

# A THEORITICAL PERSPECTIVE ON ILO'S ESTIMATION OF CHILD LABOUR

FEBIN MUHAMMED  
RESEARCH SCHOLAR,  
RESEARCH DEPARTMENT OF ECONOMICS GOVERNMENT COLLEGE, NATTAKOM,  
KOTTAYAM.

## ABSTRACT

The ILO was founded in 1919, in the wake of a destructive war, to follow a vision that is based on the principle that universal peace can be established only if it is based on social justice. It became a specialised body of the UN on 1946. It aims at promotion of rights at work, encouraging decent employment opportunities, enhancing social protection and strengthening dialogue on work related issues. The paper makes an attempt to present the ILO methodology of measuring child labour, ILO conventions advocated to prevent child labour and an analysis of global estimates of child labour based on the ILO methodology.

Key words: child labour, conventions, economic activities, ILO, non-economic activities

## 1. INTRODUCTION

ILO is often seen as the most imperative international protector of child rights. Child labour is a disruption of basic human right of a child that leads to child underdevelopment or lifelong physical and psychological damage. Not all the work done by children can be classified as child labour that is to be eliminated. Generally those activities that does not affect a child's personal development or schooling is not regarded as child labour and is regarded as something that is positive. These activities include those of helping parents at home or assisting in a family enterprise during holidays. These are activities that indeed provide the children with skills and expertise needed for a better living.

## 2. RESEARCH METHODOLOGY

The study uses secondary data from ILO reports and estimates for data and discussions.

## 3. DATA AND DISCUSSION

“ The current criteria for identifying **child labour** used by ILO's Statistical Information and Monitoring Program on Child Labour (SIMPOC) for its global child labour estimates is:

- A child under 12 who is economically active for 1 or more hours per week,

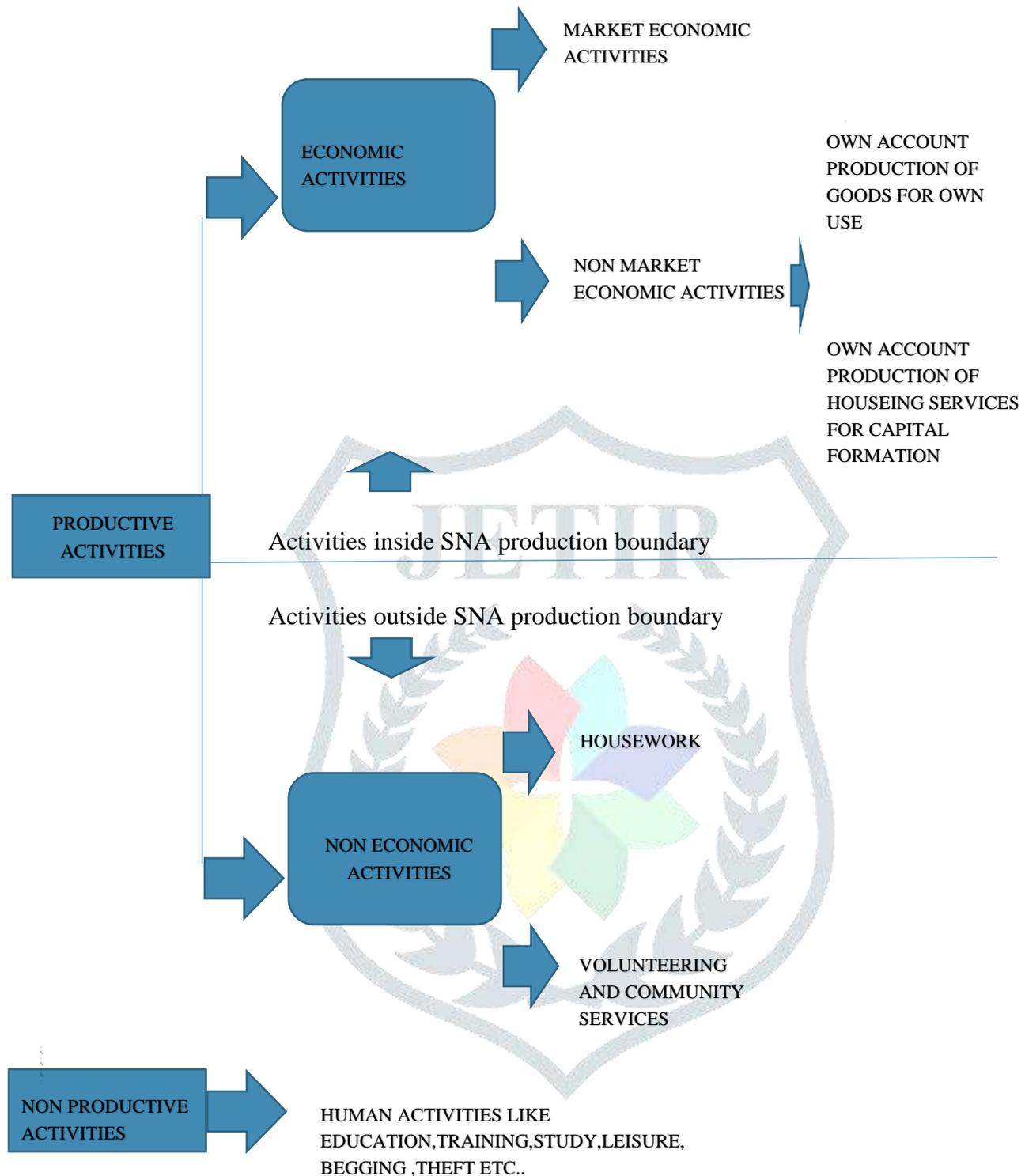
- A child 14 and under who is economically active for at least 14 hours per week,
- A child 17 and under who is economically active for at least 43 hours per week ,
- A child 17 and under who participates in activities that are "hazardous by nature or circumstance" for 1 or more hours per week ,
- A child 17 and under who participates in an "unconditional worst form of child labour" such as trafficked children, children in bondage or forced labour, armed conflict, prostitution, pornography, illicit activities". (Edmonds, 2009, p. 19)

