Chapter 1

Theoretical and conceptual Framework of child labour
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Magnitude of Child Labour

Globally, out of an estimated 211 million children between the ages 5 and 14 who are engaged in some form of economic activity, 186 million children fall within the accepted definitions of child labour. Another 59 million children are child labourers in the age group of 15-17. The Asia Pacific region harbours the largest number of child workers in 5-14 age group: 127 million, constituting 19 percent of the total population of children. Around 171 million children between the ages 5 and 17 work in hazardous conditions (Sekar 2005: 9). Among the developing regions, South Asia region accounts for the largest concentration of child labour.

The region, thus, has become a focus of the international campaign to eliminate child labour. A conservative estimate puts the number of such children (5-14 years) around 20-30 million in South Asia.

The South Asian Coalition on Child Servitude (SACCS), however, estimates that there are more than 80 million working children under 14 in South Asia (55 million in India, 10 million in Bangladesh and Sri Lanka). On an average, the percentage of working children/economically active children in the age group 5-14 years vary from 5 to 42 percent in five major countries of South Asia – Bangladesh: 19.1 percent, India: 5.4 percent, Nepal: 41.7 percent, and Pakistan: 8.3 percent. However, in Sri Lanka, about 21 percent of the children in the age group of 5-17 are engaged in some form of economic activity, although children engaged in economic activity alone are 7.5 percent (Srivastava 2003: 3).

The National Child labour survey in 1996, found that there were 21.6 million children aged between 5 and 14 years working in South Asia out of total of 300 million children in this age group (Government of India 1996). Sub Saharan Africa has an estimated 48 million child workers. Almost 29 percent are below the age of 15. Latin America and the Caribbean have approximately 17.4
million child workers. The Middle East has 13.4 million child labourers. And North Africa has 15 percent of its total children working in various sectors. Approximately, 2.5 million and 2.4 million children are working in industrialized and transition economies, respectively (Thomas Paul, 2008: 148).

Child Rights

Children are universally recognized as the most important assets of any nation. The future of the nation depends directly on how they are brought up and cared for. The first declaration on the rights of the child was made by the League of Nations in 1924. Under this declaration the child was the object of a variety of activities like 'reclaimed', 'sheltered', etc. (The League of Nations 1924).

The second declaration on the Rights of the child was adopted by general Assembly of UN in 1959. According to its principle 1, the child shall enjoy all the rights. Every child, shall be entitled to these rights, without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or of his family. And principle 6 on the rights of child also declares that the child, for the full and harmonious development of his personality, needs love and understanding. He shall, wherever possible, grow up in the care and under the responsibility of his parents; society and the public authorities shall have the duty to extend particular care to children (U.N. Office of the High Commissioner for Human Rights 1959).

Article 32 of the UN Convention on Rights of the Child states that state parties recognize 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. Hence state parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article (cited in Government of India 1996).
There has been growing global consensus on the need to curtail different forms of exploitation of children including child labour and ensure every child the right to protection and development. Apart from the convention on the rights of child, the international community agreed at the world summit for children held in 1980 on a series of specific and measurable goals for the protection of the lives, the health, and the normal growth and development of children. The goals included:

- Rooting out child malnutrition.
- Control of the major childhood disease.
- The eradication of polio and dracunculiasis.
- The elimination of micro-nutrient deficiency.
- A halving of maternal mortality.
- The achievement of primary school education by at least 80 percent of children.
- The provision of clean water and safe sanitation to all communities.
- The universal ratification of the convention on the rights of the child.

By end of 1995, it was subsequently agreed that a set of intermediate goals should be achieved (UNICEF 1995: 12).

While fully subscribing to the objectives and purposes of the rights of the child it can be progressively implemented in the developing countries, subject to the extent of available resources and within the framework of international cooperation recognizing that the child has to be protected from exploitation of all forms including economic exploitation, for example, child labour.

**Concept of Child**

According to Article 1 of the United Nations Convention on the Rights of the Child 1989 “a child means every human being below the age of eighteen years
unless, under the law applicable to the child, majority is attained earlier”. The Article thus grants the discretion to individual countries to determine by law whether childhood should cease at 12, 14, 16, or whatever age they find appropriate (U.N. Convention on the Rights of Child, 1989: 2005: 1).

Clearly, it is false to address the child as a homogenous category. How well are different categories of children differentiated at the levels of analysis, research and action? All too often children of the ages 5-18 are implicitly lumped together (IOPAD International Conference on Child Labour in South Asia 2001: 15).

There are physiological criteria which provide clear broad stages in childhood and its separation from adulthood. These are infancy (0-5), pre-pubertal childhood (6-12), and post-pubertal childhood (12 to adulthood or majority), the age of adulthood of the child as being eighteen unless, under the law of his/her state he/she has reached age of majority earlier (Fyfe 2002: 13-14).

Age limits are a formal reflection of society’s judgement about the evolution of children’s capacities and responsibilities. Almost everywhere age limits formally regulate children’s activities: when they can leave school; when they marry; when they vote; when they can be treated as adults by the criminal justice system; when they can join armed forces, and when they can work (Bajpai: 2003: 2).

Today the concept of childhood, invented and sustained by adults, has two key features: one, a rigid age hierarchy, which separates them from adults and has institutionalized this childhood by special dress, games, language and literature. Another is the myth of childhood innocence where the child must be both happy and separated from the corrupt adult world. It is more expressed in child-centred families and is determined to make these years best in life (Devi 1998: 163). These adult modes and prescriptions have been codified into international standards expressed in declarations, covenants and charters where child cannot be defined as a worker but requires protection. In this protected period of child’s
socialization, the school has become the acceptable way of work for the child (Bissell 2003: 64-66).

**Child Labour and Child Work**

The term labour and work have been used interchangeably and synonymously. Both labour and work are born out of the ubiquitous human need to survive and much of the ambiguity centres round this commonality. The elements that make work and labour apparently synonymous are: (a) both work and labour are organized human responses to ways of securing resources satisfying human needs for sustenance; (b) these processes involve an exchange between human beings and natural work; and (c) both work and labour require human effort and exercise of body and mind. Though the terms “work” and “labour” have been used synonymously, they discern a semantic difference that has existed throughout.

