



***ILO standards and national
legal framework on child labour:
How they relate
to the education debate***

**Y.Noguchi, Senior legal officer,
International Programme
on the Elimination
of Child Labour (IPEC),
International Labour Organization**



Oslo, 21 October 2008

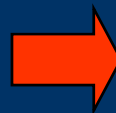
International Principles and Rights

UN Convention
on the Rights
of the Child

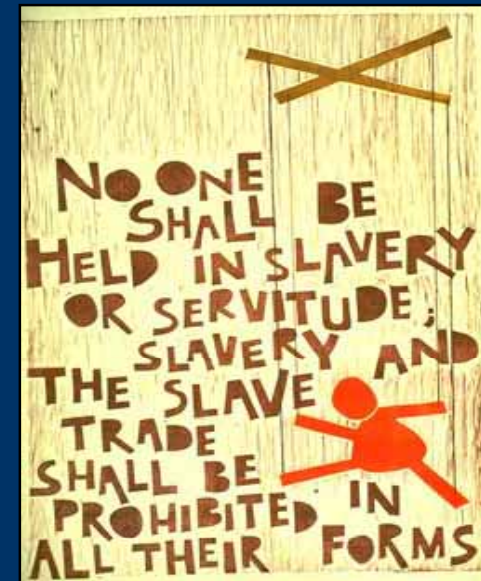


Provides that children be protected from **economic exploitation** and work that threatens their health **education** and development

ILO Declaration
on Fundamental
Principles and
Rights at Work



Declares the effective **abolition of child labour** as a social pillar of the global economy



ILO Minimum Age
Convention, No. 138

ILO Worst Forms of
Child Labour
Convention, No. 182

Convention No. 138

ILO Minimum Age Convention No. 138

Requires a national policy for the effective abolition of child labour (Art. 1)

Requires a specification of minimum age \geq end of compulsory education (Art. 2)

	General	Exceptions for developing countries
Basic Minimum Age (Art. 2)	not below the end of compulsory schooling; at least 15 years	14 years
Hazardous work (Art. 3)	18 years (16 years conditionally)	NO EXCEPTION
Light work (Art. 7)	13-15 years	12-14 years

C138: Basic Minimum Age and Education

Art. 2, (para. 3)

Minimum working age:
Not lower than the age for
completion of
compulsory schooling
+ at least 15 years of age

Art. 2, (para. 4)

Initially exceptional minimum
age of **14 in countries whose**
economy and educational
facilities are not
fully developed

After consultation
with social partners



C138: Light work and Education

Art. 7, (para. 1)

From 13 years of age when work is not likely to interfere with schooling nor to harm their health or development

Art. 7, (para. 4)

From 12 years of age, under the same conditions, when economy and educational facilities of a country are insufficiently developed



Policy recommendations (R146)

- The development and progressive extension of education and vocational training appropriate to the needs of the children (Para 2(d)) ;
- Requiring full-time schooling or vocational training programmes and effectively ensuring them up to the minimum working age (Para 4)
- Special attention in enforcement, to the prevention of the employment or work of children during the hours when instruction is available. (Para 15(b))

What is child labour to be abolished?

Children between the minimum age and 18				
Children between 12/13 and the minimum age				
Children below 12/13 years of age				
	Work excluded from minimum age legislation	Light work	Non-hazardous, non-light work	Hazardous work (and also other worst forms of child labour)

