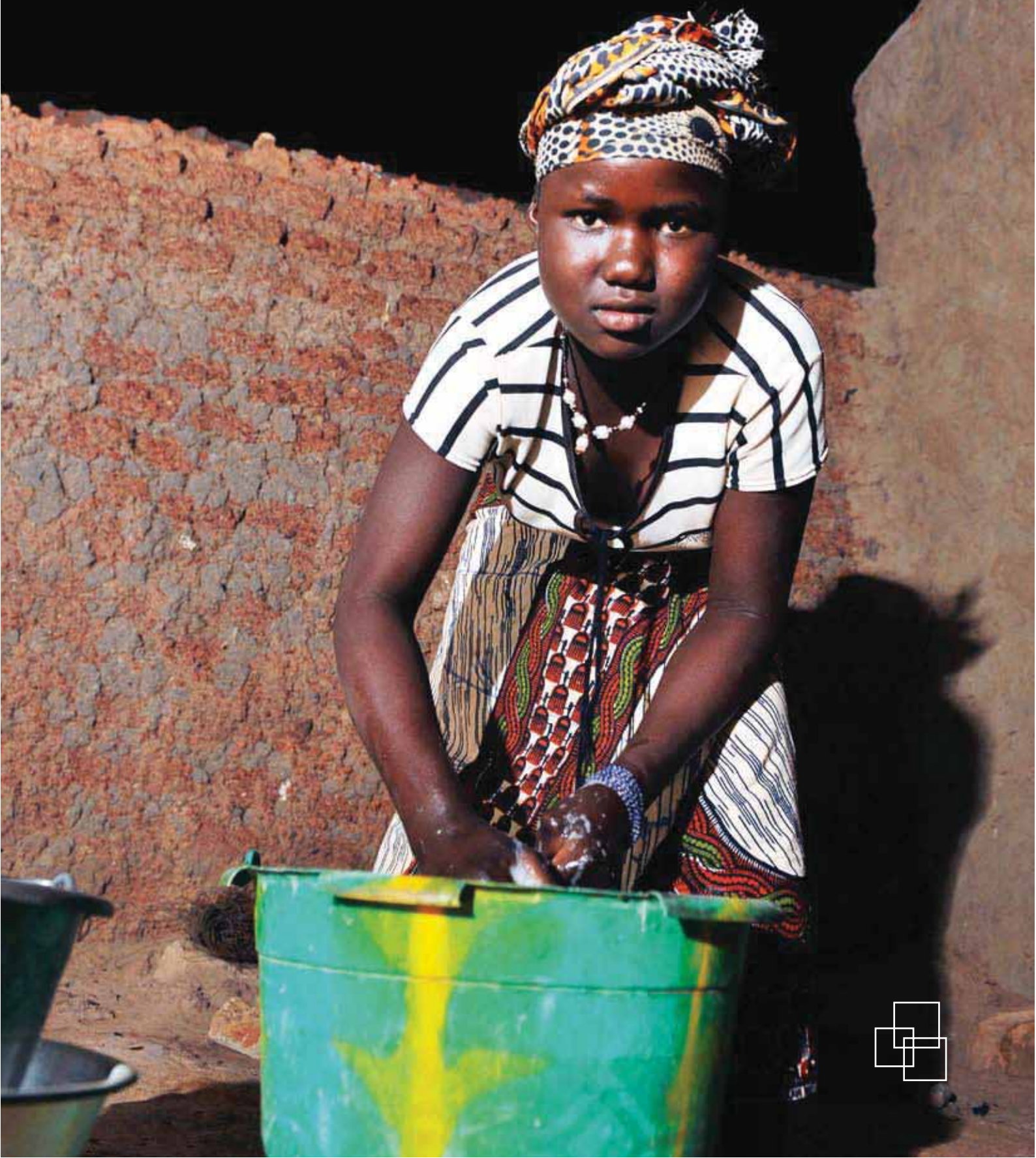




International
Labour
Office

Ending child labour in domestic work

and protecting young workers
from abusive working conditions



Ending child labour in domestic work

and protecting young workers from abusive working conditions

International Programme on the Elimination of Child Labour (IPEC)

