

Collaborators and support organizations of the organized working children

***For a supportive and participative policy for the rights of
working children***

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With the slogan “Towards a world without child labour – mapping the road to 2016”, the International Labour Organization (ILO), along with the World Bank, UNICEF, and the Dutch government, is holding the “Global Child Labour Conference” on May 10-11, 2010, in The Hague in the Netherlands. The concrete outcome of the conference will be a “road map” specifying the specific steps necessary to reach the goal of eliminating the “worst forms of child labour” by 2016.

Among the 400 guests, there will be numerous representatives of governments, trade unions, business associations, UN organizations, multinational corporations and some NGOs. Nevertheless, the guest list does not include even one representative of working children organizations. Furthermore, the few researchers invited are closely linked to the organizing institutions and share their approaches. In its current layout, the guest list appears to have a single goal; namely, to fund and sanction pre-defined programs based on the same instruments and approaches which have sought to dominate this subject in the past two decades. Even though the official motive for the conference is the tenth anniversary of Convention 182, the conference title, agenda, and the rest of available information suggest that another motivation is at play, namely promoting and enforcing Convention 138.

We, the companions and collaborators who know about child work and children’s rights from our own experience and who have closely followed the international debate for years, are deeply concerned by this. We share the desire of the majority of guests to contribute to significantly improving the lives of children, by fighting stridently and tirelessly against all exploitation of working children. We also clearly assert the need for rights of the child to become a reality all over the planet. Nevertheless, we have very compelling reasons to doubt the specific approaches proposed for The Hague conference can contribute to achieving those objectives.

“Child labour” policies as proposed by the ILO do not hold water when submitted to serious, evidence-based analysis and are far removed from an approach based on children’s human rights. Instead, they reuse the old paradigm of coercive and authoritarian “protectionism” with projects and behaviours that lead to repressive instead of empowering practices. Indeed, available research demonstrates that actions in the same vein as what the ILO is proposing for child labour has no scientific basis, and cannot even be said to promote the best interest of the child. Along with academic and research sectors, the social movements of working children themselves are proposing new paradigms to deal with child labour, which is understood as an identity and a condition which is often the only means for their social integration and

participation. In The Hague conference documents and preparation, it is precisely the right to participate of these working children and their movements, their opinions and their demands which are being ignored. Hitherto, their “participation” was only conceded if they agreed to take up the fight against child labour as orchestrated by the ILO. In other words, you have freedom of thought and opinion, as long as you think and say what I want. Now, in the new Global Report “Accelerating action against child labour” presented by the ILO at the Global Child Labour Conference it is completely ignored.

Conventional “child-labour” focused policies, very short-sightedly simply treat child labour as a problem. The time has come to turn to a more balanced and open-minded vision that reflects children’s work in all of its aspects and offers responses that consider both its personal and social benefits and risks. Scientific evidence shows that the current approach is dysfunctional and is often oblivious, when not outright harmful to the children, it is supposed to help. What is more, research on children indicates that work can play an important and constructive role in the lives of, certainly, the majority of children in the world. For children, work can play a positive role or impede their growth. This is why social policies must “balance” the positive and negative aspects. And not with the intention to coercively curb a phenomenon which is a reality in the lives of millions of working children, but rather to fight against the negative while promoting the positive in children’s work. This is what working children’s movements mean with their slogan: “No to exploitation, yes to work in dignity.”

A new policy framework implementing this wide vision must focus first and foremost on the well-being and development of children and their human rights. Empirical observation has to be honed in scientific and ethical terms. We have to be very responsible in foreseeing, monitoring and assessing the consequences social policies have on children, while maintaining the utmost respect for the rights of the children. This is intrinsically linked to participation by and true empowerment of children. Those who have ratified the UN Convention on the Rights of the Child (CRC) can do no good by condemning children to absence, silence and invisibility.

In fact, the CRC itself compels us to distance ourselves from views which only see children as victims and to embrace a vision of children as relevant parties, partners, stakeholders, in any intervention affecting them. This means respecting them as people capable of understanding their own situation and make choices to improve their lives. This respect requires full recognition of their contributions to their own lives and the lives to those around them. This respect also means listening to children and taking their views seriously, as well as doing the same in the communities where children live and grow. This respect is incompatible with language denigrating children, their work, their families or communities because they do not fit a preconceived notion of what is “normal” (which usually means urban, middle-class and Western).

Working children are full-fledged workers and should be recognized as such. International and national legislation should guarantee child workers the right to free association in their own organizations. There is no justification for excluding working children from the right to

free association guarantees enjoyed by adults, in consonance with numerous CRC articles. Age-based discrimination and disrespect towards workers should be no more acceptable than gender discrimination. Children should be systematically consulted and spaces should be opened for their own initiatives, to define, apply and assess policies and interventions which affect them.

The CRC says that in any action concerning children the fundamental consideration must be their best interest. Political and economic interests of adults can never supersede this. The best interest principle should be applied to all interventions related to children and should always be taken bearing in mind the local context, both socially and materially.

Interventions should not be limited to damage control, but instead make the most of the potential benefits of work in the lives of these children. In this matter, the children themselves have very clear ideas which should be listened to. Interventions should be focused less on removing children from the workplace and more on improving work for children. The educational function offered by existing work opportunities should be strengthened. All children (of both genders and disabled children as well) must be able to access educational and safe labour appropriate for their age and level of maturity.

The last time working children had the chance to make their voices heard in international policy-making spaces was at the Child Labour Conference held in Amsterdam in February 1997. Unfortunately, this promising initiative was stalled and never repeated. The time has come to take the demands of working children in Africa, Asia, and Latin America seriously as proposed in 1996, in its international meeting in Kundapur, India: *“We want equal representation in all conferences (if there are 20 ministers there should be 20 working children”*.

This is why we, companions and collaborators of working children, condemn the fact that no representative of the organized working children’s movements has been invited to the conference and we consider as deeply negative and neo-colonialist ILO’s attitude which goes on criminalizing such a complex social reality with the intention to impose hegemonically a culture which is oppressing people’s lives.

We will always walk along with working children and adolescents; we will always be side by side with them in our fight for work with dignity and an equitable world for all.

***NATs Colaborators’ Movements of Peru, Colombia,
Venezuela, Paraguay and EuropaNats***