



## **At 12 years, a slave...**

### Children in Forced Labour

On the occasion of the World Day against Child labour on June 12, Terre des Hommes publishes a report that shows the contemporary characteristics of child slavery.

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Forced labour by children is a global problem. However, very little data is available on how many children throughout the world are forced into work. This is hardly surprising given the illegal nature of such labour; methods of data collection such as statistical surveys, commonly used in other areas of research simply do not yield reliable results in this case.

A further problem in data collection is the question as to what forms of work are described as forced labour. Apart from obviously illegal forms such as slavery, there is a large grey area in which child labour, as a rule forbidden by law, also becomes forced labour.

In 2012, the ILO has published various figures on the extent of forced labour, which estimate the number of children in forced labour at 5.5 million of a total of 20.9 forced labourers. On behalf of child rights organization Terre des Hommes economist Friedel Hütz-Adams has now brought together from over a hundred legal sources and current studies definitions, data, regional hotspots and manifestations as well as stories of victims, drawing a current picture of the overall situation. The study concludes with recommendations to governments, companies and non-governmental organizations: what needs to be done to prevent and end forced labour of children and adults?

## At a glance

- Forced labour is illegal and forbidden around the world for adults as well as children. Yet the International Labour Organization (ILO) estimates that there are around 21 million people who are victims of forced labour, 5.5 million of whom are children.
- By far the largest number of people in forced labour live in India, but in terms of population figures, by far the highest proportion of people in forced labour live in Mauritania, followed by Haiti, Pakistan, India and Nepal.
- It is not easy to define the forms of work that are described as forced labour. Apart from obviously illegal forms such as slavery or child prostitution, there is a large grey area in which child labour, as a rule forbidden by law, also becomes forced labour. Obtaining exact statistical figures and comparison between these figures is therefore difficult.
- Annually, around 150 billion U.S. dollars of additional profits are generated through the forced labour of children and adults. These are profits that would be unimaginable in regular employment. The greatest profits – namely about 80,000 U.S. dollars per victim per year – are earned from persons forced to perform sexual services in developed (i.e. industrialised) countries.
- By far the greatest part of forced labour goes undetected, which means that those responsible are not punished. The risk for employers of forced labour is therefore low.
- From 2008/09 till 2011/12 over 450,000 cases of child trafficking for the purpose of economic exploitation were discovered in India alone. Child traffickers and agencies bring the children into the towns where they are handed over to their employers for prepayments of approximately 360 till 540 Euros. Often the prepayments do not reach the children's families, but remain in the hands of the traffickers and agencies.
- Even work in private households may be forced labour: when families - for example, because of an emergency or extreme poverty – have to borrow money and become indebted, they are obliged to accept any work demanded by their creditor to repay the debts or to pay the interest. Such debts can bring whole families into debt bondage and hence into permanent forced labour. Often they are not capable to repay the credit and the debt burden is passed on to the next generation.
- Causes of forced labour of children and adults include discrimination, poverty, inadequate qualifications and lack of access to official credit and social protection systems. Conversely, this means that to counter forced labour and curb the vulnerability of children, we need to invest in social protection systems, decent work opportunities and quality education. In countries in which forced labour is prevalent, steps must be taken to promote the development of a culture in which forced child labour and child marriages are outlawed.
- The common practice in many countries of poor families from rural areas to send children for example as a domestic help to more affluent relatives or acquaintances in towns, carries a high risk for these children - especially if they are socially and physically isolated in the new environment. Good schools in the more rural areas and educational opportunities for girls are countermeasures.
- Migration poses a particularly high risk factor: 44 percent of victims of forced labour have migrated, either within a country or across borders. Greater protection should therefore be given to young migrants.

## Recommendations

### Recommendations to national governments

#### Law enforcement

A substantial body of international regulations and national laws prohibit forced labour and could and should protect children from this form of exploitation. Unfortunately however, the mechanisms for enforcing such regulations and laws are usually inadequate.