The basis of the definition is the Human Rights and Capability Approach which includes all those work that hampers the physical, mental and intellectual development of children. "The problem of child labour is and must be recognized as a human rights problem not in a narrow monolithic sense, but as one that is multidisciplinary, multifaceted, and multispectral—in a word, multidimensional— and involving practices that violate children’s human rights both directly (e.g., slavery) and—more commonly—indirectly (e.g., compulsory labour that results in denial of the right to education)" (Weston ed, 2005).

#### **CLASSIFICATION OF CHILD ACTIVITIES – ILO**

The following figure shows the categorisation of child activities, a combination of both economic and non-economic activities (Productive activities). While economic activities fall within the SNA (System of National Accounts) production boundary, all non-economic activities fall outside the SNA Production boundary. Economic activities include both market and non-market activities which includes own account production of goods for own use and for capital formation. Non-economic activities include household works and community services.

Figure 1



Source: ILO 18th International Conference of Labour Statisticians, 2008 Page no: 11

**IDENTIFYING CL AMONG DIFFERENT AGE GROUPS IN THE STUDY**

Different threshold hours are used to estimate child labour for the three different age groups. The computation methods for different age groups used in the study has been presented below.

**Figure 2**

<b>DISTINGUISHING CHILD LABOUR FROM OTHER CATEGORIES OF CHILDREN'S WORK (CHILDREN AGED LESS THAN 11 YEARS)</b>			
<b>CHILDREN UNDER 12 YEARS</b>	Types of work coming under Child Labour <b>A</b>	Acceptable forms of work <b>B</b>	Types of work coming under child labour <b>C</b>
		Work not interfering with education nor constituting an unconditional worst form	Work interfering with education nor constituting an unconditional worst form
	Work covered by C 138 minimum age rules for measurement purposes	Works not covered by C138 minimum age rules for measurement purposes	

Following the above mentioned approach, identifying the child labourers between 5-11 years of age is relatively simple. For the purpose of measuring child labour for the respective category, this would include all children in economic activity together with other children performing non-economic activities that interfere with education. (Area A in the above figure).The main challenge in measuring child labour lies in the identification of non -economic activities that are harmful to education (Areas B and C in the above figure).

