



UNHCR/S. Baldwin

CHILD LABOUR

WITHIN THE SYRIAN REFUGEE RESPONSE:
A REGIONAL STRATEGIC FRAMEWORK FOR ACTION

unicef 



International
Labour
Organization



UNHCR
The UN Refugee Agency

LIST OF ABBREVIATIONS

3RP	Regional Refugee and Resilience Plan
CAAFAG	Children Associated with Armed Forces or Armed Groups
CAP	Community Actions Plans
CBI	Cash-based intervention
CBO	Community-based organisation
CFS	Child-friendly space
CLM	Child labour monitoring
CLTF	Child Labour Task Force
CPIE	Child Protection in Emergencies
CPWG	Child Protection Working Group
CRC	UN Convention on the Rights of the Child
EVAR	Egypt Vulnerability Assessment for Refugees
NAP	National Action Plan
NFE	Non-formal education
NLG	No Lost Generation
NSC	National Steering Committee
OSH	Occupational safety and health
PMT	Protection Monitoring Tool
PSS	Psycho-social support
ROV	Refugee Outreach Volunteer
SCREAM	Supporting Children's Rights through Education, Arts, and the Media
SDGs	Sustainable Development Goals
SGBV	Sexual and gender-based violence
SOP	Standard Operating Procedures
SPF	Social Protection Floor
TVET	Technical and vocational education and training
VAF	Vulnerability Assessment Framework
VaSYR	Vulnerability Assessment for Syrian Refugees
WBL	Workplace-based learning
WFCL	Worst forms of child labour



TABLE OF CONTENTS

Executive Summary	6		
1. Introduction	8		
1.1. Child labour in the Syria refugee crisis	8		
1.2. Current action against child labour	10		
1.2.1. National legal and policy frameworks against child labour	10		
1.2.2. Recent international and regional initiatives	12		
1.3. Scope of the strategic framework	12		
1.4. Purpose of the strategic framework	13		
2. Objectives	14		
3. Overview of the strategic framework	14		
4. Strategic components	15		
4.1. Educational policies and programmes	16		
4.1.1. Learning opportunities	19		
4.1.2. Assessment, monitoring and evaluation	19		
4.1.3. Communication campaigns	20		
4.1.4. Curriculum interventions	20		
4.1.5. Non-formal education programmes	20		
4.1.6. Additional support for vulnerable children	21		
4.1.7. Capacity-building	21		
4.2. Socio-economic interventions	22		
4.2.1. Assessment, monitoring and evaluation	23		
4.2.2. Cash-based interventions	24		
4.2.3. Social security	24		
4.2.4. Adult employment	24		
4.2.5. Children above the minimum age of employment in the workplace	25		
4.2.6. Capacity-building	25		
4.2.7. Risks to be considered	26		
4.3. Child protection	27		
4.3.1. Legislative and policy reform and implementation	27		
		4.3.2. Child labour monitoring	28
		4.3.3. Family and community engagement	29
		4.3.4. Case management (CPIE Minimum Standard 15)	31
		4.3.5. Programmes to address justice for children (CPIE Minimum Standard 14)	32
		4.4. Coordination, advocacy, and knowledge management	33
		4.4.1. Advocacy	33
		4.4.2. Knowledge management	33
		4.4.3. Coordinated actions	35
		5. Conclusion and way forward	37
		Annex 1: References	39
		Annex 2: Key concepts related to child labour	40
		1. Children in employment	41
		2. Child labour	41
		3. Worst forms of child labour	43
		4. Hazardous work	44

EXECUTIVE SUMMARY

Child labour is a grave violation of children's rights experienced by many children, including Syrian refugees and those from host communities, in the neighbouring countries covered under the Regional Refugee and Resilience Plan (3RP): Egypt, Iraq, Jordan, Lebanon, and Turkey.

DEFINING CHILD LABOUR

Child labour is work that is unacceptable for one or both of two reasons: because the children involved are too young, or because even though they have reached the minimum working age (usually 15), the work in question is harmful to the emotional, developmental, and physical well-being of a person below the age of 18. Many child labourers are victims of the worst forms of child labour (WFCL), such as forced or bonded labour, armed conflict, trafficking for exploitation including sexual exploitation, illicit work or other work which is likely to harm their health, safety or morals (hazardous work).¹

Although many efforts to address child labour have been undertaken by governments, UN agencies, and both local and international NGOs working in the crisis, more is required to substantially reduce the worst forms of child labour.

This document proposes a regional Strategic Framework to guide the development of policies and programmes that can contribute to preventing child labour, mitigating the risks they face and addressing their immediate needs while working towards the elimination of child labour, particularly in its worst forms. Action in the refugee response is the primary focus of the Strategic Framework, but it does also consider other challenges of child labour inside Syria.²

To this end, an integrated and multi-sectoral approach is required. Such an approach should build knowledge and capacity on child labour among relevant stakeholders, and it should be mindful of the principle of "do no harm", i.e. it must be ensured that relevant policies and programmes do not inadvertently perpetuate child labour. This multi-sectoral approach should be centered around four strategic areas:

Expected result 1: Educational policies and programmes effectively address child labour, especially in its worst forms.

Key goals:

1. Ensure that access to quality learning opportunities is fully inclusive of refugee children, at all levels of the education system.
2. Improve the quality of formal education and provide quality, certified non-formal education with a pathway back to formal education or decent work as a meaningful alternative to child labour.
3. Link the education system with existing child protection and health services, through the establishment of an effective referral system.

Expected result 2: Policies and programmes targeting the economic strengthening of vulnerable households mitigate the risk of children exposed to child labour, especially in its worst forms.

Key goals:

1. Advocate for the inclusion of refugees in the labour market, as well as in national social protection systems and other socio-economic interventions, so as to address the vulnerability of refugees with a view to reducing the worst forms of child labour.

¹ Child Protection Working Group (CPWG): "Minimum Standards for Child Protection in Humanitarian Action", 2012.

² It is recognized that the complexity and the specificities of the situation inside Syria due to the protracting of the crisis, require a tailored approach. Therefore, it is recommended to develop a separate strategy for tackling child labour inside Syria, which could be informed by the relevant elements of the present Strategic Framework.

2. Link cash assistance with social services and education, and integrate child labour concerns, including direct and indirect costs of education, as well as the opportunity cost of not working (i.e. the foregone potential income from child labour).
3. Involve children above the minimum age of employment in safe and meaningful non-hazardous economic activities, and monitor their wellbeing. Where necessary, build monitoring capacity among relevant actors.

Expected result 3: Child protection programmes effectively address the worst forms of child labour.

Key goals:

1. Strengthen child protection systems to prevent and respond appropriately to child labour concerns, including making sure that referral pathways include services for children in the worst forms of child labour, and where appropriate referral to national child labour mechanisms.
2. Prioritize prevention and response to the worst forms of child labour, including hazardous work, and other child labour concerns that are most harmful to children, within existing programmes.

Expected result 4: Effective coordination, advocacy, and knowledge management on child labour for an efficient and successful response.

Key goals:

1. Ensure widespread commitment to and capacity for addressing the worst forms of child labour that will contribute to building national consensus on the importance of its elimination.
2. Generate a strong knowledge base on child labour, with comparable data being generated across agencies, and meaningfully analysis of the incidence and causes of child labour, as well as an adequate documentation of good practices.
3. Adopt a coordinated approach to ensure that collective action against the worst forms of child labour makes the most of available resources, and also links efficiently with national structures responsible for child labour.

In terms of the way forward, the following steps may be considered, depending on the circumstances in each country:

1. Child protection actors and coordination groups should take the lead in reaching out to education and livelihood actors to convene and coordinate inter-agency, multi-sectoral efforts to address child labour.
2. All actors should jointly take stock of existing data, policies, mechanisms, and programmes on child labour or that could provide opportunities for integrating child labour concerns, including both humanitarian and national initiatives. They should share this information to inform programming and advocacy and to identify gaps to be addressed.
3. All actors should widely disseminate and analyse this Strategic Framework, and discuss which elements to prioritize in the development of a feasible national strategy

USING THE STRATEGIC FRAMEWORK IN A MODULAR FASHION

The Strategic Framework consists of various interlinked modules. Stakeholders can approach the relevant components of the Strategic Framework according to their technical areas of responsibility: education stakeholders can turn directly to Section 4.1., basic needs and livelihoods stakeholders can turn to Section 4.2., and protection stakeholders can turn to Section 4.3, to consider appropriate actions. However, it should be kept in mind that the overarching approach will require proper inter-sectoral coordination, as well as joint advocacy and knowledge management, as discussed in Section 4.4.

CHILD LABOUR WITHIN THE SYRIA REFUGEE RESPONSE: A REGIONAL STRATEGIC FRAMEWORK FOR ACTION

1. INTRODUCTION

1.1. Child labour in the Syria refugee crisis

Child labour continues to be one of the most prevalent and persistent forms of violence and exploitation facing refugee children from Syria in the neighbouring countries covered under the Regional Refugee and Resilience Plan (3RP), namely Egypt, Iraq, Jordan, Lebanon, and Turkey, as well as children from affected host communities in these countries.

Although child labour existed in Syria prior to the conflict, the conflict and resulting displacement have significantly increased the numbers of children involved in child labour and the risks faced by working children. Many refugee boys and girls start working before the age of 12, and become involved in work that is hazardous and infringes upon their right to education, health and development.³ The consequences of harmful work for children are widespread and long-lasting.

Defining child labour

Child labour is work that is unacceptable because the children involved are too young and should be in school, or because even though they have reached the minimum working age (usually set at 15 under domestic law), the work is harmful to the emotional, developmental and physical well-being of a person below the age of 18. Many child labourers are victims of the worst forms of child labour (WFCL), such as forced or bonded labour, using children in armed conflict, trafficking for exploitation, including sexual exploitation, illicit work or other work which is likely to harm their health, safety or morals (hazardous work).⁴

Children 13 and older may do “light work” as long as it does not threaten their health and safety or hinder their education or vocational orientation and training.

Figure 1: Child labour as a subset of children in employment



More information on key concepts around child labour can be found in Annex 2.

Refugee children have been found working in various economic sectors, occupations, and activities, including:⁵

- **Jordan:** Cleaning, shops, restaurants, garbage collection, construction sites, mechanics, carpenters
- **Lebanon:** Agriculture (orange picking, tobacco), street-based activities, workshops, restaurants, hairdressing, construction, garbage collection
- **Iraq:** Street-based work, restaurants, hotels, agriculture, industries, plastic recycling, steel factories, armed conflict
- **Turkey:** Small and medium enterprises, such as garment and shoe-making workshops, auto-mechanics, bakeries, as well as street-based work, and agriculture

Inside **Syria**, working children are found in all types of work, paid and unpaid, self-organised and employed. For example, children work in agriculture, street vending, washing cars, doing metal work, carpentry or begging.⁶ Many children are also recruited and exploited by armed forces and groups.