Distinction between work and labour is determined by the particular social context, the quality of various interactions and dynamics present in the production process. The distinction between work and labour is to be found in a critical overview of the environment in which these processes operate and the quality of the relationship existing in operation. Historically socio-political, scientific and technological developments have led to the radical transformation of work into labour (Pandey 2008: 7).

In eastern world, child work is a part of growing up in consonance with family values and structure and it acknowledged that the child contributes to the wellbeing of the family. Child work includes light domestic chores, has certain learning values and aids in the child’s mental and cognitive development. Rural work primarily in agriculture is sometimes included as child work because it is light and can be combined with schooling when child work turns into child labour taking away school and leisure time; it damages the normal development of a child. Child labourers can be defined as economically active children where there is monetary benefit for the work done (Gayathri and Chaudhri 2002: 443-50).
Girl Child Labour

In most countries today, the girl child has a lower status and enjoys fewer of the rights, opportunities and benefits of childhood than the boy child, who has the first call on family and community resources. The girlchild experiences inequality at a very young age and finds this inequality increasingly difficult to overcome. The extent of deprivation of girls can be seen in various spheres when compared. Girlchildren in the developing countries get less food, healthcare and education than boy children. The literacy rate of women for the developing countries is two thirds that of men (Aidoo 1991: 95). The percentage of moderately malnourished girls exceeds that of boys. It is also discovered that per capita male consumption of food consistently exceeded that of females in all age groups (Mahanty 1993: 88).

The female child is considered as liability for the parents who are influenced by the traditions, values, societal norms and social institutions like family, kinship and marriage. Girlchild labour is not only deprived of their education and recreation, but they are exposed to the risk of sexual harassment and their moral and psychological development is at stake. The forms of employment for girls also reflect gender bias. Family duties are delegated to the girlchild from early childhood (Ramesh 2002: 37).

The comparative economic advantage accounts for the sex bias in favor of boys over girls in the traditional societies of the third world countries. Where agriculture is the main source of employment and income for the most of the people and the major contributing factor to GNP, the male child is valued much more than the female child as he constitutes an extra hand to bring in some income to the family, while the girl is considered to be a liability; as she has to leave the family at great expense of dowry and other burdens. There is an adage: males are producers and females are consumers. The economic value of male child is further enhanced in countries where social and cultural taboos restrict women from participating in paid work of family occupational work (Narayana 2003: 89).
The burden of poverty on women has serious effects on their children, especially, their girlchildren. But even where poverty is not an overriding factor in childhood development various forms of sexual discrimination inhabits equal opportunities for girls. Customary laws frequently make the girl child, the 'lesser child'. The girl child is the key to achieving a more equitable status and role for women in the future. The mould of the adult woman is set in childhood. Improvements in the condition of the girlchild and greater investments in her development will ensure that her girlchildren will have greater opportunities and suffer lesser inequality.

A number of important facts shed light on the situation of the girlchild in the world. For example, 60 million girls have no access to primary schooling, 20 million more than boys, out of which 28 million are found in south Asia (Aidoo 1991: 95-96). UN Human Rights Conference (1993) specifically refers to child prostitution, child poronography as well as other forms of sexual abuse and enjoins that measures be taken by special agencies to ensure the effective protection of the girlchild labourers (Ramesh 2002: 38-39).

Definition of Child Labour

Child labour, generally speaking, is work for children that harms them or exploits them in some way, physically, mentally, morally, or by blocking access to education (http//www.dwd.state, wi.us/er/labour_standards_bureau/child labour_). Children who are in the growing process can permanently distort or disable their bodies when they carry heavy loads or are forced to adopt unnatural positions at work for long hours. Children are less resistant to diseases and suffer more from chemical hazards and radiation than adults. UNICEF classifies the hazards of child labour into three categories, namely I) Physical, II) cognitive, and III) emotional, social and moral.

I. Physical Hazards:

There are jobs that are hazardous in themselves and affect child labourers immediately. They affect the overall health, coordination, strength, vision and
hearing of children. One study indicates that hard physical labour over a period of years stunts a child’s physical stature by up to 30 percent of their biological potential.

II. Cognitive Hazards:

Education helps a child to develop cognitively, emotionally and socially. Cognitive development includes literacy, numeracy, and the equation of knowledge necessary to normal life. Work may take so much of a child’s time that it becomes impossible for him/her to attend school; even if the children do attend, they may be too tired to be attentive and follow the lessons.

III. Emotional, Social and Moral Hazards:

There are jobs that may jeopardize a child’s psychological and social growth more than physical growth. For example, a domestic job can involve relatively light work; however, long hours of work and the physical, psychological and sexual abuse to which the child domestic labourers are exposed make the work hazardous. Studies show that several domestic servants on average work for twenty hours a day with small intervals. According to UNICEF survey, about 90 percent of employers of domestic workers preferred children of 12 to 15 years of age. This is mostly because they can be easily dominated and obliged to work for long hours and can be paid less than what would have to be paid to an adult worker. Moral hazards generally refer to dangers arising for children in activities in which they are used for illegal activities, such as trafficking of drugs, sex trade and production of pornographic materials (Coonghe, http://www.pust.edu/oikonomia/pagesatt200/collaboratori.htm).

Perpetuation of child labour will also have adverse effects in the nation’s economy through various short term and long term effects on the labour market growth and development through unproductive, unskilled labour force and also on social development through poor rates.
According to UNICEF it is very important to distinguish between work that is beneficial and work that is intolerable. Child labour is exploitative and intolerable if it involves:

(a) Full-time work at too early an age;
(b) Too many hours spent working;
(c) Work that exerts undue physical, social or psychological stress;
(d) Work and life on the streets in bad conditions;
(e) Inadequate pay;
(f) Too much responsibility;
(g) Work that hampers access to education;
(h) Work that undermines children’s dignity and self-esteem, such as slavery or bonded labour and sexual exploitation; and
(i) Work that is detrimental to full social and psychological development.