**Figure 3**

**IDENTIFICATION OF CL OF AGE GROUP 12-14 YEARS**

<b>DISTINGUISHING CHILD LABOUR FROM OTHER CATEGORIES OF CHILDREN'S WORK (12-14 YEARS)</b>				
<b>CHILDREN AGED 12-14 YEARS OF AGE</b>	ACCEPTABLE FORMS OF CHILDRENS WORK	FORMS OF CHILDRENS WORK CONSTITUTING CHILD LABOUR	ACCEPTABLE FORMS OF CHILDRENS WORK	FORMS OF CHILDRENS WORK CONSTITUTING CHILD LABOUR
	Light work	Regular and hazardous work	Work not interfering with education nor constituting an unconditional worst form	Work interfering with education and/or constituting an unconditional worst form
	Children's work covered by C 138 minimum age rules for measurement purposes		Children's work not covered by C 138 minimum age rules for measurement purposes	

**Figure 4****IDENTIFICATION OF CL OF AGE GROUP 15-17 YEARS**

DISTINGUISHING CHILD LABOUR FROM OTHER CATEGORIES OF CHILDREN'S WORK (15-17 YEARS)				
CHILDREN AGED 15-17 YEARS OF AGE	ACCEPTABLE FORMS OF CHILDRENS WORK	FORMS OF CHILDRENS WORK CONSTITUTING CHILD LABOUR	ACCEPTABLE FORMS OF CHILDRENS WORK	FORMS OF CHILDRENS WORK CONSTITUTING CHILD LABOUR
	Light and regular work	hazardous work	Work not constituting an unconditional worst form	Work constituting an unconditional worst form
	Children's work covered by c 138 minimum age rules for measurement purposes		Children's work not covered by c 138 minimum age rules for measurement purposes	

**ILO INTERVENTIONS IN PREVENTING CHILD LABOUR**

The prevention and abolition of child labour was one of the founding principles of ILO in 1919. At the first ILO Conference, the delegates discussed on effective regulations to prevent child labour in industries and established certain conventions appropriately. In subsequent years other conventions were also adopted extending similar protection to children in other sectors. The standards which were set in early years documented that there should be restrictions in the working hours of children , prevention of child work in hazardous occupations and a minimum legal age to work. The basic ILO standards on child labour are the two legitimate pillars of global action to combat child labour. The Conventions entail the national determination of a hazardous work lists “by the competent authority or by laws or regulations” that follows tripartite discussion with the related workers’ or organizations and employers’ .The tripartite consultation guarantees the significance of the list, and presentation in law that gives it the permissible weight required for implementation.

**Basic principles regarding child labour**

The general minimum working age of the child should be in line with the completion of compulsory education – children under this age should be in school rather than in employment. This is normally 15 years, set different for different countries. The minimum age for hazardous work shall not be less than 18 years. The two different age groups have two different approaches. First, younger children who are in labour should be helped to go back to school, whether they are in hazardous labour or not. Even though the child has attained the age of 18 years, they must be protected from all forms of hazardous labour or other worst forms of labour. The hazardous

list is especially made for this group of children, who are old enough to work, but should be protected as children, from hazardous work.

The ILO governing body has also identified 8 fundamental Conventions which covers all subjects that consider the fundamental principles and the right to work; the removal of all forms of forced labour; freedom of association and effective recognition of the right to collective bargaining; the removal of discrimination with respect to occupation and the effective abolition of child labour.

The eight fundamental Conventions of ILO are:

1. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
2. Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
3. Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol)
4. Abolition of Forced Labour Convention, 1957 (No. 105)
5. Minimum Age Convention, 1973 (No. 138)
6. Worst Forms of Child Labour Convention, 1999 (No. 182)
7. Equal Remuneration Convention, 1951 (No. 100)
8. Discrimination (Employment and Occupation) Convention, 1958

Presently, the Conventions on Minimum Age and on the Worst forms of Child Labour are unanimously accepted as the fundamental human and labour rights standards. Almost all children in the world are covered under Convention number 182 on the Worst forms of Child Labour.