Although studies have found child labour to be more prevalent among boys in the Syrian refugee context, it is important to note that girls are often engaged in types of work that are largely hidden and unpaid but that may make a significant contribution to the household, such as chores, childcare domestic labour, agricultural work and home-based work. Girls engaged in less visible forms of child labour in homes and on farms may be at significant risk of abuse and exploitation.⁷

Children affected by the Syria crisis work primarily because of poverty and their families’ loss of livelihoods. Whether in Syria or neighbouring countries, children are often forced to become partial or even sole breadwinners in their households.⁸

Refugees’ economic vulnerability is often compounded by limited access to the formal labour market and the depletion of household savings. The lack of access to education and the poor quality or low relevance of learning opportunities, as well the perception among some refugee families that children can work in the informal economy with lower risks of arrest or punishment than adults, are additional factors that push refugee children into child labour. In addition, some employers may prefer to hire children instead of adults.⁹

Children from host communities are also severely affected by the Syria refugee crisis. For example, the number of Jordanian child labourers has nearly doubled between 2007 and 2016, from 29,225 to 55,492, which may be attributed, at least in part, to the impact of the refugee crisis, through pressure on public budgets, social services, and the labour market in Jordan.¹⁰

⁵ Terre des Hommes: “Child labour report 2016: Child labour among refugees of the Syrian conflict.” 2016.

⁶ Ibid.

⁷ Lebanon case study in: “Inter-agency toolkit: Supporting the protection needs of child labourers in emergencies.” Draft for field-testing, 2016.

⁸ UNICEF / Save the Children: “Small hands, heavy burden: How the Syria crisis is driving children into the workforce.” 2015.

⁹ Ibid.

¹⁰ Centre for Strategic Studies: “National Child Labour Survey 2016 of Jordan: Summary Report on Main Findings.” 2016. // http://www.ilo.org/beirut/media-centre/news/WCMS_510750/lang--en/index.htm

³ UNHCR/UNICEF/ILO: “Child labour in the Syria refugee response: Stocktaking report.” 2016. <https://drive.google.com/drive/folders/0BwVd19Yn-QOO0VHpZaVR3RjM0dDQ>

⁴ Child Protection Working Group (CPWG): “Minimum Standards for Child Protection in Humanitarian Action”, 2012.

1.2. Current action against child labour

A range of efforts to address child labour have been made by governments, UN agencies and local and international NGOs working in the crisis. Whilst some of these efforts have generated good results, many of them address only part of the problem and need to be part of a broader strategy which would allow for coordination across sectors and actors, the aggregation of results, cross-learning between actors, and the possibility of achieving positive results at scale.

1.2.1. National legal and policy frameworks against child labour

Efforts to tackle child labour among children affected by the Syria conflict are grounded in and supported by international conventions, most notably the ILO Conventions Nos. 138 and 182 and the UN Convention on the Rights of the Child (CRC). Both conventions, which oblige respective governments to take appropriate actions to eliminate all forms of child labour in the country irrespective of the child's refugee status, have been ratified by the 3RP countries.

Consequently, national legislation defines the minimum ages for employment, light work and hazardous work as follows:

Table 1: National legislation against child labour

Country	Minimum age	Light work ¹¹	Hazardous work	List of hazardous work	Laws on minimum age for employment and hazardous work	Comments ¹²
Jordan	16	--	18	2012 rev.	Article 73 of Labor Code (1996); Article 74 of Labor Code, and Article 2 of Ministerial Order of 2011	In 2014, Jordan adopted a Child Law that expanded the definition of «juveniles in need of protection» to include child laborers, such as street vendors and garbage collectors. The Child Law gave MoSD the responsibility for protecting children in these categories and for establishing a new Child Labor Unit to work in coordination with MoL's Child Labor Unit.
Lebanon	14	13	18	2013	Article 22 of the Labor Code (1996); Article 1 of the Decree No. 8987 (2012)	The compulsory education age (12) is lower than the minimum age for work. Lebanese law is not consistent in its treatment of children working in begging. Article 610 of the Penal Code criminalizes begging. However, Articles 25 and 26 of the Delinquent Juveniles Law stipulate that child begging endangers children and that such children are entitled to protective measures.

¹¹ According to ILO Convention No. 138, "light work" is defined as work that does not interfere with the child's education. In practice, this might be non-hazardous work of up to 14 hours per week.

¹² <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/>

Country	Minimum age	Light work ¹¹	Hazardous work	List of hazardous work	Laws on minimum age for employment and hazardous work	Comments ¹²
Iraq	15	--	18	2004	Article 7 of the Labor Law (2015); Articles 95 to 105 of the Labor Law	The compulsory education age is lower than the minimum age for work in Iraq (12), with the exception of KR-I (15).
Turkey	15	14	18	2013	Article 71 of the Labor Act (2003); Articles 71-73 of the Labor Act; Annex 3 of the Regulation on Methods and Principles for Employment of Children and Young Workers	As stated in Article 4 of the Labor Act, the provisions of the Labor Act do not apply to children working in agricultural enterprises employing 50 or fewer workers, in small shops employing up to three persons, or in domestic service. These gaps in the law leave children vulnerable to exploitative conditions.
Egypt	15	12	18	2003	Article 64 of the Child Law (2008); Article 1 of Ministry of Manpower and Migration's (MOMM) Decree 118 (2003)	Although the Child Law also includes a minimum age provision, given exclusions in the Labor Law, it is not clear whether the minimum age protections apply to children working in agriculture and domestic work.

In Egypt, Jordan, and Lebanon, action against child labour is strengthened and coordinated through National Action Plans that are led by the respective Government. For example, the National Action Plan (NAP) to Eliminate the Worst Forms of Child Labour in Lebanon the culmination of over a decade of collaboration between the Government of Lebanon and ILO-IPEC. It was developed in an inclusive and comprehensive consultation process spearheaded by the National Steering Committee Against Child Labour and the Child Labour Unit at the Ministry of Labour. The NAP is currently under revision, including a specific section on refugee child labour.

In Jordan, the National Framework to Combat Child Labour (NFCL) is designed to integrate efforts to combat child labour by the Ministries of Labour, Education, and Social Development, in order to effectively tackle the identification and referral of child labour across Jordan.

In Turkey, a new Time Bound Policy and Programme Framework for the elimination of the worst forms of child labour during the period 2016-2023 is currently being finalized.

While these actions are laudable, there is still room to strengthen supportive legal and administrative frameworks at the national level in each country.

1.2.2. Recent international and regional initiatives

Action against child labour is further supported by recent international policy frameworks, such as the Sustainable Development Goals (SDGs). SDG Target 8.7 calls upon countries to “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.” The adoption of SDG Target 8.7 presents an unprecedented opportunity to promote greater coherence, synergies and collaboration among constituents and partners concerned with child labour, forced labour, modern slavery and human trafficking with a view of accelerating the eradication of these fundamental rights violations. Meanwhile, SDG Target 16.2 demands an end to abuse, exploitation, trafficking and all forms of violence against and torture of children.

The formulation of these SDG targets have contributed to the recent launch of Alliance 8.7 on child labour and forced labour. The Alliance is a coalition committed to accelerating and intensifying actions to tackle this problem and achieve the SDG Target 8.7. Its mission is to assist the UN Member States to eradicate forced labour, modern slavery, human trafficking and all forms of child labour. It will provide technical expertise to governments to strengthen national strategies, develop and support a dynamic Knowledge Sharing, Communication and Dialogue Platform, harness promising new technologies, support public-private partnerships, and leverage additional resources, among other activities.¹³

Moreover, a variety of regional policy initiatives have been undertaken to improve protection of Syrian refugees that are also relevant to the child labour agenda. The “Supporting Syria and the Region” conference held in London on 4 February 2016 agreed on the need for a comprehensive new approach on how we respond to this protracted crisis.¹⁴ The commitments made in London have the potential to make a significant contribution to improving the lives of Syrian children both inside and outside of Syria, as well as vulnerable host communities in the region. More specifically, some of the commitments made in London can help to reduce the incidence of child labour and mitigate risks faced by children, if they are properly translated into action across different sectors. Of particular relevance are the pledges related to the provision of quality education for all children and the creation of economic opportunities for adult refugees.

1.3. Scope of the Strategic Framework

The present Strategic Framework is in full support of the earlier indicated ILO Conventions and CRC as well as SDGs Target 8.7 and Target 16.2. At the same time, it also recognizes the magnitude of this challenge in the current situation in the 3RP countries and inside Syria.

This document proposes a regional Strategic Framework to guide the development of policies and programmes that can support existing national frameworks against the worst forms of child labour (see Section 1.2.1.) and substantially contribute to preventing children from engaging in child labour, mitigating the risks they face and addressing their immediate needs while working towards the elimination of child labour, particularly in its worst forms.¹⁵ Among the worst forms, the strategic framework focuses on hazardous work, which is the most common worst form of child labour, both globally and in the region.

The Strategic Framework acknowledges that additional efforts may be required to tackle some of the other (“unconditional”) worst forms of child labour, as stipulated in ILO Convention No.182, such as children associated with armed forces or armed groups (CAAFAG), trafficking of children, illicit activities, and forced labour.¹⁶ The

¹³ www.alliance87.org

¹⁴ Co-Hosts Declaration from the Supporting Syria and the Region Conference, London 2016.

¹⁵ The focus on the worst forms of child labour is in line with “Minimum Standards for Child Protection in Humanitarian Action” (CPWG, 2012). Standard 12 stipulates that “girls and boys are protected from the worst forms of child labour, in particular those related to or made worse by the emergency.”

¹⁶ Commercial sexual exploitation, which is another worst form of child labour, is being addressed under ongoing protection interventions targeting sexual and gender-based violence (SGBV) in the region.

current Strategic Framework provides some orientation for research on these issues, which may guide future targeted action.

“Conditional” versus “unconditional” worst forms of child labour

“Unconditional” worst forms of child labour are always considered WFCL under the terms of ILO Convention No. 182, regardless of the working conditions, and no national process of determination is necessary. These include:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.

In contrast, hazardous child labour is often “conditional”, i.e. it may be possible to remove the hazards from the work situation (for example, by providing protective gear or reducing the number of working hours) and thereby eliminate the specific incidence of child labour.

It is recommended to develop a corresponding Strategic Framework for inside Syria and for Iraq, to facilitate efforts to address the same issue within the specificities of these contexts.

1.4. Purpose of the Strategic Framework

This Strategic Framework was jointly developed by the UNHCR, UNICEF, and ILO regional offices, in close collaboration with other No Lost Generation (NLG) partners. It is aligned with national frameworks against child labour in the five countries, and informed by ongoing planning and programming under the 3RP.

The main purpose of the Strategic Framework is to guide the development of policies and programmes on child labour, particularly in its worst forms. To this end, it provides a regionally coherent approach to address child labour across the five countries and across different sectors of the refugee response.

