

**G.K. Lieten:**

## **Child Labour. What Happened to the Worst Forms?**

Since the 1990s, child labour has become a hot item. A hot item bears the burden of simplifications and the use of metaphors and icons. One of the icons is the gigantic figure ('210 million child labourers') that is being used to attract public attention. During the last week of February, the world was again alerted, this time by a UNICEF UK report stating that new research had established that the figure of the sheer numbers were startling and sobering: 180 million children were engaged in the *worst forms of child labour* (UNICEF UK, 2005)

Apart from the fact that the figures are in fact 5 years old (a reframing of the ILO figures of the year 2000), the question can be asked whether the numbers are realistic. How useful is this figure and does it help to address the most urgent agenda: the intolerable forms of child labour? Have we made any progress since it was decided that attention to the intolerable forms of child labour should take precedence over other forms?

### **Convention 182 and Recommendation 190**

Against the background of the growing concern that certain forms of child labour are so grave and inhumane that they can no longer be tolerated, a consensus emerged in the 1990s that the highest priority should be given to eliminating the worst forms of child labour, that visible results should be achieved within a short time-frame rather than in some indefinite future, and that a concerted programme of action should be launched in order to achieve rapid results: 'Giving priority to combating the worst forms of child labour is simply a matter of doing first things first. It provides an entry point to promote and facilitate further action to attain the ultimate goal.' (ILO 2002a, p 21).

On the exact meaning of child labour, a wide-ranging discussion has been going on. UNICEF, in its 1997 report *The State of the World's Children*, took a balanced and realistic position:

In reality, children do a variety of work in widely divergent conditions. The work takes place along a continuum. At one end of the continuum, the work is beneficial, promoting or enhancing a child's physical, mental, spiritual, moral or social development without interfering with schooling, recreation and rest. On the other end, it is palpably destructive or exploitative. There are vast areas of activity between these two poles, including work that need not impact negatively on the child's development. ... But to treat all work by children as equally unacceptable is to confuse and trivialize the issue and to make it more difficult to end abuses. This is why it is important to distinguish between beneficial and intolerable work and to recognize that much child labour falls in the grey area between these two extremes. (UNICEF 1997: 24)

Child labour thus generally is defined as work that deprives children of their childhood, their potential and their dignity, and that work which is harmful to physical and mental development. But at the same time, there is a vast grey area. This position was accepted by the ILO as well. It was agreed that it was not possible to give 'a precise dictionary definition' applicable to all situations and all countries: 'Whether or not particular forms of work can be called child labour depends on the child's age, the types of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries.' (ILO 2002a, p. 16).

In 1999, ILO convention 182 was accepted. It was agreed in Convention 182 that not all work by children was child labour and even that not all child labour could be done away with instantaneously. ILO 182 has 2 categories of intolerable forms of labour: the unconditional worst forms (category 1 to 4: slave labour, prostitution, participants in armed conflicts, illicit traders, totalling 8 million) and the hazardous forms, which are all sorts of work that exposes children to danger and jeopardises their physical and moral health.

One would have expected that the breakthrough of 182 over 138 –the separation of fairly harmless forms of child labour from the harmful- would have led to new studies separating both and trying to find out the real size of the problem. One then would have expected that the sheer size of the problem would have come down drastically.

Such was the intention of Convention 182. Convention 182 and Recommendation 190 were based on the premise that there was a huge child labour problem and that it would be more realistic in the short term to focus on the more abject forms of child labour. Child labour in the age category 5 -14 in 2000 was estimated to be 186 million; 66 % of them were classified under hazardous forms of child labour (ILO 2002b, p. 20).<sup>1</sup> If then the size of child labour generally and the magnitude of the worst forms of child labour are not of a substantially different order, something must be wrong either with the assumptions or with the counting, or with both.

The new UNICEF report referred to earlier states that literally tens of millions of children around the world work today long hours before they have even reached the age of 10 and that ‘1 in 12 children in the world was reckoned to be involved in work which put their health at risk or caused serious harm’ (UNICEF 2005, p.3).