Governance and Tripartism Department

International Labour Office

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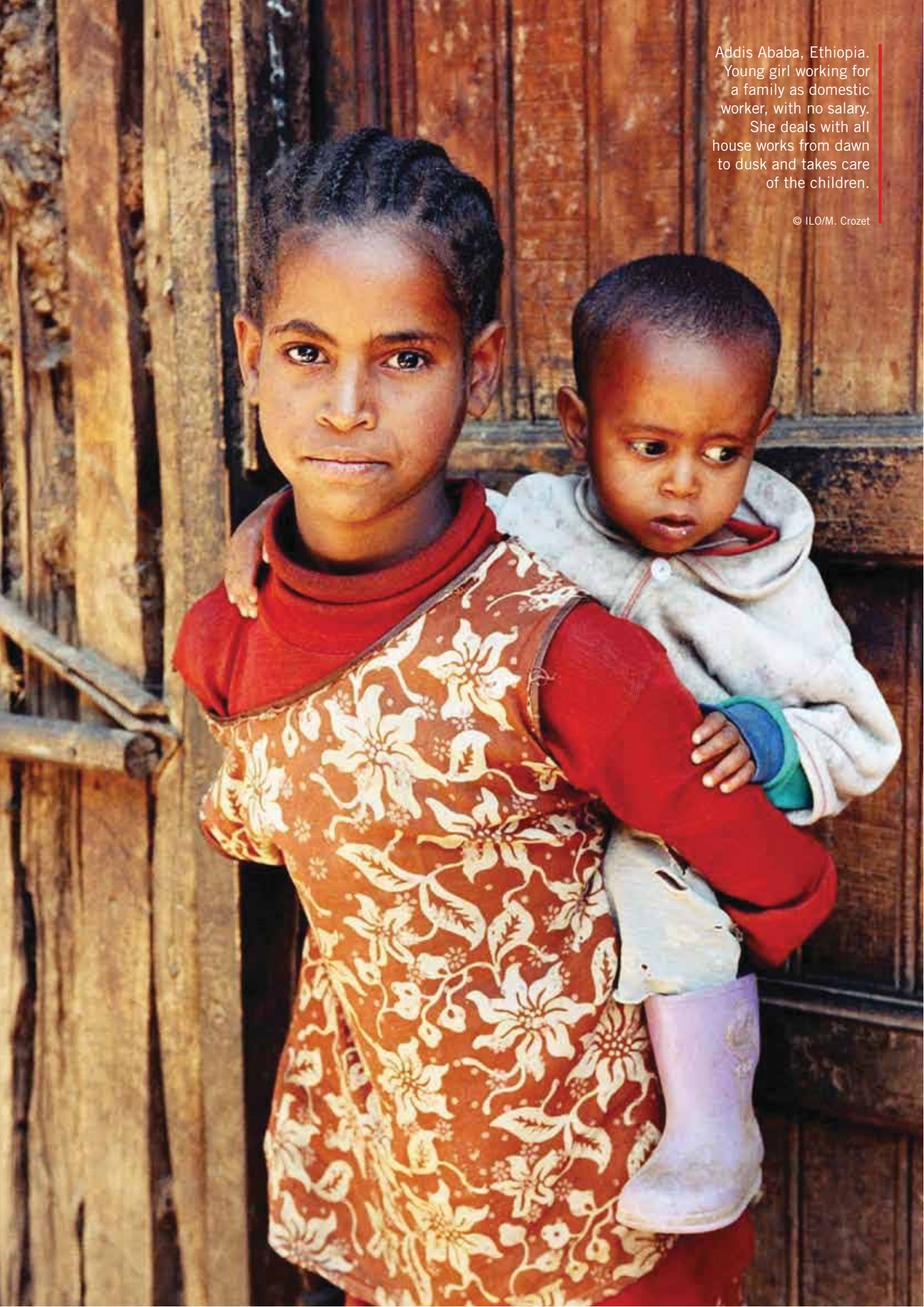


Acronyms and abbreviations

CEACR	Committee of Experts on the Application of Conventions and Recommendations (ILO)
IDWN	International Domestic Workers' Network
ILO	International Labour Organization
IPEC	International Programme on the Elimination of Child Labour (ILO)
ITUC	International Trade Union Confederation
IUF	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations
NGO	Non Governmental Organization
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime

Addis Ababa, Ethiopia.
Young girl working for
a family as domestic
worker, with no salary.
She deals with all
house works from dawn
to dusk and takes care
of the children.

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Executive summary

Millions of children around the world, mainly girls, are in paid or unpaid domestic work in households other than their own. Of these children around two thirds are estimated to be in unacceptable situations, either because they are below the legal minimum working age, or are working under hazardous conditions or in circumstances that are tantamount to slavery.

