisation of working children in the Asian region that was making it very difficult for working children to stand up and be counted. Most of the working children's unions in the region had begun calling themselves clubs and were more comfortable operating under the 'children's participation' banner than the 'working children's union' banner. By the end of the meeting a consensus had been arrived at regarding the crucial need for such an adult group and the ItaliaNats took on the responsibility to be the international secretariat. Unfortunately there was not much action after this meeting and the reasons for this still need to be explored.

This was followed by an International Meeting in Siena, Italy in October 2006 where the CORENATs and MOLACNATs decided "to give continuity to the agreements taken to make visible the Worldwide Organized Movement of Working Children and Youth on December 9<sup>10</sup>, World Day for the Dignity of Working Children [date of Kundapura Declaration] agreed at the Siena Meeting".<sup>11</sup>

To initiate a South Asian Regional Movement of Working Children, the South and Central Asian Convergence of Working Children meeting was held in Nepal August 2005 to unite children's and adult organisations. 40 Children, representing national, regional, and local working children's organisations from Bangladesh, India, Nepal, Pakistan, Sri-Lanka and Tajikistan took part in the meeting, due to visa related problems, representatives from Afghanistan and Mongolia could not join in. This meeting was hosted by the National Forum for Working Children, Nepal and Save the Children assisted it with

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<sup>10</sup> December 9th was the day the Kundapur Declaration was announced in India in 1996 - and hence it was the day designated to advocate for the Rights of Working Children.

<sup>11</sup> Mail signed by Rut Stefania Molina, Jesús Parra and Angel González CORENATs and MOLACNATs Head Office in Venezuela

resources. However, in the region due to criminalisation of working children, most children's unions found it risky to even declare that they were working children and hence they did not wish to be called the 'South Asian Movement of Working Children'.

The Kathmandu declaration of the National Working Children's Movement, was signed only by Bal Mazdoor Union Bangladesh; the National Movement of Working Children India, National Forum of Working Children Nepal, the Pakistan Rural Workers Social Welfare Organization, the National Committee on Working Children Sri Lanka and the Refugee Children and Vulnerable Citizens Tajikistan.

All these attempts did not result in anything sustainable and by 2007 all attempts at international and regional cooperation had fizzled out. The environment had become hostile for working children and resources were scarce.

### **THE CURRENT ENVIRONMENT FOR THE CHILD LABOUR DEBATE:**

Now the voices of working children have been silenced and the adult organisations fragmented, there is no debate on the issue of children's work. The few voices there are, are not heard in the din of an artificial and unreal polarisation that has been forced upon us. One is considered either against the exploitation of children and therefore for the 'abolitionist approach'; or if one questions the wisdom, justness or effectiveness of this approach, it is assumed that you must be for the exploitation of working children. We have been dumped in 'for' and 'against' boxes and labelled. We now live in a black and white world where colours or even the grey areas are not discussed, where voices are silenced by mock outrage and the sensationalising of horror stories that are but a small segment of the vast spectrum of children's work.

The fact that both ILO Conventions 138 and 182 have failed to help working children and mitigate, even in a small way the forces that push them into the work force, or protect these children from hazards and exploitation while they work or even provide them with alternatives that are at least not worse than when they were working, is something that policy makers and the implementers of anti-child labour programmes refuse to acknowledge. They continue to persist on the same trajectory sighting lack of finance or political will on the one hand and devising ways to fudge statistics by blurring definitions to show an artificial decrease in the numbers of children who work to justify their ineffectiveness.

Making education compulsory without improving the quality or access to education has further aggravated the problem. Formal education, certainly in India and many countries of Asia is the largest institutional perpetrator of violence against children. Even if corporal punishment is removed from the equation, discrimination and verbal abuse, the singling out of 'poor achievers' for 'special treatment', chores that poor children are made to do for their teachers, the costs of supporting a child in school and the continuous demand for financial contributions, the pressure of rote learning and exams, intelligence measured by marks and the need for extra classes and tuitions all make school a fearful place for most children. The fact that it does not give children the skills for life or even employment does not seem to be a consideration. In India, education is responsible for the largest number of child suicides and attempted suicides, not to mention the trauma that so many children suffer in silence.

But the main reason for the failure of strategies and interventions designed to address the problems faced by children who work is that the group closest to the problem and who possess the deepest knowledge of the situation, that is the children themselves, have not been the ones setting the global child labour agenda.