Could that be the case? Probably the figures are substantially lower if we go by the qualifications which have been elaborated in Recommendation 190. Recommendation 190 recommended that any definition of hazardous work should include:

1. work which exposes children to physical, psychological or sexual abuse;
2. work underground, underwater, at dangerous heights or in confined spaces;

---

<sup>1</sup> Different figures are being used for different purposes. There are 210,8 million children who are economically active, but only 186.3 million are counted as child labourers. In addition there are 59.2 million child labourers (out of 141 million economically active persons) in the 15-17 age category. The total number of child labourers, including the latest category is 245.5 million. The latest category, by definition, includes only hazardous child labour.

3. work with dangerous machinery, equipment and tools or carrying heavy loads;
4. exposure to hazardous substances, agents or processes, or to temperatures, noise levels or vibrations damaging to health;
5. work for long hours, night work, and unreasonable confinement to the premises of the employer.

Would the total number of child labourers working in such conditions be as high as 180 million? The recent UNICEF statistics made international headlines, but at no stage in the report was it made clear how the calculations of 1 in 12 children as hazardous labour had been made and that the figures were rather a rehash of old statistics.

In fact, the calculations could not have been made. The hazardous forms of child labour, many years after the adoption of the Convention and the ratification by 150 countries, to my knowledge, in most countries have not been identified. Such identification has to be done on a tripartite basis within each country.

Technical meetings are being organised by the ILO and studies based on a Rapid Assessment Methodology have been conducted in 19 countries, mostly funded by USDOL, but many of these studies have been on unconditional forms of child labour. On hazardous forms, case studies are available on child domestic work (5 countries), commercial agriculture (5 countries), street children, garbage dump scavenging and urban informal sector (2 countries each), and fishing, mining, portering and ragpicking (1 country each). As many as 15 of the 24 studies have been conducted in 3 countries (Nepal, Tanzania, El Salvador).<sup>2</sup>

It may be difficult to extrapolate on the basis of these data for the magnitude of hazardous child labour in the world. It is not necessary to span the entire world in order to get a reliable picture, but the present case study information is obviously

---

<sup>2</sup> See ILO 2004. The reports are available on [www.ilo.org/childlabour](http://www.ilo.org/childlabour) under Child Labour Statistics: Rapid Assessment Reports. Many of the studies are on the unconditional worst forms (trafficking, prostitution, drug peddling and soldiers) and on sectors such as carpet weaving and domestic labour, which, for various reasons, have drawn international attention. More studies apparently are in progress.

is not enough. Hardly any studies have been conducted on sectors where most of child labour is concentrated, for example agriculture and the informal sector. The need for new investigations into the extent of child labour is clear.

The studies that have been conducted do not unequivocally establish that hazardous child labour is involved. The study on child domestics in Bangkok for example (a study based on 115 samples under the age of 18) concludes that 'their circumstances are not a priority for action in the context of worst forms of child labour' (IPEC 2002a, p. 16). The conclusion of the Sri Lanka study on the other hand is unambiguously that young children were recruited for domestic work and engage in a variety of activities including those that are considered to be hazardous. The information gathered show that 'child domestic workers below 18 years of age<sup>3</sup> are subject to physical and/or emotional abuse and may also be vulnerable to sexual abuse' (IPEC 2002b, p.96).

A similar difference can be observed between the study of sugar cane cutting in El Salvador and in Bolivia. In El Salvador, most of the children (92.7 %) worked near their homes for an average of 5 hours a day during two or three months which coincided with the school holiday season. In general, they worked together with their parents. Once the harvest is over, two thirds of these children go to school and 22 per cent of the children work in other remunerated activities. The children were reported to be suffering from workdays under the hot sun, the use of sharp tools, the exposure to insects and uncomfortable positions and excessive loads (IPEC 2002c). Conditions in the sugar cane fields of Bolivia appear to cause more concern. In the two research areas respectively 90 % and 55 % of the *cuartas* (the children helping their parents) did not attend school. Half of the families for the duration of the cane cutting seasons migrate from the poverty-stricken high-altitude regions around Potosi and for 5 to 6 months stay in makeshift encampments; for these children, education is not an option. They are