The Strategic Framework aims to:

- provide regionally coherent guidance to strategies and interventions to address child labour in each of the five countries;
- help outline and promote a shared commitment to address child labour in the current crisis at the scale required and to mobilise the necessary technical and financial resources to address child labour.

Furthermore, the present regional Strategic Framework should provide the basis for national interagency child labour strategies to be developed or strengthened as part of the refugee response. In each country, the strategy should have input from education, child protection, livelihoods and employment actors (including Ministries of labour and the ILO among others) and should build upon and link to any existing national strategies on child labour.

2. OBJECTIVES

The Strategic Framework has two inter-related medium-term objectives, while striving to contribute to the achievement of SDG Targets 8.7 and 16.2 by 2025:

- 1) to substantially reduce the incidence of child labour among refugees and affected host communities, especially hazardous work as the most common worst form of child labour;
- 2) to mitigate the risks associated with child labour to the health, safety and wellbeing of refugee children and children in affected host communities.

Corresponding to these overarching objectives, specific measurable objectives that support existing national efforts against child labour will need to be identified in country-level strategies.

3. OVERVIEW OF THE STRATEGIC FRAMEWORK

To address the various causes of child labour and break pervasive cycles of exploitation, many children engaged in or at risk of the worst forms of child labour need comprehensive support packages. Therefore, a more coherent, multi-sectoral approach is required to combat child labour through policies and measures to provide equitable access to relevant education, social protection, and decent work opportunities for youth and stronger measures to enforce legislation and to prevent hazardous work.

Such a multi-sectoral approach for an effective response at scale should build knowledge and capacity on child labour among relevant stakeholders, and it should be mindful of the principle of “do no harm”, i.e. it should be ensured that relevant policies and programmes do not inadvertently perpetuate child labour, including its worst forms.

The approach should centre around the following strategic result areas:

1. Educational policies and programmes effectively address child labour, especially in its worst forms.

This includes reducing barriers for refugee girls and boys to access formal quality education with a focus on secondary school aged children, as well as providing flexible, appropriate non-formal educational options for working children. The access of refugee children above the minimum age for work to technical and vocational education and training (TVET) and workplace based learning (WBL), such as apprenticeships, is supported.

2. Policies and programmes targeting the economic strengthening of vulnerable households mitigate the risk of children being in child labour, especially its worst forms. This includes engaging in advocacy with governments on policies related to refugee families’ access to decent work, social protection and livelihoods programmes, as well as support to the delivery of such programmes. It also involves ensuring that livelihoods, social protection and cash assistance programmes are designed and implemented in ways that effectively address child labour.

3. Child protection programmes effectively address the worst forms of child labour. Families and children are engaged to prevent and respond to child labour through community-based protection interventions. Targeted and holistic support is provided to the most vulnerable children and their families through effective case management programmes and/or specific programmes designed to provide services to children engaged in the worst forms of child labour in specific geographical areas.

4. Effective coordination, advocacy, and knowledge management on child labour for an efficient and successful response. Multi-sectoral coordination mechanisms are in place, which are embedded in the 3RP respective country level coordination mechanisms, and align the humanitarian response with national systems to ensure coordinated strategic planning and response to child labour in the refugee response. Cross-sectoral capacity building on addressing the worst forms of child labour is undertaken, and a strong knowledge base is developed on the issue, including systematic collection and sharing of data on nature and scale of child labour within the refugee response and the documentation of good practices within and across countries. Advocacy with government and the private sector to promote an enabling environment for the elimination of the worst forms of child labour is undertaken.

4. STRATEGIC COMPONENTS

An effective response to child labour includes a range of multi-sectoral interventions, such as case management, psychosocial support, access to justice and security, education, health services, and socio-economic interventions such as livelihoods programmes, cash assistance, decent and lawful work opportunities for parents, and other workplace interventions.

Such interventions are fully in line with the 3RP, which indeed promotes a multi-sectoral approach that “combines a humanitarian response focused on alleviating the suffering of the most vulnerable, addressing basic needs and preventing large numbers of refugees from falling deeper into poverty, with longer term interventions bolstering the resilience of refugee and host communities, while also capacitating national systems.”¹⁷

In order to facilitate quick access to the most relevant information, the following sections can be read in a modular fashion by sectoral stakeholders, as mentioned earlier; i.e. education stakeholders can turn directly to Section 4.1., basic needs and livelihoods stakeholders can turn to Section 4.2., and protection stakeholders can turn to Section 4.3, to consider appropriate actions. However, it should be kept in mind that the overarching approach does require proper inter-sectoral coordination, as well as joint advocacy and knowledge management, as discussed in Section 4.4.



¹⁷ 3RP Regional Strategic Overview, 2017/18.

4.1. Educational policies and programmes

Expected result: Educational policies and programmes effectively address child labour, especially in its worst forms.

The education sector within the Syria refugee response has four strategic pillars, each of which has linkages with the reduction and elimination of child labour, especially in its worst forms:¹⁸

1. Strengthening national education systems
2. Policy development
3. Access
4. Quality

To the extent that the objectives set in the Syria Crisis Education Strategic Paper can be achieved, these interventions can be expected to significantly curb the incidence of child labour among refugee children, including in its worst forms, in various ways.

1. Strengthening national education systems

Education is a fundamental right, and as duty bearers, national governments have a responsibility to ensure that refugee girls and boys have non-discriminatory and full access to formal accredited and recognized education. SDG 4 entails a global commitment to education for refugees and other marginalized children and provides a window of opportunity to ensure that over the next 15 years every refugee child and young person will have optimal access to sustainable, certified education services through national education systems once they are included in education sector plans, policies and budgets.

Strengthening national education systems and capacity development for better data collection and analysis, planning, budgeting, monitoring and coordination means that the response for refugee children and youth is embedded into improved national education sector strategies reaching vulnerable and affected host-community children, with a focus on equity, inclusiveness and quality.¹⁹

With respect to the worst forms of child labour, investing in national education systems is an important intervention, as stronger national systems are potentially more able to respond to the specific needs of refugee working children, and may reduce the incidence of child labour among refugee children under certain circumstances, including that refugee children have access to these systems and the barriers for refugee children's access (language, documentation etc) are addressed.

In particular, linking education systems with existing child protection and health services at all levels, through the establishment of an effective referral system, as foreseen by the Strategic Paper, has the potential for better protecting children at risk of or involved in the worst forms of child labour. For example, this could mean that schools and other education institutions function as integral parts of a Child Labour Monitoring System (see Section 4.3.2).

¹⁸ London 2016 Conference: "Syria Crisis Education Strategic Paper." 2016; 3RP education results framework for 2017-2018, 3RP Regional Refugee and Resilience Plan 2017-2018

¹⁹ London 2016 Conference: "Syria Crisis Education Strategic Paper." 2016.

2. Policy development

It is important that education policy development reflects and accommodates the prevention and integrated response to child labour. This includes reducing policy, documentary and other barriers for refugee children to access education at all levels and ensuring an inclusive policy framework that provides a second chance for education via multiple pathways, including accredited non-formal education that responds to the specific needs and preferences of child labourers.²⁰

The Strategic Paper also highlights the importance of addressing financial barriers for children to access education including social policies and access of refugees and other poor families to decent work: "Strengthen social protection frameworks and improve jobs and income of poor families to address financial barriers to schooling and reduce negative coping mechanisms such as child marriage and child labour"²¹ (see Section 4.2 below).

3. Access

A key priority in addressing child labor is to ensure more equitable access to and retention in secondary education, including post-basic education.²² This involves both closing the gap in the significant discrepancies between refugee children's access to basic education, in particular lower secondary levels, as well as strengthening non-discriminatory access to post basic education.²³ Addressing barriers preventing refugee children from accessing education, such as language, policy, or financial costs is thus crucial in reducing child labour. The Strategic Paper notes the importance of the "continuity of learning at the post-basic level through a more systematic targeting of youth aged 15-17 years, offering multiple and mixed channels of learning in formal and non-formal sectors (upper-secondary education, TVET, on-the-job training, etc.)."²⁴ This is an important intervention for adolescents who are above the age of compulsory schooling as well as above the minimum age for employment, as they may otherwise be at risk of hazardous working conditions (such as long hours), in the absence of relevant and realistic learning options that lead to existing decent work opportunities.

Furthermore, the expansion of access to education at the early childhood level is relevant to addressing the worst forms of child labour in at least two ways. First, it enhances the school readiness of and support for children who may be at risk of the worst forms of child labour, thereby increasing the likelihood that they will continue their schooling from preschool into grade one and beyond, rather than engaging full time in child labour. Second, it frees parents' time for work, giving the household alternatives to child labour.

²⁰ The 3RP Regional Strategic Overview (2017/18) affirms that "efforts will continue to ensure the accreditation and regulation of non-formal education programmes as a necessary mode of delivery because of its flexibility and rapidity in reaching out to children and youth for whom the formal system may be inaccessible." It also asserts that "breakthroughs are needed regarding certification of learning both in the formal and non-formal sectors".

²¹ London 2016 Conference: "Syria Crisis Education Strategic Paper." 2016.

²² Post-basic education is formal and non-formal education and training for which the entry requirement is the completion of at least basic education, as defined by national legislation.

²³ As of August 2016, there were 1.6 million registered school-age Syrian refugee children in the five 3RP host countries. Only 52 per cent or 817,000 school-age children were accessing education opportunities, while close to 48 per cent or 739,000 school-age children, were out of school (3RP Regional Strategic Overview 2017/18). Low access rates to secondary, TVET, and tertiary education by Syrian youth is a particular concern (Syria Crisis Education Strategic Paper).

²⁴ London 2016 Conference: "Syria Crisis Education Strategic Paper." 2016.

4. Quality

Poor quality of education can act as a push factor into child labour. This may include not only poor quality of teaching and learning, but also discrimination, bullying and violence against refugees, which may disproportionately affect girls and especially adolescent girls. Focused investment in the quality and relevance of education raises the opportunity investment cost of education vis-à-vis child labour, making the latter less attractive in situations where economic pressure is not the only factor driving children into work. In the Syrian refugee response, poor quality of education has been identified as a factor in school dropouts in several countries. As such, improving the quality of education, including both the quality of learning as well as preventing and addressing violence in and on the way to schools, is key to reducing the incidence of child labour.

Furthermore, programmes that provide psychosocial support, address violence in schools and strengthen children's life skills all have the potential to benefit children at risk of or involved in child labour, including its worst forms.²⁵

The ongoing and planned educational initiatives outlined in the Syria Crisis Education Strategic Paper and the 3RP Regional Strategic Overview have the potential to reduce the incidence of child labour, including its worst forms, in the context of the Syria crisis, provided that the specific needs of children engaged in or at risk of child labour are properly integrated.

