

STOP



Child Labour
school is the best place to work

KAMPALA DECLARATION

WORKING TOWARDS CHILD LABOUR FREE ZONES

19 April 2013 Kampala, Uganda





C/O: Hivos
Raamweg 16
2596 HL Den Haag
The Netherlands
Telephone: + 31(0)70 376 55 00 |
www.stopchildlabour.org

The 'Stop Child Labour – School is the Best Place to Work' campaign is a joint initiative coordinated by the NGO Hivos in the Netherlands and implemented together with partner organizations world-wide.

Stop Child Labour aims to eliminate all forms of child labour and to ensure formal, full-time and quality education for all children, at least until the age of 15. The campaign calls on governments, international organizations, companies and consumers to be part of the solution. The campaign also supports organizations in child labour affected countries who adopt an area based approach starting from the principle that 'no child should work; every child must be in school'. In doing so, Stop Child Labour works towards increasing and strengthening so called 'child labour free zones'; areas where all children are being withdrawn from labour and (re)integrated into formal, full-time schools.

Kampala Declaration, 19 April 2013

Working Towards Child Labour Free Zones

This Declaration is based on the combined mandate of the Convention of the Rights of the Child, the African Charter of the Rights and Welfare of the Child, ILO Convention 138 on the Minimum Age for Employment and Convention 182 on the Worst Forms of Child Labour, the pledges to achieve Education for All made during the World Education Forum in Dakar in 2000 and the Roadmap of the Hague Global Child Labour Conference in 2010.

We, participants¹ at the 'Working towards Child Labour Free Zones' Conference in Uganda, and other like minded organizations on this day of 19 April 2013 in Kampala, pledge to work towards the creation of Child Labour Free Zones which is 'a (geographical) area where all working children are being withdrawn from child labour and are (re)integrated into formal, full-time quality schools. If children are above the legal working age they shall get the chance to continue their education and/or receive vocational education/training or enter decent youth employment.

CHILD LABOUR, OUR COMMON CONCERN

Around 215 million children are still working as child labourers² and this number has probably increased over the last few years due to the economic and social crisis in many parts of the world, not in the least in Africa. Around 65 million – or one in four children – in Sub-Saharan Africa are child labourers compared to roughly one in eight children in the Asia-Pacific region and one in ten in Latin America and the Caribbean.

Many forms of child labour remain hidden or are not even considered to be child labour in many countries. This specifically includes domestic work and agricultural labour which is very often unpaid family labour. Children in a range of informal jobs often remain uncounted and uncared for. The majority of children performing domestic work either in the homes of others or in their own home are girls. It is noted

with great concern that only a limited number of countries have defined domestic work or (certain forms of) child labour in agriculture as hazardous and that even less attention is being paid to work in these sectors by children between 15 and 18 years old.

CHILD LABOUR, OUR GLOBAL COMMITMENT

Child labour is the denial of a child's right to education, and work for which the child is too young or that is likely to harm the health, safety and morals of children. The elimination of child labour and the provision of formal, full-time quality³ education are inextricably linked. Therefore: eliminating all forms of child labour as defined by ILO Conventions for the Minimum Age of Employment (No. 138) and Worst Forms of Child Labour (No. 182), which are now both ratified by at least nine out of ten countries, is more urgent than ever.

¹Participants from the following countries: Zimbabwe, Uganda, Kenya, Ethiopia, Ghana, Morocco, Mali, Burkina Faso, Senegal, Sierra Leone, Togo, Sudan, South Sudan, Tanzania, Zambia, Malawi, Rwanda, South Africa, India, Nicaragua, Albania, Czech Republic and the Netherlands, as well as international organizations: ILO, UNICEF, ITUC, IUF, EI, ECLT and: the African Union and the European Union.

²ILO Global Report 2010

³See for a definition/description of quality education by Education International: http://download.ei-ie.org/Docs/WebDepot/Post2105_10Principles_Brochure.pdf

The Convention on the Rights of the Child (CRC), ratified by almost all countries, obliges States to implement compulsory and free basic education. States are bound by this Convention to "provide for appropriate penalties and other sanctions in order to protect children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education". The African Charter on the Rights and Welfare of the Child⁴ draws inspiration from this Convention as well as from other instruments adopted by United Nations and African countries.

During the World Education Forum (Dakar 2000) 164 governments pledged to achieve Education for All by 2015, 'ensuring that all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities have access to, and complete, free and compulsory primary education of good quality'. However, the right to education as well as the right to be free from child labour is severely limited by a range of barriers to formal, full-time education, including but not limited to school fees, sub-standard education, discrimination, corporal punishment and various bureaucratic hurdles for parents.