The Encyclopedia of Social Sciences (1959) defines child labour as: “When the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour”. C.S. Blanchard, the Director General of the International Labour Organization states that child labour can be conceived to include children under the age of 15 years in work or employment with the aim of earning a livelihood for themselves or for their families.

Child labour is bad because it denies the inherent dignity of human being. Social scientists who define child labour in this sense emphasize more on the character of jobs on which the children are engaged in and the dangers to which they are exposed.

According to Alakh Narayan Sharma, child labour means that the employment of children in gainful occupations in industrial as well as non-industrial occupations, which are injurious to their physical, mental, moral and
social development. Thus, the term includes wage labour as well as self-employed children working independently as well as in family enterprises. So, child labour is child labour irrespective of whether done at home or outside. Child labour thus can be defined as any work undertaken by children below the age of 15 years in such works which are injurious to their health and harmful to their proper full physical, mental moral and social development (Shandilya and Khan 2003: 10-12).

**ILO Perspectives of Child Labour**

The concept of child labour is based on the minimum age conventions. The first child labour convention was passed in 1919, setting the minimum age for regular industrial work, excluding family enterprise and technical schools, at 14 years. This convention No. 5 was revised in 1937 when the minimum age was raised to 15. Minimum age conventions adopted for different occupations from 1920 to 1965 are shown in table 1.1.

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Convention</th>
<th>Minimum Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seamen</td>
<td>No. 7, 1920</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>No. 58, 1936</td>
<td>15</td>
</tr>
<tr>
<td>Agriculture</td>
<td>No. 10, 1921</td>
<td>14 (except out of school hours)</td>
</tr>
<tr>
<td>Mining</td>
<td>No. 123, 1965</td>
<td>16</td>
</tr>
<tr>
<td>Non-industrial</td>
<td>No. 33, 1932</td>
<td>14 (but allows children over 12 to be employed outside of school hours on light work)</td>
</tr>
</tbody>
</table>

ILO Conventions are usually flexible, allowing for gradual implementation and the facility for a state to grant exceptions, particularly in the case of family enterprises. In 1973 the ILO replaced these conventions with convention 138 which applies to all areas of economic activity (Venkat 2002:...
175). Under ILO convention No. 138, light work that doesn’t interfere with education is permitted from the age of twelve years. A further development was the worst forms of child labour convention (convention 182). Although the convention 138 states that the minimum age for employment should not be less than 15 years, it provides discretion for developing countries to opt for a minimum age of 14 years, but not on a permanent basis. The convention also makes provision for children aged 13 and 14 (or aged 12 and 13 in countries where 14 years is minimum age for fulltime employment) to be employed in light work. It also has provisions to prohibit children less than 18 years from being involved in dangerous work without necessary training. Importantly governments are required to specify which types of work are permitted as light work, including hours and conditions (Pawar 2007: 62). This convention is a flexible instrument that fixes different minimum ages not only for different forms of employment, but also for countries at different stages of economic development (Mishra 2001: 338-39).

Notwithstanding the fact that legislation does not appear to be a panacea for child labour, the international community continues to work on the adoption of international standards on child labour. However the focus has changed with a shift from attempts to abolish all child labour to recognition that it may be more beneficial to the children of the world to initially devote resources to the immediate abolition of the worst forms of child labour.

This approach is clearly more realistic in light of the varied economic and cultural conditions existing in various countries and also acknowledges that some forms of work are acceptable and indeed beneficial to children and need not be abolished. As a result of this change in focus, the ILO convened a conference in Geneva in June 1998 to work on the drafting of a new convention to be known as the immediate abolition of the worst forms of child labour convention, 1999 (Yaremko-Jarvis 1999: 4). The convention concerning the immediate action for the abolition of the worst forms of child labour, known in short as the Worst Forms of Child Labour Convention, was adopted by the International Labour Organization (ILO) in 1999 as ILO convention no. 182. By ratifying this
convention no. 182, a country commits itself to taking immediate action to prohibit and eliminate the worst forms of child labour.

The convention 182 includes forms of child labour, which are predefined worst forms of child labour; they are also sometimes referred to as automatic worst forms of child labour. The predefined worst forms of child labour are:

- All forms of slavery or practices similar to slavery.
- Trafficking of children, meaning the recruitment of children to do work away from home and from the care of their families, in circumstances within which they are exploited;
- Debt bondage or any other forms of bonded labour or serfdom;
- Forced or compulsory labour, including forced or compulsory recruitment of children, for use in armed conflict;
- Commercial sexual exploitation of children (CSEC), including the use, procuring or offering of a child for prostitution, or the production of pornography or for pornographic performances;
- Use, procuring or offering of a child by others for illegal activities, also known as children used by adults in the commission of crime (CUBAC), including the trafficking or production of drugs; and
- Work, which by nature or the circumstances is likely to harm the health, safety or morals of children (Article 3).

Here, the convention recommended that the circumstances should be determined in consultation with organizations of employers and workers within specific country (Lieten2005:32-33)

The accompanying recommendation defines hazardous work as “work which exposes children to physical and psychological or sexual abuse; work underground, under water, at dangerous machinery or tools or which revolves heave of loads, work in unhealthy environments and work under particular
difficult conditions such as long hours, during the night or where child is confined to the premises of the employers". The recommendation of convention calls for giving special attention to young children; hidden work, in which girls are at special risk; and children with special vulnerabilities or needs.

The President of the United States of America, William Jefferson Clinton (1999), who addressed the 87th session of International Labour Conference referring to the worst forms of child labour convention, has said that it is a “gift for our children worthy of the millennium.” The ILO Director General Jean Somavia said, “with this convention, we now have the power to make the urgent eradication of the worst forms of child labour, a new global cause. This cause must be expressed not in words but in deeds, not in speeches but in policy and law. To those who exploit children, forcing them into slavery, debt bondage, prostitution, pornography or war, we are saying ‘stop it now’” (Ramesh 2002: 41-42).

Classification of Child Labour

Children are engaged in wide range of activity in both rural and urban areas. In urban areas they are found in both organised and unorganized sectors or formal or informal sectors, employed in both visible and invisible nature of work. These child labourers are considered as unskilled labour with limited physical strength. Most of the child labourers are working under some form of compulsion whether from their parents, or from the simple economic necessity or to ward off starvation (Paul 2008: 143-44).