### **The Double Speak of Policy Makers:**

In 2010, Minister Piet Hein Donner, chairperson of the Conference and the Netherlands' Minister of Social Affairs and Employment in his opening address at the Global Child Labour Conference said; that eliminating child labour is intertwined with development issues such as poverty and education. *“One reason why child labour exists is that parents are unable to earn sufficient income to support their family. Child labour is often a choice between life and death. Clearly, therefore, we cannot eliminate child labour simply by prohibiting it. We must take flanking measures to ensure that child labour is no longer necessary in order to supplement the family income.”* He also said that these measures include the protection of vulnerable families, access to social services and the creation of decent work for those of working age. Minister Donner concluded by stating that *“tackling child labour requires different solutions in each country and in each sector.”<sup>12</sup>*

Very insightful remarks that exhibits an understanding of the push factors of child labour, namely poverty and the urgency to tackle poverty through a gamut of measures and that a variety of strategies are required to tackle the problem that needs to respond to the specifics of each country, but more importantly, the requirements of each local specific situation. What better way to understand the specifics of each situation than to include working children in the debate?

However, at this conference there was just one 'rescued' ex-child worker present in a section they called 'voices of children' and where they once again pushed the target date further, this time to 2016 with the same abolitionist approach.

After 40 years the ILO also admits that though the *majority of countries have adopted legislation to prohibit or place severe restrictions on the employment and work of children, much of it stimulated and guided by standards adopted by the International Labour Organization (ILO) child labour continues to exist on a massive scale, sometimes in appalling conditions, particularly in the developing world. If progress has been slow or apparently nonexistent, this is because child labour is an immensely complex issue. It cannot be made to disappear simply by the stroke of a pen<sup>13</sup>.*

What they do not acknowledge however, is that the stroke of their pen is anti children and puts them in the same category as common criminals forcing children to hide themselves and work in hidden areas of employment, the very premise on which the legislation is based is not just faulty, but extremely harmful to effected group. The means to address the problem is not questioned.

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<sup>12</sup> 2010 The Hague Global Child Labour Conference: Towards a World without Child Labour, Mapping the Road to 2016

<sup>13</sup> ILO Conventions and Recommendations on Child Labour

Blind to this reality the ILO persists in asserting that *'nevertheless, the basis of determined and concerted action must be legislation, which sets the total elimination of child labour as the ultimate goal of policy, and puts measures into place for this purpose, and which explicitly identifies and prohibits the worst forms of child labour to be eliminated as a matter of priority'*<sup>14</sup>.

Now with the burst of the economic bubble and the recession that has hit many countries of the world, especially the developed nations, we will probably see a re-emergence of child labour in the first world and an increase in third world countries.

At the IOL Global Conference at The Hague there was unanimous agreement *'that with six years remaining until the target date of 2016 for the elimination of the worst forms of child labour, it is imperative to substantially upscale and accelerate action, given the overall pace of progress and that the global economic crisis puts recent progress at risk'*<sup>15</sup>. The ILO-IPEC echoes this when they *'warn that'* even *'efforts to eliminate the worst forms of child labour are slowing down amid growing concerns over the impact of the economic downturn'* and in its Global Report on child labour, the ILO has said that the *'global economic crisis could "further brake" progress toward the goal of eliminating the worst forms of child labour by 2016'*<sup>16</sup>.

In Africa because of the extensive poverty and AIDS that has rendered several children heads of households the implementation of the ban is in practice more elastic and there are even programmes that promote and support young entrepreneurs. In countries of Asia such as Bangladesh, the approach is more realistic. In India, however, we still toe the hard line.

Now the term child labour evokes irritation, impatience and discomfort and the war is against the suppression of facts and statistics. Global pressure does not allow for the time and space to design sustainable solutions and the norm is 'quick fix' 'knee jerk' reactions. Child labourers have been swept under the carpet, hidden and rotated in a time warp.

Legislation should be enabling. It should empower the 'victims' to be their own first line of defence and rightfully transform their situation of exploitation to one that is beneficial. Criminalising their situation only pushes them further into exploitative situation especially if the alternatives proposed are worse and less beneficial than the ailment. Legislation should criminalise acts of crime such as the selling of spurious drugs or the use of harmful pesticides. Such acts should be banned and penalised. Child labours cannot be equated with criminals and penalising the child and her family for finding ways to survive in an increasingly competitive and consumer oriented world that has no place for the poor and marginalised, is unthinkable.

