

International
Labour
Organization



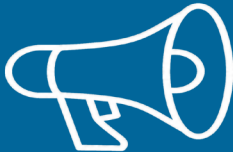
Combating child labour in Myanmar

A course for Labour Inspectors

Course Objectives

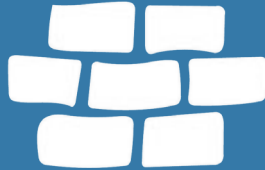
1.

To raise the awareness of labour inspectors about child labour in Myanmar



2.

To enhance their capacity to identify and address child labour in the workplace



3.

To encourage a leadership role among labour inspectors to support the elimination of child labour in Myanmar



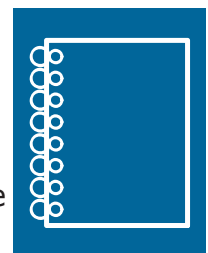
Course Structure

1. Introducing the ILO
2. Session 1: Defining and Understanding Child Labour
3. Session 2: Understanding Global and National Estimates of Child Labour
4. Session 3: Causes and Consequences of Child Labour
5. Session 4: Conducting Inspections
6. Session 5: Removing Children from Work
7. Wrap-up and Course Evaluation



Exercise 1: Icebreaker – Getting to know each other

1. Divide into pairs.
2. Introduce yourself (e.g. personal and professional details).
3. Identify something you have in common.
4. Take notes and be prepared to introduce your partner to the rest of the group.



Introducing the ILO: Strategic Objectives

Four strategic objectives:

- ▶ Promote and realize labour standards and the fundamental principles and rights at work
- ▶ Enhance opportunities for women and men to secure decent employment
- ▶ Strengthen coverage and effectiveness of social protection for all
- ▶ Strengthen tripartism and social dialogue.



Fundamental Principles and Rights at Work

- ▶ Freedom of association and recognition of the right to collective bargaining
- ▶ Elimination of all forms of forced and compulsory labour
- ▶ Abolition of child labour
- ▶ Elimination of discrimination in respect of employment and occupation



Child Labour and the ILO

- ▶ International Programme for the Elimination of Child Labour established in 1992
- ▶ Currently implementing projects and working with partners in 90 countries
- ▶ Global goal to eliminate child labour worldwide with emphasis on eradicating the Worst Forms of Child Labour



Labour Inspectors and the ILO

- ▶ Governments are one of three tripartite constituents of ILO at global and national levels
- ▶ Government voice in ILO standard setting and governance
- ▶ Labour inspectors' key role in policy and technical programmes
- ▶ Central role of labour inspectors in addressing child labour in economy and society



Q&A

Do you have questions/comments about:

- ▶ ILO?
- ▶ Fundamental Principles and Rights at Work?
- ▶ ILO child labour programme?
- ▶ Role of governments and labour inspectors in the ILO?



Session 1:

Defining & Understanding Child Labour

What is Child Labour?

- ▶ Not all work done by children is considered child labour
- ▶ Children under 18 years of age but above the minimum age for the type of work they do may legitimately be employed
- ▶ Some work might be beneficial to their development and prepare them for a productive life as an adult
- ▶ Work performed by children who are under the minimum age legally specified for such work
- ▶ Work that is considered a worst form of child labour because of its detrimental nature or conditions; the WFCL are prohibited for all children under the age of 18
- ▶ Child labour is mentally, physically and morally dangerous for children



What are the Worst Forms of Child Labour?

- ▶ All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and forced or compulsory labour.
- ▶ The use, procuring or offering of a child for prostitution or the production of pornography.
- ▶ The use, procuring or offering of a child for illicit activities, for example the production and/or trafficking of drugs.
- ▶ Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.



What is Hazardous Child Labour?

- ▶ Work performed by children in dangerous and unhealthy conditions that can lead to a child being killed, injured or made ill
- ▶ Represents the largest category of children working in the WFCL
- ▶ Occurs in agriculture, mining, construction, manufacturing, the service industries and domestic work, most often in informal, unregulated and “hidden” parts of the economy



ILO Standards and Other International Instruments

Ratify:

- ▶ ILO Convention 138 on the Minimum Age for Employment
- ▶ ILO Convention 182 on the Worst Forms of Child Labour
- ▶ UN Convention on the Rights of the Child
- ▶ ILO Convention 189 on Decent Work for Domestic Workers

Consider:

- ▶ ILO Recommendation 146 on the Minimum Age for Employment
- ▶ ILO Recommendation 190 on the Worst Forms of Child Labour

Promote:

- ▶ ILO Declaration on Fundamental Principles and Rights at Work



Eliminating Child Labour in Myanmar: Legal and Regulatory Tools

- ▶ Factories Act, 1951
- ▶ Shops and Establishments Act, 1951
- ▶ Oilfields (Workers and Welfare) Act, 1951
- ▶ Maternal and Child Welfare Association Law (and Amendment), 1990
- ▶ The Child Law, 1993
- ▶ Anti-Trafficking in Persons Law, 2005



Q&A

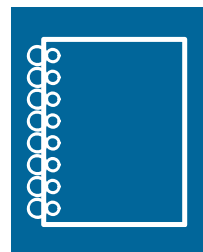
Do you have any questions/comments about:

- ▶ ILO definitions of child labour?
- ▶ Worst Forms of Child Labour?
- ▶ Hazardous child labour?
- ▶ ILO instruments?
- ▶ National laws and regulations in Myanmar?



Exercise 2: Addressing Gaps in Child Protection: The Role of Labour Inspectors

1. Divide into small groups.
2. Nominate a note-taker and presenter.
3. Discuss the question or topic you are given.
4. Present the conclusions of your discussion in plenary.



Session 2:

Understanding Global & National Estimates of Child Labour

Child Labour in the Global Economy: A Summary of ILO Estimates

- ▶ 152 million children worldwide are in child labour – 10% of the world’s children
- ▶ 73 million children are in hazardous work
- ▶ Second largest number of child labourers are found in the Asia-Pacific region



Sector Distribution of Child Labour

Sector	('000)	%
Agriculture	107,543	70.9
Industry	18,007	11.9
Services	26,072	17.2

*The industry sub-sectors of most relevance for child labour include construction, mining and manufacturing.

*The services sub-sector of most relevance for child labour include hotels and restaurants, wholesale and retail trade (commerce), maintenance and repair of motor vehicles, transport, other community, social services activities and domestic workers.



Key Findings from Myanmar's Child Labour Survey

- ▶ There are an estimated 1.1 million child labourers in Myanmar
- ▶ This represents 9.3% of the total number of children in the country
- ▶ Over 600,000 of these are in conditions of hazardous child labour



Sectoral Distribution of Working Children in Myanmar

Sector	%
Agriculture, forestry and fishing	60.5
Manufacturing	12
Construction	4
Trades	11.1
Other services	6.1
Other industries and occupations	6.3
Total	100

Key Indicators (2015 and 2017 Q1)

Description	2015 LFS			2017 LFS Q1		
	Total	Male	Female	Total	Male	Female
Child population (5-17 years)	12,146,463	6,010,459	6,136,004	12,410,000	6,157,000	6,253,000
Working child	1,278,909	676,208	602,701	805,000	448,000	357,000
Child labour	1,125,661	601,471	524,190	623,000	350,000	273,000
Hazardous child labour	616,815	337,318	279,498	608,000	343,000	265,000

Key Indicators (2015 and 2017 Q1)

Description	2015 LFS			2017 LFS Q1		
	Total	Male	Female	Total	Male	Female
Proportion of working children(%)	10.5	11.3	9.8	6.5	7.3	5.7
Proportion of child labour(%)	9.3	10	8.5	5	5.7	4.4
Proportion of hazardous child labour(%)	5.1	5.6	4.6	4.9	5.6	4.2

Q&A

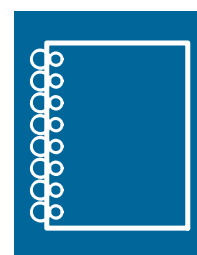
Do you have questions/comments about:

- ▶ ILO global estimate of child labour?
- ▶ National data on child labour in Myanmar?



Exercise 3: Mapping Risk of Child Labour in Myanmar

1. Divide into small groups.
2. Nominate a note-taker and presenter.
3. Discuss the question or topic you are given.
4. Present the conclusions of your discussion in plenary



Session 3:

Causes & Consequences of Child Labour

Understanding the Causes of Child Labour

- ▶ Low household income
- ▶ Lack of access to quality education
- ▶ Discrimination
- ▶ “Distress” migration
- ▶ Culture or family traditions
- ▶ “Nimble fingers” argument
- ▶ Weak or non-existent laws and law enforcement
- ▶ Absence of worker organization
- ▶ Supply and demand of child labour



Understanding the Consequences of Child Labour

Child labour can:

- ▶ Jeopardize children’s health and safety, and affect their physical and psycho-social development;
- ▶ Impede children’s access to education and/or skills training, thus limiting their economic and social mobility and advancement later in life;
- ▶ Lead to continued poverty over generations and inhibit children’s access to decent work when they reach the minimum legal age for employment; and
- ▶ Act as a significant impediment to achieving the Sustainable Development Goals, in particular concerning poverty alleviation and education for all.