---

<sup>3</sup> The statistics may be read differently: 0.5 % of the girls had suffered from sexual advances. One could argue that girls in a family environment fall victims to advances by uncles, fathers and brothers more often. Yet, it seems not open to discussion that girls at a young age should not go and work in an alien household. The risk factors, despite examples of good practices to the contrary, are too high.

living under primitive conditions in highly overcrowded encampments without access to basic services and the working day last 12 hours, not including travel time (IPERC 2002d). Whereas working in the cane fields in El Salvador is child labour no doubt but possible not of the worst kind, child labour in the cane fields in Bolivia obviously is. Anyway, the national law in Bolivia prohibits children under the age of 18 from working in the sugarcane harvest.

In order to get an indicative estimate of the size of hazardous labour, many more sector studies are needed. What we have up to now does not seem to provide firm ground for extrapolation. Since in many cases, the tripartite consensus still has to be established, it remains difficult for the ILO (and UNICEF) to develop instruments for delineating hazardous child labour in each country.

In the past, the overall figures that have been flaunted have been useful for advocacy purposes. The higher the numbers and the more miserable the circumstances, the more one could expect the world community and the national governments to rise to the occasion. But for policy purposes, a more realistic account would now be welcome.

### **The importance of statistics**

Of all child labour in the world, 60% is stated to occur in Asia, 23% in Sub-Saharan Africa, 8% in Middle and Latin America and 6% in North Africa.

In Sub-Saharan Africa, 29% of children are active as child labourers: the participation rate is 19% in Asia, 16% in Latin America, 15% in North Africa and only 2% in developed countries.

In the 1980s, the ILO estimated that there were 50 million child labourers, of which 98% were living in developing countries (ILO, 1983). At the start of the 1990s, the estimates were 80 million working children up to 14 years, but this number was adjusted because a much higher percentage didn't go to school and it was therefore assumed that there were many working children amongst this group. In 1995, when the ILO could make use of specific empirical data on 25 countries, most of it from World Bank surveys, the number was fixed at 250 million children between 5 and 14 years of age. In 2000, SIMPOC (Statistical Information and

Monitoring Programme on Child Labour) of the International Program on the Elimination of Child Labour (IPEC) of the ILO used other sources and methods of research to arrive at an end sum of 210 million children, of which 2 million children in developed countries (ILO, 2002a, p. 19).

How accurate are these statistics and how do they help us to implement ILO 182 on a priority basis? The difference, as stated before, between child labourers and the hazardous child labourers is narrow, too narrow to carry conviction. If there are almost as many child labourers as hazardous child labourers, the very basis of the strategy which underlies Convention 182 (to address the worst forms on a priority basis) is not justifiable.

Mixing up the diverse forms of 'child labour' is undesirable. The ILO economist Richard Anker (2000) speaks, in this context, of 'the proverbial mixing of apples and pears.' This raises the need for minute research into the exact forms of harmful and unacceptable forms of work undertaken by children.

Much of what is being counted as worst forms of child labour probably is not even child labour, but merely child work, i.e. activities which are legally, pedagogically and socially accepted as good practice.

I have suggested, along with others, to make a distinction between 'work' and 'labour', and in the quote above it appears that the ILO has come to the same position. It agrees that not all child work is child labour. The distinction between these words cannot be made in all languages<sup>4</sup>, but that shouldn't be the end of the discussion. Work done by children indicates all activities that are undertaken as part of the normal process of socialization, in the household, on the farm, in housework tasks after school and even by undertaking a small activity in order to earn some extra pocket money. They are activities that children in, for example, Europe are already allowed to engage in at the age of 13. 'Out of school' work

---

<sup>4</sup> In some languages, there are two distinct words, like in English (work/labour), in Dutch (werk/arbeid), in Bengali (sishu kaj/sishu shrom) in Hindi and Urdu (bal ka kam/bal ka shram) or in Indonesian (pekerja anak/buruh anak). It is more difficult in French, German and Spanish, but even in these languages, there are words which indicates work which is not labour, such as *la besogne des enfants*, *mitarbeiten*, *el ayuda del niño y del niña*, *puesto de trabajo*, etc.

increasingly became viewed as a healthy pastime and an embodiment of the work ethic.

