

Child Labour Platform

REPORT 2010 – 2011

Business practices and lessons learned on addressing child labour

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COLOPHON

The Child Labour Platform was set up by The Sustainable Trade Initiative (IDH) at the request of the Dutch Ministry of Social Affairs and Employment and in cooperation with UN Global Compact. As of 2012 the Child Labour Platform will continue as thematic initiative as part of the UN Global Compact Labour Working Group. IDH coordinated the Child Labour Platform as well as the publication of this booklet, which summarizes the experiences, practices and lessons learned, shared during the first year of the Platform.

The Booklet thus draws on extensive input from the participating companies and partners of the Child Labour Platform.

The Child Labour Platform was supported by external experts on business and human rights Marina d'Engelbronner-Kolff (Aidenvironment), who provided extensive support to all activities of the Platform, and David Vermijs (David Vermijs Consulting), who facilitated one of the workshops and provided general support.

The views expressed are a consolidated conclusion, not necessarily expressed by one individual partner (including the UN Global Compact Labour Working Group and ILO), participant, supporter, consultant or coordinator of the Child Labour Platform, and cannot, legally or otherwise, be attributed to, or construed to be a representation or warranty by any of these parties.

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ABOUT THE CHILD LABOUR PLATFORM

CHILD LABOUR PLATFORM

In May 2010, the Global Conference on Child Labour took place in The Hague. Here, governments, companies and civil society organizations agreed to the Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016. The roadmap declares that sharing good practices and using the combined experiences of companies from multiple sectors is believed to support the acceleration of results in combating child labour. The Dutch Government committed to set up the Child Labour Platform to facilitate this. At the request of the Dutch Government, The Sustainable Trade Initiative (IDH) coordinated this set up and the first year of the Child Labour Platform.

OBJECTIVES

The steering committee of the Child Labour Platform, formed by C&A, Toms group, trade union federation FNV, pension fund APG, Global Compact Network Netherlands, IDH and with observer and advisory participation of the Dutch Ministry of Social Affairs and Employment, defined the following objectives for the first year of the Child Labour Platform:

1. To exchange experiences between 30+ participating businesses in the cocoa, cotton/garment, mining and tourism sectors, where child labour is widespread.
2. To identify good practices for reducing and eliminating child labour in international supply chains.
3. To formulate practical steps for business to eliminate child labour, based on the UN Guiding Principles on Business and Human Rights.
4. To develop recommendations for investment and public procurement based on the experiences of the participating businesses.

The working group of the Child Labour Platform, consisting of about 30 companies, worked together on achieving these objectives. In addition, the working group worked together with a group of experts (NGOs, sector organizations, standards and certification organizations, etc.), which advised, supported and challenged the working group in its activities and during its discussions.

RESULTS

1. About 30 companies from the cocoa, cotton/garments, mining and tourism sectors participated in the working group of the Child Labour Platform. Among these companies were frontrunners with extensive experience in combating child labour as well as companies which were developing their first activities on the topic.
2. Nine good practices have been identified and described. They will be published as a good practice note on the UN Global Compact website, after endorsement by the UNGC Labour Working Group. This is expected in March/April 2012.
3. This booklet contains business practices and the main lessons learned within the Child Labour Platform during its first year; it has been inspired by the UN Guiding Principles on Business and Human Rights but is not intended to be a comprehensive guide for business on how to implement.
4. Recommendations for investment have been developed in close cooperation with APG. Recommendations for public procurements have been developed in close cooperation with CSR Netherlands and the Stop Child Labour Campaign. A note on both will be published in December 2011 and early 2012.

THIS BOOKLET

PURPOSE OF THE BOOKLET

This booklet is meant as inspiration and provides practical information for managers and employees, who have responsibilities for addressing child labour within the company's operations and supply chain. The booklet contains business practices and lessons learned building on the experiences of the companies participating in the Child Labour Platform during its first year. The discussions of the practices and lessons learned have been informed by the Guiding Principles on Business and Human Rights and its various components.

The practices described are from different sectors and different regions and therefore potentially applicable in many sectors and countries. They are neither static, nor exhaustive: as these practices and experiences may evolve, they could be refined and built on during future phases of the Child Labour Platform.

HOW TO USE THE BOOKLET?

This booklet describes practices that enable companies to respect the right to be free from child labour, as discussed during the first year of the Child Labour Platform. Each chapter of the booklet also contains a section with key points drawn from practical experiences of and discussed by companies that are active in the Child Labour Platform. In addition each chapter includes an overview of relevant sources of information. General sources of information are provided as appendix to this booklet.

Although each chapter can be read separately, only a combination of practices can make a difference and will lead to a meaningful and significant contribution towards a child labour free world. Besides the practices described in this booklet, there are numerous other approaches to eliminate child labour from international value chains as well. Examples of these can be found in the additional sources of information and will be on the agenda of the next years of the Child Labour Platform.

FOREWORD

Child labour is a continuing problem that should be eliminated with the joint effort of all involved parties: governments, social partners, non-governmental organizations and other civil society actors and international and regional organizations.

For this reason the Ministry of Social Affairs and Employment of The Netherlands has initiated the Child Labour Platform as a business platform for learning from experiences and good practices. The Child Labour Platform has been launched on the occasion of the The Hague Global Child Labour Conference 2010, which was organized by my ministry in cooperation with the International Labour Organization (ILO). The participants of this conference adopted the Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016. This Roadmap explicitly mentions the role of social partners to bring into place effective systems to combat child labour in the supply chains.

This publication contributes to addressing child labour by businesses. It's neither the first publication, nor the last one. However, it is a special publication due to the input of over thirty international enterprises, business alliances and other stakeholders. All involved parties have been willing to discuss their experiences in identified risk sectors and present them in this publication for learning purposes and to inspire more enterprises.

A growing number of enterprises take up their responsibility to respect human rights in their production process and supply chain, and are willing to address the problem of child labour in particular. I want to support these efforts, without denying the responsibility of governments to combat and prevent child labour. The recently endorsed UN Guiding Principles for Business and Human Rights line out the different responsibilities of governments and enterprises. I appreciate the efforts that have been made in the first stage of the Child Labour Platform to discuss and research the practical implementation of the UN Guiding Principles for the eradication of child labour.

The Dutch government subsidised the start-up phase of the Child Labour Platform. The Sustainable Trade Initiative has reached good results in carrying out this project. With pleasure I take note of the continuation of this initiative, since the Labour Working Group of Global Compact and the ILO International Programme on the Elimination of Child Labour have expressed the intention to take over and continue the Child Labour Platform. I firmly believe that corporate social responsibility is part of a sustainable solution to eliminate child labour.

Henk Kamp

Minister of Social Affairs and Employment of The Netherlands

FOREWORD

As many other violations of human and labour rights, child labour is today still encountered by companies that work in complex international value chains. Many companies have adopted policies and practices to prevent or effectively deal with (the risk of) child labour.

Governments, non-governmental organizations and international organizations have developed insights and principles into how companies can improve their policies and practices. Most recently, the United Nations adopted the UN Guiding Principles on Business and Human Rights.

In order to scale up and accelerate the elimination of child labour, the Ministry of Social Affairs and Employments initiated the Child Labour Platform. In this platform companies, non-governmental organizations and international organizations learn from each others by sharing experiences and knowledge. By using the UN Guiding Principles to look at business policies and practices, the Child Labour Platform was the first effort to link the UN Guiding Principles to practice.

Moreover, the added value of the platform – as expressed by the participants – lies in the opportunity to learn not only from experiences in one sector, but to exchange between sectors. This made the work and discussions in the Child Labour Platform interesting for small

and medium size enterprises, as well as large multinational enterprises, with varying degrees of experience in addressing child labour. Furthermore, the Child Labour Platform allowed companies to discuss and exchange with a variety of non-governmental and international organizations, with whom they often have little contact or cooperation in the field.

In this booklet you will find lessons learned and key points of attention as discussed during the past year of the Child Labour Platform. In 2012, the Child Labour Platform will be continued under the umbrella of the UN Global Compact Labour Working Group. By inviting more participants from different backgrounds (public and private), the UN Global Compact Labour Working Group has the opportunity to facilitate a continuation of exchange, learning and cooperation, to continue the work on a much larger scale towards a child labour free world.

As Chairman of the Steering Committee of this first year of the Child Labour Platform I express the hope that this booklet may serve as a trigger for productive and successful continuation of this important learning platform by the UN Global Compact Labour Working Group.

André van Heemstra

Chairman of the Steering Committee of the Child Labour Platform 2010-2011

INTRODUCTION

CHILD LABOUR

The use of child labour is still widespread in many parts of the world. Most child labour takes place in agriculture for local use and in household activities. It is also found in various global production and service chains, such as the cotton/garment, cocoa, tourism and mining sectors. A worldwide web of multi-tier suppliers is a common feature of these chains, with child labour taking place mainly in the lowest tiers.

The International Labour Organization (ILO) estimates that two third of economically active children are involved in child labour¹. Although the global number of child labourers (aged 5-17) has declined from 222 to 215 million between 2004 and 2008, child labour remains a problem of epic proportions: more than half of all child labourers work in agriculture, often in hazardous conditions; children in the mining sector (1 million) are involved in extremely hazardous work; approximately 1 in 14 children works in industry (including manufacturing); a particularly distressing phenomenon is the commercial sexual exploitation of children (e.g. child sex tourism in holiday destinations).

CHILD LABOUR AS A VIOLATION OF HUMAN RIGHTS

Child labour deprives children of their dignity and childhood, and can be harmful to a child's physical, mental or social development. Child labour interferes with the child's education and possibilities to acquire basic knowledge and skills needed to pursue a decent life. Child labour is therefore seen as a violation of human rights.

CHILD LABOUR CONTRAVENES

- the right to be free from child labour,
- the right to education and development,
- the right to health,
- the right to a family,
- the right to decent working conditions,
- the right to an adequate standard of living.

UN AND ILO DEFINITIONS²

Child A person under 18 years old.

Economically active children Children working for pay or profit, or as unpaid family worker in family business or farm, for more than one hour during a seven day reference period. This includes legal working children as well as child labour.

Child Labour Work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. This includes work done by children under the general minimum age for admission to employment, or children involved in the worst forms of child labour, including hazardous work. Child labour is often prohibited by law and must not be confused with children working legally.