Broadly we can classify child’s labour in two categories – rural and urban. On the basis of nature of work, whether it is invisible or not, it can further be classified into formal or informal sectors. Rodgers and Standing (1981: 2-11) divide children’s activities into different categories such as:

1. Domestic Non-Monetary Work: It includes domestic non-monetary work, where children usually work within the family, e.g., cleaning,
cooking, washing, childcare, etc. This is self-employment and is generally time-intensive.

2. **Non-Monetary and Non-Domestic Work:** Children engaged in this category include non-monetary and non-domestic workers and are usually found in the poor agrarian or rural economies. In such works, children are considered as a part of family activity. This category includes activities like tending of livestock, protection of crops from birds and animals, hunting, gathering, weeding and taking care of younger sisters and brothers. This work is also time-intensive and is often intermixed with domestic work.

3. **Work in the Non-Agrarian Environment:** It includes artisan production, small-scale production, manufacturing and services. This category includes the work in urban sectors.

4. **Bonded Labourers:** Children of this category work as bonded labourers and are pledged by their parents in lieu of debt. Although law abolishes the practice of bonded labour, still the prevalence of the practice is noticed by a number of studies especially in rural areas.

Rodgers and Standing further classified these four categories on the basis of paid or unpaid work. The unpaid labour includes work usually carried out within the family and is known as self-employment. These practices are noticed in agriculture, carpet making (based on piece rate), domestic services, brick making, match making, etc. The other part of child labour is paid workers who work in both formal and informal spheres, whereas the former work is basically informal in nature (Rodgers and Standing 1981:34).

Studies conducted by UNICEF categorize child’s activity in two ways based on nature of work and in relation to children’s integration with their family during the working period. UNICEF classified it into 3 categories (Seker 1997: 15). These are:

I. Within the family.
II. With the family but outside the house.

III. Outside the family.

The first category includes work in handicrafts, cottage industries, domestic/household tasks, agricultural/pastoral work, etc. without pay. In such types of work children work with their families and are considered as a part of them as in the piece rate system. The work is considered as a part of their training in their childhood. Usually children work with their family (Saksena 1999: 12).

The second category includes those children who are engaged in agricultural / pastoral work which consists of (seasonal / full time) migrant labour, local agriculture work, domestic service, construction work, informal occupations. In these works, children are employed purely with the aim of economic assistance.

Children belonging to third category are engaged in different types of work outside the family, which are more exploitative by nature. This category includes bonded work, apprenticeship, skilled trades (carpet, embroidery, brass, copper work, etc.), industrial or unskilled occupations or in mines, domestic work, commercial work in shops and restaurants, prostitution, pornography, etc.

On the basis of nature of work, UNICEF identified six areas where children are engaged (Saksena 1999: 13):

i. Forced and bonded labour

ii. Commercial sexual exploitation

iii. Industrial work

iv. Agricultural and plantation work

v. Street work

vi. Domestic service

vii. Work for the family and girls’ work.
**Causes of Child Labour**

UNICEF (1995) has analysed the causes in terms of push or supply factors and pull or demand factors (Figure 1.1). Extreme poverty, family breakdowns, health issues, disasters, and deep-rooted cultural practices that lead to gender biases, biased attitudes, and discrimination of certain groups appear to push children to undertake any type of work.

![Push/Supply and Pull/Demand Factors of Child Labour](image)

**Figure 1.1**: Push/Supply and Pull/Demand Factors of Child Labour

On the other hand, the world of work (employers and other unscrupulous people) seems to pull children because they are very cheap and obedient, can be easily exploited, do certain things more effectively and efficiently which adults fail to do (e.g., nimble fingers). There are either no laws or inadequate laws which are poorly enforced, and children do not have easy access to education due to several reasons including poor infrastructure.

The second approach to analyse the cause of child labour is to delineate the causes in terms of immediate, underlying, and structural levels (ILO 2002). This way of analyzing the causes is important as it helps us to go beyond symptoms or superfluous causes and look at structural issues at both global and local levels. Further, it may also help us devise strategies at those levels in an integrated manner. The ILO (2002) has categorised some of the causes at these three levels, which are self-explanatory (table 1.2).
<table>
<thead>
<tr>
<th>Immediate causes</th>
<th>Underlying causes</th>
<th>Structural or root causes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited or no cash or food stocks; increase in price of basic goods</td>
<td>Breakdown of extended family and informal social protection systems</td>
<td>Low/declining national income; extreme unequal distribution of resources</td>
</tr>
<tr>
<td>Family indebtedness</td>
<td>Uneducated parents; high fertility rates</td>
<td>Inequalities between nations and regions; adverse terms of trade</td>
</tr>
<tr>
<td>Household shocks, e.g. death or illness of income earner, crop failure</td>
<td>Cultural expectations regarding children, work and education.</td>
<td>Societal shocks, e.g. war, financial and economic crises, transition, HIV/AIDS</td>
</tr>
<tr>
<td>No schools; or schools of poor quality or irrelevant schools</td>
<td>Discriminatory attitudes based on gender, caste, ethnicity, national origin, etc.</td>
<td>Insufficient financial or political commitment for education, basic services and social protection; “bad” governance; deep rooted cultural practices</td>
</tr>
<tr>
<td>Demand for cheap labour in informal micro-enterprises</td>
<td>Perceived poverty: desire for consumer goods and better living standards</td>
<td>Capitalist oriented societies; social exclusion of marginal groups and/or lack of legislation and/or effective enforcement</td>
</tr>
<tr>
<td>Family business or farm cannot afford hired labour</td>
<td>Sense of obligation of children to their families, and of “rich” people to the “poor”</td>
<td>Lack of decent work for adults</td>
</tr>
</tbody>
</table>
Immediate causes are those causes which are apparent to the naked eye and appear as mere symptoms. Underlying causes are confined to parents, family, culture and their relative poverty. Structural level causes appear to be much more borderer and complex and offer explanations for underlying and immediate causes. It is important to realize that there are important interconnections among the three levels of causes.