Shaded area = child labour for abolition

C182 in relation with C138

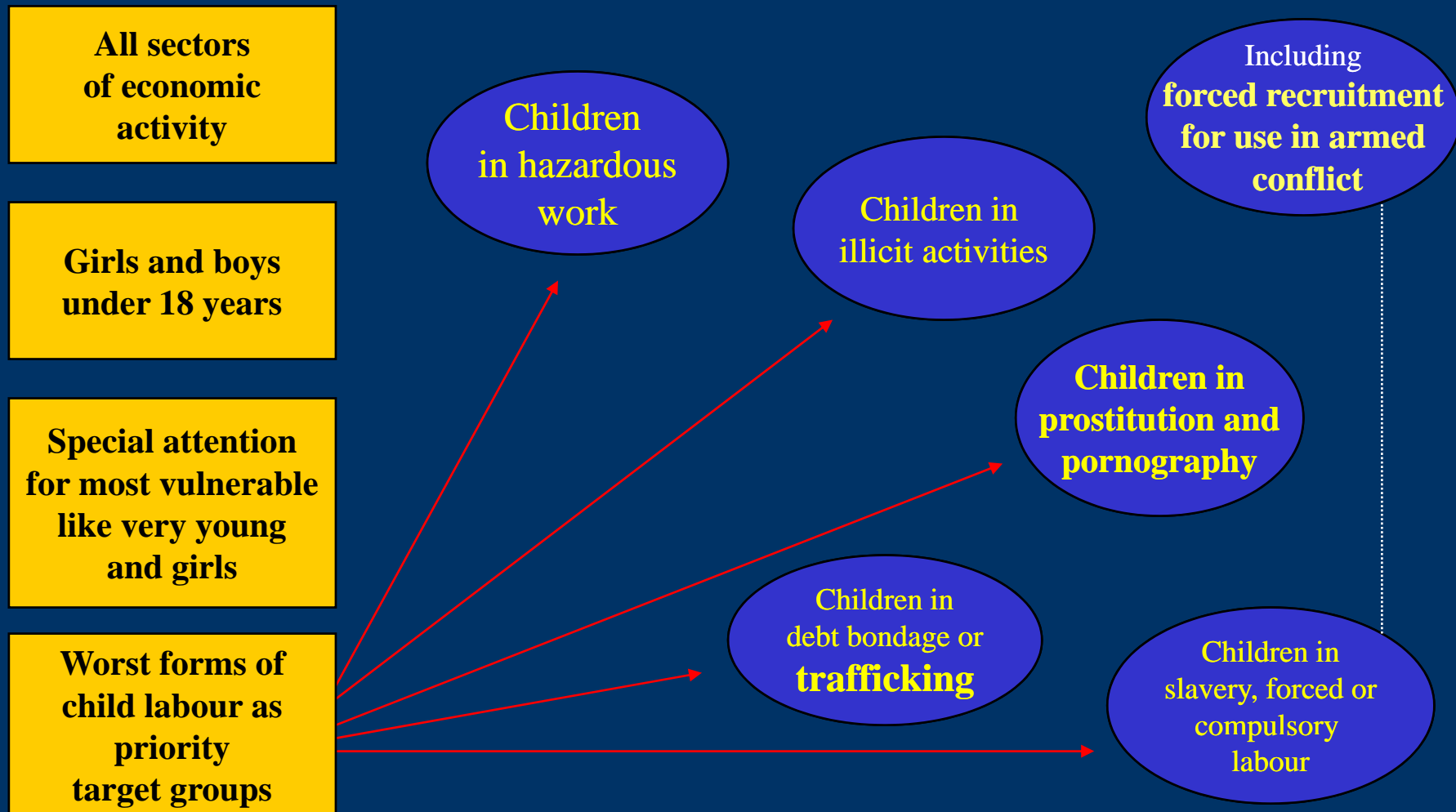


C182 complements C138:

Convention No. 138 aims at all forms of child labour

Convention No. 182 aims at the worst forms of child labour as a matter of priority

C 182: coverage



C182: Obligations (summary)



To take immediate and effective measures to prohibit and eliminate the worst forms of child labour as a matter of urgency (Art. 1)

Determine and map hazardous work

Ratifying member States must apply the Convention

Establish monitoring mechanisms

Develop time bound measures

Design/implement programmes of action

Enhance international assistance/cooperation

C182 and R190: Obligations and Recommendations

C.182
Art. 6



**Design and implement
programmes of action**

In consultation
with social partners

Consider views of
« other concerned groups
as appropriate », e.g.
NGOs and parents'
organizations

Recommended elements

(Recommendation No. 190, para. 2)

**Identifying and denouncing
the worst forms of child labour**

**Special attention to
high-risk communities**

**Prevention, protection
and rehabilitation**

Social mobilization

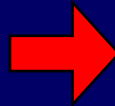
**Special attention to younger
children, girls and other
highly vulnerable**

**Sensitization of public,
children and their families**



C182: Obligations

Art. 7 (para. 2)



Develop effective and time-bound measures



PREVENT children from engaging in worst forms of child labour

Provide direct **ASSISTANCE** for removal, rehabilitation and social re-integration