Worst forms of child labour All forms of child slavery and forced labour, use of children in prostitution, pornography, sale and trafficking of children, forced recruitment of children within armed conflict, illicit activities, and children involved in hazardous work.

Children in hazardous work Work in dangerous, unhealthy or unsafe conditions that could result in a child being killed, injured or becoming ill. This includes working underground, working with dangerous equipment, working with pesticides or being exposed to sexual abuse, and work under particularly difficult conditions such as work for long hours or during the night, or work where the child is unreasonably confined to the premises of the employer.

Light work Work which is not likely to be harmful to the child's health or development and not interfering with schooling.

Minimum age for admission to employment As set by national legislation and is often 15 years (or 14 years in developing countries).

Minimum age for light work As set by country legislation where it exists and is about 13 years (or 12 years in developing countries).

VICIOUS CIRCLE OF POVERTY AND EXPLOITATION

Limited access to primary education, unawareness of adults about the adverse impacts of child labour, certain persistent cultural practices, extreme inequality and adult unemployment are enabling factors of child labour. Household poverty, exploitation and child labour are closely intertwined. On the one hand poverty and the other factors mentioned above can lead to child labour. On the other hand, child labour itself not only perpetuates poverty for generations, but also slows economic growth and social development of the whole of society and therewith aggravates the factors mentioned above. Combating child labour is about breaking this vicious circle of poverty and exploitation.

DRIVERS TO ADDRESS CHILD LABOUR

Compliance with national and international law and standards.

Reputation building and becoming more attractive for investors, buyers and consumers.

Expectations and demands from shareholders and stakeholders (NGOs, consumers).

Productivity improvements in the long-term by employing adults.

Ethical considerations: it is the right thing to do.

UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

The Guiding Principles on Business and Human Rights were endorsed unanimously by the United Nations (UN) Human Rights Council in June 2011. They have been integrated into several important Corporate Social Responsibility (CSR) standards such as the OECD Guidelines for Multinational Enterprises and the ISO 26000 Guidance on Social Responsibility.

As stated in the UN Guiding Principles, business enterprises have a responsibility to respect human rights, which includes the right to be free from child labour. They should not only avoid causing or contributing to child labour through their own activities (and, where human rights abuses occur, provide for or cooperate in their remediation), but also seek to prevent or mitigate child labour that is directly linked to their operations, products or services by their business relationships, such as suppliers.

GUIDING PRINCIPLES AND CHILD LABOUR

Applying the UN Guiding Principles to the issue of child labour means that companies should have in place policies and procedures, including:

1. a policy commitment to meet their responsibility to respect the right to be free from child labour reflected in appropriate operational policies and procedures,
2. a child labour due diligence process to identify, prevent, mitigate and account for how they address their impacts on the right to be free from child labour, including assessing actual and potential impacts, integrating and acting upon the findings, as well as tracking and communicating on performance,
3. processes to enable the remediation of any adverse impacts on the right to be free from child labour, including through establishing or participating in effective operational-level grievance mechanisms.

This booklet has been informed by the UN Guiding Principles to organize and understand the practices and lessons learned as discussed in the first year of the Child Labour Platform. However, the practices cannot be viewed as examples of or a guide for the implementation of the Guiding Principles. The booklet thus does not purport to be a guide to implement them, nor to have the right and/or only interpretation of the UN Guiding Principles where it concerns the right to be free from child labour.





01

CHILD LABOUR POLICY

“As the basis for embedding their responsibility to respect human rights, business enterprises should express their commitment to meet this responsibility through a statement of policy.”

GUIDING PRINCIPLE 16³

STATEMENTS OF POLICY

Policy statements addressing child labour are common practice among Child Labour Platform companies. Approved by the most senior level of the company (i.e. Board of Directors, CEO), such a statement sets out the company's responsibilities, commitments and expectations of personnel and business partners. It is the basis for taking steps towards the eradication of child labour within the company and within the company's supply chain.

Companies can have a general (CSR) policy at corporate level (sometimes also called Business Principles) and a Code of Conduct for suppliers, which is usually mandatory for first-tier suppliers and service providers. Apart from child labour provisions, such a policy usually includes clauses on other labour rights and human rights. Codes of Conduct often contain clauses which recommend or even oblige suppliers to ensure that their own suppliers (indirect suppliers, downstream and upstream sub-contractors) also adhere to the prohibition of child labour.

NATIONAL AND INTERNATIONAL STANDARDS

Statements of policy are typically based on one or more relevant international standards, which directly or indirectly relate to child labour. They usually require compliance with national laws in the country of operation. The statements also point out that where national and international law standards differ the most stringent shall be followed, for example in regard to the minimum age for employment.

RELEVANT INTERNATIONAL CODES AND STANDARDS

Universal Declaration of Human Rights

un.org/en/documents/udhr

UN Convention on the Rights of the Child

www2.ohchr.org/english/law/crc.htm

ILO Minimum Wage Convention 138

www2.ohchr.org/english/law/ageconvention.htm

ILO Worst Forms of Child Labour Convention 182

ilo.org/ilolex/cgi-lex/convde.pl?C182

UN Guiding Principles on Business and Human Rights

ohchr.org/Documents/Issues/Business/A-HRC-17-31_AEV.pdf

OECD Guidelines for Multinational Enterprises

oecd.org/daf/investment/guidelines

UN Global Compact principles

unglobalcompact.org/AboutTheGC/TheTenPrinciples/index.html

Code of Conduct for the Protection of Children from Sexual Tourism in Travel and Tourism as used by ECPAT (End Child Prostitution, child pornography And the Trafficking of children for sexual purposes)

thecode.org

Code of Conduct of the Business Social Compliance Initiative (BSCI)

bsci-intl.org/our-work/bsci-code-conduct

Base Code of the Ethical Trading Initiative (ETI)

ethicaltrade.org/resources/key-eti-resources/eti-base-code

Social Accountability International's SA 8000 standard

sa-intl.org/_data/n_0001/resources/live/2008StdEnglishFinal.pdf

ISO 26000 Guidance on Social Responsibility

iso.org/iso/social_responsibility

OPERATIONAL GUIDELINES

Some companies work with operational guidelines on the basis of their policy statements. The operational guidelines outline procedures and measures for managing supplier relationships, tracking performance of suppliers and how to respond when child labour is found (i.e. remediation). They sometimes also refer to causes of child labour and different forms of child labour in specific sourcing countries. Guidance is also provided on checking child labour definitions under national law and comparing such definitions with international standards in order to follow the most stringent one.

INTERNAL AND EXTERNAL EXPERTISE

When developing operational guidelines, it is useful to build on relevant internal and external expertise. Internal expertise can be sought both at the corporate and country level. This also increases the chance that the policy will be embedded in internal procedures and processes, including at the local level. External expertise can be obtained through engaging with international organizations and NGOs (e.g. ILO-IPEC, Save the Children, UNICEF, ECPAT, ETI, Stop Child Labour Campaign), investors, local NGOs, trade unions and compliance auditors. These can help ensure that the policy is in line with international standards and adapted to country and local contexts. Testing operational guidelines by auditors and staff in countries of operation further contributes to effectiveness and acceptance at the local level, where it matters most.

MORE INFORMATION ON CHILD LABOUR POLICY

ILO Guidelines for Developing Child Labour Monitoring

ilo.org/ipecinfor/product/viewProduct.do?productId=1500

Eliminating Child Labour, Guides for Employers, Guide Two

ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf

UN Global Compact and Office of the UN High Commissioner for Human Rights

A Guide for Business: How to Develop a Human Rights Policy

unglobalcompact.org/docs/issues_doc/human_rights/Resources/HR_Policy_Guide.pdf

Maplecroft Child Labour Policy

human-rights.unglobalcompact.org/doc/MCPolicy_UNGC_Child.pdf

Business and Human Rights Resource Centre Guidance and examples

business-humanrights.org/ToolsGuidancePortal/Policies

Campaign 'Stop Child Labour – School is the best place to work' Action Plan

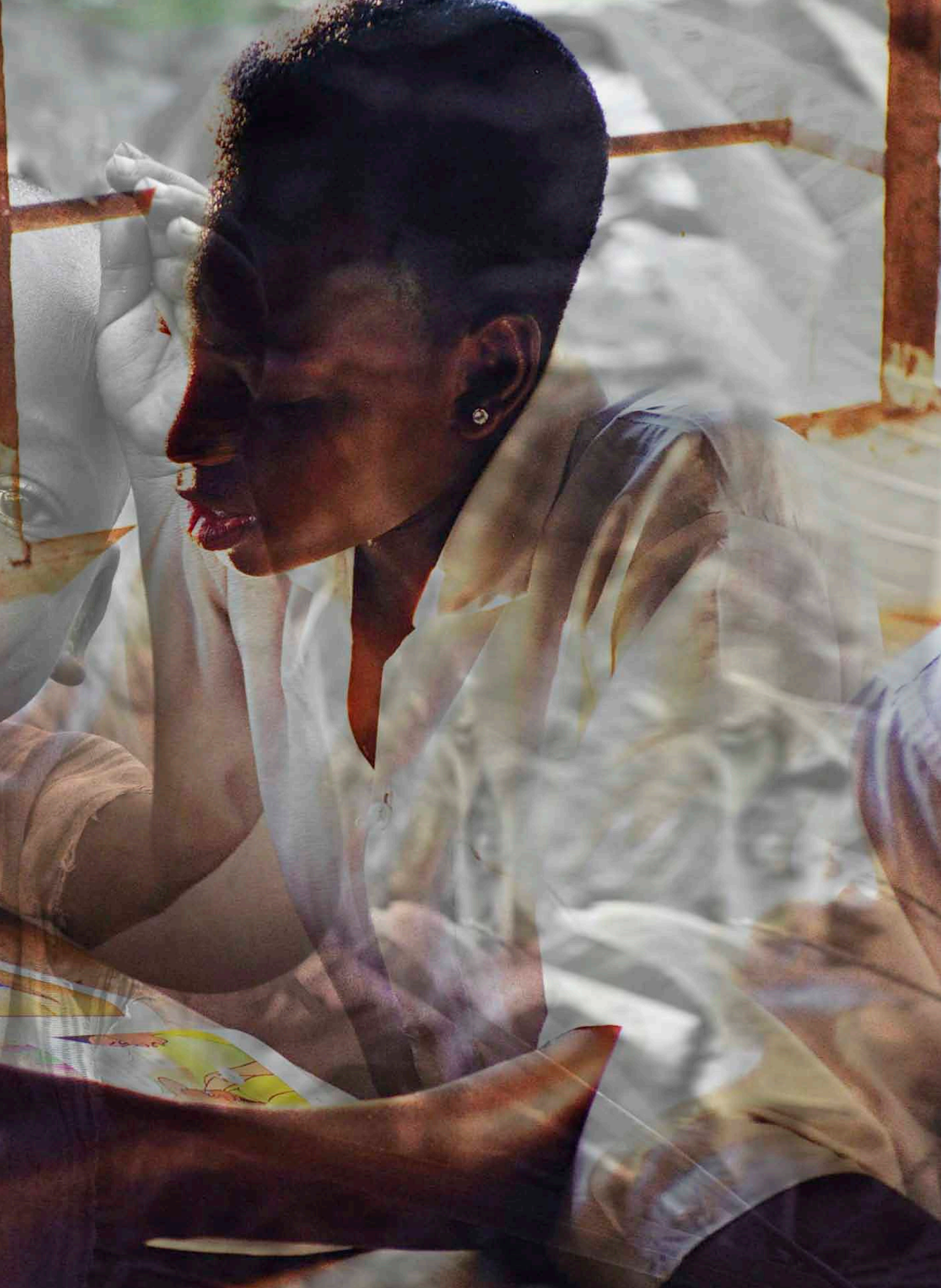
indianet.nl/pdf/actionplanchildlabour.pdf