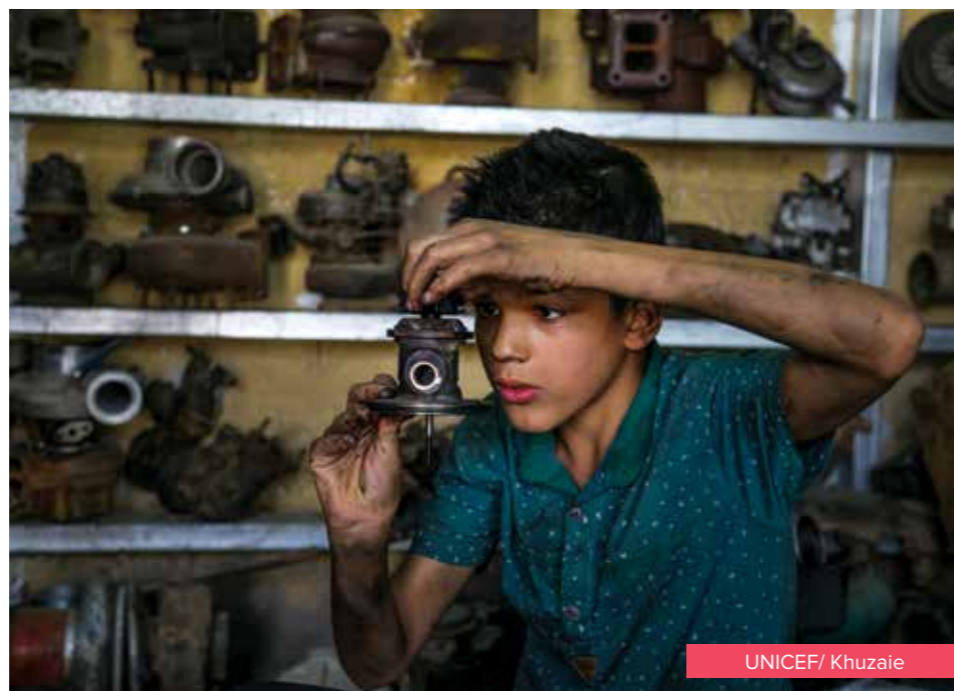
Hence, the minimum actions for mainstreaming responses to the worst forms of child labour in education policies and programmes centre on three goals:

1. Ensure that access to quality learning opportunities is fully inclusive of refugee children at all levels of the education system.

2. Improve the quality of formal education and provide quality, certified non-formal education in schools that are safe learning environments with a pathway back to formal education or decent work as a meaningful alternative to child labour.

3. Link the education system with existing child protection and health services, through the establishment of an effective referral system.

To these ends, education actors should consider the following actions:



4.1.1. Learning opportunities

- Offer a broad spectrum of relevant learning opportunities that are accessible to all children, including vulnerable refugee children:
 - Invest in quality formal education as an alternative to child labour, and remove cost and other barriers to school, especially for vulnerable children.
 - Provide quality, certified non-formal education (NFE) with a pathway back to formal education.
 - Provide quality technical and vocational education and training (TVET) and workplace-based learning (WBL), such as apprenticeships, as pathways to decent work. Special consideration should be given to facilitating the access of girls to TVET programmes, avoiding the reinforcement of gender inequalities.
 - For children in child labour who cannot be immediately withdrawn, provide NFE that is adapted to their circumstances and needs, including life skills and key information about their rights and how to protect themselves in the workplace.
- Provide flexible educational options to increase attendance and reduce dropout among child labourers. Specific actions may include:
 - Increasing access to non-formal education for children who have dropped out and child labourers as a first step towards bridging education.
 - Ensuring flexible class schedules (e.g. second shift, weekend schedules, drop-in sessions, mobile classrooms, self-learning resources).
 - Having teachers available for flexible teaching sessions or remedial classes.
 - Allowing for mid-year or rolling, year-round enrolments in schools and non-formal learning centres to facilitate the reintegration of child labourers in formal and non-formal education programmes.
 - Increasing the flexibility in age requirements per class/level and other potential barriers for the reintegration of child labourers.
- Introduce activities that attract girls and boys back to school, such as extracurricular cultural, music or sport; linking with skills training or local youth clubs.
- Pay special attention to the needs and preferences of boys and girls and their families, and address gender-specific reasons for dropout. For example, girls may drop out because of family chores, child marriage, or protection risks on the way to or from school or in school, while boys' opportunity costs of education may increase with age due to increasing options for child labour.

4.1.2. Assessment, monitoring and evaluation

- Include information on child labour in education assessments, as a key barrier that prevents access to education, and ensure that a standardised methodology is used to assess refugee child labour.²⁶

²⁵ London 2016 Conference: "Syria Crisis Education Strategic Paper." 2016; 3RP Regional Strategic Overview 2017-2018

²⁶ At the time of writing, a child labour module for inclusion in household and other surveys was under preparation by UNHCR and partners, to support data collection on child labour among refugee households. Once finalised, this module could be used as a basis for inclusion in education assessments.

- Establish a reliable country-level mechanism to monitor the impact of child labour on schooling and learning.
- Build in the reduction of child labour, especially in its worst forms, as an indicator in programme evaluation.

4.1.3. Communication campaigns

- Include the prevention of child labour, particularly in its worst forms, in education communication campaigns, such as Back to School campaigns.
- Ensure that campaigns include messages on alternative economic support programmes for families as well as support programmes for integration of refugee children into schools.

4.1.4. Curriculum interventions

- Include topics related to child labour and decent work in school curricula, such as children's rights or hazards in agriculture. For NFE, this could be a short-term intervention (e.g. supported by existing ILO or UNICEF materials), while for formal education, this is likely a long-term intervention. Among other things, it requires analysis of the overall curriculum, as well as weighing the cost/benefits in terms of adding to the load or integrating child labour in current curricula objectives and content.
- Develop and adapt life skills materials to include safe work²⁷ and promote the importance of education and skills (especially for NFE).²⁸

4.1.5. Non-formal education programmes

- Ensure that hours of non-formal education programmes are flexible enough for working girls and boys to attend, and develop strategies to facilitate the participation of children who are not allowed or cannot attend activities, including negotiations with parents or employers, outreach, or drop-in services
- Include trainings on signs of exploitation, as well as safe referral procedures and mechanisms, as part of the standard training package for education staff.



ILO/ Tabitha Ross

- Provide focused PSS activities for children experiencing a high level of psychosocial distress, including on the impact of and ways to address the worst forms of child labour.

- Ensure that educational activities are attractive for child labourers, who may have considerably different life experiences compared to other children, and ensure that they provide relevant information on access to services for working children and their rights.

- Consider working jointly with other service providers to provide a wider range of appropriate services for working children in NFE programmes, e.g. health services, employability skills-training, child protection etc.

4.1.6. Additional support for vulnerable children

- Identify children at risk of child labour who are in education but are experiencing difficulties with regular attendance and/or performance, and refer them for tailored support.

- Refer suspected cases of child labour, or children who have suddenly dropped out of school, to school management and child protection actors for immediate follow up.

- Link children and families to local preventative child protection service centres or schools being used as safe spaces for various extra-curricular activities, for example after school, on weekends or during school holidays, for extra support to try and retain children in school.

- Where needed, provide additional support for children to access school such as:

- cash assistance
- school meals/snacks
- paying associated schooling costs such as fees for attendance or registration, transport costs or uniforms
- providing school materials
- linking the families of children who have dropped out of education with livelihood programmes
- linking with case management services

4.1.7. Capacity-building

- Build capacity of school management, school councils, and parent/teacher associations to promote equality and inclusiveness and take effective measures against discrimination and violence against refugees, working children or other disadvantaged groups, such as disabled children.

- Raise teachers' and education staff's awareness of child labour, especially its worst forms, and train them on identification and referral of child labourers.

- Where relevant, build the capacity of school counsellors or social workers under the Ministry of Education to provide support to vulnerable children and child labourers and refer them and where relevant their families to other services.

²⁷ Cf ILO modules on Safe Work for Youth: http://www.ilo.org/ipec/areas/Safeworkforyouth/WCMS_120441/lang-en/index.htm

²⁸ Cf UNICEF Conceptual and Programmatic Framework for Life Skills and Citizenship Education in the Middle East and North Africa. Draft, 2016.

4.2. Socio-economic interventions

Expected result: Policies and programmes targeting economic strengthening for vulnerable households mitigate the risk of children engaging in child labour, especially in its worst forms.

Social protection has a key role in the elimination of child labour, including its worst forms. In particular, national social protection floors (SPF) as promoted by ILO Recommendation No. 202 have the potential of addressing various vulnerabilities associated with the worst forms of child labour in an integrated and sustainable manner. They should be inclusive of refugees.

In particular, **cash-based interventions (CBIs)** and **livelihoods programmes** are increasingly integrated across sectors as an essential part of the humanitarian response, and research shows that economic strengthening can have a positive impact on reducing child labour and increasing education enrolment and attendance.²⁹ The policy environment is favourable in this regard, as recent changes to employment regulations by host governments have led to expectations that refugees will have improved access to employment opportunities.³⁰

Key definitions: Social protection, cash-based interventions, and livelihood initiatives

Social protection can be understood as a set of public actions that address poverty, vulnerability, and exclusion and provide the means to cope with the major risks that can be encountered during the life cycle.³¹ It is often, especially when implemented through a rules-based scheme or schemes, also referred to as “social security.”

Social Protection Floors should comprise at least the following social security guarantees, as defined at the national level: access to essential health care, including maternity care; basic income security for children in addition to access to nutrition, education, care and any other necessary goods and services; basic income security for persons in active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and disability; and basic income security for older persons.³²

Cash-based interventions (CBIs) use local markets and services to meet the needs of persons affected by crisis – in the case of UNHCR, refugees and other persons of concern. The main types of CBIs are cash transfers and vouchers (cash or commodity). They can be stand-alone, or used in combination with each other or with in-kind assistance (e.g. a cash grant to top up a partial food aid ration or food voucher; milling voucher with food ration; seeds with a cash grant for tools; shelter materials with a cash component for labour).³³

Livelihood initiatives take many forms in various sectors, including short-term employment opportunities through infrastructure, service and agriculture activities; employment of Syrian health and education professionals to serve their own communities; business stimulation through local contracting and procurement; vocational training, placement and MSME support; market analysis and value chain development; advocacy for workers’ rights, and of support for policies that create a favourable employment and business environment and institutions that stimulate and coordinate business activity in the Livelihoods Sector.³⁴

However, it should be noted that while policies and programmes to address economic vulnerability among refugees have the potential to address child labour, they need to be done in a way that is both safe and sensitive to the needs of children involved in or at risk of child labour in order to effectively address the issue.