These are also activities that ILO Convention 138 allows for children after the age of 12 in developing countries, as long as it is only light form of work and does not extend beyond 2 hours a day. Convention 138 actually goes much further in excepting categories of children. In respect of agricultural work (in Article 5), it excludes 'family and small-scale holdings producing for local consumption and not regularly employing hired workers'. The ILO was not opposed to all types of work since child work takes many forms and 'in some case, such as traditional agricultural or handicraft production, it is carried out under the supervision of parents. Work of this type is often an integral part of the socialisation process' (ILO 186: 14). UNICEF (UNICEF 1986: 17), in an interesting document on children in especially difficult circumstances, approvingly quoted the ILO Director in his 1983 annual report on child labour:

When work by children is truly part of the socialisation process and a means of transmitting skills from parent to child, it is hardly meaningful to call it child labour. Nor can such work be divorced from the poverty and underdevelopment and the absence of alternatives to child work which together generate and sustain it.

Going though the statistics provided by SIMPOC, one has a tough job finding such subtle and yet basic distinctions. The data that have been collected, and that constitute the basis for the extensive and influential work done by World Bank-associated economists, are not readily useful for an analysis of the real problem of hard core child labour.<sup>5</sup> One even gets the impression that all forms of work are

---

<sup>5</sup> The macro-level survey methods, if carefully conceived and carefully implemented, are a useful instrument. They help to understand the totality of the problem and to interpret the significance of the individual observation. Qualitative approaches, however, are a sine qua non in order to understand real conditions on the ground: 'insight more than measurement; understanding more than models' (Skeldon 2000: 25). Such fine-tuning is generally absent from the inter-agency research cooperation project on child labour coordinated by the World Bank ([www.ucw-project.org](http://www.ucw-project.org)).

being counted as child labour and that thus the overall figure on child labour is beyond the mark.

The elaborate report on Tanzania for example leaves crucial questions unanswered (IPEC Tanzania 2002; see Lieten 2001, 2005). The figures cannot be directly transferred to a transparent matrix. For one reason, the age categories (5 to 9 and 10 to 14) do not correspond with the ILO conventions 138 and 182.<sup>6</sup> Without further transparency in the reporting, it is impossible to know how many of the children have been classified as child labourers and how many actually are child labourers. In the 5-9 age group, 25.5 % (!) is said to be economically active, but we do not know how many hours they work and whether they go to school. We know that two thirds of all the children work less than 4 hours a day, but we do not know how this applies to the different age categories. Many children of 10-11 may have been included as child labourers because, even although they went to school, they also did 'some work' in the reference week. Economic activities, by the way, include activities like fetching water and firewood, and it seems that many young children, even if doing only 'some work' for one or two hours a day, have been promoted to the status of child labourer and even to the status of worst form.

It is quite possible that the statistical division of SIMPOC has applied formulae in such a way that the extrapolation figures on child labour in the world (210 million) are good approximations, but for lack of transparency it remains unclear. Elsewhere, I have suggested on the bases of statistical reports about Nepal and

---

<sup>6</sup> The aggregate findings are interesting: 9 % is idle, 40 % is economically active and 48 % is involved in household activities; only 4 % of the children are not doing anything but going to school. These figures include all children from 5 to 17, and this aggregation is not useful to isolate the 'child labour' category. Of the children engaged in economic activities, 2.5 million were attending school and 2.2 million were not attending school. Of these 4.7 million children, 3.8 million were working on the shamba (family farm), 0.9 million were working in other family occupations, 79 thousand were in paid employment and 60 thousand were self-employed outside the family occupation.

Pakistan that the outcomes must be approached with the necessary scepticism.<sup>7</sup> One can question whether 13-14 year old children that engage in light work at home should be considered child labourers. In many data gathering exercises, they erroneously may have been included, thereby unduly increasing the number of assumed child labourers in the world.<sup>8</sup>

The more reliable figures, in my view, are lower. I don't, with this suggestion, want to diminish the enormity and the intolerability of the problem. I simply want to make a plea for realistic perceptions and in particular for isolating those forms of child labour that are intolerable.