### **ILO CONVENTION NO: 182 & 138 ON THE WORST FORMS OF CHILD LABOUR**

The prevention and effective elimination of hazardous child labour is the prime requirement of both the ILO conventions on child labour. Both these conventions necessitate concrete legal responsibilities for action by ratifying ILO member countries and are nearing universal ratification. Convention No. 182 helped to emphasize the worldwide interest on the necessity of action to eliminate as a matter of priority the worst forms of child labour, without dropping the long term target of the effective eradication of child labour. ILO convention No: 182 is the first ILO convention to achieve universal ratification. It was the most rapidly ratified Convention in the history of ILO, with majority of ratifications occurred within the first 3 years after its adoption in 1999. Convention no:138 sets the general minimum age for admitting a child in employment (15 years / 13 years for light work) and minimum age for hazardous work (18 years) .It stipulates the possibility of originally setting

the general minimum age at 14 (12 for light work) where the economy and educational opportunities are insufficiently developed.

## AN ANALYSIS ON REGIONAL PREVALENCE OF CHILD LABOUR

**Table 1**

REGIONAL PROFILE OF CHILD LABOUR AND HAZARDOUS WORK					
Number and % of children in child labour and hazardous work, by region (2016)					
	Region	Children in child labour		Children in hazardous work	
		Number (000s)	%	Number (000s)	%
World (5–17 years)		151 622	9.6	72 525	4.6
	Africa	72 113	19.6	31 538	8.6
	Arab States	1 162	2.9	616	1.5
	Asia and the Pacific	62 077	7.4	28 469	3.4
	Americas	10 735	5.3	6 553	3.2
	Europe and Central Asia	5 534	4.1	5 349	4.0

Africa ranks highest both in terms of absolute number and percentage of children in child labour (72 million). The Asia Pacific and the African region together has 9 out of every 10 children in child labour. In absolute terms the number of children in labour in this area is 62 million (7%). The remaining child labourers are divided among Arab states (1 million), Europe and Central Asia (6 million) and America (11 million). Global estimates of child labour disaggregated on the basis of region, age and gender are detailed in the table below.

Table 2

		Children in employment		<i>Of which:</i> Children in child labour		<i>Of which:</i> Children in hazardous work		
		2012	2016	2012	2016	2012	2016	
World (5–17 years)	Number (000s)	264	218	167	151	85	72 525	
	Prevalence (%)	427	019	956	622	344	4.6	
Age range	5–14 years	Number (000s)	144	130	120	114	37 841	35 376
		Prevalence (%)	066	364	453	472	3.1	2.9
	15–17 years	Number (000s)	11.8	10.6	9.9	9.3		
		Prevalence (%)	120	87	47	37	47	37 149
Sex (5–17 years)	Male	Number (000s)	362	655	503	149	503	
		Prevalence (%)	33.0	24.9	13.0	10.5	13.0	10.5
Sex (5–17 years)	Female	Number (000s)	148	123	99	87 521	55	44 774
		Prevalence (%)	327	190	766	10.7	048	5.5
Region (5–17 years)	Africa	Number (000s)	18.1	15.0	12.2		6.7	
		Prevalence (%)	116	94	68	64 100	30	27 751
Region (5–17 years)	Americas	Number (000s)	100	829	190		296	
		Prevalence (%)	15.2	12.4	8.9	8.4	4.0	3.6
Region (5–17 years)	Asia and the Pacific	Number (000s)	--	99	--	72 113	--	31 538
		Prevalence (%)	--	417	--	19.6	--	8.6
Region (5–17 years)	Europe and Central Asia	Number (000s)	--	17	--	10 735	--	6 553
		Prevalence (%)	--	725	--	5.3	--	3.2
Region (5–17 years)	Arab States	Number (000s)	129	90	77	62 077	33	28 469
		Prevalence (%)	358	236	723	7.4	860	3.4
Region (5–17 years)	Arab States	Number (000s)	15.5	10.7	9.3		4.1	
		Prevalence (%)	--	8	--	5 534	--	5 349
Region (5–17 years)	Arab States	Number (000s)	--	773	--	4.1	--	4.0
		Prevalence (%)	--	6.5	--			
Region (5–17 years)	Arab States	Number (000s)	--	1 868	--	1 162	--	616
		Prevalence (%)	--	4.6	--	2.9	--	1.5

## DISAGGREGATION OF CHILD LABOUR BY AGE AND GENDER

The largest share of child labourers are formed by the lowest age group, 5-11 years (48%). The age group also constitute the largest number of those in hazardous labour. One fourth of all children in the hazardous work group – 19 million children in absolute terms – are aged 5-11 years. 28 % of those in child labour are in the