The 'Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016' adopted by the participants at the The Hague Global Child Labour Conference 2010, states in its preamble that "action to eliminate the worst forms of child labour is most effective and sustainable when it is situated within action to eliminate all child labour, including through area-based and sector-based programmes."

Stressing that although education is only compulsory for children below 15 years of age in most countries - and children between 15 and 18 years are allowed to be engaged in non hazardous work according to the ILO Convention 138 - it is imperative to protect them from being engaged in the worst forms of child labour as stipulated in the ILO Convention 182. Therefore it is important to include children between 15 and 18 years of age in child labour policies, both by promoting and implementing continued secondary and tertiary education up to 18 years of age (or beyond) as well as by increasing opportunities for learning a skill and by creating decent work commensurate with their age.

The complete international community, both developing and developed countries have an obligation to contribute to the implementation of these conventions and treaties.

SHARED VALUES AND EXPERIENCES

Through years of involvement in the issues of child labour and education in Asia, Africa, Latin America and Europe, the Stop Child Labour international movement has come to the conclusion that poverty of countries, communities or families is not, as is often believed, the main cause of child labour nor

is it the main obstacle to making full-time formal education accessible for every child.

Various experiences in countries like India, Albania, Ethiopia, Zimbabwe, Ghana, Morocco, Kenya, Uganda, Guatemala, Nicaragua, Brazil and other countries show that existing social norms, lack of workers' rights and other human rights, harmful traditional practices, exclusion and discrimination of certain groups as well as a badly or 'indifferently' functioning educational system are among the most important reasons why children are working and not attending school.

We emphasize that child labour encompasses all types of child labour as defined in ILO Conventions 138 and 182 - irrespective of whether the child is engaged in wage or non-wage work; whether he or she is working for the family or for others; whether employed in hazardous or non-hazardous occupations; whether employed on a daily or on a contract basis or as a bonded labourer. Efforts to eliminate child labour shall focus on all its forms, aiming at all children in a certain community.

A farmer from Ghana:
"The best farmer in the world, is the
educated farmer. And therefore, let us
make sure that our children go to school.
Education is key to our development".

TOWARDS CHILD LABOUR FREE ZONES

We believe and have experienced that eliminating child labour in all its forms is possible. This can be achieved by adopting an 'area based approach' that focuses on the rights of all children in an area, whether in school or out of school. No distinction is made between different forms of child labour in this process because every child has the right to education or, above the relevant age, to decent youth employment. The process of creating Child Labour Free Zones involves all stakeholders including children, teachers, parents, unions, community groups, employers and local and national authorities responsible for children.

In this approach, the community is mobilised to track every out of school child under 15, withdraw her/him from work and enrol her/him in to school. The schools are simultaneously strengthened to respect children from all backgrounds and the first generation learners and ensure that no child drops out of school. The households and community are involved in the process as they become the 'agents' of social change while the government is ultimately responsible for the provision of schools, teachers, learning material. With effective prevention and remediation of school dropouts and child labour and every child being in school in an area a 'child labour free zone' is created.

⁴See: <http://acerwc.org/the-african-charter-on-the-rights-and-welfare-of-the-child-acrwc/>

CHILD LABOUR FREE ZONES IN AFRICA

While the area based approach for creating Child Labour Free Zones was first successfully implemented by the Indian NGO MV Foundation and has become part and parcel of the Indian Education Act, it is now gaining ground in various African countries. Experiences in countries like Morocco, Ethiopia, Ghana, Uganda, Kenya and Zimbabwe, including those piloted with support of ILO-IPEC, show that the area-based approach is increasingly put in practice, that Child Labour

Free Zones are emerging and that the movement is growing in confidence and impact. Also organizations in Burkina Faso, Senegal and Mali have embraced this concept and are getting prepared to implement the same approach.

Despite different contexts, the common causes of child labour in these countries⁵ have been addressed based on the social norm that 'no child should work – every child should be in school'⁶ and all stakeholders work together towards realizing these children's rights.