The push and pull factor approach appears to capture only immediate and underlying causes and does not cover structural causes. With such an understanding of causes, the child labour issue cannot be addressed effectively. Poverty and consequent low levels of development are often considered as mother of many social ills, including child labour. It is important to note that poverty can lead to child labour, but poverty may not directly cause child labour. If this is the case, the extent of child labour will be very high as one fifth of the population is below the poverty line. However poverty alleviation and eradication can lead to reduction of child labour.

Unless we address such structural or root causes along with other levels of causes, the child labour problem cannot be significantly reduced and ultimately eliminated. Despite highest development levels, children are involved in worst forms of child labour such as prostitution, child pornography, illicit activities, and working outside normal hours. Beyond poverty and development, we must also address deep rooted cultural practices, exploitation and gender biases (Pawar 2007: 56-58).

The ILO (2002) concludes that there are many interlinked explanations for child labour. No single factor can fully explain its persistence and, in some cases, its growth. The way in which different causes, at different levels, interact with each other ultimately determines whether or not an individual child becomes a child labourer (ILO 2002:10).

Mode of Production and Pattern of Landholdings: The predominantly agricultural economies, along with the feudal landholding pattern, also perpetuate
the phenomenon of child labour in the region. For instance, the pattern of landholdings in India, due to a limited land reform programme has increased the debt burden of rural labourers and marginal farmers forcing their children to work. The migration from rural to urban areas to escape rural poverty and search for jobs is fairly widespread in India, which also contributes to child labour. The feudal system in Pakistan also sustains child labour, bonded child labour in particular.

Table 1.3

Children of 10-14 Years in the Labour Force in South Asia, 1980-99

(Percentage)

<table>
<thead>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>35</td>
<td>33</td>
<td>30</td>
<td>30</td>
<td>29</td>
<td>29</td>
</tr>
<tr>
<td>India</td>
<td>21</td>
<td>17</td>
<td>14</td>
<td>14</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td>Nepal</td>
<td>56</td>
<td>48</td>
<td>45</td>
<td>45</td>
<td>43</td>
<td>43</td>
</tr>
<tr>
<td>Pakistan</td>
<td>23</td>
<td>20</td>
<td>18</td>
<td>17</td>
<td>16</td>
<td>16</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>4</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>South Asia</td>
<td>23</td>
<td>-</td>
<td>-</td>
<td>17</td>
<td>16</td>
<td>16</td>
</tr>
</tbody>
</table>

Note: Percentage figures have been rounded up to the nearest whole number.

Lack of Adequate and Effective Enforcement and Legal Remedies:
The absence of a coherent government policy and non-implementation of existing laws complemented with poor surveillance, enforcement and intervention mechanisms due to lack of resources and corrupt practices sustains the phenomenon of child labour in all countries of South Asia (Srivastava 2003: 4).
Table 1.4

Economically Active Children and Child Labour in Total Workforce in Countries of South Asia

<table>
<thead>
<tr>
<th>Country</th>
<th>Percent of Working / Economically Active Children</th>
<th>Child labour as percentage of total workers 1995</th>
<th>Child labour as percentage of total workers 2000</th>
<th>Child labour as percentage of total workers 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>19.1</td>
<td>9.17</td>
<td>7.15</td>
<td>4.08</td>
</tr>
<tr>
<td>India</td>
<td>5.4</td>
<td>3.68</td>
<td>2.95</td>
<td>1.51</td>
</tr>
<tr>
<td>Nepal</td>
<td>41.7</td>
<td>12.12</td>
<td>11.30</td>
<td>8.86</td>
</tr>
<tr>
<td>Pakistan</td>
<td>8.3</td>
<td>5.73</td>
<td>5.12</td>
<td>3.02</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>7.5</td>
<td>0.64</td>
<td>0.42</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Note:** The age group except for Sri Lanka is 5-14 years. For Sri Lanka it is 5-17 years.

**Source:** Castle et al. 2000.

**Consequences of Child Labour**

Child labour directly affects children and their health and education. It gives rise to many factors, which in turn perpetuate child labour. Breton (1981: 14-15) codified the prime consequences as follows:

1. Absence of a harmonious family life,
2. Insufficient spare time for play and cultural activities corresponding to the child's age,
3. Exposure to social risks,
4. Health risk, because the resistance and muscular strength of a growing child are inferior to those of an adult. Children are, therefore, particularly susceptible to professional illness, e.g. tuberculosis caused by exposure to dust in textile industry and accidents at work. In addition, health problems
appear in the medium or long term, caused by physical efforts appropriate to their stage of development.

5. Mostly lack of opportunities to acquire the basic general and professional knowledge necessary for their normal mental and intellectual development and to permit them to be successful in their entry into their future professional and social lives.

The most destructive consequence of child labour is that it affects the long-term quality of life. It permanently damages the social development skills of the concerned children.

**Psychological Damages:**

A child who starts working at an early age faces many adverse consequences because they are not suited for long hours of strenuous and monotonous work. These consequences are seen in the form of physical and psychological damage. The physical harm is, of course, easiest to access. Psychological damage is more devastating and depends on environment in which they are oppressed.

In the carpet industry, children are made to work as much as 17 hours a day and 7 days a week. Even 5 years old children are working there. About 95.40 percent of the children sleep in the factory premises that could be characterized as congested and stuffy rooms/sheds. These rooms lack proper ventilation and the stale breath is laden with woolen particles. For this labour, children get only Rs. 20 a day for a 15 hours work and for some children it is only two meals a day. It was found in a survey that about 75 percent child labourers are paid on piece rate basis, about Rs. 20-30 a day. Another 12 percent are trainees who are not paid anything during the training period (CWIN 1993: 16-25). Separation from families, continuous work for long hours for five to six days (sometimes seven days a week) without holidays and poor treatment at workplace lead children to physical disorder and make them psychologically unstable.
Besides the direct harmful effects on the child, work deprives them from attending school, which is an essential factor for child's proper development, especially psychologically. Education helps a child develop cognitively, emotionally and socially and it is an area often gravely jeopardized by child labour (VVGNLI 1993: 25). Education also helps children in enhancing their working skills but most of the working children are out of school.