Overall, the following minimum actions are considered essential for ensuring that programmes designed for economic strengthening or social protection, such as cash assistance or livelihoods interventions, actually benefit children at risk of or involved in the worst forms of child labour:

- 1. Advocate for the inclusion of refugees in the labour market**, as well as in **national social protection systems** and other socio-economic interventions.
- 2. Link cash assistance with social services and education and integrate child labour concerns**, including direct and indirect costs of education, as well as the opportunity cost of not working (i.e. the foregone potential income from child labour).
- 3. Involve children above the minimum age of employment** in safe and meaningful non-hazardous economic activities, and monitor their wellbeing. Where necessary, build monitoring capacity among relevant actors.

To these ends, the following specific measures may be considered.

4.2.1. Assessment, monitoring and evaluation

- Collect and analyse data on children’s ages, work performed and working hours in surveys and assessments, such as Egypt Vulnerability Assessment for Refugees (EVAR), Protection Monitoring Tool (PMT, Iraq), Vulnerability Assessment Framework (VAF, Jordan), or Vulnerability Assessment for Syrian Refugees (VaSYR, Lebanon), and in other surveys, with a statistic module jointly agreed between agencies. Share and use this information to inform more effective programming to address child labour.
- Strengthen the capacity of trade unions and workers’ organizations to identify child labourers, including refugee children, and report on them in sectors where they are active.
- Build in child labour as an indicator in relevant agencies’ programme evaluations.
- Monitor cash-for-work programmes and companies involved in the agencies’ procurement system to ensure they do not include child labour.

²⁹ Global Child Protection Working Group: “Responding to the worst forms of child labour in emergencies.” 2014.

³⁰ 3RP Regional Strategic Overview, 2017-18. The 3RP livelihoods sector partners continue to advocate for economic policy shifts to promote growth and expand employment opportunities as well as to optimize employability through language courses, job training and internship programs. UNDP and 3RP livelihoods partners will expand employment generation responses commensurate with the London commitments of 1.1 million jobs by 2018 by supporting the economic opportunity ecosystem, to meet immediate livelihoods needs through emergency employment while addressing long-term sustainable employment creation. (Ibid.)

³¹ DFID et al: “Joint Statement on Advancing Child-sensitive Social Protection”, 2009

³² http://www.ilo.org/secsoc/areas-of-work/legal-advice/WCMS_205341/lang-en/index.htm

³³ UNHCR: “Operational Guidelines for Cash-Based Interventions in Displacement Settings.” 2015

³⁴ Inter-agency: “Regional Refugee & Resilience Plan 2017-2018: Regional strategic overview.”

4.2.2. Cash-based interventions

- Identify and assess households with children at risk of or involved in child labour.
- Identify what type of CBI is most likely to have an impact on the elimination of the worst forms of child labour, and implement it accordingly.
- Design and adjust the frequency and amount of transfers to address the economic drivers of vulnerability, and consider including the opportunity cost of child labour in the calculation of the transfer amount.
- Link CBI schemes with interventions related to schooling, health, and other social support, in order to enhance the likelihood of uptake of services by refugee children.

4.2.3. Social security

- Support the design and implementation of social protection floors that are inclusive of refugees.

4.2.4. Adult employment

- Assess how employment decisions are made at the household level, such as which member of the household is expected to work in which occupation, and what alternatives to child labourers' income can be found.
- Continue advocacy with government counterparts to expand the access of refugees above the minimum age to the formal labour market, by tackling regulatory and procedural limitations (quotas, work permits, etc.).
- Improve the transition of Syrian workers to the labour market by introducing employment services that identify practical steps of refugees towards decent work, and work with employers to adapt their human resource management to accommodate refugees.
- Consider households with children at risk of or involved in the worst forms of child labour for prioritization in existing livelihood programmes.



- Consider the specifics of child labour concerns in the design and implementation of livelihood programmes to maximise the capacity to compensate for the loss of the child labourers' income. The following elements are relevant:
 - community based livelihood interventions that focus on unmet consumption demands³⁵
 - value chain interventions that foster decent work³⁶
 - micro finance interventions for the elimination of the worst forms of child labour³⁷
 - employment intensive interventions to generate immediate short term jobs and improve infrastructure³⁸
 - cash-based interventions (see above)

4.2.5. Children above the minimum age of employment in the workplace

- Engage with the private sector to promote actions that fulfil their corporate responsibility to respect and protect children's rights, in line with the Children's Rights and Business Principles³⁹, with an emphasis on child labour in supply chains.⁴⁰
- For children above the minimum age involved in informal hazardous apprenticeship, link with employers' organizations and training centres to improve the working conditions and the training contents of the apprenticeship, and link apprentices with testing and certification.⁴¹
- Target employers and employers' organizations, trade unions and workers' organizations in programmes that reduce hazards in the workplace and at the same time improve small businesses' productivity.⁴²
- Ensure close monitoring to guarantee that children's activities are not hazardous and do not interfere with their education. Build the capacity of labour inspectors, as well as close connections between inspectors and other social support actors (see 4.2.6.)

4.2.6. Capacity-building

Efforts aimed at capacity building in the area of economic strengthening should be linked to and build upon existing national policies in each country.

- Build capacity of stakeholders, especially local-level institutions such as municipalities, on including child labour concerns in employment related projects, such as those currently supported by ILO, UNDP and other actors.
- Support the expansion of the labour inspectors' outreach by working in network with trade unions and CBOs.

³⁵ See ILO: "Rural skills training - A generic manual on training for rural economic empowerment (TREE)", 2009. http://www.skillsforemployment.org/KSP/en/Details/?dn=WCMSTEST4_174257

³⁶ See Herr/Muzira: "Value Chain Development for Decent Work: A guide for development practitioners, government and private sector initiatives." ILO, 2009. http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---ifp_seed/documents/instructionalmaterial/wcms_115490.pdf

³⁷ See ILO: "Microfinance against child labour: technical guidelines." 2004. http://ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_1019/lang-en/index.htm

³⁸ See a range of publications on the subject: <http://www.ilo.org/global/topics/employment-intensive-investment/publications/lang-en/index.htm> <https://www.unicef.org/csr/>

³⁹ ILO-IOE: "How to do business with respect for children's right to be free from child labour: ILO-IOE child labour guidance tool for business." 2015.

⁴¹ See ILO: "Upgrading informal apprenticeship: A resource guide for Africa." 2012. http://www.ilo.org/wcmsp5/groups/public/@africa/@ro-addis_ababa/documents/publication/wcms_171393.pdf

⁴² See ILO: "Work Improvements in Small Enterprises (WISE) - Package for trainers." 2004. http://www.ilo.org/safework/info/instr/WCMS_110322/lang-en/index.htm

- Train labour inspectors, trade unions, livelihood actors and NGOs to identify children vulnerable to child labour, particularly its worst forms, and refer them to adequate services, and train on the specific issues related to child labour among refugees.⁴³
- Support capacity-building of livelihood programme staff with respect to child labour, including the following aspects:
 - safeguarding (preventing abuse within economic strengthening programs)
 - awareness of worst forms (including hazardous work and the hazardous work list)
 - signs of abuse and exploitation
 - referral pathways for child protection assistance, and where appropriate to labour inspection.

4.2.7. Risks to be considered

It should be noted that children are inextricably linked to the household economy. Given that poverty is one of the primary drivers of child labour, whatever economic strengthening activities are undertaken will invariably impact how children use their time. This can inadvertently increase or worsen child labour.⁴⁴ Therefore, all programmes should be mindful of the following risks:

- Increased parental employment in piece-meal income is likely to increase child labour, as impoverished parents may involve their children to maximize earnings.
- An employment sector-based approach to the elimination of the worst forms of child labour may offer distinct advantages in terms of a sector-specific response, for instance regarding occupational safety and health, but there is a risk of displacement of child labour to even more hazardous sectors unless the root causes of the problem are addressed.
- Children may take on additional caring/household duties whilst carers are engaged in economic recovery or livelihoods activities, leading to school drop-out.
- Children may participate in economic strengthening programmes that are harmful or inappropriate for their age (being under or over the minimum working age), which may exacerbate health or protection risks.

These factors should be taken into account when designing interventions, and closely monitored throughout implementation. A rapid case management response is required if one of these risks is identified.



⁴³ A prominent tool for labour inspectors is: ILO: "Combating child labour: A handbook for labour inspectors." 2002. http://www.ilo.org/safework/info/instr/WCMS_110148/lang-en/index.htm

⁴⁴ For example, more investment and job creation in the region because of easier access to European markets may result in more child labour if there are no specific compliance programmes in place.

4.3. Child protection

Expected result: Child protection programmes effectively address the worst forms of child labour.

Child protection practitioners can more effectively reach children in the worst forms of child labour by mainstreaming child labour concerns into existing programming. For example, child protection services should be accessible to working children in terms of location, timing, information, relevance and participation.

Overall, the minimum actions for mainstreaming child labour concerns centre on two interdependent goals:

- 1. Strengthen child protection systems** to prevent and respond appropriately to child labour concerns, including making sure that referral pathways include services for children in the worst forms of child labour, and where appropriate include referrals to national child labour mechanisms.
- 2. Prioritize** prevention and response to the worst forms of child labour, including hazardous work, and other child labour concerns that are most harmful to children, within existing programmes.

To these ends, the following actions are recommended:

4.3.1. Legislative and policy reform and implementation

The elimination of child labour, especially in its worst forms, requires a relevant legal and policy framework, as demonstrated by the 3RP countries' ratification of the CRC, as well as ILO Conventions Nos. 138 and 182.

Although legal and policy frameworks on child labour are relatively strong in the 3RP countries, there is still a need to address country-specific gaps. In addition, the implementation of these frameworks for all children must be enhanced, and the specific barriers that refugee children may face in ensuring their rights to protection from child labour must be realized.

The current refugee crisis presents a variety of challenges. Refugees may face particular barriers to ensuring the rights outlined in the CRC and ILO conventions in a non-discriminatory manner. Consequently, there is a need to strengthen the normative regulatory framework in each country, and to contribute to the formalisation of refugees' employment in order for them to benefit from relevant protection. There also needs to be sufficient capacity to implement existing legislative and policy frameworks, in order to render the latter effective.

Hence, the following interventions are proposed, most of which relate to the review of national policies for the benefit of all children at risk of or involved in child labour:

- Advocacy to align the minimum age for employment with the age of compulsory schooling (for Iraq and Lebanon).
- Advocacy to revise the legislation to include a stipulation on "light work," in accordance with ILO Convention No. 138 (for Jordan and Iraq), and issue a list of light work (for all countries).
- Adapt and publicize the existing list of hazardous work in each country, for use by non-specialists in occupational safety and health (OSH), such as case managers.
- Ensure that child labour legislation covers all sectors, some of which may currently be exempt (e.g. agriculture in Lebanon and Egypt).

- Implement residency renewal reform and review sponsorship conditions for refugees.
- Remove legal and policy barriers for refugee adolescents to access TVET.