- Independent monitoring and complaints bodies could play an important role in the process of enforcing the UN Convention on the Rights of the Child – including the ban on forced child labour. They check if the Convention is enforced, and receive and process complaints on violations of children's rights. They should be funded by the State but remain fully independent and should also investigate complaints concerning children abroad. They need to receive a privileged status in the United Nations reporting procedures. An example for such a body are national Institutes for Human Rights.
- Such monitoring and complaint bodies could also be in a position to accompany and support national lawsuits of children. This is necessary as children are only allowed to file complaints about alleged violations of their rights to the UN Committee on the Rights of the Child directly if they are unable to do so nationally (OP3 of the CRC). At present, such national procedures can take many years.
- They can investigate cases in which children's rights have been violated, and bring them to the public's attention, while supporting and accelerating a solution and – if necessary – propose legislative changes.
- National action plans, aiming to enforce existing laws against forced labour and child slavery, can advance compliance of legislation. Governments are therefore urged to set up and/or expand the necessary independent bodies and equip them with adequate resources. The public should be able to access reports to ensure accountability and transparency of such bodies.

#### Combating poverty

One of the main causes for the continued existence of forced child labour is the economic situation of the families of these children. Studies have shown that when social welfare benefits are introduced, the numbers of child labourers drop dramatically.

- A key approach to combating forced child labour involves initiating targeted measures to combat poverty, particularly in regions from which large numbers of victims of forced labour originate. Measures such as creating decent jobs and introducing a living wage for adults play an important role in this process. To enable independently working farmers to have a dignified life and pay their workers a suitable wage, the prices for agricultural raw materials should reflect the value of the work. Social security systems that are geared to people's diverse ways of living, that are gender-sensitive and that support children and their families in cases of extreme poverty and in emergencies such as illness or death of a family member, are very important in the process of combating forced child labour. Provided those in need are aware of and can access such systems without difficulties.

### **Education and cultural norms**

Apart from people's economic situation, their cultural and educational backgrounds are also significant factors in the continued existence of forced child labour.

- Free, mandatory and good quality education for all children is an effective instrument for protecting children from forced labour in the long term, giving them prospects for decent work in the future. It should therefore be given top priority in national budgets and in development cooperation.
- Governments, in cooperation with business associations, trade unions, non-governmental organisations, churches and other religious institutions can help to break down the acceptance of forms of forced labour in specific groups of the population, which may be based on cultural prejudice and religious factors.

### **Recommendations to companies, banks and investors**

A large number of international companies process or use products representing a risk of forced child labour somewhere along the supply chain. The UN Guiding Principles on Business and Human Rights (UNGPs, 2011) and most codes of conduct of the companies themselves, underline the growing responsibility of these companies as they become more globally active.

- Multinational companies are asked to enforce decent working conditions and social protection of workers at the sites of their suppliers around the world, including all sub-suppliers and home based producers in the informal economy, throughout the entire supply chain right down to the extraction of the raw materials. In this way direct forms of forced child labour and child trafficking can be excluded and the situation of families improved, decreasing the risk to children to get involved in forced labour.

Companies and international businesses are sometimes financed via the issuing of shares, bonds and loans.

- Banks and institutional investors are asked to only invest in companies and businesses able to prove that forced child labour is excluded in their manufacturing chains by demonstrating transparent supply chains.

### **Recommendations to non-governmental organisations and networks**

Non-governmental organisations can make their voices heard better if they work together in networks. In addition to providing direct support services to victims of forced labour, they should also influence policy makers.

- Those affected by forced labour, particularly if they are still children, need assistance in exercising their rights and recovering from traumatic experiences. They also need socio-economic support and advice on planning their prospects for the future.
- Through campaigns and publicity work, families in areas from which most forced child labourers come, can be made aware of the strategies used by rogue traders and the risks involved in certain types of jobs and living circumstances. Public awareness of the plight of child labourers can be heightened by documenting cases, carrying out research, publishing information and initiating campaigns. Public interest will prompt governments and companies to act and improve the situation regarding forced labour and slavery.