SOME KEY LESSONS FROM AN EXCHANGE VISIT OF A UGANDAN DELEGATION TO ETHIOPIAN PARTNERS IMPLEMENTING CHILD LABOUR FREE ZONES (JANUARY 2013)

- It is possible to mobilize poor community members to send all children of school going age to school. Poverty is not an excuse for failing to send children to school.
- Non-Formal Education (NFE) programmes provide a good entry point for children ...in child labour to transition into formal, full time education. NGOs and civil society play a crucial role in creating demand for quality education and enabling governments to transform NFE schools started by NGOs and communities into formal public schools.
- It is possible to create CLFZs. However, each stakeholder should adapt the CLFZ concept to their own country and community contexts to ensure relevance, effectiveness and sustainability. It is important to maintain the guiding principles of the CLFZ.
- Creating CLFZs requires a concerted effort of key stakeholders including government, particularly the ministries of education, labour, and social development, NGOs, employers' and workers' organizations, community members, children and youth.
- It is important to utilize existing community structures and local resources to eliminate child labour and ensure education for all children. Community mobilization and having the community in charge of creating a CLFZ is key!

The conclusion of the exchange visit: "Education is at the heart of the CLFZ concept, and thus combating child labour through education is the main avenue being used. Community awareness raising and approaching child labour via [the angle of combating] harmful traditional practices were key powerful strategies coupled with the community willingness to get all children to school, and crowned up by the good spirit of voluntarism."

⁵Including: HIV/AIDS causing orphanhood and vulnerability, high costs of schooling making education unaffordable for poor families, cultural and social perceptions of the role of children, gender discrimination, migration, child trafficking, poor educational infrastructure particularly in rural areas, harmful traditional practices, absence of adequate legislation and policy on making education free and compulsory, the predominantly agro-based economy requiring intensive labour and the low costs of employing children. Lack of accessible schools and poor quality of education also plays an important role in family decisions to send their children to work.

⁶We are talking here about children under the – ILO defined - legal minimum age for employment.

CALL FOR ACTION

We, participants at the 'Working towards Child Labour Free Zones' Conference in Uganda and other like-minded organizations, are committed to take responsibility to implement the following recommendations for policies and practices to establish and strengthen Child Labour Free Zones in our respective countries and beyond.

1. Policies of state governments and donors with regard to education and child labour must be based on the combined rights-based mandate of the United Nations Convention of the Rights of the Child, the African Charter on the Right and Welfare of Children, both ILO Conventions (138 and 182) regarding child labour and the second Millennium Development Goal that aims to get all children into school. Programmes for primary and secondary education shall therefore always contain or develop a strategy to integrate all working and other non-school going children into formal, full-time education up to the legal age for completing compulsory education and at least to fifteen years of age.
2. To ensure the right to full-time quality education it is crucial to advocate, adopt and implement laws on free, compulsory education and the prohibition of child labour, as well as making these laws consistent with international obligations.
3. Formal full-time education shall be free of costs for all children -including for schoolbooks, uniforms and school transport - especially where the poor are concerned. This is the primary responsibility of the government. However, communities might volunteer to contribute additional resources.
4. Public funded and community school feeding programmes, as well as provision of water and sanitation facilities in school, are very important to promote and ensure participation and achievement in education, especially for poor - often undernourished - children.
5. Governments shall take the lead on an integrated policy on the issues of primary and secondary elementary education and the elimination of child labour as part of their overall poverty reduction strategy. Such integration at policy level has to be translated into effective co-ordination at different levels, including at the level of various Ministries. To eradicate child labour the efforts of all ministries, at least those dealing with education, labour, social welfare, agriculture and finances are needed.
6. Joint and complementary action is needed by governments, NGOs, trade unions and other groups who are implementing child labour programmes or campaigning to ensure that all children of 'school-going age' are entering school at the proper age and to keep them in school until they are at least 15 (or a higher legally defined minimum age for work or 14 in the relevant countries as per ILO Convention 138), but are also enabled to pursue further studies and skill training. Programmes and campaigns, including pre-school education, school feeding programmes, gender sensitive school environments, child friendly school enrolment drives, supplementary coaching, etc. are essential contributions to ensuring the right to full-time education, especially for children from poor, vulnerable and/or discriminated groups.
7. Bureaucratic and other barriers to education should be removed or parents should be supported to deal with them. These barriers include: filling in registration forms providing address proof, securing of a birth certificate or a medical proof of illness, inadequate school transport, mandatory school uniforms not paid by the government, the impossibility to enrol after the age of 6 etc. All these important and frequently insurmountable problems for parents often keep children out of school or lead to drop-outs and therefore should be solved by the relevant authorities.
8. Establishing the norm that no child should work has to be part and parcel of every programme that aims to get all children into education. This can only be done through the education and mobilisation of all 'stakeholders' in education, including children, parents, teachers, employers, town or village councils, (local) government, education and labour inspection, institutions for welfare and security, unions and NGOs.
9. The mandate, competencies and funding of the education system (from the Ministry for Education to every single school) shall be designed in such a way that the education system is not only responsible for children already going to school. In close co-operation with the labour ministries and other relevant ministries it shall also be responsible for the implementation of measures to get all child labourers and other non-school going children into school, including any child under 15 that has missed school when he/she was younger. A system of visits to 'drop-outs' and their parents shall be in place in order to discuss problems and find solutions.
10. The education system shall also include 'transitional education' or 'bridge-schools' via so-called incubation centres, courses, camps, classes, extra lessons, supplementary coaching classes, etc. that will help older children to mainstream into full-time education. Part-time education or other forms of non-formal, basic and remedial education for working children shall serve as a bridge towards formal full-time education. Permanent part-time education encourages or pushes young children to enter or stay working and often leads to school drop-outs. Existing non-formal systems should be revamped and redesigned in order to enable children to enter formal full-time quality education.

