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## Children in the world of work: eradicating harmful child labour

### Report<sup>1</sup>

Committee on Social Affairs, Health and Sustainable Development

Rapporteur: Ms Eka SEPASHVILI, Georgia, European Conservatives Group and Democratic Alliance

### Summary

As the 2025 deadline for achieving target 8.7 on modern slavery, trafficking and child labour of the United Nations 2030 Agenda for Sustainable Development and the European Union's corollary commitment to ending child labour in all its forms approaches, the global situation is worsening, exacerbated by the impact of recent socio-economic crises, the Covid-19 pandemic and armed conflicts. The elimination of harmful child labour is an urgent priority on the international agenda, which must be addressed more effectively, with Council of Europe member States contributing to the global action.

The report reviews figures, root causes and consequences of child labour and proposes measures at national level in line with the European and international legal instruments. It supports the Durban Call to Action and urges Council of Europe member and observer States, and States whose parliaments enjoy observer or partner for democracy status with the Parliamentary Assembly to draw up national action plans to end child labour, involving government agencies, employers, trade unions, schools, the media, parliaments, local authorities and faith-based organisations. Existing laws and policies should be better applied, obliging enterprises to respect human rights and eliminate child labour in global supply chains and giving police, labour inspectorates and child protection services greater powers to detect harmful practices.

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1. Reference to Committee: Doc. 15484, Reference 4646 of 28 April 2022.



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## A. Draft resolution<sup>2</sup>

1. As the 2025 deadline for achieving target 8.7 on ending modern slavery, trafficking and child labour of the United Nations 2030 Agenda for Sustainable Development and the European Union's corollary commitment to ending child labour in all its forms approaches, the latest figures show a worsening global situation, exacerbated by the impact of recent socio-economic crises, the Covid-19 pandemic and armed conflicts. The elimination of harmful child labour has become an important and urgent priority on the international agenda, which must be addressed more effectively. The Council of Europe member States must contribute to the global action in this area.

2. The International Labour Organization (ILO) defines child labour as “work that deprives children (any person under 18) of their childhood, their potential and their dignity, and that is harmful to their physical and/or mental development”. The worst forms of child labour include all forms of slavery, sale and trafficking of children, recruitment and use of child soldiers, use of a child for prostitution, the production of pornography or unlawful activities such as drug trafficking.

3. The Parliamentary Assembly deplores the fact that, according to the ILO, worldwide 79 million children aged 5 to 17 years are working in hazardous conditions in agriculture, manufacturing, hotels, restaurants and domestic services. Alarming, this includes about 3.3 million children trapped into forced labour. In 2020, around 3.6 million children were employed in Europe, with half of them in hazardous work. While data collection on the scale of children in work and on their situation needs to be improved at international and national levels, it is clear that for a large number of children working in unsafe or insalubrious conditions, and certainly for those in forced labour situations, there are effects on their physical and mental development.

4. The Assembly notes that children and adolescents are more vulnerable to hazards than adults, in particular through work: they face a greater risk of exposure to certain diseases and toxic substances, injury, permanent disability, psychological damage and death, while being less aware of risks than adults and less capable of making informed judgements due to their lack of knowledge and experience.

5. The Assembly recalls that child labour has multiple root causes (such as poverty, unemployment of parents, insufficient educational opportunities, migration, traditional or cultural habits, employers' demand for cheap labour and income inequalities) and consequences (notably impacts on mental and physical health, capacity to complete a normal educational path and develop a skills base conducive to better paid and more secure jobs and higher social status) which require the sustained and holistic attention of member States.

6. The Assembly refers to the existing international and European legal instruments that set the regulatory framework for States to follow in order to protect children's well-being and eradicate harmful child labour. It highlights in this context the importance, for the global action, of two universally ratified legal instruments: the United Nations Convention on the Rights of the Child (except for the United States of America) and the ILO Convention on the Worst Forms of Child Labour (Convention No. 182).

7. At the European level, several Council of Europe instruments provide a protective legal framework for children. These include the European Social Charter (ETS Nos. 35 and 163, notably Article 7 requiring States Parties “to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education”), the European Convention on Human Rights (ETS No. 5, Article 4 banning slavery and servitude), the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, Lanzarote Convention), the Convention on Cybercrime (ETS No. 185, Budapest Convention), the Convention on Action against Trafficking in Human Beings (CETS No. 197) and the Council of Europe Strategy for the Rights of the Child 2022-2027.