These children carry out tasks such as cleaning, ironing, cooking, gardening, collecting water, looking after other children and caring for the elderly. Many of them have no or insufficient access to education. When undertaken in their own homes, in reasonable conditions, and supervised by those closest to them, such chores can be an integral part of family life and of growing up. While there are concerns over certain situations where these workloads, in their own home, interfere with the children's education or are excessive, such situations are not the subject of this report. What is of concern here is the seclusion, dependency and lack of rights that make children

working in the homes of others highly vulnerable to child labour.

The ILO's fundamental child labour Conventions, namely Convention No. 138 concerning the minimum age for admission to employment and Convention No. 182 on the worst forms of child labour, provide the framework for ending child labour in domestic work. Children should not be working at an age below the general minimum age for employment, or in worst forms of child labour situations, such as in hazardous work or slavery. At the same time, where young workers have reached the minimum age for work and are legally permitted to work, special attention should be paid to ensure that their working conditions and environment are age-suitable, take account of their specific needs, and prevent their situation from becoming hazardous.

In 2011, in a landmark development, the ILO's International Labour Conference adopted Convention No. 189 and

Recommendation No. 201 concerning decent work for domestic workers. The adoption of these instruments is a historic step towards ensuring that all domestic workers enjoy the same fair terms of employment and decent working conditions as other workers and are equally entitled to respect of their rights and dignity. These new standards contain specific provisions requiring ratifying States to protect children from child labour in domestic work, while ensuring that young workers who can legally work are provided with decent work conditions and do so without compromising their education.

This report is divided into seven chapters and final recommendations.

Chapter 1 sets the scene for a better understanding of child domestic work. It outlines why child domestic work is a global concern, presents the basic concepts in this area and the response required by the two fundamental conventions on child labour as well as the detail provided by the recently adopted instruments on decent work for domestic workers.

Chapter 2 looks into child domestic work as a social development priority, as a human rights concern and as a gender equality challenge.

Chapter 3 of the report provides detailed information on current data regarding the estimated number of child domestic workers worldwide. Key findings are presented according to sex and age group. Importantly, the findings shed light on the numbers of those involved in unacceptable situations.

Chapter 4 considers the main features of child domestic work. It explores the ambiguity of the working relationship, the discrimination and isolation associated with

the practice, the hazards and risks of this type of work, as well as the vulnerability to violence and to abuse faced by domestic workers of all ages. The chapter also emphasizes the relationship between child domestic work and children's right to education, as well as the impact of their movement for work – which not only defines the recruitment process of many children, but is central to how they are subsequently controlled.

Policy responses to child labour are explored in **Chapter 5**. The chapter underlines the need to develop improved data collection and statistical tools to better capture child labour and youth employment in domestic work. Strategic action against child labour in domestic work faces complex challenges and the chapter focuses on the importance of responses that cut across traditional policy boundaries to tackle this complexity.

Child domestic work is not simply of concern to the children, their families and communities, nor can they solve the problems unless the communities in which they work, and their national development plans and policies, take children's needs explicitly into account. The chapter stresses the need for legislative and regulatory action and for policy responses on several fronts, including on decent work, social protection, labour markets, education, strategic communication and advocacy, as well as on institutional capacity building.

Chapter 6 explores, underlines and illustrates, with examples of practical action, the key role of employers' and workers' organizations - in particular domestic workers' own organizations – in the fight against child labour in domestic work and in supporting decent work for domestic workers of all ages, including for young domestic workers of legal working age.



The report also examines, in **Chapter 7**, the critical role played by civil society organizations in the fight against child labour in domestic work and in the protection of young workers of legal working age. Among other issues, it explores varied approaches and experiences of reaching out to child domestic workers, to prevent their recruitment into child labour situations and ensure the removal and reintegration of those already in such situations. Also examined are responses to education and training needs, how to get employers on board and how to promote children's agency and awareness of their rights so that child domestic workers are empowered to help themselves.

The report concludes by making a call for specific action including:

- Developing statistical visibility and further enhancing knowledge on child domestic work;
- Increasing awareness and advocacy to challenge assumptions that child domestic workers are “like one of the family”;

- Promoting the ratification and implementation of child labour Conventions No. 138, No. 182 and of Convention No. 189 concerning decent work for domestic workers;
- Taking legislative and policy action to end child labour and to protect young workers in domestic work;
- Formalizing the employment relationship in domestic work, for instance by promoting the use of contracts;
- Further enhancing the role of the social partners and extending freedom of association and effective recognition of the right to collective bargaining in domestic work;
- Engaging with child domestic workers as agents for change.

In short, this report makes a call to end child labour in domestic work and to provide adequate protection to young workers, of legal working age, against abusive working conditions in domestic work.

