COMMISSION ON HUMAN RIGHTS
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RIGHTS OF THE CHILD

Written statement* submitted by Defence for Children International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2006]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Child labour is a human rights violation as it limits the full exercise of civil, social, economic and political rights and above all it undermines the child’s rights to development including the right to education. However child labour is a multidimensional phenomenon and it has to be addressed in the context of human rights too. Child labour is also a problem embedded in poverty.

Despite the increasing international awareness, the almost universal ratification of the UN Convention on the Rights of the Child (Art.32) and the role played by the International Labour Organisation Conventions No. 138 and 182, about 250 million children between 5 and 17 are engaged in child labour, nearly 70% of whom are working in hazardous situations or conditions.¹

Work becomes harmful when the working conditions are affecting the full exercise of rights, such as the right to education, health and to physical, mental, spiritual, moral and social development as stated in the UN Convention on the Rights of the Child (Art.32).

Defence for Children International supports the strategy of giving priority to the elimination of any exploitative forms of child labour. Exploitation of children in hazardous working conditions, which endanger the lives of children or impede their healthy development and the access and permanence into school.

DCI considers that poverty undermines many civil, political, social, economic and cultural rights, which affect children and their families and thus push children to entering the labour force to survive and contribute to their families’ income. Though children are not well paid, they still serve as major contributors to family economy. Children are often prompted to work by their parents. According to a study published by the World Bank, parents represent 62 percent of the source of induction into employment. Raising incomes through economic growth has to be an essential component of poverty reduction strategies. The action of governments is urgent. Denied a decent standard of living poor children will more likely be engaged in child labour.

In less developed countries, working children and adolescents provide as much as 25% of the total household income¹. This data shows the level of economic dependency of households using subsistence strategies which include child labour. If this is taken as a starting point of a virtual intervention strategy, this data would only represent the “cost of opportunity” of removing those children from work. To this, costs associated with the reinsertion of these children into the school system should be added. Actually, it is not uncommon to find families for whom these transformations are out of their real capacity; therefore, they force other stakeholders to intervene in order to make additional resources available to successfully eradicate child labour gradually.

Diverse studies demonstrate that, as per less income perceived by adults in a household, greater the risk of minors to be forced to work at an early age. Just as well, working children face a higher risk of being forced to drop out of school as opposed to other children.

¹ Latest statistics from International Labour Organisation.
It is very important that States, organizations, institutions and general authorities and staff actively participating in the application of policies to fight against, to prevent child labour, to protect the adolescent worker and to provide sustainable alternatives to their families; and to take into account the magnitude of the battle and the number of resources available. Persecution and sanction of working children and adolescents and their families should be avoided at any cost, since it hinders their real possibilities of transforming this reality.

The issue of child labour cannot be discussed separately from the issue of schooling. It will be difficult to effectively fight against child labour without the support of an open, competent and attractive school system. This is the reason why Agreement Nr. 138 of the ILO about Minimum Age for Admission to Work of 1973 explicitly links each country’s definition of such age with the age of conclusion of obligatory schooling, so that both coincide.

The relationship between school attendance and child labour is complex. It is so that education constitutes a key tool to combat and prevent child labour, and it is also true that child labour is one of the obstacles to attendance of children to school.

Schooling and child labour, in fact, are not always mutually excluding and there are many children who, being active in the work force, still attend school—some even work to be able to attend school—and there are others who do not work but do not attend school, either. Children who have access to quality education develop competencies and skills which allow them to have better opportunities to find a worthy job when the time comes.

Research results clearly point to the benefits of standardizing education around the world to the minimum age of admission to employment, which will be, by far, greater than its costs, estimating the relation cost/benefit as high as three to one.

DCI condemns the work that prevents the child from going to school within the worst forms of labour, as it violates the right to education (CRC, Art. 28) and is thus detrimental to the child’s development.

Many times children seek employment simply because there is no access to schools or when there is access, the low quality of the education often makes attendance a waste of time for the children. Schools in many developing areas also suffer from problems such as overcrowding, inadequate sanitation and apathetic teachers. According to UNICEF only 40% of children attend primary and secondary school in the world and statistics are lower in poorest countries. The right to free and quality education must be fostered in the battle against and the prevention of child labour. The UNGASS outcome document “the world fit for children” agreed upon education to be a key component of actions to be taken by states parties.

Finally, DCI is very much concerned about the investment of the States to eradicate child labour. Recently the experts of the Committee on the Rights of the Child expressed their concern about the integration of the UN Convention of the Right of the Child and the other relevant international instruments in national law and also the application of national legislation. Stronger legislation will be useful if financial resources to implement and enforce new laws and policies are not forthcoming or inadequate to fulfil commitments.
Therefore, Defence for Children International requests the Commission to:

- Urge States Parties to the UN Convention on the Rights of the Child and the ILO Convention No. 182 to develop national legislation, policies and plans of action shaped on the strengths of the Conventions in a complementary process.
- Urge State Parties to commit to the right to education and the poverty reduction strategies in the elimination of child labour and the worst forms of child labour.
- Urge States Parties to develop as appropriate national, regional and international action plans for child labour that are aimed at reducing the number of working children but also promoting education and reducing poverty, involving civil society actors and working children and adolescents and their families since the designing of the plan and programmes.
- Urge States Parties to allocate sufficient financial resources to implement appropriate national, regional and international plans of actions and to invest in education, elimination of poverty.

We call on the Commission and on its influencing role to make this issue a concern to be successfully addressed by all actors in the international political arena and in civil society in the name of the best interest of the child.

UNICEF. *Poverty and Children, Lessons of the 90s for Least Developed Countries*. Document to review the policies of the Evaluation, Policies and Planning Division. UNICEF. May 2001


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