**Physical Hazards:**

They suffer the effects of fatigue and exertion much more quickly than those of adults. Many of them are already suffering from malnutrition, which makes them more vulnerable to disease due to weak immunity (Dogramaci 1994: 9). Carrying heavy loads or sitting for long periods in unnatural posture can permanently disable growing bodies. Hard physical labour over a long period of years can stunt children’s physical stature by up to 30 percent of their biological potential, as they expend more energy (UNICEF 1995: 10).

Like in carpet weaving, children have to work continuously for about 15 hours a day. Under such circumstances, lack of exercise and continuous sitting and stooping posture result in loss of appetite and sluggishness of various parts of body. General body ache may affect back, legs, hands and feet, which sometimes are compounded by headaches caused by weak eyesight. Constant interplay of fingers with threads results in scratch marks on fingers (VVGNLI 1993: 6). They are also prone to accidents and occupational hazards, which can mean permanent disability.

Generally child labours are physically abused and exploited. Exploitation of children depends on their terms of work in two ways: hazardous working conditions and low remuneration along with excessive hours of work. Abuses are numerous because the efforts demanded out of children in their work often exceed their physical and mental capacities, especially when they work outside the traditional family framework (Breton 1981: 27). Among several factors of abuses, perhaps the worst is separation from their parents which sometimes is
lifelong especially in the form of debt bondage and bonded labour and finally, at worst, sale of children. Sometimes they are forced to get involved in anti-social and criminal activity.

Children are susceptible to all kinds of dangers as are faced by adults, when placed in the same situation. Survival and physical integrity are important to them as to older people. However, health hazards that affect adults, affect children even more strongly (Dogramaci 1994: 6). Therefore, it is necessary to go beyond the relatively limited concept of “work hazards” which is usually applied to adults and expanded to include the developmental aspects of childhood. Often children are made to do work which adults would find degrading or unpleasant because the children are uncomplaining workers and do not have the physical strength to fight against these exploitative conditions imposed on them by the more powerful adults. Coming as they do from the so-called “lower caste”, this is again a form of oppression from their upper caste adult employers (Gupta and Voll 1999: 97).

Studies about the health of child workers have shown the close relationship between malnutrition, lack of sleep and hence fatigue which leads to reduce working capacity (Gupta and Voll 1999: 97). Voll further says that the child then has to work longer hours and this becomes a vicious circle. Poverty, malnutrition, lack of education and pressure of work creates an extremely stressful situation for a young child (Gupta and Voll 1999: 97). Long working hours and poor working conditions are the normal features of a significant number of workplaces. Often children handle hazardous and toxic materials without any protection. Carrying heavy loads and maintaining uncomfortable and wrong body postures for long time, which in due course may develop some kind of musculoskeletal disorder. Besides this, children are not suited for long and monotonous work and their level of concentration is also less than that of adults (ILO 2002: 12-14).

In different organised sectors, “the lack of training and experience in handling tools, their short span of concentration, the use of unguarded machinery,
the unsafe use of electricity, the shortage of gloves, goggles and other protective equipment and the insalubrious state of workplace resulting from dust, fumes, lack of hygiene, poor lighting and inadequate ventilation are all potential source of accidents and diseases” (UNICEF 1995: 14). The vulnerability of children is increased by the high incidence of malnutrition and undernourishment, which weaken them further. This weakens resistance, causes debilitating illness and decreases life expectancy.

**Economic Exploitation:**

Exploitation of children is not only physical and psychological but also economic. Usually they work for long hours beyond their capabilities and get very low remuneration and sometimes receive no wages. This fact is also recognized by ILO that in some cases they are not paid especially in apprenticeship schemes in small enterprises and informal sector settings. In cases where they are paid, they almost invariably receive low wages. This appears to be one of the reasons for the widespread use of child labour, especially in small enterprises, informal sector and agriculture (ILO 2002: 12). In industrial establishments like garment making, carpet, brick kiln, confectionaries, etc. these working hours are from 8 to 11 hours a day (Centre for Women/Children and Community Development 1997: 63). Children, especially girls, in domestic service in both countries, work long hours since they must be available at nearly all times and this work is more exploitative because of its invisible nature.

Besides these long hours of work children are paid low wages or sometimes no wages. In most of cases such as beedi rolling, some aspects of agriculture, quarrying, construction, etc. wages are paid on piece rate basis to the family as a unit of which the child is a part. In such situations children are used to work for long hours and are undermined in terms of wages. Third World countries like India and Nepal provide conducive environment for child labour where an unorganized sector dominates market structure and is the largest source of urban employment. This sector is characterized by “low remunerative employment, poor working conditions and frequent violation of labour laws,
permits children to work beyond the time permitted even in nights, without any wage security” (Sharma and Mittar 1990: 24-26).

**Education and Combating Child Labour**

Education is considered fundamental human right of every child from age group of 5-14 and any child out of school should be treated as child labourer. There is concensus regarding childhood linked to schooling. Mishra says that child labour is a consequence of failure of the state and the society to provide school education to the children, which is their fundamental right. He simply favours the view that all children who are out of school should be presumed to be doing some work or other (Mishra 2002-2003:20).

Anthony and Gayathri also discuss about the heterogeneity of the relationship between work and education. While analysing the issue in depth they state that evidence from children’s lives reveals that beyond a simple dichotomy between children at work and children at school, there exists a much more complex range of categories comprising children in full time education, children in full time work, children who are neither at school nor at work, children are engaged in occasional and seasonal work and children who are engaged in both school and work. However, these do not form mutually exclusive categories (Anthony and Gayathri, 2002-03: 5187). Child labour and illiteracy go hand in hand as one tends to breed the other. Numerous studies have examined the impact of education on the incidence of child labour. Most of the child labourers are either illiterate or partially literate. The parents of child labourers are more often illiterate. No study has ever found a child labour coming from an educated family (Nangia 1981: 101-02).