4.3.2. Child labour monitoring

When undertaking a specific programme to address child labour one of the most effective and efficient strategies is to regularly check the places where girls and boys may be working. “Child labour monitoring” (CLM)⁴⁵ is the active process that ensures that such observation is put in place and is coordinated in an appropriate manner. Its overall objective is to ensure that, as a consequence of monitoring, children and legally employed adolescent workers are safe from exploitation and hazards at work.

In practice, CLM involves the identification, referral, protection and prevention of child labourers through the development of a coordinated, multi-sector monitoring and referral process that aims to cover all children living in a given geographical area. Its principal activities include four main stages all of which happen through coordinated actor engagement:

- 1. Identification of working children through** regularly repeated direct observations to determine risks to which they are exposed may happen through labour inspectors, social or case workers, police, CBOs active in communities, school teachers and principals, etc.⁴⁶ It may also include other reporting mechanisms, such as a hotline.
- 2. Action and referral** of children and their families to appropriate services, such as education, vocational training, economic recovery / livelihoods, social services, health care, etc. Define roles and responsibilities when talking to employers and determine possible action taken against them. In some cases, action may be required to remove work-related hazards that may affect legally working children through appropriate occupational safety and health (OSH) measures. In the current refugee context, this may also be used as an immediate, short-term intervention to mitigate the risks to the wellbeing of child labourers below the minimum age, while a longer term solution that involves their removal from work is being sought.
- 3. Monitoring** verifies that children have been removed and do not return to work and that they – and sometimes their families – have satisfactory service provision to addresses their needs, supporting timely interventions where necessary.
- 4. Prevention** activities should be informed by knowledge and data generated through the monitoring process, to ensure that children do not work in the first place.

Given the similarities between the CLM process and Child Protection in Emergencies (CPiE) referral and case management systems, these linkages should be established and/or strengthened.

Community engagement is essential to ensuring the effectiveness and sustainability of CLM.

⁴⁵ ILO: “Guidelines for developing Child Labour Monitoring processes”, 2005.

⁴⁶ CLM is more effective when done jointly; i.e. social workers, labour inspectors, and education providers do not work in isolation from each other, but in a coordinated way for joint identification and assessment.

4.3.3. Family and community engagement

Families and communities can provide highly effective and coordinated action against child labour, acting as a frontline defence mechanism by taking concrete action to reduce risks and playing an important role in facilitating the identification of child labourers and identifying possible solutions. Family members are faced with difficult choices related to child labour, often knowingly sending their children into hazardous labour in order to secure income. In some situations for refugees, this is also done to limit the risks of legal consequences to undocumented adult family members. Supporting families, children and other community members to better understand the nature of child labour, providing information on relevant laws, policies and services, and alternatives to child labour and supporting communities’ efforts to identify actions to mitigate risks and solutions to address child labour is essential.

Given that the community is often aware of child laborers, information and discussions on child labour are more easily provided, understood and acted upon when delivered by friends, neighbours and other community members, and when children, families and other community members have the opportunity to discuss and work together to try to find solutions.

The development of Community Action Plans (CAP) can be helpful to consolidate community views on how to reduce the worst forms of child labour, especially in its worst forms. These plans, prepared by the communities through group discussions, allow definition and prioritization of the interventions that could contribute to eliminating the worst forms of child labour in the community. A CAP also defines time frame, budgets and responsibilities, as well as potential partners that could provide financial contributions.



Furthermore, community-based child protection actors that link with national referral systems can be an effective vehicle to prevent the worst forms of child labour. Practitioners may consider identifying and training community champions among these actors to focus on the worst forms of child labour. An example of this could be Refugee Outreach Volunteers (ROV) in the region.

The following are some specific ways to engage with community-based mechanisms (CPIE Minimum Standard 16):

- Develop and disseminate awareness-raising materials highlighting the dangers of the worst forms of child labour, as well as possible alternatives in terms of economic support, education and training, including key messages for populations and communities affected by emergencies. Integrate this information into existing materials and campaigns.
- Integrate information and community dialogue on child labour into broader community-based child protection programmes benefiting children, parents and other community members. Facilitate discussion on risks associated with child labour, alternatives and potential solutions and provide information on laws, policies and existing services.
- Develop standard interagency tools to facilitate community dialogue and provide relevant information on child labour for children, parents and other community members, as part of broader interagency child protection communication campaigns. Monitor and evaluate the effectiveness of these approaches, in order to refine and improve the effectiveness of these approaches. Ensure that such campaigns focus primarily on positive alternatives to child labour, and support families and children in navigating the difficult choices they often face.
- Work with community members, including children, to identify forms of child labour that should be prioritised during the response, and profile and map informal support systems for child labourers and families.
- Map community-based child protection actors' available preventative services and ensure that they are able to identify at-risk children and link them with available services. Verify that these agree with community-based child protection actors on concrete targets of children at risk of the worst forms of child labour and child labourers that should be identified and referred through the system.
- Initiate or support community-based peer networks to support child labourers, and engage other children in peer-to-peer efforts to address child labour.
- Support community-based child protection actors in monitoring and reporting child labour trends, including through development of simple monitoring tools and protocols as well as identifying a child labour focal point's role within community-based child protection actors or mechanisms to assist in collecting data and reporting.
- Support community-based child protection actors, including children, families and other community members to take action, as appropriate, such as advocacy, community discussions etc.
- Promote child-led advocacy and media work through for example child-led research, or production of animation, including working children in advocacy events. The ILO "Supporting Children's Rights through Education, Arts, and the Media" (SCREAM) materials are available to support such activities.⁴⁷

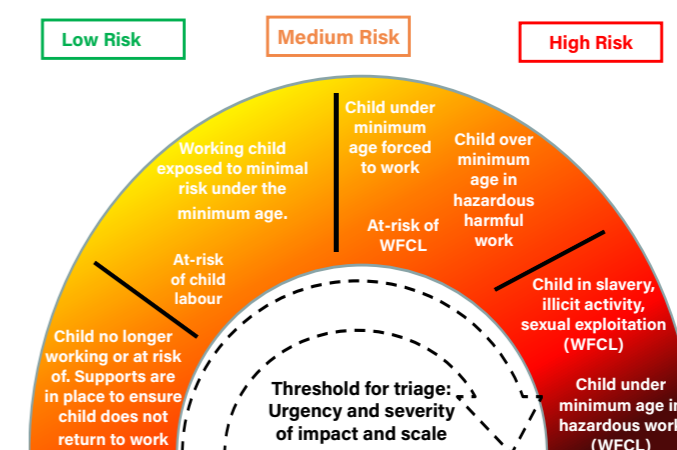
⁴⁷ <http://www.ilo.org/ipeccampaignandadvocacy/Scream/lang-en/index.htm>

4.3.4. Case management (CPIE Minimum Standard 15)

For child labourers, case management staff can be essential lifelines that help protect them from harmful work, connect them with financial support and education, and help them to recover from severe exploitation.⁴⁸ In a sense, case management can be regarded as an important tool of CLM (Section 4.3.2).

- Given the overwhelming nature of the issue in many settings, develop at country level a common understanding of "children at-risk" and "children in WFCL", and orient case managers to prioritize the worst forms of child labour, as depicted in Figure 2:

Figure 2: Prioritizing child labour case management⁴⁹



- Include hazardous work and other worst forms of child labour in vulnerability criteria and case prioritisation tools.
- Ensure that SOPs include a section on child labour, and regularly update this based on good practice models from the region and evolving knowledge and expertise in the respective country.
- Ensure case management information management systems monitor and report on child labour trends across organisations.
- Where identification of the worst forms of child labour is challenging because of the hidden and illegal nature of the work, ensure case managers working on child labour link with community-based child protection initiatives (see above).
- All cases workers working with child labour should have a training on the following issues:
 - Understand basic concepts regarding child labour (see Annex 2).
 - Understand local child labour trends and the legal framework, including the specific nature of child labour among refugees.
 - Identify signs of children at risk of and children in the worst forms of child labour.

⁴⁸ Inter-agency: "Inter-agency toolkit: Supporting the protection needs of child labourers in emergencies." Draft for field-testing, 2016. // The process of identifying case managers is clearly coordinated and defined by the CPWG and reflected in referral pathways in most countries.

⁴⁹ Source: "Inter-agency toolkit: Supporting the protection needs of child labourers in emergencies." Draft for field-testing, 2016.

- o Understand the risks of dangers and injuries in various types of work, and how to prioritise cases based on risk.
- o Link up with occupational safety and health (OSH) service providers,⁵⁰ in order to minimize affected children's exposure to risks (for children in the "medium risk" category in Figure 2).
- o Know how to respond to each worst form of child labour, including when urgent removals may be necessary, and when harm reduction strategies can be used, as well as what these strategies are.
- o Know how to work collaboratively with children, caregivers, employers and their organisations, and workers' organisations to develop long term creative solutions to remove children from harmful work. This should include engaging employers through direct advocacy and negotiation to reduce the harm of children's work, where appropriate, and/or working with workers' organisations to limit harm.
- Link with economic strengthening staff, with the aim of prioritizing vulnerable households with school-aged children for cash/livelihoods assistance. Ensure case management support or systematic follow up and monitoring to affected children linked to and paired with assistance, and ensure access to multi-sectoral assistance, including education, health, cash/livelihoods and psychosocial support based on the specific needs of the individual child and their family.
- Ensure that case management organisations work in collaboration with the Ministry of Labour, as well as employers' and workers' organisations to reduce the risks of children's work.
- Ensure emergency and interim care options (including foster families and safe shelters) are available for when children need to be removed urgently from the worst forms of child labour and cannot be cared for safely in their usual care situation, including their families.

4.3.5. Programmes to address justice for children (CPIE Minimum Standard 14)

- Ensure that any mapping of the justice system includes an assessment of child labour laws and identification of gaps as well as opportunities for promoting effective implementation of positive provisions and further alignment with international standards, as necessary.
- Ensure that capacity building for police, judges, lawyers, social workers and other justice system officials includes modules on child labour concerns in the refugee context, which emphasize that children should not be penalized and support and care should be for children engaged in the worst forms of child labour.⁵¹
- Establish or strengthen mechanisms to identify children in detention (especially street children, children who have been trafficked, CAAFAG and those detained for involvement in child labour) and advocate for their release and inclusion in support programmes.
- Establish or strengthen mechanisms to monitor violations against children engaged in child labour in the justice system (especially highly vulnerable populations like street children), and work through coordination mechanisms and UN partners to advocate for improved responses.

⁵⁰ For example, the Occupational Health and Safety Institute (ISGÜM) under the Ministry of Labour and Social Security in Turkey, or the National Institute of Occupational Safety and Health (NIOSH) in Egypt.

⁵¹ This applies also to working children who are engaged in criminal activities and who are thus in conflict with the law, in which case juvenile justice standards including diversion should be applied. Refugee children should never be detained on the basis of their immigration status and when in conflict with the law should be treated in line with juvenile justice standards, without discrimination.

4.4. Coordination, advocacy, and knowledge management

Expected result: Effective coordination, advocacy, and knowledge management on child labour for an efficient and successful response are in place.