12-14 years category and 25% fall in to the 15-17 years category. A gender comparison in child labour shows that boys are at greater risk than girl children. Also, gender gap increases with age. The difference in incidence of child labour is less than 1 % point for 5–11 year-olds, 3% points for 12–14 year-olds and 5% points for 15–17 year olds. There are twenty three million more boys than girls in child labour and 17 million more boys than girls in hazardous work. All these figures underestimate the number of girls in child labour. Girl children are much more likely than the male children to bear obligation for household chores, a form of work that is not measured in the child labour estimates. Estimates of child involvement in household works, in the 2016 Global Estimates, shows girls are much more likely than boys to perform household work in every weekly hour bracket. Girl children account for 2/3 of the 54 million children aged 5–14 years who perform household chores for at least 21 hours per week, the threshold beyond which household activities negatively impact the capability of children to attend and benefit schools. There are about 29 million girl children in the age group of 5-14 years who perform household chores for about 28 hours a week and 7 million children performing 43 or more hours of household chores per week. Thus girl children are more likely than boys to perform “double work duty”, meaning both work in employment and in household chores.

### **DISAGGREGATION OF CHILD LABOUR BY SECTOR**

Most of the child labourers were engaged in the agriculture sector which is mostly unpaid. It often take place within the family unit and is hazardous in nature. From 2012, the significance of the agriculture sector increased as seen from the reports of ILO 2016. While the child labourers in the agricultural sector accounted for 59% of all child labourers, this was 26 million for the service sector and 18 million for the industrial sector. It is the industrial sector in which the children face most of the risk. It has been estimated by ILO that three quarters if the children in this sector are in hazardous labour. Details regarding the employment of children in different sectors are given below.

**Table 3**

<b>CHILD LABOUR BY SECTOR</b>					
Sectoral composition of child labour by region, sex and age range, 2016					
		Agriculture	Industry	Services	Total
		(In %)			
World		70.9	11.9	17.2	100
Region	Africa	85.1	3.7	11.2	100
	Arab States	60.3	12.4	27.4	100
	Americas	51.5	13.2	35.3	100
	Asia and the Pacific	57.5	21.4	21.1	100
	Europe and Central Asia	76.7	9.7	13.6	100
Sex	Male	71.5	12.4	16.1	100
	Female	70.3	11.1	18.6	100
Age range	5–14	78.0	7.4	14.5	100
	15–17	49.3	25.6	25.1	100

#### 4. CONCLUSION

In order to accelerate the pace of development, action should be directed to the root causes of child labour. ILO guarantees social protection to all children to fulfil their potential by giving universal access to a set of basic social security guarantees. Though ILO has given threshold hours in estimating child labour in economic activities, household chores carried out by the children are not considered in economic activities nor are they measured in terms of non-economic activities. This, however, is a major issue in measuring Child Labour using ILO's framework. The study helps to conclude that measurement of child labour using ILO framework leads to an under estimation of the prevalence of child labour. It should be combined with some other globally accepted standards of measuring child labour that takes in to account the household chores performed by the children.

#### REFERENCE

1. Edmonds, E.V. (2009). Defining child labour: A review of the definitions of child labour in policy research / International Labour Office, International Programme on the Elimination of Child Labour (IPEC) - Geneva: ILO, 2009.

2. ILO (1996). “Child Labour: Targeting the Intolerable”. Geneva, November.
3. ILO-IPEC (2002). “South Africa: Child domestic workers: a national report”. Geneva.
4. ILO, (2004) Child Labour Statistics, Manual on methodologies for data collection through surveys, SIMPOC.
5. ILO, Child Labour Statistics, 18th International Conference of Labour Statisticians, 2008.
6. ILO, (2015) “*Child labour and education: progress, challenges and future directions*” International Labour Office, International Programme on the Elimination of Child Labour (IPEC) – Geneva.
7. ILO. (2016). Methodology: Global estimate of child labour, 2012–2016. Geneva: International Labour Office.
8. ILO. (2017). Global estimate of child labour: Result and trends, 2012–2016. Geneva: International Labour Office.