Myran Weiner, a strong advocate of compulsory education for children to combat child labour, maintains that without the iron frame of legislation to compel at least few years of elementary education, millions of parents will not send their children to school, employers will never release their grip on nimble fingered, easy to handle and cheap source of labour, and India and Pakistan will
continue to head the international illiteracy league into the coming century (Paul 2008: 153).

Education is one of the key remedies in the combating of Child labour. Children with no approach to education have no alternative but to enter the labour market often performing work that is detrimental and exploitative. Education and skill training contribute to prevent and reduce child labour, as “children with basic education and skills have better chance in the labour market; they are aware of their rights and are less likely to accept hazardous and exploitative working conditions; and educational opportunities can wean working children from hazardous and exploitative work and help them find better alternatives” (Rajawat 2004: 210).

The most recent international data on education enrolment shows that 72 millions of primary school aged children are not enrolled in school, but there are also many children who are enrolled but who do not attend regularly or who drop out. Good quality education and training is necessary for children if they are to acquire the skills necessary to succeed in the labour market. Such education and training is also important to economically and socially excluded children so that they can lift themselves out of poverty. Wherever children miss out on education, poverty will continue from one generation to the next.

With the millennium development goals, the United Nations set target to ensure that by 2015 all children complete a full course of primary education and that there is gender parity in education. These targets will not be met unless the factors that generate child labour and prevent poor families from sending children to school are addressed.

Some of main education related policy options to tackle child labour include the following:

- Providing free public and compulsory education to encourage parents to send children to school and reduce the dropout rate.
Removing barriers to girls’ education (and in some places, barriers to boys’ education), addressing the underrepresentation of girls in education, changing traditional thinking that may prevent girls from attending schools, making the ambience of schools more welcoming to girls and providing women teachers, who can act as role models.

- Reducing direct and indirect costs of schooling, as poor families often cannot afford school fees and other related costs.

- Ensuring that children have access to a school and a safe, quality learning environment.

- Tackling the worldwide shortage of teachers and ensuring a properly trained and professional teaching force.

- Creating financial incentives to encourage families to send their children to school.

- Ensuring that economic policies and poverty reduction strategies give proper attention to getting children into school and creating work for adults.

Improving access to a free and compulsory education is a major step, but it is also important that education and the teaching provided are of sufficient quality to ensure that children remain in school and to ensure positive learning outcomes. If parents and children do not feel that education is useful and relevant, it reduces the chances that they will send children to school, and children will instead enter the labour market at an early age. Unfortunately, education too often takes place in crowded classrooms with too few text books, insufficient instructional time and very often poorly paid and/or unqualified teachers (ITUC 4-6).

In 1973 minimum age convention 138 was innovative in several ways. First it compelled signatory countries to pursue national policies to effectively abolish child labour in all economic activities. Second, from the education perspective, convention 138 was considered progressive because it set the
minimum work age relative to compulsory education, stating that the minimum age for admission to employment shall not be less than the age of completion of compulsory schooling and in any case, shall not be less than 15 years” (ILO Convention 138, 1973 Article 3). This happened for the first time in the ILO legislation.

Worst forms of child labour (1999) convention 182 and minimum Age convention 138 (1973) are related to education in different ways. The convention 182 stipulates that access to free basic education is to remove all children from worst forms of child labour or education is a deterrent to child labour, while convention 138 regulates the minimum age at work with the completion of compulsory education as Article 7 of convention 182 states that each member state shall, taking into consideration the importance of education in eliminating child labour, take effective and time bound measure to:

- Prevent the engagement of children in the worst forms of child labour.
- 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.
- Ensure access to free basic education, and wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour.
- Identify and reach out to children at special risk.
- Take account of the special situation of girls (Sakurai 2007: 15-20).

A vast variety of intervention in education is essential to attract children to school, and keep them there and out of work. Investment in a country's human resources is important, not only for younger generations, but for socio-economic growth as a whole. Therefore, renewed national commitment, policies reform and massive investment in basic education are vital to address the menace of child labour.
A holistic approach to education is needed. Children should be provided with access to quality education from early childhood forward up to at least 15 years of age. Ultimately, this will be the most durable solution. However, given that many countries are still not providing quality education for all, quick remedial measures are needed. ILO-IPEC experience indicates that even in countries where considerable progress has been made and average school enrolment ratios are high, there are still children from poor population groups who do not benefit from this development. Transitional education has to be provided to check such children from taking up hazardous work or to wean them away from it.

The children need to be armed with basic education, practical knowledge and skills. Such education should comprise an integrated package of basic education and life skills and practical skill training and should ideally intend to mainstream the children into formal education and vocational training systems. However, alternatives also have to be provided to the children who are unable to continue formal education and training so that they do not re-enter the labour market as unskilled workers. The younger children may need skills that are useful in improving their quality of life and can be increased further, while the older children generally require vocational advice and practical training that can result in income generation either through wage labour or self-employment in a broad array of employable skills.

A measure which can be undertaken relatively quickly and which doesn’t need huge investment is the incorporation into children’s and parents’ education of explicit messages at the risk of premature work and the rights of children to education, wherever there is a high risk of child labour (Rajawat 2004: 210-12). Vocational training is frequently very popular among families which are susceptible to resort to child labour. Short-term vocational training is often offered with or delivered after functional literacy training and this can provide immediate economic options. However, these are problems to resolve in the definition and approaches to vocational education. A distinction must be made
between more formal vocational training, which is often long-term and systematically connected to apprenticeship programmes, and less formal training.

Non-formal education programmes can teach children skills that will offer immediate economic options as well as psycho-social support. But these should not be regarded as a complete substitute for formal education, rather as transition programmes to ease the child’s re-entry into the formal school system. Vocational training should be geared to the provision of marketable skills that can be adapted to the changing requirements in the job market. The gender bias in education is even more effective in the field of vocational training and specific attention needs to be given to facilitate girls’ access. In most countries, better linkages need to be generated between education and vocational training and between formal and nonformal vocational training (Rajawat 2004: 214-15).

International Initiatives to Eliminate Child Labour

There have been many initiatives at the international level whose main objective is the abolition of child labour, often as a result of consumer boycotts. Generally these codes involve voluntary commitments on the part of corporations to conduct their business according to certain stated standards. Many such codes arise in the context of international trade and involve a company in the developed world setting out employment standards which must be enforced by its developing world suppliers and their subcontractors. Most of them are discussed below.