8. The Assembly welcomes the European Union's commitment to eradicate child labour through the EU Action Plan on Human Rights and Democracy, the EU Strategy on the Rights of the Child (2021-2024), the European Child Guarantee and the new legal initiatives aimed at ensuring corporate sustainability due diligence through trade. The EU Action Plan supports free and easily accessible compulsory education for children until they reach the minimum age for work, while extending social welfare programmes to help lift families out of poverty in line with the Sustainable Development Goals. The EU Strategy on the Rights of the Child envisages a set of key actions such as dedicating 10% of overall funding under the Neighbourhood, Development and International Cooperation Instrument outside the European Union to education, technical assistance to strengthen labour inspections systems for monitoring and enforcement of child labour laws, and working towards making global supply chains of EU companies free of child labour.

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2. Draft resolution adopted unanimously by the committee on 17 April 2024.

9. The Assembly also welcomes a series of national laws in European countries that require enterprises to conduct due diligence to ensure compliance with international conventions regarding human rights and child labour in global supply chains. It believes that further improvements in legislation may be needed to further secure conditions of decent work, support life-long learning and cover the new forms of work resulting from technological progress and changes in the labour market, in order to ensure an appropriate level of child protection in the future.

10. The Assembly is concerned with the gaps between law and practice, as well as the lack of attention to addressing the root causes of child labour. It strongly supports the Durban Call to Action which was adopted on 20 May 2022 at the 5th Global Conference on the Elimination of Child Labour and which sets out a comprehensive framework with six commitment areas aimed at accelerating action to eradicate child labour. This framework lays out a multi-stakeholder approach to promote decent work for adults and young persons above the minimum age of work, policy reforms to prevent and eliminate the worst forms of child labour and human trafficking, efforts to end child labour in agriculture, effective protection of children's right to education, universal access to social protection, and stronger international co-operation to enforce laws against child labour and forced labour.

11. The Assembly underscores the pivotal role of public authorities in ensuring effective collective action on ending child labour in all its forms by 2025 and calls on the Council of Europe member and observer States, and States whose parliaments enjoy observer or partner for democracy status with the Assembly to:

11.1. put in place national action plans for the elimination of child labour in general and harmful child labour in particular;

11.2. implement measures proposed in the Durban Call to Action on the Elimination of Child Labour adopted in May 2022 by involving all relevant national stakeholders (employers, trade unions, governmental agencies, parliaments, local authorities, community groups, schools, media, NGOs, faith-based organisations) and engaging in international co-operation;

11.3. clarify and strengthen the responsibilities and obligations of enterprises for ensuring respect for human rights and effectively eliminating child labour in global supply chains and public procurement, in accordance with the United Nations Guiding Principles on Business and Human Rights;

11.4. strengthen the implementation of national laws, regulations and policies to eliminate child labour, in particular forced labour, and to reduce the informal sector of economy by enhancing the capacity of law enforcement bodies, labour inspectorates and child protection services to detect and eradicate harmful practices;

11.5. make full use of the Council of Europe legal instruments, the European Union initiatives and the ILO conventions with a view to eliminating forced labour and human trafficking;

11.6. address the root causes of child labour by ensuring adequate social protection of children and their families or caregivers;

11.7. enhance aid for development aimed at capacity building in developing countries to eliminate child labour and improve access of the population to social services and benefits;

11.8. improve data collection and conduct research on emerging patterns of child labour for better informed policies and decisions.

12. The Assembly calls on national parliaments to monitor the implementation of national measures for eradicating child labour, in particular the worst forms of child labour, and to keep governments to account on their commitment to achieve by 2025 target 8.7 on modern slavery, trafficking and child labour of the United Nations 2030 Agenda for Sustainable Development.

**B. Draft recommendation<sup>3</sup>**

1. The Parliamentary Assembly refers to its Resolution ... (2024) "Children in the world of work: eradicating harmful child labour" highlighting the need for more effective action to end child labour by 2025 in line with the commitment of member States of the Council of Europe under target 8.7 of the United Nations 2030 Agenda for Sustainable Development. Urgent and co-ordinated action by member States is necessary at national, European and international levels to meet this ambitious objective, using, amongst other, relevant Council of Europe instruments that provide a protective legal framework for children. The Assembly moreover strongly supports the Durban Call to Action which was adopted on 20 May 2022 at the 5th Global Conference on the Elimination of Child Labour and considers that it should serve as a basis for member States' action.

2. The Assembly therefore asks the Committee of Ministers to recommend to member and observer States of the Council of Europe to:

2.1. take urgent action under the Council of Europe Strategy for the Rights of the Child 2022-2027, the European Social Charter (ETS Nos. 35 and 163), the European Convention on Human Rights (ETS No. 5, Article 4 banning slavery and servitude), the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, Lanzarote Convention), the Convention on Cybercrime (ETS No. 185, Budapest Convention), the Convention on Action against Trafficking in Human Beings (CETS No. 197), as well as the United Nations Convention on the Rights of the Child, the Convention on the Worst Forms of Child Labour (Convention No. 182) of the International Labour Organization and the Durban Call to Action in order to address the root causes of child labour and effectively eradicate child labour, in particular the worst forms of exploitation of children through forced work in sweatshops, sex industry, armed forces or criminal networks;

2.2. accede to the above-mentioned legal instruments if they have not yet done so;

2.3. seize opportunities of co-operation with the European Union, the International Labour Organization, the Organisation for Economic Co-operation and Development, the International Organization for Migration and the United Nations Children's Fund with a view to accelerating global action to eliminate child labour.