11. Schools and the wider social protection system (including local groups and government) should play the key role in combating discrimination in access to education and exclusion from school on the basis of gender, ethnic or social origin, work and descent, minority, language, faith, disability, status/occupation of parents, HIV/AIDS status, orphanhood and other vulnerabilities. Discrimination outside the school keeps children out, while discrimination inside the school – for example discriminatory behaviour of teachers or a biased curriculum - pushes children out of school.
12. Improving the quality of education in terms of teaching methodology and content is crucial to keep children in school. However, for quality education to be inclusive and sustainable there has to be mobilisation around and the realisation of the norm that every child should go to school. Once this norm is (being) established and more children are enrolled in school a demand for quality education is likely to arise from the community and the improvements in quality in response to such a demand will be more sustainable.
13. The focus on the gender gap in education must be matched by equal attention for the work girls are doing that hampers their participation in full-time education. When girls are attending school they are often dropping out in their early puberty. Efforts to get girls and other vulnerable children to school must be part of an overall strategy that applies to all non-school going children, even if additional measures might be needed. An 'isolated approach' for certain groups of girls and other vulnerable children are likely to encounter opposition and to get stuck in ad hoc unsustainable projects.
14. States and Governments and policy makers shall not abdicate their final responsibility for education to private parties. The work of non-governmental organisations (NGOs), unions (including teacher's unions) and employers is of great importance in the fight against child labour and ensuring the right to education. However they should not take over the responsibility of governments for education but rather stimulate the government to exercise the overarching responsibility for the education system. Partnership between education ministries and teachers' unions, appropriate terms and conditions of employment for teachers and full respect for their rights at work are an important component of improving the quality and raising the status of education.
15. International donors should support the redesigning of existing programmes or- projects combating the worst forms of child labour (e.g. by providing part-time education) into programmes that are focused on mainstreaming all children under the minimum age for employment into formal full-time quality education. In addition: ongoing as well as planned donor-funded programmes for education in developing countries should be monitored and evaluated on their strategies to get child labourers and other non-school going children into formal education and retain them in school.
16. Companies shall play an important role in eliminating child labour, including in their supply chain and link this wherever possible to a broader area-based approach. The latter would imply that companies seek co-operation with e.g. government agencies, unions, NGOs and local community groups to be an effective partner in the eradication of child labour and reintegration of children in the formal full-time school system.⁷
17. Trade unions shall where possible extend their work to the informal economy through organizing and social mobilization, as well as by co-operating with other local and national stakeholders thereby contributing to creating Child Labour Free Zones.

This declaration has been approved unanimously at the Kampala International Conference 'Out of Work into School - Working towards Child Labour Free Zones' on the 19th of April, 2013 by the delegates from the following countries:

Zimbabwe, Uganda, Kenya, Ethiopia, Ghana, Morocco, Mali, Burkina Faso, Senegal, Sierra Leone, Togo, Sudan, South Sudan, Tanzania, Zambia, Malawi, Rwanda, South Africa, India, Nicaragua, Albania, Czech Republic and The Netherlands,

representatives of the following international organizations: International Trade Union Confederation (ITUC), International Union of Food workers (IUF), Education International (EI), Eliminating Child Labour in Tobacco Growing (ECLT), UNICEF Uganda,

delegate of the African Union and representative of the European Union,

witnessed by the ILO.

⁷The Action Plan for Companies to Combat Child Labour gives more guidance on how this can be done. See: <http://www.stopchildlabour.org/Stop-Childlabour/What-you-can-do/As-a-company-or-organisation>