

# CRS Report for Congress

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## Child Labor and the International Labor Organization (ILO)

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### Summary

With the adoption of a new child labor convention in Geneva on June 17, 1999, ILO member states began to take a more aggressive stand against the exploitation of children in the labor market. This convention joins the seven core labor conventions that the ILO members have determined identify fundamental human rights. Meanwhile, a small but rapidly growing ILO technical program that is geared toward reducing child labor around the world has become an increasingly important part of the international effort against child labor. This short report discusses these two aspects of ILO activity in the area of child labor. It will be updated when the current situation changes significantly.

### Background

The International Labor Organization (ILO)<sup>1</sup> has been interested in child labor since its founding in 1919. Several child labor/ minimum age conventions were among the first adopted by the ILO. Despite the efforts of many through the years, child labor continues to be a problem in countries around the world. While much of it can be considered apprenticeship, or family related work, there is growing concern that enslavement, abduction, and other forced child labor is increasing. There is growing public awareness that children are laboring in dangerous occupations, from underground mining to smuggling and prostitution. Information that products purchased by Americans are being made by children in such conditions has also led to increased concern in Congress.

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<sup>1</sup> The ILO is a U.N. specialized agency that focuses on labor standards and the rights of workers. It is unique among U.N. agencies because the members include representatives of the major labor and business organizations in each country as well as government representatives. The ILO adopts labor standards as treaties that it encourages member countries to adopt and implement into their laws and practice. It provides technical assistance to help governments implement the conventions. While contributions to the ILO are assessed, or required of each member country, the technical assistance programs are funded with voluntary contributions.

Although all estimates of child labor are of questionable accuracy, the ILO estimates that there are 250 million children between the ages of 5 and 14 working in developing countries. (ILO statistics don't include children working in industrialized countries.) About half work full time. As many as 50 to 60 million of the working children between 5 and 11 are engaged in hazardous work. The largest number of working children are in Asia (61% of the total), while 32% are in Africa and 7% are in Latin America. In terms of percent of children working, about 41% of all the children of Africa are working, while 22% of the children of Asia and 17% in Latin America work.<sup>2</sup>

## **International Program for the Elimination of Child Labor**

The ILO has a technical assistance program to help governments eliminate child labor. The International Program for the Elimination of Child Labor (IPEC) was established in 1991 with a grant from the German government and began operating in 1992 in 6 countries. It has since developed into the largest operational technical cooperation program in the child labor field. According to IPEC, in mid 1999, IPEC had child labor programs in 37 countries paid for by 19 donor countries, the European Community, and 4 other non-governmental labor organizations. An additional 30 countries, called "preparatory" countries, are working with IPEC to determine their needs and develop child labor programs, but have not yet begun child labor programs in cooperation with IPEC. This growth reflects both growing demand for help in addressing child labor and increased financial support from international donors. IPEC is considered one of the most successful ILO technical assistance programs and it is being used as an example for developing ILO technical assistance programs in other areas.

Of the 37 countries currently participating in IPEC programs to reduce child labor, 15 are in Latin America, 10 are in Asia, 10 are in Africa, and 2 (Turkey and Albania) in Europe.

## **How IPEC Works**

IPEC is a technical assistance program that is requested by a government and carried out with the support of the government. With a workforce still under 100 persons, IPEC is an advisory, rather than an operational agency. During the 1998-99 biennium, IPEC had 20 officials at headquarters in Geneva and 60 in the field. When governments decide to address child labor problems, IPEC helps them to gather together government and labor representatives, indigenous voluntary agencies, and other relevant organizations. IPEC funding supports the gathering of statistical information to determine the child labor situation in the country and assists concerned parties within the country to devise policies that become part of a national plan to address the specific child labor problems of that country. The government and the ILO generally sign a Memorandum of Understanding to indicate a government commitment to implementing the policies adopted by the national committees and to cooperate in taking steps to eliminate child labor. IPEC also evaluates the country programs, both internally and in cooperation with the donor and recipient government staff. Countries are encouraged to ratify and enforce both ILO Convention

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<sup>2</sup> Much of the information in this paper comes from the International Labor Office. International Program on the Elimination of Child Labor. IPEC action against child labor. Geneva. October 1999. [<http://www.ilo.org/public/english/standards/ipec>]

138 (on minimum age for employment) and 182 (on eliminating the worst forms of child labor). The IPEC programs create a model for child labor programs customized to the country for children in particular work situations.