In addition to the strategic actions described in the previous sections, a comprehensive plan to eliminate the worst forms of child labour also requires the following efforts:

1. A widespread **commitment** to and **capacity** for addressing the worst forms of child labour that will contribute to building national consensus on the importance of its elimination.
2. A strong **knowledge base** on child labour generated across agencies, including a meaningful analysis of the incidence and causes of child labour, as well as adequate documentation of good practices.
3. A **coordinated approach** to ensure that collective action against the worst forms of child labour makes the most of available resources and links efficiently with national structures responsible for monitoring child labour.

4.4.1. Advocacy

Advocacy and information sharing is central to effective efforts to address child labour. Partners should explore ways to integrate information and key messages relating to the prevention, risk mitigation, and elimination of the worst forms of child labour in ongoing advocacy efforts.

Among the possible advocacy and awareness-raising activities that could be considered are:

- Developing campaigns targeting employers and the general public on the impacts of the worst forms of child labour on children's health, in collaboration with appropriate units of the Ministry of Health and Ministry of Labour.
- Engaging agricultural extension workers under the Ministry of Agriculture to raise awareness of the worst forms of child labour among farmers.
- Special awareness and media events could be organised as part of regular activities to commemorate relevant international days of commemoration, for example, the World Day against Child Labour on 12 June, World Refugee Day on 20 June, Universal Children's Day on 20 November, etc.

4.4.2. Knowledge management

One of the main tasks of the regional and national coordination mechanisms would be to ensure proper knowledge management, which would draw out lessons learnt and facilitate the documentation of good practices. For example, the impact of livelihoods and cash-based assistance programmes on child labour should be tracked over time, and the design and implementation modalities should be advised accordingly (see Section 4.2.2).

In this way, knowledge management on child labour should serve both programming and advocacy purposes. Important tools and methodologies are already being collected through NLG. Organisations and coordination mechanisms working on child labour should continue to use and share tools through this mechanism.⁵²

⁵² A comprehensive programme for street children in Lebanon that is run by IRC is documented in: Child Protection Working Group: "Child Protection and Economic Recovery - Supporting Syrian and Lebanese youth aged 15-18 years old living and working on the streets in Lebanon: A child protection and economic recovery collaboration." 2016. <http://cpwg.net/wp-content/uploads/sites/2/2016/12/CP-Mainstreaming-ECONOMIC-RECOVERY-final-8-Nov.pdf> // Another example of a specialised programme for child labourers are the drop-in centers supported by UNICEF and Save the Children in Za'atari Camp, Jordan. https://www.unicef.org/infobycountry/jordan_82551.html

Such knowledge management would also serve as a resource for stakeholders globally, as it may inform efforts for tackling the worst forms of child labour in emergencies in other world regions, as well as the achievement of SDG Target 8.7 and other targets.

Action against the worst forms of child labour should be guided by sound quantitative and qualitative data, both for the purposes of programming and advocacy. The following interventions should be considered by stakeholders in the 3RP countries:

- Test and implement a recently revised module on child labour for refugee surveys undertaken by UNHCR and others.⁵³
- Integrate revised questions on child labour in data collection exercises (e.g., the UNHCR profiling exercise in Iraq, or UNHCR household vulnerability assessment in Jordan)
- Integrate qualitative assessments on social norms that may perpetuate child labour, particularly regarding gender roles regarding appropriate work for children, in broader assessments.



⁵³ At the time of writing, a child labour module for inclusion in household and other surveys was under preparation by UNHCR and partners, to support data collection on child labour among refugee households (see also Section 4.1.2.).

- Undertake specific research on some of the unconditional worst forms of child labour,⁵⁴ such as trafficking, forced labour and children associated with armed forces or armed groups (CAAFAG).⁵⁵
- Document and share emerging good practices with a demonstrated impact on the elimination of the worst forms of child labour, through coordination groups, workshops and webinars.

4.4.3 Coordinated actions

There is a need for greater coordination to tackle child labour, at regional and national levels. It is important to establish effective multi-sectoral coordination mechanisms, which are firmly embedded in the relevant international commitments of the countries under the CRC, C138 and C182, in national action plans on child labour, and in the 3RP and its respective country plans. The participating sectors should include, at the least, child protection, education, basic needs (for cash assistance), and livelihoods. Other sectors may also be invited to participate, as appropriate.

At the regional level, the No Lost Generation (NLG) initiative is an important framework, as it has recognition and profile carried by the active participation of many relevant UN and NGO stakeholders. NLG promotes synergies between education, child protection, and youth engagement efforts, which makes it an ideal forum for coordinating child labour interventions.

At the national level, it is important that an interagency child labour strategy is developed as part of the refugee response. This strategy should have input from education, child protection, livelihoods, and employment actors (including MOL, ILO etc) and should build upon and link to any existing national strategies on child labour. Furthermore, various coordination mechanisms exist, which may differ significantly in terms of both mandate and capacity between countries. National stakeholders should decide how and to what extent existing humanitarian groups, such as sector working groups, can be effectively utilized for a coordinated multi-sectoral response to child labour. See Section 5 of this document for a list of actions to be taken to coordinate national action against child labour.

Where appropriate, stakeholders should also consider establishing a child labour task force (CLTF) within existing coordination mechanisms, or embed their efforts in an existing CLTF. The main objective should be to ensure effective coordination and synergies between child protection, livelihood, and education working groups, and develop a country-level strategy on the elimination of the worst forms of child labour that outlines roles and responsibilities across sectors.

National stakeholders may consider setting up a field-level CLTF first, if conditions are more conducive (e.g. in Sulaimaniyah in KR-I), and then assess the lessons learnt before extending it to the national level. The provincial action committee for the elimination of WFCL approach led by the ILO and the Ministry of Labour and Social Security in Turkey could be considered as a model for the practical implementation of such a field-level CLTF.

⁵⁴ As noted earlier, hazardous child labour is often “conditional”, i.e. it may be possible to remove the hazards from the work situation, and thereby eliminate the specific incidence of child labour, while the child (if he/she is above the minimum age may continue working). In contrast, other worst forms of child labour must be eliminated under any circumstance, i.e. they are “unconditional”.

⁵⁵ As laid out in Section 1.3., these forms of child labour are not part of the main scope of the current Strategic Framework, but it is hoped the proposed research will allow for an expansion of the Framework to unconditional forms that are notably more difficult to tackle.

When it comes to child labour concerns, there may be a division between the national system, led by the government and focusing on nationals, and the humanitarian response, led by UN agencies and focusing more on refugees.⁵⁶ Therefore, it is crucial to link and align humanitarian coordination on child labour with existing national coordinating mechanisms such as the National Steering Committee on Child Labour. There are multiple ways in which this could be done, and the specificities of the local context should be taken into account when doing so. Care must be taken to create synergies rather than duplicate efforts.

In addition, coordinating bodies on child labour should explore opportunities of jointly engaging with the private sector. Where appropriate, this could be done in coordination with the Livelihoods Working Group, or through child labour programmes that have existing links with the private sector.



UNICEF/ Wathiq Khuzale

⁵⁶ In Jordan, however, this gap is being bridged, as line Ministries have recently started to assume the lead role in humanitarian working groups.

5. CONCLUSION AND WAY FORWARD

In developing this Strategic Framework, it has been clear that all actors are aware of the terrible toll child labour, especially in its worst forms, is taking on the lives of children in the current Syria refugee crisis.

Child labour is one of the most challenging issues to address, given that lack of quality education and high levels of poverty are clearly driving factors of child labour among refugees and vulnerable host communities. There is widespread commitment to working together to find better ways to address child labour, and acknowledgement that this requires collaboration among sectors and actors.

The regional Strategic Framework on child labour in the Syrian refugee response offers guidance to more effectively address child labour in the Syria response. It provides regional coherence to these efforts and should be used to inform the development of implementable national strategies against the worst forms of child, as well as the development of coordination mechanisms that bring together the relevant actors.

To these ends, the following steps may be considered, depending on the circumstances in each country:

1. Child protection actors and coordination groups should take the lead in reaching out to education and livelihood actors to convene and coordinate inter-agency, multi-sectoral efforts to address child labour.
2. All actors should jointly take stock of existing data, policies, mechanisms, and programmes on child labour (or that could provide opportunities for integrating child labour concerns), including both humanitarian and national initiatives. They should share this information to inform programming and advocacy, and to identify gaps to be addressed (see Section 4.4.2).
3. All actors should widely disseminate and analyse this Strategic Framework, and discuss which elements to prioritize in the development of a feasible national strategy.



UNICEF/ Moohi Al-Zikri



Annexes

Annex 1: References

Centre for Strategic Studies: “National Child Labour Survey 2016 of Jordan: Summary Report on Main Findings.” 2016.

Child Protection Working Group: “Minimum Standards for Child Protection in Humanitarian Action”, 2012.

Child Protection Working Group: “Responding to the worst forms of child labour in emergencies.” 2014.

Co-Hosts Declaration from the Supporting Syria and the Region Conference, London 2016.

DFID et al: “Joint Statement on Advancing Child-sensitive Social Protection”, 2009.

Herr, Matthias L., and Tapera J. Muzira: “Value Chain Development for Decent Work: A guide for development practitioners, government and private sector initiatives.” ILO, 2009.

ILO: “Combating child labour: A handbook for labour inspectors.” 2002.

ILO: “Guidelines for developing Child Labour Monitoring processes”, 2005.

ILO: “Mainstreaming child labour concerns in education sector plans and programmes.” 2011.

ILO: “Microfinance against child labour: technical guidelines.” 2004.

ILO: “Rural skills training - A generic manual on training for rural economic empowerment (TREE)”, 2009.

ILO: “Safe Work for Youth Kit.” 2010.

ILO: “SCREAM: Supporting Children’s Rights through Education, the Arts and the Media”. (Various years of publication.)

ILO: “Upgrading informal apprenticeship: A resource guide for Africa.” 2012.

ILO: “Work Improvements in Small Enterprises (WISE) - Package for trainers.” 2004.

ILO: “World Report on Child Labour: Economic vulnerability, social protection and the fight against child labour.” 2013.

ILO-IOE: “How to do business with respect for children’s right to be free from child labour: ILO-IOE child labour guidance tool for business.” 2015.

Inter-agency: “Inter-agency toolkit: Supporting the protection needs of child labourers in emergencies.” Draft for field-testing, 2016.

Inter-agency: “Regional Refugee & Resilience Plan 2017-2018: Regional strategic overview.”

London 2016 Conference: “Syria Crisis Education Strategic Paper.” 2016.

Terre des Hommes: “Child labour report 2016: Child labour among refugees of the Syrian conflict.” 2016.

UNDP: “Livelihoods and economic recovery in crisis situations.” 2013.

UNHCR et al.: “Guide for protection in cash-based interventions.” 2015.