KEY POINTS

CHILD LABOUR POLICY

- Statements of policy should require compliance with national laws in the country of operation and stipulate that if national and international law standards differ (i.e. in regard to minimum age of workers) the most stringent standard shall be followed.
- Policies on child labour should be consistent with other company policies.
- Policies should be developed in dialogue with external stakeholders and suppliers, and possibly with input from other companies.
- Policies should be publicly available and communicated to all relevant internal and external stakeholders, including all suppliers. Policies should be made available in multiple languages and understandable also for low-skilled and illiterate workers.
- It is imperative to ensure embedding of the statement of policy at suppliers. This includes:
 - Informing suppliers about the company's child labour standards.
 - Providing targeted support for addressing child labour in the suppliers' own supply chain.
 - Ensuring that suppliers take the necessary / expected preventive and remedial actions.





02

ASSESSMENT OF CHILD LABOUR RISKS

“In order to gauge human rights risks, business enterprises should identify and assess any actual or potential adverse human rights impacts with which they may be involved (...).”

GUIDING PRINCIPLE 18³

RISK ASSESSMENT

The initial step in conducting due diligence is to assess the nature of the actual and potential impacts of business operations in regard of child labour, either directly or via business relationships with suppliers or service providers. Gaining understanding of the local context in which the company operates as well as the supply chain(s) in which they are involved and operate is an essential component of risk assessment.

Child Labour Platform companies tend to identify and prioritize general areas of risks to cause or contribute to child labour based on country and sector conditions, the profile of their business partners and the partner's own sourcing practices (such as the use of home workers). Country risk assessments and child labour maps, of which an example by Maplecroft is included on page 28-29, provide insight into the level of risks when operating in particular countries. The Maplecroft map was developed through extensive research by Maplecroft⁴. The icons on the map in this booklet indicate the sectors and sourcing regions which were represented in the Child Labour Platform, they do not indicate incidences or risks of child labour per sector or participant.

EXAMPLES OF QUESTIONS TO DETERMINE CHILD LABOUR RISKS

- 1** - Who are my suppliers, sub-contractors, providers, business partners throughout supply chains? What are their sourcing practices?
- 2** - How prevalent is child labour within those supply chains? What forms of child labour do occur?
- 3** - Which countries does the company operate or source from? How prevalent is child labour within the countries of operation or sourcing countries?
- 4** - What does national law say about child labour? Is there a gap between national and international standards?
- 5** - How is the law on child labour enforced within the countries of operation or sourcing countries?

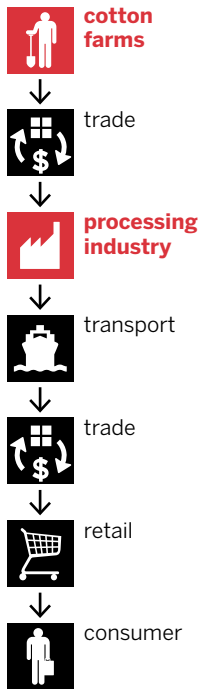
SUPPLY CHAIN MAPPING

As part of their risk management process, companies map their supply chain in order to understand the particular risks. Because chains are often complex, multi-tiered and diverse – particularly in the agricultural, industry and mining sectors – till date companies mainly focus on first-tier suppliers. Exceptions are companies which process or market only one or a few specific raw materials or commodities like in the cocoa sector. Here the focus is on the primary product or commodity and not on the first-tier supplier. Only recently other companies have started to map risks further down their supply chains as well.

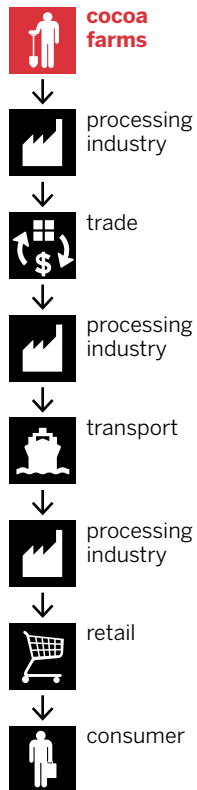
REGULAR ASSESSMENT AND ENGAGEMENT OF STAKEHOLDERS

It is emphasized that as country and supply chain situations tend to change, assessment of child labour risks should take place regularly: prior to new business activities, prior to new business relationships but also during existing business relationships. In order to understand the local context of child labour, including its causes and consequences, it is important that companies engage with relevant stakeholders such as local and international organizations, trade unions and independent experts.

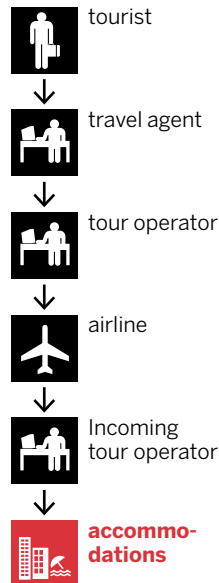
COTTON/GARMENT



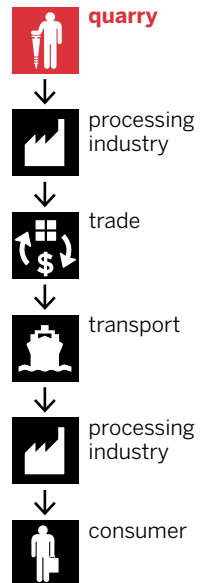
COCOA



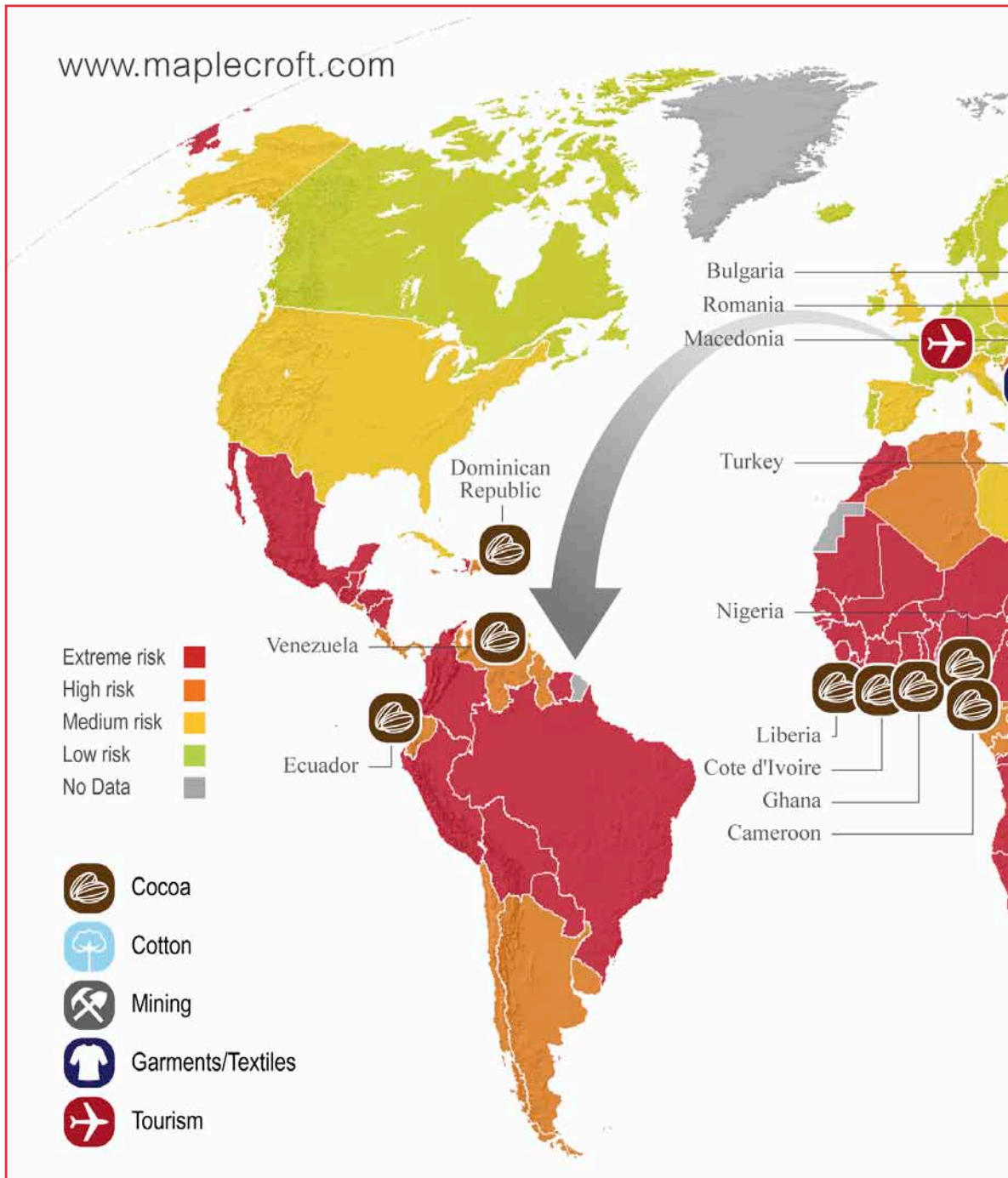
TOURISM



MINING



CHILD LABOUR INDEX 2012



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MORE INFORMATION ON ASSESSMENT OF CHILD LABOUR RISKS

ILO Guidelines for Developing Child Labour Monitoring

ilo.org/ipecinfor/product/viewProduct.do?productId=1500

Eliminating Child Labour Guides for Employers, Guide Two

ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf

UN Global Compact Child Labour: Suggestions for Responsible Business

human-rights.unglobalcompact.org/dilemmas/child-labour

Business and Human Rights Resource Centre Guidance, tools and examples

business-humanrights.org/ToolsGuidancePortal/Impactassessment

Danish Institute for Human Rights Country portal (human rights and sector profiles)