New Delhi, India.
Child domestic worker
doing the sweeping work
of the house.

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1

Understanding child domestic work

1.1 A global concern

An estimated 15.5 million children (i.e. persons below the age of 18) are involved in paid or unpaid domestic work in the home of a third party or employer. Of these children 10.5 million are estimated to be in child labour either because they are below the legal minimum working age, or are working under hazardous conditions or in circumstances tantamount to slavery. Girls in domestic work far outnumber boys, although boys also feature in significant numbers and are exposed to similar problems and vulnerabilities.

All over the world children are working in households, carrying out tasks such as cleaning, ironing, cooking, gardening, collecting water, looking after other children and caring for the elderly. When undertaken in their own homes, in reasonable conditions, and supervised by those closest to them, such chores can be an integral part of family life and of growing up. While there are concerns over certain situations where these workloads might interfere with the children's education

or are excessive, and therefore they might be tantamount to child labour, these situations in the children's own households are not the subject of this report. Instead, this report focuses on the millions of children doing domestic work in households other than their own, i.e. under an employment relationship.

Child domestic work warrants particular attention because of the conditions under which the children – many of whom “live-in” with their employers – are working. Time and again, child domestic workers report that their daily experience of discrimination and isolation in the household is the most difficult part of their burden. Their situation, and how they got to be there, also makes them highly dependent on their employers for their basic needs. This seclusion and dependency makes child domestic workers particularly vulnerable to child labour, and at times can result in physical, psychological and sexual violence.¹

¹ Blagbrough, J.: *They respect their animals more: Voices of child domestic workers* (London, Anti-Slavery International/WISE, 2008).

Child domestic workers are often difficult to protect. Not only do they toil behind the closed doors of their employers' homes, but societies do not see what they do as work. It is seen rather as an obligation that children have towards adults (in particular in family settings) and – especially in relation to girls – as an important training for later life. That does not mean that all child domestic workers have identical working lives. Their experiences may differ for a number of reasons, including the sex and age of the child, her or his social, national or ethnic origins, family circumstances or relationship with the employing family – in short, those interconnected variables contribute to their particular experience of vulnerability and agency or lack of it. For the majority, a common cross-cutting factor influencing their engagement in child domestic work – for both girls and boys – is the extent of the social exclusion and relative poverty of their families and communities.

Domestic work generally remains consistently undervalued and poorly regulated, and domestic workers of all ages continue to be overworked, underpaid and unprotected.² This reflects also the lack of recognition of the essential role that this type of occupation – and reproductive work³ in general – plays in any economy. Domestic workers make a significant contribution to local, national and global economies. Across the world, domestic work is an important source of employment, particularly for millions of women. Evidence indicates that both the need for, and the numbers of,

domestic workers of all ages are growing – buttressed by the huge rise in women joining the labour force outside the home, ageing populations in many countries requiring care, and the persistent inadequacy of measures to facilitate a sustainable work/family/life balance.⁴ In these circumstances, domestic workers of all ages are increasingly performing the reproductive work without which economies cannot function.

The current report aims at promoting decent work in domestic work through the elimination of child labour and the provision of adequate protection against abusive working conditions to young workers in domestic work.

The new ILO standards on decent work for domestic workers: Convention No. 189 and Recommendation No. 201

In a landmark development, the ILO's International Labour Conference adopted in its 100th Session (2011) new standards concerning decent work for domestic workers. The adoption of these instruments is a historic step towards ensuring that all domestic workers enjoy the same fair terms of employment and decent working conditions as other workers and are therefore equally entitled to respect of their rights and dignity.⁵

The new instruments contain specific provisions requiring ratifying States to protect children from child labour in domestic work, while ensuring that young workers who can legally work in domestic

² ILO: *Decent work for domestic workers, Report IV (1)*, International Labour Conference, 99th Session (Geneva, 2010).

³ ILO: *A manual for gender audit facilitators: The ILO participatory gender audit methodology*, (Geneva, 2007) 1st edition, p. 133: "Reproductive role refers to childbearing and the different activities carried out in what is called today the care economy; namely, the many hours spent caring for the household members and the community, for fuel and water collection, food preparation, child care, education and health care, and care for the elderly, which for the most part remain unpaid."

⁴ ILO: *Domestic workers across the world: Global and regional statistics and the extent of legal protection* (Geneva, 2013). This report shows that between 1995 and 2010, the number of domestic workers across the world rose from approximately 33.2 million to 52.6 million.