Fluffing up numbers and painting as dramatic a picture as possible of the circumstances in which children have to work, generalizing the worst forms, so that they apply to all working children, has led to more money in collection drives as well as to greater financing by institutional funds. The figures have also been handy to wake and shake up the world conscience, but they aren't suitable for drawing up good policy. Since the world has already been sensitised to the child labour problem, the advocacy statistics should be replaced by realistic statistics.

I will illustrate this statement by way of the situation in India and of the publications about the extent of child labour in that country. Since India is supposed to be responsible for one third of the child labour incidence of the

---

<sup>7</sup> An ILO investigation (IPEC Pakistan, 1996: 15) came to the conclusion that 22.5% of boys and 7.2% of girls between 10 and 14 years of age worked, that is to say, 'at least one hour (sic) every day of the week preceding the investigation'. In Europe, this would not qualify as child labour. The majority worked as unpaid assistants on farms. In the cities, only 10.1% of the boys and 1.5% of the girls in the same age group worked (at least one hour a day!). Next to the question as to whether this is actually entails 'child labour', one can question the quality of the material gathered: where in the NWFP-region, 39.0% of the boys in the rural areas (10-14 years) was recorded as child labourers, the percentage in the neighbouring province of Baluchistan was only 2.4%, which could suggest that the research contract with local research institutes did not produce very reliable data.

<sup>8</sup> The relevant clause in ILO Convention 138, drawn up in 1973, established a minimum age of 15 years for child labour, with exceptions of 14 years (in countries 'where the economy in educational institutes was insufficiently developed') and at 13 years for light work or at 12 years in countries where a general minimum of 14 was applicable.

world, statistics of that country do matter a great deal. The numbers regarding child labour in India differ widely. A number of NGOs as well as most western sources state that India has more than 100 million child labourers, which is to say that about half of all children between the age of 6 and 14 engage in child labour. According to government figures on the other hand, the number has decreased over the past twenty years, from approximately 21 million in around 1980 to 9 million in the year 2000, with a child workforce participation rate that has decreased from 11.2% to 4.8%. Around 4 out of 5 of these children are 'working' in agriculture for at least one hour a day.

The difference between the estimates of 100 million and that of 9 million has everything to do with problem of definition. In India around 80 million children who have not been counted in the government child labour statistics do not go to school. They don't go to school because they are too young (poor children in rural areas enrol quite late, because they have finished the village school or because they just do not go or have dropped out. Because these children can't be found amongst the statistics of working children nor amongst the statistics of school going children, they have come to be referred to as 'nowhere children'. In the high-incidence scenario, all these children have been included as child labourers.

Children that don't go to school are not necessarily child labourers. They are a large category of deprived children and since the reasons for not attending school are different from those of children who have to work, it is of critical importance that the different categories and mechanisms are separated. Otherwise one shall run the risk of getting the deprived children into school and assuming that the problem of the core category of child labourers is being solved: it is possible to solve the problem of nowhere children without even touching the core problem of child labour.

With some audacity I isolate the complexities involved in the definition of child labour and of worst forms of child labour as the essence of the problem. If we know what the concept means, where the phenomena begin and end, it is possible to act against it and to formulate a suitable policy response.

## Summary

The abolition of child labour in the developed countries has taken one century to come to fruition. In most developing countries a change for the better has taken place in a relatively short period of time. Governments have become aware of the importance of resolving the social question with an eye to economic development, national integration and social development in general. Policies have been put in place and there is considerable development in, for example, increasing literacy, reducing child mortality and limiting birth rates. Laws have been adopted and international treaties and conventions have been ratified. An increasing number of people seem to be sufficiently aware that labour is a bad option for childhood and large numbers of organizations and movements, national and international, are actively paving the road for new policies and new practice.