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3. Draft recommendation adopted unanimously by the committee on 17 April 2024.

## C. Explanatory memorandum by Ms Eka Sepashvili, rapporteur

### 1. Introduction

1. As the 2025 deadline for achieving target 8.7 on child labour of the United Nations (UN) 2030 Agenda for Sustainable Development<sup>4</sup> and the European Union's corollary commitment to ending child labour<sup>5</sup> approaches, the latest figures suggest a worsening global situation, exacerbated by the impact of recent socio-economic crises and the Covid-19 pandemic. The elimination of harmful child labour has therefore become an important and urgent priority on the international agenda, which must be addressed more effectively. Otherwise, the situation will deteriorate instead of improving by 2025.

2. In March 2022, the Committee on Social Affairs, Health and Sustainable Development tabled a motion for a resolution entitled "Children in the world of work: eradicating harmful child labour (Doc. 15484).<sup>6</sup> The motion points out that one out of ten children in the world is involved today in harmful labour.<sup>7</sup> The committee then held an exchange of views with the representative of the International Labour Organization (ILO) in Türkiye, Senior Co-ordinator of the Child Labour Programme,<sup>8</sup> and also organised a side-event on "Decent work: building a sustainable future" during the UN High-Level Political Forum on Sustainable Development (10-19 July 2023, New York, USA), including a contribution of the ILO's representative in New York,<sup>9</sup> which was another opportunity for parliamentarians to highlight the urgency of action to eliminate harmful child labour.

3. The ILO defines child labour as "work that deprives children (any person under 18) of their childhood, their potential and their dignity, and that is harmful to their physical and/or mental development". Child labour has many causes (such as poverty, unemployment of parents, insufficient educational opportunities, migration, traditional or cultural habits, employers' demand for cheap labour and income inequalities) and consequences (notably impacts on mental and physical health, capacity to complete a normal educational path and develop a skills base conducive to better paid and more secure jobs and higher social status).

4. The global estimates from the ILO and UNICEF for 2020<sup>10</sup> show that certain sectors were particularly affected by child labour among children aged 5 to 17 years. These sectors, in order of significance, were as follows: agriculture (70%), other services (15.2%), industry (10.3%) and domestic work (4.5%). We should note that this distribution can vary by region. The study also reveals that for children aged 5 to 17 years in the "Europe and North America" region, the share of service-related work was much higher, with a different breakdown: agriculture (44.1%), services (39.1%) and industry (16.8%). Worldwide, most of the child labour, especially hazardous child labour, is concentrated in the agricultural sector.

5. According to the ILO, 79 million children aged 5-17 are working in hazardous conditions in agriculture, manufacturing, hotels, restaurants and domestic services.<sup>11</sup> It is estimated that 3.3 million children globally are subjected to forced labour. This is particularly alarming because some of the tasks they are forced to perform are likely to interfere with their physical and mental development. Since children and adolescents are more vulnerable to hazards than adults, they find themselves at a far greater risk of exposure to certain diseases, injury, permanent disability, psychological damage, and death.<sup>12</sup> Hazardous work in cotton production is among the worst forms of child labour, as children are exposed to harmful pesticides. Children are less aware of risks than adults and less capable of making informed judgements because they lack experience. For these reasons, they are often willing to go the extra mile without realising the risks.

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4. "Decent work and economic growth", Sustainable Development Goals, UN. Goal 8 target 8.7 reads as follows: "Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms".

5. "Ending Child Labour by 2025", European Union External Action, 14 May 2021.

6. The motion was referred to the committee for report, and first Ms Susana Sumelzo (Spain, SOC) then I was appointed rapporteur.

7. "Child labour global estimates 2020, trends and the road forward", ILO and UNICEF joint report, 2021, p.12.

8. See the minutes of the meeting held on 22-23 September 2022 in İzmir (Türkiye), AS/Soc(2022)PV06.

9. See the description and panellists of the side event, AS/Soc/Inf(2023)05rev.

10. "Child labour global estimates 2020, trends and the road forward", op. cit.

11. "Checkpoints for Companies – Eliminating and Preventing Child Labour", ILO.

12. [https://international-partnerships.ec.europa.eu/news-and-events/stories/child-labour-has-profound-impact-health-and-wellbeing-children\\_nl](https://international-partnerships.ec.europa.eu/news-and-events/stories/child-labour-has-profound-impact-health-and-wellbeing-children_nl).