humanrightsbusiness.org/?f=country_portal

Maplecroft Child Labour Index

maplecroft.com/about/news/child-labour-index.html

KEY POINTS

ASSESSMENT OF CHILD LABOUR RISKS

- Companies should understand the child labour situation within their supply chains and at the location of their operations. They should identify the level of risk by checking official reports (such as by ILO-IPEC), regional and national government studies, data sources of local and international NGOs and sustainability labels. They should engage with relevant stakeholders as part of the risk assessment (including where possible local authorities).
- Companies should assess all levels of the supply chain to identify the prevalence or risk of child labour.
- The identification of key indicators to keep track of the situation of children is essential. This not only helps to mitigate risks, but might also create opportunities to address child labour and children's rights in a wider context.
- In order to be effective in working towards the eradication of child labour further down the supply chain, it is important to work with and stimulate ownership by first-tier suppliers to map and manage their own supply chain.





03

INTEGRATION WITHIN THE COMPANY

“(...) business enterprises should express their commitment through a statement of policy that (...) is reflected in operational policies and procedures necessary to embed it throughout the business enterprise.”

GUIDING PRINCIPLES 16E AND 19A³

INTEGRATION

In order to effectively integrate child labour considerations within the company, it is necessary that responsibility for addressing child labour issues is assigned to the appropriate functions within the business. These include not only managers and employees responsible for CSR, ethical trade, procurement, auditing and communication, but also senior managers and CEOs. Effective integration also means that budget is allocated to allow for adequately addressing child labour throughout the business and that essential internal process and procedures are in place.

CHILD LABOUR CONSIDERATIONS SHOULD BE INTEGRATED IN

- training and coaching of employees,
- decision-making processes,
- external and internal communication,
- supplier relationship strategies,
- supply chain management,
- grievance mechanisms,
- incentives such as reward systems and key performance indicators.

TRAINING OF EMPLOYEES

Training is usually aimed at raising awareness on child labour and clarifying concepts of child labour (including specific issues such as hazardous work and child sex tourism) based on international and national standards as laid down in the statement of policy. Equipping participants with practical tools to prevent and address child labour is another important objective.

Often, training on child labour is provided as part of a broader CSR training. Target groups for training include employees and managers in business functions such as the CSR, procurement and auditing departments and those working in country offices. However, business decisions which might ultimately impact the rights of children are not only taken within procurement or CSR departments. Designers, for instance, might influence the lead times for manufacturers, when changing the styling of clothes. And communication and customer relations managers might be approached by consumers or customers with questions about child labour. Therefore, all key employees should be targeted for training on child labour.

CONTENT OF TRAINING

Good training programs are tailored to the specifics of the supply chain and the needs of the target group. They address different forms of child labour and relevant standards. They furthermore pay attention to root causes and local context of child labour, focus on how to recognize child labour, look at different due diligence measures (including age verification systems), discuss purchasing practices and supply chain management (direct and indirect suppliers) and work on remediation activities. Practically, training can make clear what the lines and systems of accountability are with respect to child labour. The various roles and responsibilities of relevant actors and stakeholders including within the company itself, suppliers (e.g. manufacturers, farmers, hotels, travel agents), sub-contractors, (local) governments, local and international NGOs and trade unions can be discussed, as well as how and when to approach stakeholders and the different ways partners can work together. This enables employees to place child labour in a wider context and addresses the eradication of child labour as a joint effort.

EXAMPLES OF POSSIBLE SECTOR SPECIFIC TRAINING TOPICS

GARMENT & TEXTILE

- Sumangali scheme
- Homeworkers
- Living and minimum wages
- Excessive overtime

COTTON

- Child labour at cotton (seed) farms
- Living and minimum wages
- Gender discrimination
- Use of pesticides at cotton farms

COCOA

- Child labour at small holder farms
- Living and minimum wages
- Hazardous work (use of pesticides, machetes and other tools)
- Child trafficking

TOURISM

- Sexual exploitation of children in hotels and bars
- Trafficking of children to holiday destinations

MINING

- Child labour in small-scale artisanal mines
- Hazardous work (underground, heavy loads)
- Use of casual labour

EXTERNAL EXPERTS

Training can be provided by external experts from organizations or initiatives such as ECPAT, BSCI, ETI, ICI and also by local organizations. This gives employees the opportunity to learn from people with specialized knowledge and expertise in regard of child labour, compliance systems and practical suggestions to tackle challenges in supply chain management. It also provides a basis for a joint and local approach to addressing child labour.

Close cooperation between corporate procurement departments and CSR/ethical trade departments is essential for developing good supplier relationship strategies. Moreover, in order to improve the supplier's sustainability performance, it is important to have transparent and regular communication and dialogue with suppliers about relationship strategies. Depending on the business model, there are different supplier relationship strategies possible.

SUPPLIER STRATEGIES

Buying companies need to be aware of the effects of their own actions, decisions and omissions on their supplier's sustainability performance, including where it relates to child labour. Good supplier relationship strategies are aimed at ensuring that procurement strategies do not increase the risk of a supplier engaging in child labour.

EXAMPLES OF SUPPLIER RELATIONSHIP STRATEGIES

- 1** - Establishing long-term and stable supplier relationships.
- 2** - Using longer or better planned lead times based on good procurement planning.
- 3** - Buying larger volumes.
- 4** - Using off-season factory time where possible in order to provide stable employment in typical low-seasons.
- 5** - Prompt payment avoiding delay in payment of workers' wages.
- 6** - Adequate procurement prices enabling suppliers to avoid child labour by offering decent wages to adults.

MORE INFORMATION ON INTEGRATION WITHIN COMPANY

ILO Guidelines for Developing Child Labour Monitoring

ilo.org/ipecinfor/product/viewProduct.do?productId=1500

Training materials

ilo.org/ipec/Action/Childlabourmonitoring/Trainingmaterials/lang--en/index.htm;

ilo.org/safework/info/instr/lang--en/index.htm

Eliminating Child Labour Guides for Employers, Guide Two

ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf

UN Global Compact Child Labour: Suggestions for Responsible Business

human-rights.unglobalcompact.org/dilemmas/child-labour

Business and Human Rights Resource Centre General Human Rights and Business training

business-humanrights.org/ToolsGuidancePortal/Training

BSCI Training for companies and suppliers

bsci-intl.org/our-work/empowering

ECPAT Training on combating the sexual exploitation of children

ecpat.org.uk/content/training-safeguarding-children-sexual-exploitation-children-tourism

ICI Training on child labour in cocoa sector

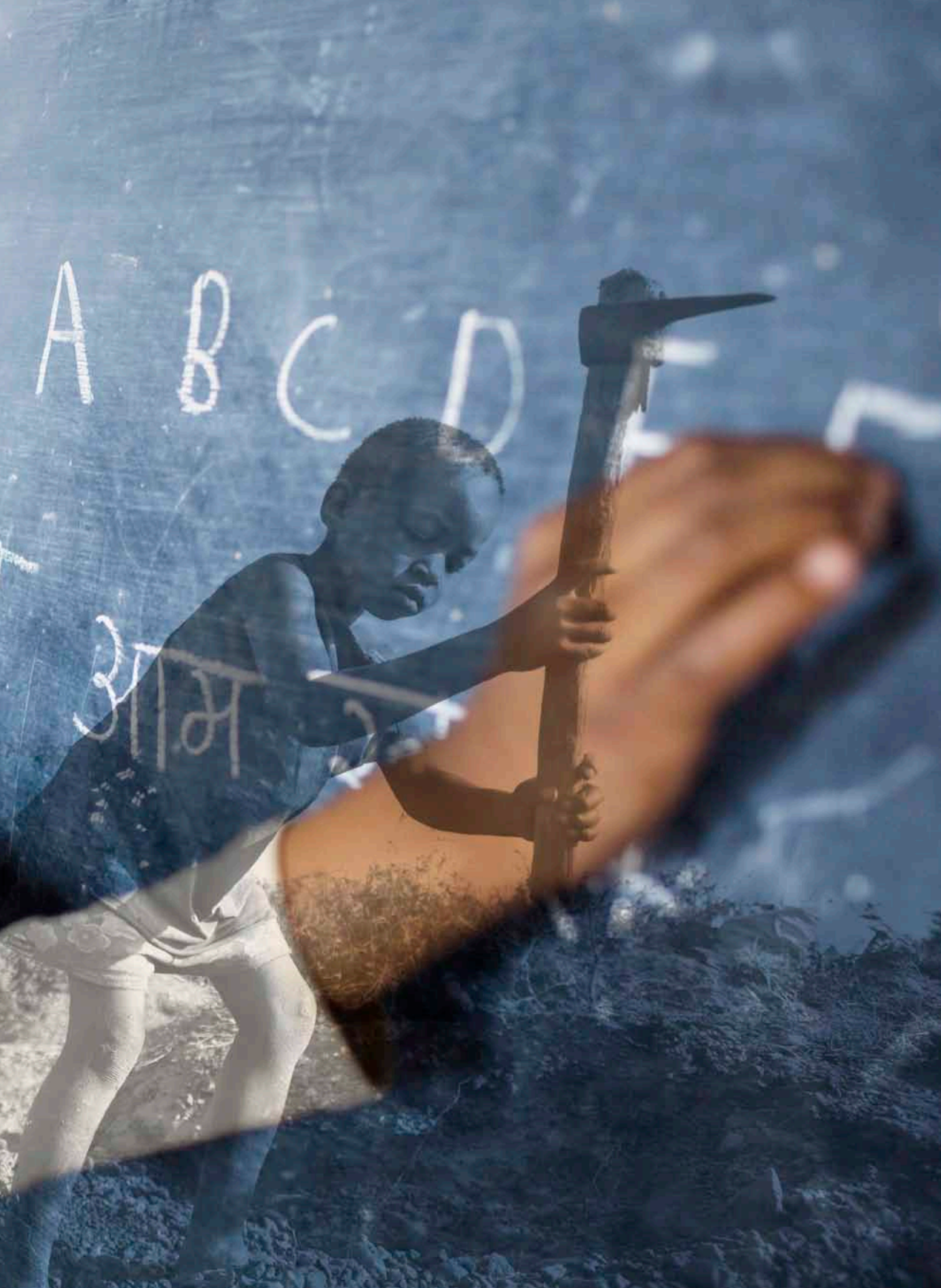
cocoainitiative.org/en/what-we-do/training-activities