Ensure access to free basic **EDUCATION** and, if possible, vocational training

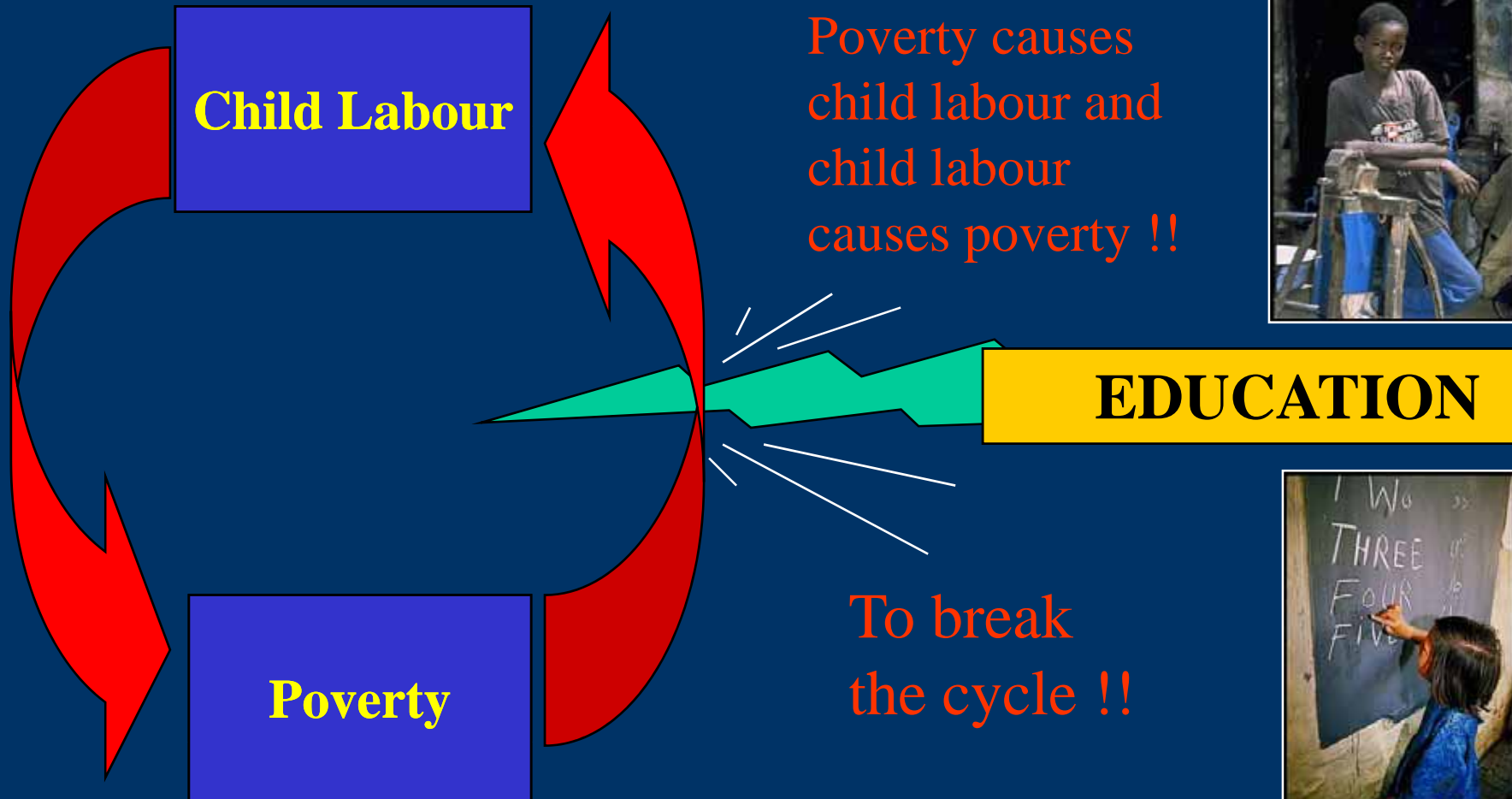
Identify and reach out to children at **SPECIAL RISK**, e.g. domestic work under abusive circumstances

Take account of the special situation of **GIRLS**

ILO Regular supervisory machinery



Child labour and Poverty



What is the Time-Bound Programme?

Clear goals – specific targets – defined time frame

Definition:
A set of integrated & coordinated policies & programmes to prevent & eliminate a country's worst forms of child labour within a defined period of time.

- ✓ Operates at many levels: international, national, provincial, community, individual/family.
- ✓ Addresses root causes of WFCL.
- ✓ Links to national development effort.
- ✓ Emphasis on "country ownership".



**For more information
please contact**

**International Programme on the
Elimination of Child Labour**

**4, Route des Morillons
CH-1211 Geneva 22
Switzerland**

Tel.: (+41 - 22) 799 81 81

Fax: (+41 - 22) 799 87 71

E-mail: ipec@ilo.org

**Child labour website:
<http://www.ilo.org/childlabour>**