6. The issue of child labour extends beyond the boundaries of formal economies, seeping into the informal sector. In many cases, low wages of “breadwinners” drive other members of the family into the informal workforce, because the main wage earned is not sufficient for sustaining a household. For this reason, children too may be encouraged to join the labour force.

7. The Covid-19 pandemic has further aggravated the situation. Mr Pierre-Alain Fridez (Switzerland, SOC), rapporteur of the Parliamentary Assembly on “Eradicating extreme child poverty in Europe: an international obligation and a moral duty”, warned member States in 2021 about the socio-economic effects of the Covid-19 pandemic and the risk of an increase of child labour as a side effect.<sup>13</sup> The unprecedented drop-off in economic activity and deterioration of working conditions resulting from the Covid-19 pandemic had drastically reduced opportunities in the labour market for many parents. As many families suffered loss of income, lowering of wages or the loss of a family member, children were often forced into labour to help their parents.

8. Unfortunately, children are more likely to accept work for less pay and in vulnerable conditions.<sup>14</sup> The Covid-19 pandemic has revealed the lack of resilience of our economies and the fact that every country is threatened by child labour, especially in times of crisis and economic instability. No country is exempt from child labour, including in Europe: in 2020, around 3.6 million children between 5 and 17 years were employed in Europe, with half of them being in hazardous work.<sup>15</sup> Member States concerned include Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Montenegro, North Macedonia, Republic of Moldova, Serbia, Ukraine, Türkiye<sup>16</sup> and Italy<sup>17</sup> among others. The latest evidence warns that, globally, 9 million additional children<sup>18</sup> were at risk of being pushed into child labour by the end of 2022, compared to 2020, as a result of rising poverty driven by the pandemic and its aftermath.

9. However, some forms of work can positively contribute to children’s development if carried out in healthy and safe conditions, and in accordance with minimum age and maximum hour requirements.<sup>19</sup> In fact, experiencing the world of work before leaving school can enrich school learning while helping children and adolescents to make informed career decisions. Such light work should comply with existing international and European standards such as the minimum age of work, the maximum weekly working hours, and the compatibility with school attendance. Furthermore, legislation should foresee the development of new forms of labour resulting mainly from technological progress and changes in the labour market, in order to ensure due child protection also in the future.

10. The persistence of child labour in the 21st century is unacceptable. As the deadline for eliminating all forms of child labour by 2025 approaches, the global community should act more vigorously.<sup>20</sup> Nevertheless, progress to end child labour has stalled for the first time in 20 years.<sup>21</sup> The Assembly has a major role to play in the fight against child labour by proposing means of putting an end to harmful child labour, and a better regulation of all child work. This report examines the modalities of the existing international and European legal frameworks with regard to child labour and seeks to provide guidance to policy makers on how the situation could be improved, including through legislation and its implementation at national level, considering the root causes of this phenomenon.

## 2. The legal framework and its limitations

11. Child labour has been practiced throughout most of human history, but it was not until the industrial revolution that nations identified this as a social problem. Many industrialising nations, such as the USA, the United Kingdom and the Netherlands, implemented during the 19th century national legislative measures to regulate this issue.<sup>22</sup>

12. The international legal framework regarding the protection of children in the world of work gradually expanded during the 20th century when the global community recognised child labour as a main priority for international action. Enhanced co-operation in the eradication of child labour resulted in the adoption of the

13. “Put an end to child labour”, statement by Mr Pierre-Alain Fridez, 11 June 2021.

14. “COVID-19 and Child Labour: A time of crisis, a time to act”, UNICEF/ILO joint publication June 2020.

15. “Child labour statistical profile: Europe and Central Asia, Prevalence and characteristics”, ILO, 2021.

16. “Child Labor and Forced Labor Reports”, Department of Labor of the United States of America, 2018.

17. “Executive Summary - It’s Not a Game Save the Children’s Survey on Child Labour in Italy”, Save the Children, 2023.

18. “The Sustainable Development Goals Report 2022”, p. 43, United Nations.

19. [www.hrw.org/news/2016/04/04/when-it-okay-children-work](https://www.hrw.org/news/2016/04/04/when-it-okay-children-work).

20. <https://data.unicef.org/sdgs/goal-8-decent-work-economic-growth/>.

21. “Child labour global estimates 2020, trends and the road forward”, op. cit.

22. “The end of child labour in 2025: A path to Victory”, Roelof van Laar, 12 July 2019.