It nevertheless seems that efforts to abolish child labour are faltering and that, in combination with the commitment to reach the MDG on universal education before 2015, efforts shall have to be undertaken on a war footing.

The ILO, with the choice of Convention 182 on the Worst Forms of Child Labour, has taken an important step by making the distinction between not good but somewhat acceptable and absolutely unacceptable: 'Not all work performed by children is equivalent to "child labour" ... The problem is how to draw a (statistical) line between acceptable forms of work by children (which may be regarded as positive) on the one hand, and child labour that needs to be eliminated on the other.' (ILO, 2002b, p.31; see also ILO, 1998).

That job, it seems to me still remains to be done. International organisations, like the ILO and UNICEF, have brought together a mass of rich and varied data, and deserve full credit for it, but yet, at the same time, in view of their official character –working with governments as counterparts- there is a need for independent research in this matter. NGO's, with their vast resources and their established commitment, unfortunately have not yet seen the need for doing so. More research is needed in specific fields and the ILO appropriately calls upon research institutes and universities to take up this job (IPEC 2004).

Since the policy strategy is clear (the worst forms first) and has a wide public backing, nationally and internationally, the need of the hour is indeed for more supporting evidence on where intervention is most urgently needed.

## Literature

- Anker, Richard (2000). 'The Economics of Child Labour: A Framework for Measurement'. *International Labour Review*, volume 139, nr. 3, pp. 257-280
- Basu, K. & P.H. Van (1998). 'The Economics of Child Labor.' *American Economic Review*, volume 88, nr. 3, pp. 412-427
- ILO (1983). *Child Labour. Extract from the Report of the Director-General to the International Labour Conference, 69th Session*. Geneva: International Labour Office
- ILO (1986). *Child Labour: A Briefing Manual*. Geneva: International Labour Office.
- ILO (1998). *Child Labour. Targeting the Intolerable*. Geneva: International Labour Office
- ILO (2002a). *A Future Without Child Labour. Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights of Work. International Labour Conference 90th Session, report I(B)*. Geneva: International Labour Office
- ILO (2002b). *Every Child Counts. New Global Estimates on Child Labour*. Genève: International Labour Office.
- ILO (2004). *Lessons Learned when investigating the worst forms of child labour using the rapid assessment methodology*. Geneva: ILO/IPEC, report by Jennifer Fee.
- IPEC Pakistan (1996). *Summary Results of Child Labour Survey in Pakistan*. Islamabad: FBS and Ministry of Labour / Geneva: ILO, IPEC, mimeo
- IPEC (2002a). *Thailand: Child Domestic Workers. A Rapid Assessment*. Geneva: ILO.
- IPEC (2002b). *Sri Lanka: Child Domestic Workers. A Rapid Assessment*. Geneva: ILO.
- IPEC (2002c). *El Salvador. Child Labour in Sugar Cane: A Rapid Assessment*. Geneva: ILO.
- IPEC (2002d). *Bolivia. Child Labour in Sugar Cane: A Rapid Assessment*. Geneva: ILO.
- IPEC (2004). *Hazardous Child Labour in Agriculture. An Overview*. Geneva: ILO, Safety and Health Fact Sheet.
- Lieten, G.K. (2001). 'Child Labour. Questions on Magnitude'. In G.K. Lieten & Ben White: *Child Labour. Policy Perspectives*. Amsterdam: Aksant Academic Publishers, pp. 49-66
- Lieten, G.K. (2005). 'Child Labour and Work: Numbers, From the General to the Specific'. *Indian Journal of Labour Economics*, No 2, pp. 29-46.

- Skeldon, Ronald (2000). *Towards Integrating Research Methods on Invisible Forms of Child Labour. A Desk Review*. Bangkok: RWC-CL.
- UNICEF (1986). *Overview: Children in Especially Difficult Circumstances*. New York: UN Children's Fund, Economic and Social Council, Executive Board, Policy Review (E/ICEF/1986/L.6).
- UNICEF (1997). *The State of the World's Children 1997*. Oxford: Oxford University Press.
- UNICEF (2005). *End Child Exploitation. Child Labour Today*. London: UNICEF UK.