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<sup>14</sup> ILO Conventions and Recommendations on Child Labour

<sup>15</sup> The Hague Global Child Labour Conference 2010 – Towards a World without Child Labour, Mapping the Road to 2016 – Conference Report

<sup>16</sup> International Programme on the Elimination of Child Labour (IPEC)

## LOOKING AHEAD: AN AGENDA FOR ACTION

### The Consequence of Silence:

Those of us who understand and know the effect all this is having on our children cannot remain silent witnesses. We can no more be mute spectators while our children are innocent victims of a subtle and very insidious

genocide. If we do not do this –

we risk the lives of our children as they are sacrificed at the altar of Globalisation. We will be party to

this by our mere silence and compliance. We will be responsible.

*“When the lives and the rights of children are at stake, there must be no silent witnesses.”*

Carol Bellamy

Executive Director of UNICEF, the United Nations Children Fund 1995-2005

### Turning the Tables:

But children have retained their sense of optimism and faith. They have acted on issues that confront them, they know their problems and often the solutions and they continue to question status quo.

*“Until the lions have their own historians, History will be written by the hunters.”*

A South African Proverb

They still want to change things and they have the faith in the possibility of change. Working children continue to initiate unions and movements. They have their own newspapers and community radio/audio and news programme. They continue to document events and maintain an organisational history.

So we adults need to put our differences aside and unite once again. We must find ways to establish a support group of adults in defence of the International Movement of Working Children, perhaps another form of the IWGCL, a combined World Social Forum on Child labour. We need to create national structures for children’s participation in governance and a coalition of adult organisations as enablers. We must demonstrate a **decentralised approach to addressing child labour.**

I say that we declare war against this approach and the economic model that promotes it. By doing so we will be risking a lot; funding partners could slash funding and we could be under the attack of our national governments. There will be an even bigger backlash from the Trade Unions and we will invite the anger of the WTO and the World Bank and the wrath of the US establishment. We may even lose our ‘friends’. But do this we must.

Where are we - the NGO sector in all this? We have always been there for children. We were, until recently, the only major players in the field delivering services to kids. But we are fragmented, not that politically savvy and not really concerned with agenda setting. In the meanwhile the other stake holders are consolidating their position, for example the ICFTU was dissolved on 31 October 2006 to merge with the World Confederation of Labour (WCL) to form the International Trade Union Confederation (ITUC).

The odds are against us but we are obliged to find a means to regroup and counter the present state of affairs and address three major areas of violation of working children's rights:

1. First and foremost working children's right to Freedom of association and the right to bargain collectively as affirmed in the ILO Declaration on Fundamental Principles, The United Nations Convention on the Rights of the Child and the Universal Declaration of Human Rights.

This should result in:

- Invalidating all Child Labour Conventions and their accompanying policies and action plans
- Reviewing these with working children movements
- Redrafting them with the mandate of working children

The grievous harm done to working children globally must be remedied, recompensed and publically acknowledged. They cannot be written off as collateral damage. The fact that:

- Their work has been criminalised
- They have been prevented from earning a livelihood – survival
  - Without mitigating the circumstances
  - Where the alternatives are worse than the disease
  - Where education largest perpetrator of institutional violence against children has to be exposed.

2. The fact that a host of international and National agencies, organisations and private corporations have used the child labour issue for their singular ends:

- Exploiting the 'pity' factor sensationalising extreme cases and portraying children as objects of pity, helplessness and humiliating and demeaning them
- Violating their right to privacy and dignity – no permission or waiver
- Gaining economic and political advantage from this usage must be examined, made public and compensated for by contributing to an autonomous fund.

Working children's protagonism could once again be our saving grace. We have a new set of problems that are growing at an alarming rate for which we have no solutions. Now perhaps is the time to turn to our children again with humility and listen to what they have to say to us.

As children become more empowered there will be subjected to less exploitation and the need for them to protest discriminations will reduce. The time will come for adults to listen to the perceptions children have of society as a whole, the proposals they have for making changes. There is a distinct possibility that our children may open the door to a new world and their vision can save humanity from the ailments of the old if only we give them a chance.

*“Every time a child is born  
it brings with it the hope that  
god is not yet disappointed  
with man”*

Rabindranath Tagore