ILO Convention No. 5 that sets a minimum age of 14 for industrial employment and the ILO Convention No. 138 that permits light work for those between the ages of 13 and 15 (or 12 and 14 in developing countries). At the time, the underlying goal of the ILO was to combine the long-term objective of eliminating child labour with transitional policy measures to promote working children's welfare, particularly in developing countries.<sup>23</sup>

13. During the 1990s, advocacy efforts to put the spotlight on the problem of child labour and the rise of international campaigns on violence against children contributed to prioritising the eradication of child labour in the international development agenda, while the short-term objective of humanising child labour by regulating and improving working conditions gradually disappeared from the ILO's discourse.<sup>24</sup> This shift of the ILO's policy towards the recognition of a more pressing need to abolish child labour eventually contributed to the adoption of the UN Convention on the Rights of the Child in 1989 and the ILO Convention No. 182 on the Worst Forms of Child Labour in 1999 (the 182 Convention).<sup>25</sup>

14. The 182 Convention is the first instrument of international law that calls on States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency. It aims to prevent children from engaging in hazardous work, forced labour, commercial sexual exploitation, or criminal activities. The worst forms of child labour include all forms of slavery, sale and trafficking of children, recruitment of children for use in armed conflict, use of a child for prostitution, for the production of pornography or unlawful activities such as drug trafficking. The scope of the 182 Convention excludes decent youth employment, a type of work that allows children to develop their skills in safe working conditions (not affecting their health, education, or personal development). In parallel to the 182 Convention, the UN Convention on the Rights of the Child enshrines the right for children to be protected from "performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development".

15. Following the example of the ILO, the Council of Europe has also set out a protective legal framework for children in several instruments. Children's rights are specifically addressed in several articles of the European Social Charter (ETS Nos. 35 and 163). Its article 7 requires States Parties "to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education". The European Convention on Human Rights (ETS No. 5) also provides protection for children as its article 4 states that no one shall be held in slavery or servitude. Furthermore, the standards set out through the numerous conventions adopted by the Council of Europe strengthening children's rights throughout Europe – such as Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (ETS No. 201, Lanzarote Convention), the Convention on Cybercrime (ETS No. 185, Budapest Convention) and the Convention on Action against Trafficking in Human Beings (CETS No. 197) – have been further highlighted in the Council of Europe Strategy for the Rights of the Child 2022-2027.<sup>26</sup>

16. The European Union has renewed its commitment to eradicate child labour through the EU Action Plan on Human Rights and Democracy, the EU Strategy on the Rights of the Child (2021-2024)<sup>27</sup> set out in consultation with more than 10 000 children and child rights agencies<sup>28</sup> and the European Child Guarantee. The EU Action Plan on Human Rights and Democracy supports free and easily accessible compulsory education for children until reaching the minimum age for work, while extending social welfare programmes to help lift families out of poverty in line with the Sustainable Development Goals. The EU Strategy on the Rights of the Child envisages a set of key actions such as dedicating 10% of overall funding under the Neighbourhood, Development and International Cooperation Instrument (NDICI) in Sub-Saharan Africa, Asia, the Pacific, the Americas and the Caribbean to education; promoting and providing technical assistance to strengthen labour inspections systems for monitoring and enforcement of child labour laws; and working towards making supply chains of EU companies free of child labour.<sup>29</sup>

17. This new strategy will undoubtedly bring progress to the current EU legal framework on child labour enshrined in Directive 94/33/EC of 22 June 1994 on the protection of young people at work (hereafter "Young Workers Directive"). The Young Workers Directive imposes on member States the obligation to protect

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23. "The ILO's Shifts in Child Labour Policy: Regulation and Abolition", Edward van Daalen and Karl Hanson, 2019.

24. Ibid.

25. Ibid.

26. <https://rm.coe.int/council-of-europe-strategy-for-the-rights-of-the-child-2022-2027-child/1680a5ef27>.

27. [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12454-EU-strategy-on-the-rights-of-the-child-2021-24\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12454-EU-strategy-on-the-rights-of-the-child-2021-24_en).

28. [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en).

29. [https://ec.europa.eu/info/sites/default/files/child\\_rights\\_strategy\\_version\\_with\\_visuals3.pdf](https://ec.europa.eu/info/sites/default/files/child_rights_strategy_version_with_visuals3.pdf).

children from economic exploitation and any work that may have a negative impact on their development or education. It sets the minimum age of admission to employment at 15, aligns it with the educational system milestones, limits working time to 40 hours per week and 8 hours per day, and bans night work for children. Furthermore, it sets out several obligations for employers in relation to child workers in light of their vulnerability.<sup>30</sup>

18. However, the report by the Greens/European Free Alliance (EFA) group of the European Parliament on Europe's child labour footprint in 2019 (published in 2021) revealed that the European Union imported around 50 billion euros of products produced with child labour in 2019. Saskia Bricmont<sup>31</sup> advocates for the need to take into account child labour in international trade relations in order to meet the European Commission's political guidelines of zero tolerance on child labour.<sup>32</sup> For the time being, the European Union does not have at its disposal a legally binding instrument that prevents goods resulting from child labour from being commercialised in Europe. Nevertheless, the motion for a resolution tabled in the European Parliament on a new instrument to ban products made by forced labour provides hope and raises expectations.<sup>33</sup>

19. In addition to this initiative, several European countries have already enacted laws that require companies to conduct due diligence to ensure compliance with conventions regarding human rights and child labour in supply chains. In this context, we can give examples such as the German Act on Corporate Due Diligence Obligations in Supply Chains<sup>34</sup>, which entered into force in 2023, and the Dutch Child Labour Due Diligence Law<sup>35</sup>, which entered into force in 2022.