KEY POINTS

INTEGRATION WITHIN THE COMPANY

- Appropriate company procedures are needed to embed child labour requirements within the organization. These include assigning clear responsibilities, embedding child labour in job accountabilities, developing key performance indicators at corporate level and rewarding staff for good performance.
- Training helps employees to properly understand child labour issues, to give due weight to child labour considerations (also in their own decisions and practices) and to properly act when child labour incidences are found.
- Training should be targeted at all key business managers in order to promote a uniform approach to child labour in the supply chain (buyers, sourcing, procurement) Training in the tourism sector should target customer relations employees as they engage with tourists.
- Training should also provide practical tools and be performance related.
- It is important to repeat and update training and to support training with coaching, e-learning and other forms of engagement (briefings, intranet, fact sheets, newsletters, face to face and one-on-one coaching).
- Companies could organize training together with peer companies or companies in the same area, and with input from (local) NGOs.
- Transparent and regular communication and dialogue with suppliers about relationship strategies help to improve the supplier's sustainability performance of the company.





04

TRACKING PERFORMANCE OF SUPPLIERS

“In order to verify whether adverse human rights impacts are being addressed, business enterprises should track the effectiveness of their response.”

GUIDING PRINCIPLE 20³

TRACKING PERFORMANCE

In order for a company to know whether it has been effective in responding to risks of causing or contributing to child labour, it can use different measures to track performance. Tracking performance focuses on actual compliance (i.e. ensuring that the supplier does not employ any underage workers) as well as ensuring that the supplier's policies, processes and practices are able to ensure no future child labour will occur.

Current tracking performance practices include in-house monitoring (corporate auditors), external monitoring (auditing firms) and external verification by independent organizations such as NGOs. In addition, through multi-stakeholder and business-driven initiatives, companies can be supported, assessed and certified for their compliance with child labour requirements as stated in the initiative's or the company's own supplier code of conduct or equivalent.

EXAMPLES OF VERIFICATION OR CERTIFICATION INITIATIVES USED IN DIFFERENT SECTORS

TEXTILE/GARMENTS

- Better Cotton Initiative (<http://www.bettercotton.org>)
- Fair Wear Foundation (<http://fairwear.org>)

COCOA

- Rainforest Alliance (<http://www.rainforest-alliance.org>)
- UTZ Certified (www.utzcertified.org)

TOURISM

- Travelife (travelife.co.uk)

MINING

- Kimberley Process Certification Scheme (<http://www.kimberleyprocess.com>)
- Responsible Jewellery Council (<http://www.responsiblejewellery.com>)

GENERAL

- Fair Labour Association (<http://www.fairlabor.org/fla>)
- Business Social Compliance Initiative (<http://www.bsci-intl.org>)
- FLO-CERT (<http://www.flo-cert.net/flo-cert>)
- SA 8000 (<http://www.sa-intl.org>)

AUDITS

Auditing practices and standards have significantly evolved over the past 20 years. Auditing schemes now commonly include regular announced and unannounced visits, corrective action programs and supporting the enhancement of suppliers' capacity to effectively address risk to cause or contribute to child labour. Despite these substantial improvements, significant challenges remain.

AUDIT CHALLENGES⁵

- 1** - Audits are snap-shots of the actual situation at best.
- 2** - The quality of auditing reports varies.
- 3** - Focusing on first-tier suppliers might not touch on where child labour takes place (most) in the value chain; it might also push child labour even further down the value chain, to other economic sectors or other geographical locations.
- 4** - Leverage on lower-tier suppliers such as farmers and cooperatives is often severely limited, especially if this leverage is not coupled with support or capacity building.
- 5** - Child labour remains a sensitive topic to discuss, especially when it concerns child sex tourism.

COMPLEMENTARY METHODS OF TRACKING PERFORMANCE

Because of these challenges, companies are looking for additional approaches to tracking performance. Such approaches include verification by internal and external stakeholders. For example, supplier's employees and/or their representatives (e.g. trade union leaders) may be interviewed as part of the monitoring process. Such interviews should be conducted confidentially, in the employee's native language and preferably be complemented by off-site interviews. Local independent NGOs may also be engaged in tracking of performance. NGOs can gather information about child labour risks and incidences, through surveys of and discussions with workers, parents, children themselves and community workers, as well as through other community participation methods.

CODE OF CONDUCT COMPLIANCE AND SUPPORT

Some companies are experimenting with monitoring second and lower-tier suppliers. In instances where production centres or middlemen have been identified, second-tier and lower-tier suppliers can be integrated in an audit program. Appropriate supply chain mapping, which includes lower-tier suppliers, is essential for this.

As tracking performance of lower-tier suppliers is not always easy or feasible, companies tend to concentrate on the management system of the first-tier supplier as part of the existing auditing schemes. Such audits focus on the existence and effectiveness of the management system in addition to finding specific instances of child labour. Building on the supplier code of conduct, companies organize training and consultation sessions to raise awareness of child labour issues, also in combination with training on other labour rights and supply chain sustainability issues.

Companies also support their suppliers to improve their own management system and due diligence processes. Such support consists of assistance in mapping their supply chain, developing human resources systems, enhance age verification systems and communication with sub-contractors on child labour issues. In other words a combination of 'code of conduct compliance' and 'code of conduct support' is required.

MORE INFORMATION ON TRACKING PERFORMANCE OF SUPPLIERS

ILO Guidelines for Developing Child Labour Monitoring

[ilo.org/ipecinfo/product/viewProduct.do?productId=1500](https://www.ilo.org/ipecinfo/product/viewProduct.do?productId=1500)

Eliminating Child Labour Guides for Employers, Guide Two

[ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf](https://www.ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf)

UN Global Compact Child Labour: Suggestions for Responsible Business

[human-rights.unglobalcompact.org/dilemmas/child-labour](https://www.human-rights.unglobalcompact.org/dilemmas/child-labour)

Business and Human Rights Resource Centre General tools and guidance (also sector-specific)

[business-humanrights.org/ToolsGuidancePortal/Home](https://www.business-humanrights.org/ToolsGuidancePortal/Home)

Verification or certification initiatives

Better Cotton Initiative [bettercotton.org](https://www.bettercotton.org)

Business Social Compliance Initiative [bsci-intl.org](https://www.bsci-intl.org)

Fair Labour Association [fairlabor.org/fla](https://www.fairlabor.org/fla)

Fair Wear Foundation [fairwear.org](https://www.fairwear.org)

FLO-CERT [flo-cert.net/flo-cert](https://www.flo-cert.net/flo-cert)

Kimberley Process Certification Scheme [kimberleyprocess.com/home/index_en.html](https://www.kimberleyprocess.com/home/index_en.html)

Rainforest Alliance [rainforest-alliance.org](https://www.rainforest-alliance.org)

Responsible Jewellery Council [responsiblejewellery.com](https://www.responsiblejewellery.com)

SA 8000 [sa-intl.org](https://www.sa-intl.org)

Travelife [travelife.co.uk](https://www.travelife.co.uk)

UTZ Certified [utzcertified.org/index.php](https://www.utzcertified.org/index.php)

KEY POINTS

TRACKING PERFORMANCE OF SUPPLIERS

- To obtain more information about the actual situation, companies should work together with local organizations such as NGOs, labour inspections and trade unions, as well as undertake interviews with employees (on and off-site) and their representatives.
- Monitoring and verification by independent local organizations such as NGOs might not only provide insight into child labour risks and incidences, but also raise awareness among local people about child labour challenges.
- Internal monitoring systems should be complemented by external audits (such as FLO and BSCI) and announced audits should be combined with unannounced audits.
- Long-term and stable supplier relationships and the enhancement of suppliers' capacities leads to more mature supplier relationships. Together with suppliers, companies should create key performance indicators for their suppliers.
- In order to be effective in working towards the eradication of child labour further down the supply chain, it is crucial to work with and stimulate ownership by first-tier suppliers to implement the buyer's code of conduct and to map and manage their own supply chain.





05

COMMUNICATING ON PERFORMANCE

“In order to account for how they address their human rights impacts, business enterprises should be prepared to communicate this externally, particularly when concerns are raised by or on behalf of affected stakeholders.”

GUIDING PRINCIPLE 21³

COMMUNICATION

Communication, preferably ongoing and dynamic, is an important ingredient for corporate transparency and accountability. It is imperative that companies demonstrate that they respect the prohibition of child labour in practice. This means that companies have in place policies and processes for communication with affected persons or groups as well as other relevant stakeholders.

EXAMPLES OF EXTERNAL COMMUNICATION METHODS

- Responding to individual letters.
- Dialogue and meetings with national and international civil society organizations, trade unions, industry associations and other stakeholders.
- Film.
- Brochure or fact sheet.
- Formal public statement.
- Information on website.
- Public annual report (CSR and sustainability reports, progress reports to initiatives such as UNGC and ETI).
- Reporting collectively with other companies, for instance via multi-stakeholder or business-driven initiatives.