IPEC's premise is that child labor can only be eliminated in a country locally, through locally generated activities and domestic political will. In the long term, it is important to have national policies and programs of action against child labor. IPEC's goal is to strengthen the capacities of governments and local indigenous organizations to continue to address these problems throughout the country after the multi-year IPEC program ends. IPEC also realizes the child labor is more than a labor problem. It must be addressed on the socio-economic, educational, developmental and cultural fronts simultaneously by many participants. Children work for many reasons. Among them are a lack of available schooling, a lack of adequate employment for adults, and a lack of local law enforcement of child labor, kidnaping, and other relevant statutes. IPEC works as a catalyst or leader to unite the natural allies opposing child labor, pulling together the expertise and funding of U.N. organizations, local and national government agencies, labor unions and organizations, private voluntary organizations, and child welfare groups. IPEC works with the World Bank, the International Monetary Fund, the World Trade Organization, UNESCO, UNICEF, the U.N. Committee on Human Rights Working Group on Contemporary Forms of Slavery, and the U.N. Committee on the Rights of the Child. Through representation of labor and business organizations in the ILO, IPEC is also able to gain cooperation with employer and worker organizations at the international, regional and local levels.

Because funds are limited and the child labor problems so great, IPEC programs focus on the most abusive and exploitive forms of child labor, enslaved or bonded child laborers, very young working children, children in dangerous occupations, and especially girls in these conditions. As of the end of 1997, 36% of IPEC programs targeted children working in hazardous conditions, 37% doing hazardous work and 15% in forced labor situations. IPEC estimates that during 1998/99, 130,000 children in 5,000 families benefitted directly from IPEC programs. Of these, nearly 30% were withdrawn from work, prevented from being trafficked, or provided with a safer work environment. Twenty percent were placed in regular schools. The remaining children benefitted from other services, such as work based schooling, vocational training and health services.

## Funding

As an ILO technical assistance program, IPEC programs are funded almost entirely by voluntary contributions from donors. IPEC programs are multi-year programs. The early donors provided contributions for data collection and program planning as well as specific programs. Some governments still provide funds for these core expenditures. In recent years, however, many governments have chosen to contribute to particular programs in specific countries. This is the way the

**IPEC Expenditures by  
Budget Period**

1992-1993	\$6,175,620
1994-1995	\$13,056,185
1996-1997	\$19,184,000
1998-1999	\$22,000,000 <sup>a</sup>
2000-2001	\$43,000,000 <sup>b</sup>

<sup>a</sup> Estimate. Actual expenditures as of 11/99—\$19,500,000.

<sup>b</sup> Planning figure dependent on contributions

Source: ILO/IPEC

United States contributes. Governments make multi-year pledges but provide the funding only as that program develops. IPEC's funding estimate for the years 2000/2001 indicates that contributions to specific programs will be more than twice as large as contributions to core expenditures such as the development of new programs. Additionally, the money needed for each program varies from year to year, and thus the expenditures of IPEC, even with all programs proceeding, may also vary from year to year. IPEC figure indicate that donors have contributed \$96,291,943 since 1992, but much of this funding has arrived very recently and has not yet been committed to IPEC activities. The total amount pledged for IPEC programs from 1992 through 2002 is \$158,778,700. The table shows IPEC expenditures for each of the two year budget periods since the program began.

The central management or administrative costs, coordination, and some of the regional activities are paid out of the regular budget of the ILO. This amounted to \$8.2 million for 1998-9 and is expected to rise to \$13.1 million for 2000-1.

IPEC currently has 19 government donors and 4 other organizational donors: The government donors are: Germany, Belgium, Australia, France, Norway, Spain, the United States, Canada, Denmark, Italy, Luxembourg, Netherlands, Japan, Poland, Switzerland, the United Kingdom, Austria, Finland, and Sweden. In addition, the European Commission, Italian Social Partners Initiative, the Sailkot Chamber of Commerce and Industry of Pakistan, the Comunidad of Madrid, and the Japanese National Trade Union have contributed to the program.