20. The European Union is currently reviewing its due diligence legislation<sup>36</sup> throughout the supply chain, on human rights, environmental impacts, as well as child labour. The legislation would affect partnership agreements with producing countries and set out time-bound, measurable and enforceable roadmaps. The findings for 2023 of the European Committee of Social Rights (ECSR)<sup>37</sup> show insufficient measures to prohibit employment under the age of 15, to monitor child labour in member States Parties to the European Social Charter and to criminalise all acts of sexual exploitation of children. The ECSR notably points out that the daily and weekly duration of light work for children under 15 years is excessive in several States where more than 6 hours a day and 30 hours a week during school holidays are allowed. Moreover, in certain States Parties children still in compulsory education are not granted two consecutive weeks of rest during school holidays.

### 3. Addressing the root causes of child labour and targeting loopholes in law and practice

21. Child labour results from a combination of factors that need to be addressed through a comprehensive and holistic approach. Domestic laws prohibiting child labour or raising the minimum age of admission to work cannot on their own take care of the issue since they do not address the underlying drivers of this phenomenon: lack of education, poverty, poor living conditions, disability, destructive habits.<sup>38</sup>

22. Access to quality education can help break intergenerational cycles of poverty and provide equal opportunities for children all over the world. However, low-income family units often lack the means to send their children to school and are not always aware of the value of education. At the IV Global Conference on the Sustained Eradication of Child Labour in Buenos Aires (14-16 November 2017), some solutions were put on the table for discussion such as quality, free and mandatory public education for all children at least until the minimum age of employment, investments in education and social protection programmes, adequate

30. [www.researchgate.net/publication/304800199\\_Working\\_Children\\_in\\_Europe\\_A\\_Socio-Legal\\_Approach\\_to\\_the\\_Regulation\\_of\\_Child\\_Work](https://www.researchgate.net/publication/304800199_Working_Children_in_Europe_A_Socio-Legal_Approach_to_the_Regulation_of_Child_Work)).

31. Member of the Greens/EFA group, Committee of International Trade, European Parliament.

32. <https://europeangreens.eu/greentalkingheads/how-the-eu-can-improve-its-fight-against-forced-labour/>.

33. [www.europarl.europa.eu/doceo/document/B-9-2022-0291\\_EN.html](https://www.europarl.europa.eu/doceo/document/B-9-2022-0291_EN.html).

34. "Gesetz über die unternehmerischen Sorgfaltspflichten in Lieferketten", Bundesgesetzblatt, 16 July 2021.

35. "401, Wet van 24 oktober 2019 houdende de invoering van een zorgplicht ter voorkoming van de levering van goederen en diensten die met behulp van kinderarbeid tot stand zijn gekomen (Wet zorgplicht kinderarbeid)", Overheid.nl, 14 November 2019.

36. "Just and sustainable economy: Commission lays down rules for companies to respect human rights and environment in global value chains", Press release of the European Commission on the adoption of a proposal for a Directive on corporate sustainability due diligence, 23 February 2022. See also <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022PC0071> for the text of the proposed directive.

37. [www.coe.int/en/web/european-social-charter/european-committee-of-social-rights/-/asset\\_publisher/34WPLK3xDQQ0/content/european-committee-of-social-rights-publishes-its-conclusions-on-children-family-and-migrants-and-its-findings-for-2023](https://www.coe.int/en/web/european-social-charter/european-committee-of-social-rights/-/asset_publisher/34WPLK3xDQQ0/content/european-committee-of-social-rights-publishes-its-conclusions-on-children-family-and-migrants-and-its-findings-for-2023).