COMMUNICATION ON POLICIES, PROCEDURES AND PROGRESS

Companies can disclose their CSR policies and procedures in regard of child labour publicly, for instance via the corporate website and annual CSR reports. This informs stakeholders and other interested parties about the corporate view on child labour and steps taken to avoid child labour in the supply chain. Progress on respecting and supporting children's rights and actual impact can be communicated via such media as well. Independent verification of information can strengthen content and credibility. Therefore, some companies allow external stakeholders, such as NGOs, to comment on or contribute to corporate annual or progress reports.

COMMUNICATING CHALLENGES

Companies can also communicate on child labour incidences and challenges. This offers external stakeholders some of the information needed to evaluate the adequacy of the response of the company in regard of the child labour incidence or challenge. For instance, the Sumangali scheme issue in India is discussed by numerous retail and brand companies (textile and garment industry) on their websites and in their annual CSR reports.⁶ These companies not only describe the challenges for the company in regard of the Sumangali scheme, they also explain the various actions taken to address the challenge. Reporting collectively on such efforts allows for broader and more in-depth joint action and communication on efforts by individual companies.

OTHER WAYS OF COMMUNICATION

Apart from public reporting there are other forms of communication with external stakeholders. Dialogue with external stakeholders increases understanding of child labour issues and challenges for both the company and the stakeholder. Moreover, an open and constructive dialogue can make it possible to share experiences and insights as well as make communication on efforts undertaken more credible.

EXAMPLE

SUMANGALI SCHEME CHALLENGE⁷

Several retail and brand companies (textile and garment industry) are supplied by Indian garment factories, which source from spinning mills in the southern state of Tamil Nadu in India. Some of the spinning mills, which combine all manufacturing processes in one business, deliver directly to retailers and brand companies.

As part of the so-called Sumangali scheme, many factories recruit and employ young females, many of whom belong to Dalits and other lower castes, as trainees or apprentices. The girls are promised a decent wage, comfortable accommodation and a considerable sum of money upon completion of their three-year contract. For many, the latter is the main attraction as it is often used to pay for a dowry, despite the fact that it is illegal in India.

Labour conditions in these spinning mills and factories are often poor and hazardous. Girls of 14 years old and younger have been found among the mill workers. Several reports from international NGOs have highlighted the illegal practices exposed by the Sumangali scheme which are considered to be a form of forced labour.

Following media and civil society reports on these violations of human rights and children's rights, more retail and brand companies have promised to take or have taken action to address the Sumangali issue. This comprises not only individual but also collaborative action. Working with peer companies and stakeholders to find sustainable solutions can be particularly helpful if child labour occurs at levels in the supply chain where company's leverage is low or non-existent.

MORE INFORMATION ON COMMUNICATION ON PERFORMANCE

ILO Eliminating Child Labour Guides for Employers, Guide Two

[ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf](https://www.ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf)

Business and Human Rights Resource Centre On reporting and selected company reports

[business-humanrights.org/Categories/Company policysteps/Reporting](https://www.business-humanrights.org/Categories/Company policysteps/Reporting)

KEY POINTS

COMMUNICATION ON PERFORMANCE

- Communication should focus on policies and procedures as well as on actual performance (number of incidences of child labour, successfulness of programs). Actual performance should be related to the local context and prevalence of child labour.
- Companies are seen as more credible when they are specific, acknowledge child labour issues and are open in their communication. Communicating on performance could make a company a role model for other companies.
- Companies can benefit from communicating jointly on industry-wide concerns, for instance via collaborative initiatives. Sharing knowledge is part of this.
- Acting pro-actively and communicating with relevant stakeholders, including NGOs, helps to provide adequate responses in regard of child labour concerns.
- Communication on tackling child labour should not become marketing.
- Companies should develop key performance indicators, which could be used for baseline studies and assessments, and be a basis for communication on performance. Sector wide performance indicators are useful.





06

GRIEVANCE MECHANISMS

“To make it possible for grievances to be addressed early and remediated directly, business enterprises should establish or participate in operational-level grievance mechanisms for individuals and communities who may be adversely affected.”

GUIDING PRINCIPLE 29³

ACCESSIBLE GRIEVANCE MECHANISMS

When child labour incidences occur, affected persons and/or their representatives should be able to raise grievances and seek redress. Depending on factors as the country and sector context, various state-based and non-state based, judicial and non-judicial mechanisms are available. These include national courts, labour tribunals, ombudsmen, national human rights institutes, the National Contact Points under the OECD Guidelines for Multinational Enterprises as well as corporate based and multi-stakeholder grievance mechanisms.

Children can hardly be expected to access grievance mechanisms themselves, even if they had the knowledge and capacity to use the right channels. The challenge is to ensure that the mechanism is accessible to those who can raise incidences on behalf of the children, such as members in the community, procurement staff who visit suppliers in the field, auditors, trade unions, local NGOs and government officials.

COMPANY-BASED GRIEVANCE MECHANISMS

Companies that are at risk of causing or contributing to child labour increasingly establish channels through which they can receive information about child labour incidences and remediate them. Such grievance mechanisms can also function as an 'early warning system', giving companies ongoing information about current and potential impacts relating to child labour. Business-level grievance mechanisms should be complementary to judicial and other non-judicial grievance mechanisms and should not impede other channels of engagement, such as representation by trade unions.

MULTI-STAKEHOLDER GRIEVANCE MECHANISMS

Concerns about child labour are also raised via multi-stakeholder and/or business-driven initiatives. Examples of such initiatives are ICI, FWF and ECPAT International, which sometimes operate in collaboration with national governments. Within the tourism sector non-judicial and judicial grievance mechanisms have been combined. This is not only a good example of multi-stakeholder collaboration, it also provides a way for stakeholders, employees and possibly victims to report child labour incidences.

ANONYMITY AND CONFIDENTIALITY

Confidential treatment of reported incidences increases the credibility of the mechanism with stakeholders and (potential) complainants. The possibility of anonymous reporting and confidentiality should be continuously emphasized in briefings and training about channels for reporting child labour. However, reporting anonymously also poses challenges: it is not only difficult to give feedback on the process to the complainant, it also limits the possibilities for verification of the complaint.

EXAMPLE

GRIEVANCE MECHANISM TOURISM SECTOR⁸

Child sex tourism can be prosecuted in the country of origin (where the tourist lives), if the law stipulates it as an extra-territorial crime. Some holiday countries also allow for prosecution of child sex tourism. Nevertheless few child sex tourists are effectively investigated and sentenced because such cases are time-consuming, costly, frequently hampered by lack of evidence and often not followed up by local authorities in holiday destinations. Therefore, tour operators and civil society organizations have started to work together with ECPAT, national and international institutions and organizations such as the (military) national police, public prosecution service, specific government departments, Interpol and Europol.

Tour operators receive reports about possible child sex tourism from tourists, tour guides, travel agents or providers of hotels and restaurants services in travel destinations.

Some of the companies offer the possibility to report incidences on their website (directly or via a web-link to the ECPAT website) or via a national hotline.

A tourism company will usually not investigate reports itself, but refer them, sometimes via ECPAT, to national hotlines such as the Dutch 'Meldpunt Kindersekstoerisme' (Hotline Child Sex tourism) and Meld Misdaad Anoniem (part of Crime Stoppers International), which can also receive complaints directly from tourists, tour guides, travel agents or even children themselves, even though the latter seldom occurs. The agency running the national hotline will screen the incidences (i.e. foundation or reasonable grounds for the claim) and report them to the national police (in the country of origin of the tourist). Subsequently, a grievance might enter the judicial arena and ultimately lead to a child sex offender being prosecuted.⁷

MORE INFORMATION ON GRIEVANCE MECHANISMS

ILO Eliminating Child Labour Guides for Employers, Guide Two
ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf

UN Global Compact Child Labour: Suggestions for Responsible Business
human-rights.unglobalcompact.org/dilemmas/child-labour

Business and Human Rights Resource Centre Alleged abuses
business-humanrights.org/ChildrenPortal/AllegedAbuses

Lawsuits
business-humanrights.org/ChildrenPortal/Lawsuits

ECPAT
ecpat.net/EI/index.asp

ecpat.org.nz/Make-a-Report/Report-Child-Sex/Hotline-numbers.aspx

ecpat.nl/p/30/2161/mo45-mc77/convictions

Crime Stoppers International
csiworld.org/

ICI
cocoainitiative.org/en/about-us

KEY POINTS

GRIEVANCE MECHANISMS

- To ensure that incidences of child labour are reported and can be effectively dealt with, employees, suppliers, service providers and other stakeholders should be informed about the available channels to report incidences and how child labour can be recognized. Community empowerment and awareness raising are essential.
- Making available hotlines (telephone) and online channels for reporting child labour incidences can be effective.
- Due to lack of awareness, capacity and unequal division of power between perpetrator and victim, reports of child labour incidences by children themselves are rare. The role of local organizations and other stakeholders that represent or support victims is therefore crucial.
- Grievance mechanisms should find a balance between confidentiality (anonymity) and possibilities to effectively verify a complaint and address the child labour incidence.
- Where possible, companies should work together with local governments and officials (police, labour inspection).
- Non-judicial and judicial mechanisms can be complementary and sequential.





07

REMEDICATION OF CHILD LABOUR

“Where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes.”

GUIDING PRINCIPLE 22³

REMEDIATION

If a company has caused or contributed to child labour due to its operations or through its supply chain, it has the responsibility to remediate the situation.⁹ If the company has not caused or contributed to child labour, but is nonetheless directly linked to child labour issues by its operations, products or services through a business relationship, then it may take a role in remediation activities.

ACTIVE AND APPROPRIATE REMEDIATION

It is emphasized that engagement in remediation should be active, appropriate and can be in cooperation with others. Any action taken should respect the child's right to education and to development and be in the best interest of the child. To remove the child from the factory or to immediately end all relationships with the supplier in case child labour is found, is not considered appropriate. It could even make a situation worse if the child returns to the same or another workplace under poorer working conditions shortly after.

SUPPLIER ENGAGEMENT

When child labour is found, companies usually issue a serious first warning to the supplier and engage with them to find a suitable solution, for example through supporting suppliers to improve their management system or cooperate on other necessary action. If child labour is found again or the supplier refuses to cooperate, the business relationship might be terminated, but this is a last resort.