Q&A

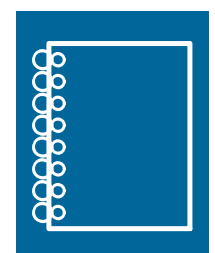
Do you have questions/comments about:

- ▶ Causes of child labour?
- ▶ Consequences of child labour?



Exercise 4: Deepening Understanding of the Causes and Consequences of Child Labour

1. Divide into 4 groups.
2. Nominate a note-taker and presenter.
3. Discuss the question or topic you are given.
4. Present the conclusions in plenary.



Session 4: Conducting Inspections

Understanding the Purpose of Labour Inspection

Labour inspection has three main functions:

- ▶ Enforce the law;
- ▶ Providing information and advice to employers and workers; and
- ▶ Identify gaps in the law.

*This includes the employment of children and young persons, child labour and WFCL

Understanding the Roles and Responsibilities of Labour Inspectors

- ▶ Promote compliance with the law, including employment of children
- ▶ Assess conditions with a view to preventing child labour, taking appropriate action to ensure legal compliance
- ▶ Examine employer records and conditions of work for children under 18
- ▶ Right of entry into any workplace
- ▶ Power of injunction



Obligations of Labour Inspectors

- ▶ Independence and impartiality
- ▶ Integrity
- ▶ Confidentiality
- ▶ Professionalism and competency



Conducting and Strengthening Inspections to Address Child Labour

- ▶ Announced and unannounced visits
- ▶ Age verification techniques
- ▶ Interviewing children
- ▶ Assessing working conditions and hazards
- ▶ Speaking with employers and workers

Q&A

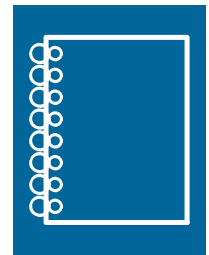
Do you have questions/comments about:

- ▶ The purpose and scope of inspections?
- ▶ The rights and responsibilities of inspectors?
- ▶ Conducting inspections?



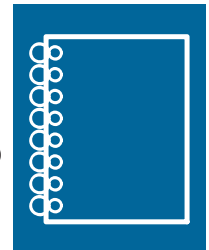
Exercise 5: Strategies to Identify Child Labour in Practice

1. Divide into 4 groups.
2. Nominate a note-taker and presenter.
3. Discuss the question or topic you are given.
4. Present your conclusions in plenary.



Group Discussion: Removing a Child from Work

When a case of child labour is found, what steps should labour inspectors take to remove the child?



Guiding Questions to Determine the Best Interests of the Child

- ▶ If removed from employment, would the child disappear into less visible and potentially more hazardous types of work?
- ▶ Assuming the work is not hazardous, could it be in the interest of the child to be partially released from work, so that there is time and financial resources for education or other training?
- ▶ How does the child feel about the work?

Understanding Child Labour Monitoring

- ▶ Active process for checking locations and communities where child labour may be found
- ▶ Direct observation of workplaces and referral to services
- ▶ CLM plays an important, complimentary role to labour inspection
- ▶ Monitors do not have same legal authority as inspectors, nor legal right to enter workplaces



Q&A

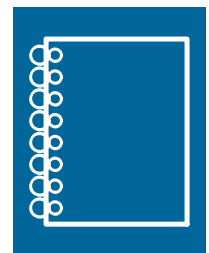
Do you have questions/comments about:

- ▶ Removal, referral and remediation?
- ▶ Working with stakeholders?
- ▶ Child labour monitoring?



Exercise 6: Following up with Action

1. Divide into small groups.
2. Nominate a presenter.
3. Discuss the question or topic you have been given.
4. Present your conclusions in plenary.



Course Conclusion & Evaluation



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Course Conclusion

- ▶ Final comments
- ▶ Tour de table
- ▶ Follow up & next steps

Course Evaluation

Please complete the course evaluation form provided