38. "An Analysis on the Legal Framework for Combating Child Labour in India", Riya Tiwari, Journal of Advances and Scholarly Researches in Allied Education, Multidisciplinary Academic Research, January 2018.

rights and professional conditions for teachers, the removal of all costs linked to education and the implementation of incentive programmes to promote schooling.<sup>39</sup> These suggestions are in line with the human rights comment of the Council of Europe Commissioner for Human Rights that advises the authorities to carefully evaluate the potential impact on child labour of budgetary cuts in the field of education and training.<sup>40</sup>

23. As mentioned above, it is necessary to improve parents' working conditions in order to ensure a better future for their children. In the agricultural sector, where most of child labour is concentrated, reassessing piece-rate wage systems and recognising the need to guarantee adequate minimum wages for agricultural workers, sufficient to meet their families' needs, can have a positive impact in the fight against child labour.<sup>41</sup> Cash transfer schemes appear to hold particular promise as well in keeping children in school longer and preventing them from engaging in hazardous work.<sup>42</sup> To the contrary, cuts in public spending in the context of the Covid-19 pandemic had a dramatic impact on children's vulnerability to harmful and exploitative forms of work and threaten their well-being.<sup>43</sup> The ILO estimated that expanding social protection to adequately respond to the Covid-19 crisis could have reduced the number of children in child labour by 15.1 million between 2020 and 2022.<sup>44</sup> However, the latest evidence shows the opposite trend. Policies need to go beyond business protection and be tailored to households' needs so as to ensure adequate solutions to child labour.

24. Co-operation and dialogue with civil society, enterprises, trade unions and NGOs in areas such as auditing, security and health policy in the company are key to improve terms and conditions in the collective bargaining agreements which can also be used to address child labour.<sup>45</sup> In this context, labour inspectors play an important role in eliminating child labour through regular check-ups on workplaces. Document falsification often makes an effective inspection more difficult, therefore legislation and policies should propose solutions to overcome this problem. Enterprises should also be encouraged to implement income-generating activities for the parents, microfinance, and skill vocational training for older children. Instruments such as national action plans on business and human rights that codify minimum requirements for child labour due diligence in a strong law could prove very useful when helping enterprises to comply with the law.<sup>46</sup>

25. The rights of the child are still violated on a daily basis, not least due to gaps in children's legal protection, but even more so because of the gaps between law and practice.<sup>47</sup> Progress needs to be achieved in monitoring<sup>48</sup> and collecting data. In view of the unprecedented scale of labour migration in Europe, the Committee on Social Affairs, Health and Sustainable Development has raised its concern for the situation of left-behind children, which are particularly vulnerable to labour exploitation, as well as sexual exploitation and abuse,<sup>49</sup> and has advised improving data collection on left-behind children by social services and promoting evidence-based care provision.<sup>50</sup> As part of the Council of Europe Strategy for the Rights of the Child 2022-2027, all Council of Europe member States should fulfil their obligations under the Convention on Action against Trafficking in Human Beings and the Lanzarote Convention in order to address child exploitation in general and sexual abuse in particular.<sup>51</sup>

#### 4. Proposed measures to eliminate harmful child labour

26. The Durban Call to Action<sup>52</sup> adopted during the 5th Global Conference on the Elimination of Child Labour in 2022, sets out a comprehensive framework with six commitment areas aimed at addressing and eradicating child labour. It calls for a multi-stakeholder approach, policy reforms, and co-ordinated efforts to protect children's rights, promote decent work, ensure children's access to quality education and social protection, and strengthen monitoring and enforcement of child labour laws and regulations.

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39. [www.ei-ie.org/en/item/22490:quality-education-is-the-best-guarantee-against-child-labour](https://www.ei-ie.org/en/item/22490:quality-education-is-the-best-guarantee-against-child-labour).

40. [www.coe.int/en/web/commissioner/-/child-labour-in-europe-a-persisting-challenge-1](https://www.coe.int/en/web/commissioner/-/child-labour-in-europe-a-persisting-challenge-1).

41. [Durban Conference on the elimination of child labour](#), 15-20 May 2022.

42. "The role of social protection in the elimination of child labour - Evidence review and policy implications" (ILO and UNICEF) published in 2022.

43. "COVID-19 and Child Labour: A time of crisis, a time to act", op. cit.

44. "The role of social protection in the elimination of child labour - Evidence review and policy implications", op. cit.

45. "Checkpoints for Companies – Eliminating and Preventing Child Labour", op. cit.

46. "The end of child labour in 2025: A path to Victory", op. cit.

47. <https://rm.coe.int/council-of-europe-strategy-for-the-rights-of-the-child-2022-2027-child/1680a5ef27>.

48. [www.unicef.org/protection/child-labour](https://www.unicef.org/protection/child-labour).

49. Doc. 15173.

50. Resolution 2366 (2021).

51. <https://rm.coe.int/council-of-europe-strategy-for-the-rights-of-the-child-2022-2027-child/1680a5ef27>.