Social Labelling and Certification Programme:

Social labelling schemes involve the placing of a label or logo on a product certifying that it has not been manufactured by children. Certification schemes usually attest to the social responsibility of the manufacturer guaranteeing that each individual product is made without child labour. Unless they consist of more than a ban on the use of child labour in the production of merchandise for the export market (i.e., involve rehabilitation, education, financial compensation and the like), these schemes suffer from the same shortcomings as boycotts and codes
of conduct. Furthermore, they do not address the situation of the majority of children who work in the informal sector.

Rugmark ®, established in 1993 in India by a consortium which included UNICEF and carpet manufacturers, is an example of a successful social labelling programme between education and vocational training, and between formal and non-formal vocational training.

Care and Flair is another example of a certification programme. Established in 1995 by the Association of Oriental Carpet Importers in Germany, its members who are carpet importers agree to adhere to a code of conduct regarding child labour. A levy of 1 percent of the invoiced price of carpets from India, Nepal and Pakistan is used to establish schools, training centres, hospitals, mobile medicine units and childcare facilities in these three countries. Because of the difficulty of having fool-proof monitoring of the code’s standards, the organization doesn’t guarantee that each product is child labour free.

Action by Employer Organizations:

In some countries with serious child labour problems, employer organizations have initiated action programmes to remove child labour and rehabilitate children impacted by this, in the informal sector. Employer-sponsored programme was instituted in Pakistan in 1997 to gradually eliminate the use of child labour in the production of soccer balls. The Sialkot social protection programme involves the cooperation of all members of the local industry (and their subconstructors) with ILO, UNICEF, Save the Children UK and two local NGOs. All workers under 14 are to be part of the programme.

In addition to providing non-formal education and literacy training to the children, assistance is being provided to their parents. This includes the establishment of stitching centres near their homes to allow mothers to earn income and the creation of village organizations provided with capital to start new income generation projects. In some respects, this is similar to the work done by the foster parents’ plan where funds provided by foster parents are used in
large part for community projects which ultimately improve the standard of living for the community in which the “adopted” children live (Yaremko-Jarvis 1999: 7-10).

**ITUC Programme on Child Labour:**

The ITUC (International Trade Union Confederation) is committed to carrying forward the historic struggle of the international trade union movement to eliminate child labour and to ensure that every child can go to school and that every adult worker enjoys decent wages. It rejects arguments that child labour is inevitable, economically beneficial, and socially acceptable or to the advantage of the children concerned and their families.

The ITUC is mandated to campaign against child labour in all its manifestations and with proper regard to all its causes and ramifications such as:

- In the informal as well as the formal economy.
- Through universal public provision of free, compulsory, quality education and family income support.
- By building public awareness and commitment.
- By campaigning for ratification of ILO conventions 138 and 182 and their respect by employers including in their supply chains.
- By cooperating with ILO, IPEC, and where appropriate, other UN agencies and institutions such as UNICEF.
- By promoting the implementation of trade union development cooperation activities that support the objective of eliminating child labour.
- By maintaining pressure on international organisations to ensure that trade, economic and financial policies support the elimination of child labour instead of pushing children out of school and into work.
• By participating in research activities on child labour and related issues, with due attention to the gender dimension.

• By linking trade union activities against child labour with those in favour of decent jobs for young people.

The ITUC is mainstreaming the child labour issue in most of its areas of work (ITUC: 11-12).

Global March against Child Labour:

The Global March against Child Labour is a worldwide movement that aims to protect and promote the rights of all children, especially the right to receive a free, meaningful education and to be free from economic exploitation and from performing any work that is likely to be harmful to child’s physical, mental, spiritual, moral or social development. The ITUC, Education International and many national trade unions are involved in the Global March.

The Global March movement began with a worldwide march where thousands of people marched together against child labour. The march, which started on January 1998, brought together trade unions, NGOs, teachers, children and individuals, touched every continent, built immense awareness and led to high level of participation. This march finally culminated at 1998 ILO Conference in Geneva, Switzerland. The voice and opinions of the marchers were considered and reflected in the draft of the ILO Convention against the Worst Forms of Child Labour. The following year the convention was debated a second time and then unanimously adopted at the ILO conference.

The ILO conventions 138 and 182 and the UN convention on rights of the child and the Right to free and compulsory education of good quality for all children form the base of the movement’s work. The Global March is also trying to eliminate child labour by questioning, attacking and changing the systems that compel children to work at the international, regional and national levels (Global March against child labour, child labour, http://www.globalmarch.org).
Stop Child Labour Campaign:

The Stop Child Labour Campaign is an awareness raising campaign that seeks to eliminate child labour through the provision of full-time formal education. The stop child labour campaign is based on four guiding principles:

- Child labour is the denial of a child right to education.
- Child labour is unacceptable.
- Governments, international organisations and corporate bodies must ensure that they do not perpetuate child labour.
- Core labour standards must be respected and enforced to effectively eliminate child labour (Stop child labour campaign, child labour, www.stopchildlabour.ed).

International Programme on the Elimination of Child Labour (IPEC):

The international programme on the elimination of child labour (IPEC) is a programme that the International Labour Organization has been running since 1992. It is the ILO’s biggest single operational programme. IPEC’s aim is the progressive elimination of child labour by strengthening national capacities to address child labour problems and by promoting a worldwide movement to combat it. IPEC is responsible for assisting countries to deal with the worst forms of child labour as well as monitoring progress. Its priority target groups are children who are particularly vulnerable, such as young working children and girls at work (ILO-IPEC, Child labour, http://www.ilo.org/ipec/lang_en/index.htm).

According to IPEC’s 1998 Annual Report, by October 1998, 33 countries had signed a Memorandum of Understanding with the ILO, committing to work towards the elimination of child labour in the formal sector. IPEC targets the most vulnerable children – those in the informal sector, bounded child labourers, children working in hazardous conditions, children working as prostitutes, children under 12 and finally girls who are often at the greatest risk because