ENGAGEMENT WITH AFFECTED STAKEHOLDERS, NGOS AND GOVERNMENT AGENCIES

Each incidence of child labour requires a tailored approach, which depends on factors such as age of the child, the working conditions observed, the child's home situation and educational level and the availability of schooling that is suitable and of a minimal quality. In order to ensure that the best solution for the child is found, companies can cooperate with local NGOs, government agencies, schools and parents or relatives of the child.

The typical role of the NGOs is to accompany the child to his or her home, to communicate with the family of the child and to find and arrange appropriate education. Engagement with parents and relatives is not only to inform them of the steps taken, but also to convince them of the need for further education for the child. If the family lives far away, such engagement may pose particular challenges. Cooperation with government agencies and NGOs that have a nation-wide reach or network is therefore useful.

REMEDATION GUIDELINES

Operational guidelines which spell out the corporate approach towards remediation of child labour is very useful. The guidelines could be tied to the country (or regional) context and account for different forms of child labour and the different levels in the supply chain at which it can occur (for example the Sumangali scheme). Such guidelines may also refer to nominated in-country experts or NGOs which could be contacted in case child labour incidences are found.

MONITORING OF REMEDIATION

Monitoring of the situation of the former child labourer is essential to verify that he or she does not return to work in a different factory or is placed in a worse situation. It is also important to ensure that the supplier keeps its promises. Companies can for this purpose check with the supplier, local NGOs and the school after a certain period of time.

EXAMPLES OF REMEDIAL ACTIONS IN COOPERATION WITH OTHERS

- Ensure the *release* of the child from hazardous circumstances.
- Ensure that underage workers around school-entering age get enrolled in formal schools and do not drop out.
- Provide for *transitional* schooling for those children who need catching up with regular formal and full-time schools; generally these are somewhat older ex-working children.
- Organize *vocational training* for children who have reached minimum legal working age, but who are not 18 years old yet.
- Give compensation to the child's family for the *loss of income*, for example by continuing to pay (at least) the legal minimum wage during the schooling period.
- Offer work to another member of the same *household* who has reached the legal minimum age to work.
- Require the supplier to guarantee *rehiring* the child when he or she has reached the minimum legal age.
- Organize *reunion* of the child with his or her family.
- When there is a large distance between the factory and the child's home make an one-off payment to *compensate* for the cost of the ticket, loss of wages and education.

MORE INFORMATION ON REMEDIATION OF CHILD LABOUR

ILO Eliminating Child Labour Guides for Employers, Guide Two

[ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf](https://www.ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf)

UN Global Compact Child Labour: Suggestions for Responsible Business

human-rights.unglobalcompact.org/dilemmas/child-labour

Campaign 'Stop Child Labour – School is the best place to work' Action Plan

indianet.nl/pdf/actionplanchildlabour.pdf

KEY POINTS

REMEDICATION OF CHILD LABOUR

- Remediation of child labour is a shared responsibility. Companies have a role to play in remediation activities. Governments also have to realize their duty to protect children from child labour and provide the necessary conditions for children's education, health and development. All remediation activities should be in the best interest of the child and should take place immediately.
- Remediation of child labour should include understanding of the multiple causes of child labour and take into account social and cultural conditions and practices. It should be bottom-up and focused on community empowerment.
- Remediation of child labour should also focus on the socio-economic situation of the family involved. For this purpose working together with local NGOs and local governments is important.
- Monitoring of the situation of the former child labourer is important to verify that he or she does not return to work in a different factory, or is placed in a worse situation, and to ensure that the supplier is keeping its promises.





08

MULTI-STAKEHOLDER COOPERATION

JOINTLY ADDRESSING CHILD LABOUR

Child labour continues to occur at the lowest tiers of the supply chain. This poses enormous challenges for states, companies and civil society. The eradication of child labour is seen as a joint responsibility of multiple stakeholders. In particular efforts to identify, prevent and remediate child labour deep down complex supply chains and addressing root causes of child labour are unlikely to be effective without a multi-stakeholder approach.

Several companies have started to work with international organizations, local and national government agencies, civil society organizations, trade unions, law enforcement agencies (i.e. labour inspections) and other companies. They aim to accelerate improvements within the supply chain and the local environment. Investing in access to educational and social services, raising awareness of child labour and empowering communities by improved working conditions and security of income, are examples of these.

PARTNERSHIP DEFINITION¹⁰

Partnerships are strategic alliances to tackle the most persistent challenges facing the eradication of child labour. Based on a shared vision, partnerships provide more comprehensive and structural approaches by making it possible to pool resources and assets building on each party's strengths.

EXAMPLE – TOURISM¹¹

TUI Netherlands and Plan established a formal partnership in 2010, following a two-year start up phase. Financial resources are provided by the Dutch National Postcode Lottery. Other organizations that participate are ECPAT, the Childhood Foundation Brazil, Resposta Brazil, Travel Counsellors, FLY Brazil and ANVR (Dutch Association of Travel Agents). The partnership, which aims at providing vocational training for youngsters (girls) in order to combat child sex tourism, consists of three components: training youngsters in tourism professions with job guarantee, strengthening the resilience of youngsters and parents in regard of child exploitation and engaging the Brazilian tourism industry and Dutch travel organizations to sign the Code of Conduct for the Protection of Children from Exploitation in Travel and Tourism (ECPAT).

The activities are directed at growing holiday destinations for Dutch tourists in North-Eastern Brazil (Natal and Recife). Activities are also linked to a campaign of the Ministry of Tourism focusing on the host cities for the 2014 FIFA World Cup in Brazil, because such events tend to create situations in which children and youngsters can be sexually exploited. Aligning the activities of the Brazilian partners with the other partners was challenging at first because the various partners pursued their own objectives and plans. Now, educational activities are well on track: the first class of students started training in September 2011. Furthermore, several Brazilian tourist associations and municipalities have also signed the Code (ECPAT). Experiences of the partnership are also used in training for employees and information leaflets for tourists.

BUILDING PARTNERSHIPS

Companies sometimes join existing programs run by civil society organizations or the public sector. More commonly, new programs are developed to address child labour issues specific to the industry sector and the local social and cultural context. In this it is important that businesses do not take over governmental tasks. Governments have a role in creating an environment in which children attend school, so relevant government agencies should be involved in partnerships. This is also important for scaling up activities and partnerships in future.

Partnerships have to manage cultural differences, build trust and deal with underlying interests of the partners. Therefore, it is important to carefully select partners, understand each other and focus not only on the structure and content of the partnership, but also on the process of building the partnership. Local dynamics and social contexts should be well understood. The same approach does not work in each location. Therefore, partnering with local organizations and engagement of local communities is essential.

EVALUATION OF PARTNERSHIPS

Evaluation of the organization and functioning of the partnership as well as assessment of the impact of the partnership (either externally or internally) are necessary for further improvement. Some partnerships arrange for a baseline study to provide data about the situation at the start of the partnership. Such baseline information can be used to assess possible changes and developments due to the activities of the partnership.

EXAMPLE – COCOA¹²

The Mars Impact Partnership (iMPACT, 2007) and the Cadbury Cocoa Partnership (CCP, 2008) were started after both companies found that local level farming and social conditions needed to improve to address underlying causes of child labour. Within the formal partnerships, a community-centred governance structure was set up in Ghana and Ivory Coast, involving the International Cocoa Initiative (ICI), international development organizations, local trade union experts and extension agents employed by the Cocoa Board. Based on needs assessments, community dialogue and research into the perspectives of the small farmers and communities, community action plans were worked out to better define the problem of child labour in the local context and to identify appropriate community-owned solutions which can then be supported by ICI, local authorities or other organizations.

Apart from community sensitization on child labour issues, partnership activities in the communities include providing access to education (school building, employment of primary school teachers, bicycles for girls to ride to school) and supporting farmers to increase yields and subsequently income. These activities will be evaluated on the basis of indicators such as the number of children attending school. According to the partners, successes include greater community awareness of the causes and effects of child labour and of national laws relating to child labour, improvements in school enrolment and school attendance and notable reductions in the incidence of hazardous work. While making the community the central focus of the partnership involves more complex structures and longer processes, such an approach is expected to result in structural change at grass-roots level.

MORE INFORMATION ON MULTI-STAKEHOLDER COOPERATION

ILO Eliminating Child Labour Guides for Employers, Guide Two

ilo.org/public/english/dialogue/actemp/downloads/projects/child_guide2_en.pdf

UN Global Compact Child Labour: Suggestions for Responsible Business

human-rights.unglobalcompact.org/dilemmas/child-labour

Business and Human Rights Resource Centre Examples of partnerships

business-humanrights.org/ChildrenPortal/PositiveInitiatives

ECPAT Partnership in the tourism sector

ecpat.nl/p/30/1943/mo45-mc214, <http://www.plannederland.nl/bedrijven/tui>

ICI Partnerships in cocoa sector

cocoainitiative.org/en/about-us

Campaign 'Stop Child Labour – School is the best place to work' Action Plan

indianet.nl/pdf/actionplanchildlabour.pdf

Other partnership examples The partnership between C&A and Terre des Hommes

c-and-a.com/uk/en/corporate/company/our-responsibility/supporting-people/sponsoring

The partnership between H&M and UNICEF

unicef.org/corporate_partners/index_25099.html and

about.hm.com/nl/corporateresponsibility/hmsupports/projectsandcooperation/hmandunicefworktogether_projectsarticle1.nhtml

The collaboration between WE Fashion and the Partnership Foundation

wefashion.com/#/en-NL/corporate-social-responsibility/collaboration-with-charities

The partnership between Toms Group and IBIS

ibiswestafrica.com/index.php?option=com_content&view=article&id=127%3Aeducation-in-cocoa-districts&catid=14&Itemid=16&lang=es

The Nestle Cocoa Plan

cocoainitiative.org/en/partnerships/nestle-cocoa-plan

KEY POINTS

MULTI-STAKEHOLDER COOPERATION

- Partnership objectives and activities should have a close link with core business activities and address challenges related to business operations.
- It is important to carefully select partners, understand each other, and focus not only on the structure but also on the process of building the partnership. Roles and obligations of the partners should be clearly spelt out.
- The best partnerships are multi-stakeholder partnerships, working on the basis of a creative tension.
- Businesses should not take over governmental tasks. Governments have a role in creating an environment in which children attend school, so relevant government agencies should be involved in partnerships.
- Partnerships should make a plan for a time-bound implementation of the partnership ultimately covering all supply chains. Start small, but think big.
- Partnerships should be well aware of, build on, but not interfere with other existing programs. Gap analyses and needs assessments are essential.
- Local dynamics and the social context should be well understood. The same approach does not work in each community. Therefore, partnering with local organizations and engagement of local communities is essential.