27. According to an [ILO Report](#),<sup>53</sup> a three-pronged strategy could provide a sustainable response to harmful child labour. In the short term, efforts must be directed towards reducing vulnerabilities, raising awareness, enhancing co-ordination, exchanging information between social partners and countries, setting-up cash transfer programmes and alternative income generating opportunities to support vulnerable households and strengthening labour inspectorates to monitor the implementation of labour regulations. The aim is to address the issue promptly with creative solutions. In the medium-term, protective measures must be implemented, such as conducting research to detect new and emerging patterns of harmful child labour, forced labour and human trafficking or working closely with boards of education and ministries to boost re-enrolment and to reduce the number of children dropping out of the schooling system. Lastly, the long-term strategy should address structural issues in accordance with international labour standards.

28. The role of NGOs in ending child labour is crucial and multifaceted. They can play a significant role in addressing the root causes and consequences of child labour, advocating for policy changes, and raising awareness among the public. One way forward is to provide educational alternatives and offer quality education to children who are out of school or at risk of dropping out due to poverty, discrimination or other obstacles. Education can help children enhance their skills, knowledge and confidence, and ultimately prepare them for better opportunities in the future. By working with governments and other stakeholders, NGOs can incorporate the prevention and elimination of child labour into the government's social development agenda and translate these goals into national policies and programmes. Additionally, NGOs can monitor the implementation of such policies and programmes and evaluate their impact on children's rights and well-being.

29. NGOs can also collaborate with various stakeholders, such as employers, trade unions, community groups, media organisations, religious leaders, and local authorities in order to support and advance ethical business practices. These partnerships can help uphold fair employment standards, establish effective social security systems, enforce child protection law, and implement measures to combat human trafficking. The ultimate goal of these efforts is to minimise or eradicate child labour. In addition, civil society can use multiple platforms and channels to spread awareness of the detrimental impact of child labour on children's health, education, dignity, and future prospects. They can help governments challenge the false beliefs and stereotypes that accept child labour in specific situations.

30. Other measures to help eradicate harmful child labour include targeted education programmes. Only by recognising the persistent existence of child labour, can we actively participate in its eradication by educating our family and friends. Moreover, supporting journalists who shed light on such cases is a form of advocacy that can be utilised to drive social change in order to combat harmful child labour. Additionally, by reducing investments in businesses that exploit child labour, investors not only express their opposition to human rights violations, but also remove the financial motivations behind child labour. Finally, various organisations can promote a universal labelling system that certifies products free from child labour. Such a label would allow consumers to easily recognise and buy products that uphold ethical standards in a free market setting, creating a financial benefit for companies that eliminate harmful child labour in their global supply chains.<sup>54</sup> The EU efforts for enhancing corporate social responsibility in this respect are most valuable.

31. UNICEF for its part pleads for the following key measures: enforcement of legal standards crucial to reducing child labour and child recruitment; promotion of an integrated approach to reducing child labour; engagement and advocacy with businesses and industry platforms; stronger support of the social services; targeted treatment of children as victims or survivors of child rights violations; prioritising family reunification in migration context; and protecting schools and schoolchildren during armed conflict.

32. UNICEF data shows that 1.4 billion children worldwide do not get basic social protection, which jeopardises their long-term well-being and increases their vulnerability to being trapped into child labour.<sup>55</sup> Ensuring universal child benefits would help tackle both issues more effectively. Stronger social protection for parents and caregivers such as by securing access to decent work and adequate benefits (for unemployment,

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52. [Durban Call to Action on the Elimination of Child Labour](#), 5th Global Conference on the Elimination of Child Labour, Durban (South Africa), 15-20 May 2022.

53. "COVID-19 impact on child labour and forced labour: The response of the IPEC+ Flagship Programme", ILO, May 2020.

54. World Economic Forum, "[4 actions to help end child labour and build a fair economy](#)".

55. UNICEF Press release of 14 February 2024: "[1.4 billion children globally missing out on basic social protection](#)". See also the [Global Child Benefits Tracker](#), an online platform set up by Save the Children, the ILO and UNICEF to monitor children's access to social benefits.

sickness, maternity, disability, and retirement) is also essential. While child benefits coverage in 2023 reached 92.3% in western Europe, figures for eastern European countries show 61.4% coverage. The room for improvement is thus more pronounced in the latter group of countries.

33. Parliamentarians should also urge concerted action to provide better support and protection for unaccompanied migrant children and those left behind by parents who become migrant workers as these children are particularly vulnerable to exploitation. This is a matter of State responsibility, and it is crucial to address the issue of children's access to healthcare and safety, especially when they are fleeing conflict zones. In Resolution 2449 (2022) "Protection and alternative care for unaccompanied and separated migrant and refugee children" and Resolution 2366 (2021) "Impact of labour migration on "left-behind" children", the Assembly urged member States to prioritise the restoration and protection of childhood for these children and to uphold their well-being and rights across all European countries. Moreover, action under the Council of Europe Strategy for the Rights of the Child 2022-2027 should ensure that member States address human trafficking effectively and thus combat the worst forms of exploitation of children through forced work in sweatshops, sex industry, army or criminal networks.