



World Day Against CHILD LABOUR

12 JUNE 2015



Central Child Welfare Board



International
Labour
Organization

unicef 

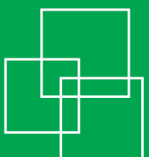
JTUCC
Nepal
Joint Trade Union Co-ordination Centre


Global Protection Cluster
Protection Cluster Nepal



No
**TO CHILD
LABOUR**

YES
**TO QUALITY
EDUCATION**



We take the **World Day against Child Labour** as an opportunity to raise our collective voice against child labour and CALL IN all children back to school, who have been missing out on education since the devastating earthquake that hit Nepal on April 25 2015.

CHILD LABOUR IN EMERGENCY

Child labour is often defined as work that deprives children of their childhood, their potential and their dignity, interferes with their schooling and that is harmful to physical and mental development. In Nepal before the earthquake, there were already 1.6 million children from 5-17 years engaged in child labour out of which more than 620,000 were into hazardous work or prohibited child labour¹. Among the total child labour population there were children who were in full time employment whereas some had combined school and work but often to the detriment of their education. Estimates² put around 1.2 million children between the ages of 5 and 16 were out of school before the earthquake.

Today, the situation is worse and unpredictable with high child protection risks, the risk of more children ending up in child labour, including its worst forms. Hundreds of children have been orphaned and are in the hands of the elderly, disabled or adolescent carers.

Child traffickers have been swift in trapping the young boys and girls for sexual exploitation and forced labour as reported in the media. The young children who are at legal working age are also at risk of being drawn into hazardous work related to post-disaster rehabilitation, such as construction in disaster affected areas. In such a case, these children as adult workers will end up being poorly paid, exploited or become unemployed bringing their next generation also into child labour and poverty. Breaking this perpetual cycle of poverty and child labour is a big challenge for Nepal and education has a key role to play.

Schools and social protection and welfare have also crumbled. As per the Department of Education, around 30,000 classrooms were destroyed and over 15,000 additional ones damaged. Some one million children in the disaster affected districts are estimated to be out of school although classes have resumed in temporary sheds.

NO TO CHILD LABOUR: YES TO QUALITY EDUCATION

Free and compulsory education of good quality up to the minimum age for admission to employment is a key tool in ending child labour. The ILO's Convention No. 138 on the minimum age of employment that

Nepal ratified in 1997 emphasises the close relationship between education and the minimum age for admission to employment, which is currently 14 in Nepal. However, in the absence of compulsory education, it will be difficult for the Government to retain secondary

¹ILO Nepal Child Labour Report, 2012

²UNICEF

level children in schools despite the remarkable progress it has recently made in their enrollment rate.

Also, in this post-earthquake scenario the need to deliver the opportunity of secondary education to the young children, at legal working age must be prioritised so as to prevent the worst forms of child labour, including hazardous work, trafficking, commercial sexual exploitation, and involvement in illegal activities.

Creating social safety nets for these children and involving them in skills and vocational trainings can also offer basic educational support that will prevent them from entering into hazardous work like constructions in the earthquake affected areas. Similarly, investments in public education and trainings can be relevant in getting trained and

committed teachers. This will further result in creating a competent teaching force for delivering quality education.

Also, important is to have greater coherence and coordination of national policies and strategies on issues of child labour and education. Attendances at school reduces the work hours of children who are child labourers and protects those who are at risk of entering (the worst forms of) child labour, but learning outcomes are critical too. Mainstreaming child labour concerns in disaster response policies and action can help mitigate the devastating impact on children and sustained progress on education and development goals can come through mainstreaming child labour concerns in education policies and programmes.

ON THIS YEAR'S WORLD DAY AGAINST CHILD LABOUR WE CALL FOR:

- **F**ree, compulsory and quality education for all children at least to the minimum age for admission to employment;
- Urgent actions to reach out and bring back more than one million out-of-school children to schools in the earthquake affected districts and the over one million who were already out of school as all these children face child protection risks, including child labour;
- Establishment of additional temporary learning centres and child friendly spaces to engage more children into learning and prevent them from abuses and exploitation;
- Establishment of a humanitarian fund for education in emergencies such as natural disasters like earthquakes;
- Promoting social protection schemes and policies to encourage school attendance such as mid-day meals, child grants etc. targeting child headed households or families dependant on children's income for survival;
- Efforts to ensure that national policies on child labour and education are consistent and effective.



SOME KEY MESSAGES ON CHILD LABOUR IN EMERGENCIES

- International Convention on the Rights of the Child and ILO Conventions No. 138 on “Minimum Age to Employment” and No. 182 on “Worst Forms of Child Labour” define children as persons under 18 years of age.
- These International Conventions lay provision to prevent children from economic exploitation among others.
- The Interim Constitution of Nepal, 2007 guarantees right to free education up to secondary level (Article 17) and prevention of children from economic exploitation and entering into any form of hazardous work (Article 22).
- The National Child Labour (Prohibition and Regulation) Act, 2000 defines a “child” as a minor not having completed the age of sixteen.
- It is illegal to employ children under the age of 14 as labourers and children under 16 years in the worst forms of child labour or into any risky business/hazardous work as enlisted in Schedule 1 of the National Child Labour (Prohibition and Regulation) Act, 2000. (To bring the law in line with the ratified Conventions, this would need to be below 18 years)
- Children under the age of 16 are not allowed to work for more than six hours a day and not between the hours of 6 pm and 6 am.
- Children between 15 and 16 are allowed to work for 36 hours a week. However they should not be exposed to hazardous work.
- It is dangerous for children to be involved in the construction and rehabilitation work post disaster (and otherwise) which may involve building infrastructures, collecting materials from rubbles and debris.
- The worst forms of child labour can risk children’s health and safety, resulting in injury and even death.
- Child labour can affect children’s emotional, physical and developmental wellbeing.
- Education is a fundamental right to children. Children’s well-being is protected through learning and playing not through work.
- Attending and completing school brings long-term benefits to children and their families educated children are healthier and have greater earning potential in the future.
- Employers and workers and their organizations have a critical role to play in the prevention and elimination of child labour, as do civil society organizations
- The labour offices have powers to impose punishments to persons violating the law of one year in maximum or a fine of fifty thousand rupees in maximum or both.
- Authorised Government agencies with child protection mandate like- District Women, Children Office, District Child Welfare Board including Women, Children Centres within the District Police among others should be contacted in case of abuses including trafficking of children for sexual exploitation, forced labour and bonded labour.

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