THE WAY FORWARD

CHILD LABOUR PLATFORM 2011

The Child Labour Platform emphasizes the importance of a shift from pure risk management to a more integrated approach in order to make a genuine contribution to the eradication of child labour. From this premise, companies have developed various practices to address child labour not only in their own operations, but also within their value chains. Moreover, they have created wider efforts, often in collaboration with stakeholders such as national and international organizations, to work towards the children's rights to development, education and a child labour free youth.

SOME CHALLENGES

- The multiplicity of factors causing child labour.
- The complexity of particular supply chains.
- The often limited leverage on lower-tier suppliers such as farmers and cooperatives.
- The displacement of child labour from one sector to another or from one geographical location to another.
- Balancing preventive and remedial action with corporate investments and costs.
- Measuring impact of corporate actions and performance in regard of child labour.
- Getting other companies than frontrunners as well as small and medium enterprises involved in combating child labour.
- The limited interaction between companies and Governments on child labour issues.

CHILD LABOUR PLATFORM 2012

Child labour remains however widespread, common in many emerging economies and most prevalent in the agricultural and mining sectors, as well as in the manufacturing industry and tourism. Continuing the discussion and further learning from companies in the same and different sectors will be, therefore, high on the agenda of the Child Labour Platform for the forthcoming years.

CONTINUING THE JOURNEY

Eradicating child labour is likely to constitute a long journey. During that journey, companies will continue to encounter numerous hurdles and challenges. While some of these challenges are beyond the companies' control, it is important that companies start (or continue) the journey by actively addressing child labour in their own operations and in those of their suppliers and their other partners.

Throughout this journey, companies do not need to (and should not) be alone. As the practices in this booklet have shown, collaboration with peer companies and engagement with external stakeholders are critical in making the journey a success. Most importantly, one single step does not constitute a journey. Only a combination of steps as described in the practices can make a difference and will lead towards a meaningful and significant contribution towards a child labour free world.

ABBREVIATIONS

ANVR	Dutch Association of Travel Agents
BCI	Better Cotton Initiative
BSCI	Business Social Compliance Initiative
BSR	Business for Social Responsibility
CCP	Cadbury Cocoa Partnership
CEO	Chief Executive Officer
CLP	Child Labour Platform
CoC	Code of Conduct
CSR	Corporate Social Responsibility
ECPAT	End Child Prostitution, child pornography And the Trafficking of children for sexual purposes
ETI	Ethical Trading Initiative
EU	European Union
FLA	Fair Labour Association
FLO-CERT	Fairtrade Labelling Organizations – Certification System
FWF	Fair Wear Foundation
GRI	Global Reporting Initiative
ICI	International Cocoa Initiative
ICN	India Committee of the Netherlands
ILO	International Labour Organization
iMPACT	Mars Impact Partnership
IPEC	International Programme on the Elimination of Children (ILO)
ISO 26000	International Organization for Standardization 26000
NGO	Non Governmental Organization
OECD	Organisation for Economic Cooperation and Development
RFA	Rain Forest Alliance
SA 8000	Social Accountability International 8000
SOMO	Centre for Research on Multinational Companies
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNGC	United Nations Global Compact
UNICEF	United Nations Children Fund

FURTHER SOURCES OF INFORMATION

GENERAL INFORMATION

- Business and Human Rights Initiative, How to Do Business with Respect for Human Rights: A Guidance Tool for Companies, The Hague, Global Compact Network Netherlands, 2010, http://www.unglobalcompact.org/docs/issues_doc/human_rights/Resources/how_to_business_with_respect_for_human_rights_gcn_netherlands_june2010.pdf.
- Business and Human Rights Resource centre: <http://www.business-humanrights.org/ToolsGuidancePortal/Issues/Childlabour> and <http://www.business-humanrights.org/ChildrenPortal/Guidance>
- Campaign 'Stop Child Labour – School is the best place to work', Out of Work and into School, Action Plan for Companies to Combat Child Labour, May 2008, <http://www.indianet.nl/pdf/actionplanchildlabour.pdf>
- International Finance Corporation, Addressing Child Labour in the Workplace and Supply Chain, Good Practice Note, Number 1, Washington, June 2002, [http://www.ifc.org/ifcext/enviro.nsf/AttachmentsByTitle/p_childlabor/\\$FILE/ChildLabor.pdf](http://www.ifc.org/ifcext/enviro.nsf/AttachmentsByTitle/p_childlabor/$FILE/ChildLabor.pdf).
- International Labour Organization, Eliminating Child Labour Guides for Employers (Guide 1, 2 and 3), Geneva, 2007, <http://www.ioe-emp.org/?id=242>.
- International Labour Organization, The Labour Principles of the UN Global Compact: A Guide for Business, Geneva, 2008, http://www.unglobalcompact.org/docs/issues_doc/labour/the_labour_principles_a_guide_for_business.pdf
- Report of the Special Representative of the Secretary-General on the issue of human rights and transitional corporations and other business enterprises, Guiding Principles on Business and Human Rights: Implementing the UN 'Protect, Respect and Remedy' Framework, A/HRC/17/31, 21 March 2011, <http://www.business-humanrights.org/media/documents/ruggie/ruggie-guiding-principles-21-mar-2011.pdf>
- UNICEF, ILO and World Bank, Understanding Children's work, <http://www.ucw-project.org/>
- UN Global Compact and Maplecroft, Human Rights and Business Dilemmas Forum: <http://human-rights.unglobalcompact.org/dilemmas/child-labour/>

CHILD LABOUR IN AGRICULTURE

- International Cocoa Initiative and Organization for Economic Co-operation and Development, Emerging Good Practice in Combating the Worst Forms of Child Labour in West African Cocoa Growing Communities, 2011
- International Labour Organization – International Programme on the Elimination of Children, Child Labour in Agriculture, <http://www.ilo.org/ipec/areas/Agriculture/lang--en/index.htm>
- International Labour Organization – International Programme on the Elimination of Children, Good Practices for the Prevention and Progressive Eradication of Child Labour in Agriculture in Central America and the Dominican Republic, 2006. http://white.oit.org.pe/ipec/documentos/good_practices_agri.pdf
- International Labour Organization – International Programme on the Elimination of Children, Tackling Hazardous Child Labour in Agriculture, Guidance on policy and practice, User Guide, 2006, <http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=2799>.

CHILD LABOUR IN MINING SECTOR

- International Labour Organization – International Programme on the Elimination of Children, Child Labour in Mining and Quarrying, <http://www.ilo.org/ipec/areas/Miningandquarrying/MoreaboutCLinmining/lang--en/index.htm>

CHILD SEX TOURISM

- ECPAT International, Combating Child Sex Tourism, Questions and Answers, 2008, http://www.ecpat.net/EI/Publications/CST/CST_FAQ_ENG.pdf
- International Labour Organization – International Programme on the Elimination of Children, Commercial Sexual Exploitation of Children, <http://www.ilo.org/ipec/areas/CSEC/lang--en/index.htm>

END NOTES

- 1 - UN Convention on the Rights of the Child, 1989; ILO Minimum Age Convention, 1973 (138); ILO Worst Forms of Child Labour Convention, 1999 (182). See also International Labour Organization, Eliminating Child Labour Guides for Employers (Guide 1, 2 and 3), Geneva, 2007, ioe-emp.org/?id=242.
- 2 - These estimations are according to the latest ILO data. ILO-IPEC, Global Child Labour Developments: Measuring Trends from 2004-2008, Geneva, 2010; ILO, Accelerating Action against Child Labour, Global Report under the Follow-up of the ILO Declaration on Fundamental Rights at Work, Geneva, 2010.
- 3 - Guiding Principles on Business and Human Rights: Implementing the UN 'Protect, Respect and Remedy' Framework, 2011
- 4 - Visit maplecroft.com for more information about Maplecroft risk mapping and methodologies.
- 5 - Leverage can be described in terms of degree of direct control between the company and supply chain entity, the terms of contract between the company and supply chain entity, the ability of the company to incentivize the supply chain entity for improved performance in regard of child labour as well as the proportion of business the enterprise represents for the supply chain entity. See SRSG, The Corporate Responsibility to respect Human Rights in Supply Chains, 10th OECD Roundtable on Corporate Responsibility, Discussion Paper, 30 June 2010.
- 6 - The word 'Sumangali' in Tamil means an unmarried girl becoming a respectable woman entering into marriage.
- 7 - Reports on the Sumangali scheme include: ICN and SOMO, Captured by Cotton, Exploited Dalit Girls Produce Garments in India for European and US Markets, 2011; Centre for Education and Communication and Anti-Slavery International, Slavery in Indian Garment Industry, 2010.
- 8 - The Dutch national hotline, Meldpunt Kindersekstoerisme (meldkindersekstoerisme.nl) works together with the Dutch Ministry of Justice, the European Commission and ECPAT. See also Meld Misdaad Anoniem, which is part of Crime Stoppers International, meldmisdaadanoniem.nl/over-m/internationaal and csiworld.org
- 9 - UN Guiding Principles on Business and Human Rights, principle 22.
- 10 - See also Carmen Malena, Strategic Partnership: Challenges and Best Practices in the Management and Governance of Multi-Stakeholder Partnerships Involving UN and Civil Society Actors, Background paper prepared for the Multi-Stakeholder Workshop on Partnerships and UN-Civil Society Relations, Pocantico, New York 2004
- 11 - plannederland.nl/bedrijven/tui; ecpat.nl/p/30/1943/mo45-mc214
- 12 - cocoainitiative.org/en/partnerships/mars-impact-partnership and cocoainitiative.org/en/partnerships/cadbury-cocoa-partnership