UNHCR: “Operational Guidelines for Cash-Based Interventions in Displacement Settings.” 2015.

UNHCR/UNICEF/ILO: “Child labour in the Syria refugee response: Stocktaking report.” 2016.

UNICEF: “Children are everyone’s business: Workbook 2.0. A guide for integrating children’s rights into policies, impact assessments and sustainability reporting.” 2013.

UNICEF: “Conceptual and Programmatic Framework for Life Skills and Citizenship Education in the Middle East and North Africa.” Draft, 2016.

UNICEF / Save the Children: “Small hands, heavy burden: How the Syria crisis is driving children into the workforce.” 2015.

Annex 2: Key concepts related to child labour

Excerpt from: “Inter-agency toolkit to support humanitarian programmes meet the protection needs of child labourers in emergencies.” Draft. Global Child Protection Working Group.

Children start working worldwide at an early age. From as young as five or six, they may help around the home, performing household chores or running errands, in the fields, tending crops or picking vegetables or fruit. These activities are mostly encouraged by adults or older children because they can be beneficial to a child’s personal and social development. Children gain a sense of responsibility and take pride in carrying out such tasks. By observing and working with others, children learn skills and gain knowledge that will benefit them in their later lives.

As they grow older, children may take on more responsible or heavy work, such as looking after younger siblings, fetching and carrying loads from family farms or plantations and maintaining the family home. They may even take on a part-time job, outside school hours and involving light work either to earn some money for themselves or to supplement the family income. Work in this sense is part of the progression from childhood to adulthood. Essentially, it is not work that prevents them from going to school, that takes them away from their families, that uses up time for play or recreation in the company of their peers or that hurts them physically, mentally or emotionally. Work of this nature is an essential part of growing up and is not what is termed child labour.

Unfortunately, many children undertake work which, far from having a positive effect actually impedes their growth and development and, in many cases, can do them harm – harm which is sometimes irreversible. This is what is known as child labour, in its worst forms it includes activities that are mentally, physically or socially dangerous or morally harmful to children.

Figure A1: Child labour as a sub-set of children in employment



1. Children in employment

All children’s work falls under the umbrella term “children in employment”:

- Child labour as defined below, and;
- Work that is appropriate to both age and development (that does not affect their health and personal development), and that does not interfere with learning can provide children and young people with skills and experience, helping prepare them to be useful and productive members of society during their adult life, as well as contributing positively to their development and welfare, and the welfare of their families.

2. Child labour

Child labour is work carried out to the detriment and endangerment of the child, in violation of international law and national legislation. It either deprives them of schooling or requires them to assume the dual burden of schooling and work. Child labour to be eliminated is a subset of children in employment. It includes:

- “Unconditional” worst forms of child labour, such as slavery or practices similar to slavery, the use of a child for prostitution or for illicit activities (further defined below)
- Work done by children under the minimum legal age for that type of work, as defined by national legislation in accordance with international standards.

	The minimum age at which children can start work	Possible exceptions for developing countries
Hazardous work Any work which is likely to jeopardize children’s physical, mental or moral health, safety or morals should not be done by anyone under the age of 18	18	18
Basic minimum age The minimum age for work should not be below the age for finishing compulsory schooling and in any case not less than 15	15	14
Light work Children between the age of 13 and 15 years old may do light work as long as it does not threaten their health and safety or hinder their education or vocational orientation and training	13-15	12-14

THE LEGAL FRAMEWORK

UN Convention on the Right of the Child, 1989

Children have the right to be protected from economic exploitation and 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. The Convention stipulates that states should set a minimum age for employment, regulate hours and conditions of employment and provide penalties and sanctions to ensure effective enforcement (article 32).

ILO Minimum Age Convention, 1973 (No. 138)

The Convention calls for members to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work consistent with the fullest physical and mental development of young persons (article 1) and to specify a minimum age for admission to employment (article 2). Hazardous work (article 4). Light work (article 7).

National legislation

Labour law, child act, education law etc.

3. Worst forms of child labour

The worst forms of child labour (WFCL) prohibited to any person below the age of 18 and to be eliminated as a matter of urgency are a subset of child labour. They include:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- 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, also known as "hazardous work".



UNICEF/ Warrick Page

THE LEGAL FRAMEWORK

ILO Worst Forms of Child Labour Convention, 1999 (No. 182)

The Convention calls for immediate and effective measures to be taken to secure the prohibition and elimination of the worst forms of child labour (article 1). Those measures shall be applied to all persons, girls and boys, under the age of 18 (article 2). The worst forms of child labour are defined in article 3.

UN Convention on the Right of the Child, 1989

The Convention call for appropriate measures to prevent the use of children in the illicit production and trafficking of drugs (article 33), to protect the child from all forms of sexual exploitation (article 34), to prevent the abduction of, the sale of or traffic in children for any purpose or in any form (article 35) and to prevent the participation of children in armed hostilities (article 38).

National legislation:

Relevant national legislation includes labour laws, criminal laws, military laws, laws on the protection of children etc.

4. Hazardous work

Hazardous work is 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. It is a worst form of child labour and is prohibited to any person under the age of 18. Therefore, children above the minimum age of admission to employment (aged 14/15-17) performing hazardous work are children in worst forms of child labour.

Hazardous work is the most common worst form of child labour globally and presents significant challenges for humanitarian practitioners, as they are the ones that most commonly cross paths with culturally acceptable forms of work for children, often happening under the authority of children's parents. It particularly affects older children above legal minimum age of employment but below the age of 18 and, therefore, is not necessarily readily identified by practitioners or may not be considered a priority.

When a country ratifies ILO Convention No. 182, it commits to determining a national "hazardous work" list specific to that country and through an inclusive process of consultation and determination. While the list is determined by individual countries, the ILO Worst Forms of Child Labour Recommendation, 1999 (No. 190) urges to give consideration to work:

- That exposes children to physical, emotional or sexual abuse;
- That is underground, under water, at dangerous heights or in confined spaces;
- That involves dangerous machinery, equipment and tools, or the manual handling or transport of heavy loads;
- That is carried out in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- That is carried out under particularly difficult conditions, such as long hours or during the night, or that does not allow for the possibility of returning home each day.

THE LEGAL FRAMEWORK

ILO Conventions

The minimum age of admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety and morals of young persons shall not be less than 18 years (article 3 of C138). Hazardous work is a worst forms of child labour (article 3 of C182). Hazardous work shall be determined by national laws or regulations or by the competent authority after consultation with the organizations of employers and workers concerned (article 3 of C138 and 4 of C182).

ILO Worst Forms of Child Labour Recommendation, 1999 (No. 190)

The Recommendation, the non-binding guidelines that accompany ILO Convention No. 182, gives some indication as to what work should be prohibited.

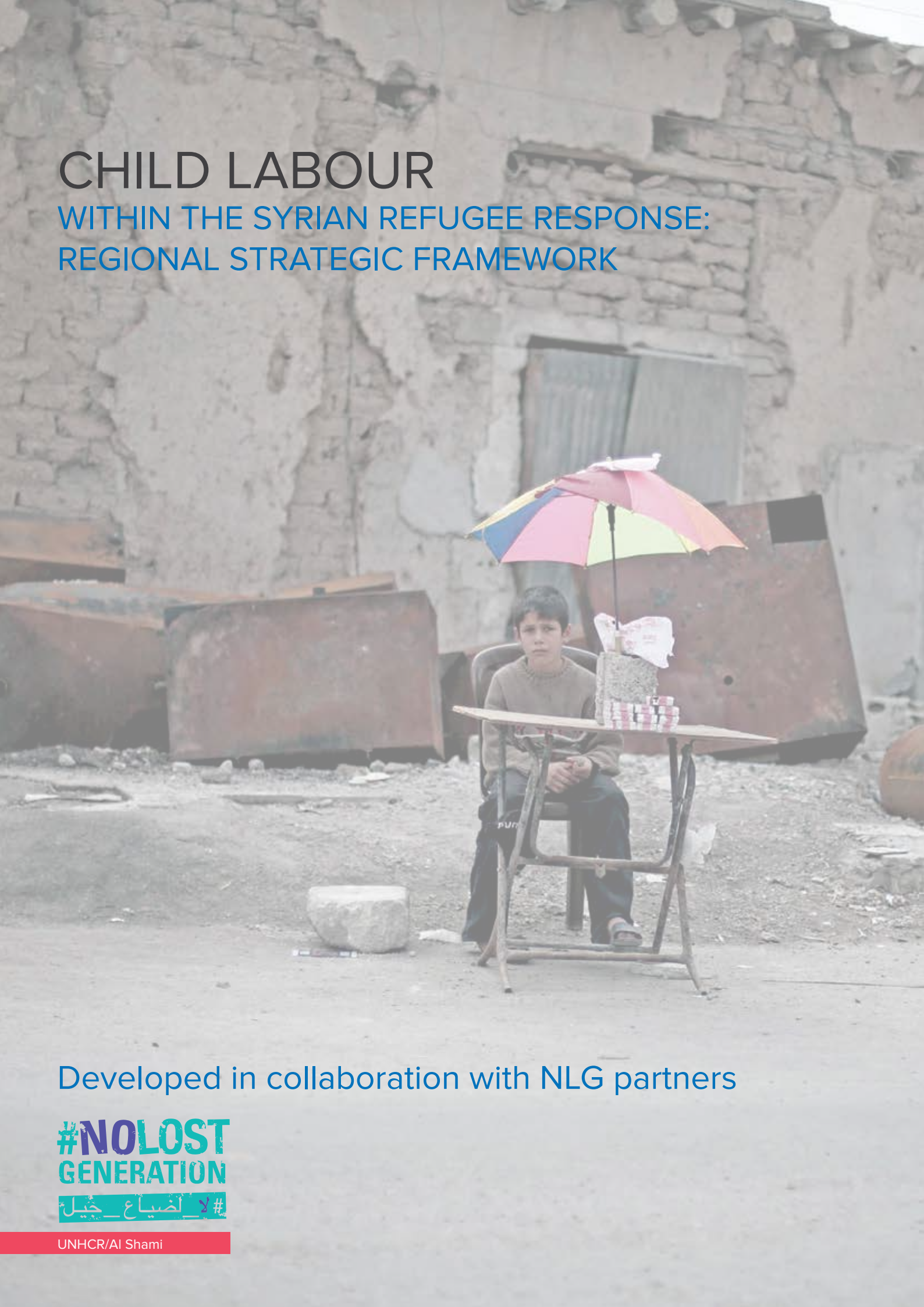
National legislation

List of hazardous work prohibited to children under the age of 18 put in legal form (law, regulation or Decree by Minister of Labour)



CHILD LABOUR

WITHIN THE SYRIAN REFUGEE RESPONSE: REGIONAL STRATEGIC FRAMEWORK



Developed in collaboration with NLG partners

**#NOLOST
GENERATION**

#لا_أضْياع_حَيْل

UNHCR/AI Shami