## U.S. Contributions

The United States began contributing to IPEC in FY1995 as part of the Labor Department appropriation legislation. The appropriations for each year are shown on the right. Congress played an important role in providing U.S. funding for IPEC through earmarks and increased appropriations. In FY1999, the Administration began a 5-year initiative to fight child labor, both in the United States and in other countries. The Congress supported the President in his request to increase U.S. contributions to IPEC child labor programs tenfold. FY2000 was the second year of this effort. Only a small part of the \$30 million is retained by the Department of Labor for oversight of IPEC programs.

### Appropriations for IPEC

FY95	\$2.1 million
FY96	1.5 million
FY97	1.5 million
FY98	3.0 million
FY99	30.0 million
FY00	30.0 million

The United States provided funds for IPEC programs in 18 countries or regions in Africa, Asia, Latin America and the Caribbean, according to a December 22, 1999 press release from the Department of Labor.<sup>3</sup> These programs total \$21.6 million of the \$30 million appropriated in FY1999. Additional requests for program funds are being processed that will bring U.S. contributions to the full \$30 million, according to the press release. These contributions are provided as grants over several years to specific IPEC programs. Thirteen percent of each grant covers the core expenses or overhead of the project. U.S. grants focused on three areas: programs that address

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<sup>3</sup> U.S. Department of Labor. Office of Public Affairs. USDL 99-372. December 22, 1999.

abusive child labor in a specific industry in a country or region, statistical programs that provide data to determine the extent of abusive child labor in a country or region, and projects that help a country begin the IPEC process.

## **Child Labor Convention**

ILO Convention 182, the most recent child labor convention, was adopted by the ILO on June 17, 1999, after several years of discussion and debate. It focuses on the elimination of the “worst forms” of child labor. These include slavery, sale and trafficking of children, forced labor, bondage, child prostitution and pornography, use of children in illegal activities such as drug production and trafficking, and work that is likely to jeopardize the health, safety, or morals of children. Countries ratifying the convention agree to take immediate and effective steps to end these child labor abuses, provide rehabilitation, education, and in other ways address the needs of children at risk of abuse under the convention. It was adopted unanimously by the ILO members and will go into force in November 2000. (ILO conventions enter into force one year after ratification by two member countries. Malawi and Seychelles had ratified the convention by November 1999). Convention 182 will join the other seven core ILO conventions as a focus for ILO efforts to improve working conditions in the emerging global economy.<sup>4</sup> The ILO has also begun a global campaign to encourage ratification of Convention 182. This includes activities by IPEC.

## **Congressional Action**

After the Convention was adopted by the ILO, the U.S. ratification procedure moved quickly. By the end of July, the Tripartite Advisory Committee on International Labor Standards (TAPILS) and the President’s Committee on the ILO had approved the treaty and the relevant government agencies has finished their review and clearance. These reviews ensured that there were no legal problems to approving it and that the treaty was acceptable to business and labor. The President sent the treaty to the Senate for advice and consent on August 5. The Senate Foreign Relations Committee held a hearing on the treaty on October 21 and reported it favorably to the Senate on November 3. The Senate approved it unanimously on November 5 and President Clinton signed the convention for the United States on December 2, 1999. The United States was the third country to ratify the convention. Convention 182 was the second of the eight ILO core labor conventions to be ratified by the United States.

## **Related activities**

P.L. 106-58, which appropriates funds for FY2000 for Treasury, U.S. Postal Service, Executive Office of the President and other agencies, includes, in Section 621, language

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<sup>4</sup> In 1998, the ILO membership agreed on 7 core Conventions that identify fundamental human rights and will be monitored in all member countries, whether the conventions have been ratified or not. These core conventions deal with freedom of association, right to organize and bargain collectively, equal pay and benefits for men and women for work of equal value, nondiscrimination in employment on the grounds of race, sex, religion, political opinion, or national origin, freedom from forced labor, and minimum age for employment.

prohibiting the use of funds by the U.S. Customs Service to allow the importation of goods manufactured by forced or indentured child labor.

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