⁵ ILO: *Effective protection for domestic workers: A guide to designing labour laws* (Geneva, 2012), p. 6.



work are able to do so without interfering with opportunities to complete basic education, to continue their education or to access vocational training. States are further recommended to provide special protection for young workers entitled to work by strictly limiting their working hours, banning night work, placing restrictions on work that is excessively demanding and by carefully controlling and monitoring their working and living conditions.

In addition to the international impact that the new standards on domestic work are having on the situation of many adults and children in domestic work, this process has already stimulated national dialogue – encouraging governments to act to protect them. The new standards have already prompted a significant number of governments to take reform steps. Critically, the new standards present an opportunity to increase understanding of child domestic work as a human rights and gender concern, ensuring that young workers, when they can legally work, are especially protected from abusive conditions. Already, the standards are also playing a decisive role in seeking recognition for domestic work as real work. This approach holds the promise of a new era, ensuring visibility and respect for domestic workers of all ages.

1.2 What do we mean by domestic work?

The term “domestic work” covers a wide range of tasks and services that vary from country to country and that can be different depending on the age, gender, ethnic background and migration status of the workers concerned, as well as the cultural and economic context in which they work. This means that a definition of domestic work and the workers involved on the basis

only of the tasks being performed risks being perpetually incomplete. Rather, the ILO Convention No. 189 concerning decent work for domestic workers, 2011, draws on the common and distinctive characteristic that domestic workers are employed by, and provide services for, third party private households.⁶

Box 1 – ILO Convention No. 189 concerning decent work for domestic workers, 2011: Definitions

Article 1:

- (a) the term “**domestic work**” means work performed in or for a household or households;
- (b) the term “**domestic worker**” means any person engaged in domestic work within an employment relationship;
- (c) a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.

A key concern relating to domestic work in general is that it is often perceived to be something other than employment.⁷ The paternalistic notions that frequently accompany this kind of work – that domestic workers are “like one of the family” – serve to conceal the existence of an employment relationship, and have resulted in domestic workers being one of the least protected groups of workers. Evidence gathered from ILO member States in 2010 revealed that the labour legislation of a significant number of countries wholly or partially continues to exclude domestic workers from its coverage, or provides lower levels of protection than for other workers.⁸ These notions, and the

⁶ ILO: *Domestic workers across the world* (2013), op. cit., pp. 7-8.

⁷ ILO: *Decent work for domestic workers, Report IV (1)* (2010), op. cit., paragraph 45.

⁸ Ibid.

Box 2 – Child domestic work and the worst forms of child labour

The ILO Convention No. 182 on the worst forms of child labour and its accompanying Recommendation No. 190 define a range of **child labour situations requiring immediate action** – and which aptly describe the situation of some child domestic workers.

Article 3 of Convention No. 182 defines the worst forms of child labour as:

- (a) 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;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performance;
- (c) 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;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

* * *

What constitutes “**hazardous work**” under category (d) is open to tripartite determination at national level. In doing so, national bodies should be guided by Paragraph 3 of Recommendation No. 190 and consideration should be given, *inter alia*, to:

- (a) work which exposes children to physical, psychological or sexual abuse;
- (b) work underground, under water, at dangerous heights or in confined spaces;
- (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- (d) work 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;
- (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

resulting legislative deficits, are amplified when it comes to consideration of child domestic workers, with further ambiguity created because they are sometimes working for relatives – albeit often very distant – and the relationship is described as being one of the family rather than of employment.

“I don’t have a contract because the lady says that she is helping me, I don’t have holidays either.”

(Natalie, 16 years, female, child domestic worker, Cartago, Costa Rica)⁹

⁹ Unless otherwise stated, the majority of the quotations in this report from current and former child domestic workers come from the following sources: Blagbrough, J.: *They respect their animals more* (2008) op. cit., and from “Stand With Us!”, consultations about the ILO’s proposed standards on domestic work involving 419 current and former child domestic workers during 2010 and 2011 at: www.standwithus-youngdomesticworkers.blogspot.co.uk. All names have been changed to protect anonymity.



Box 3 – ILO Convention No. 189 and Recommendation No. 201 concerning decent work for domestic workers, 2011: Child domestic work related provisions

Convention No. 189

Article 4:

1. Each Member shall set a minimum age for domestic workers consistent with the provisions of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and not lower than that established by national laws and regulations for workers generally.
2. Each Member shall take measures to ensure that work performed by domestic workers who are under the age of 18 and above the minimum age of employment does not deprive them of compulsory education, or interfere with opportunities to participate in further education or vocational training.

Recommendation No. 201

5. (1) Taking into account the provisions of the Worst Forms of Child Labour Convention, 1999 (No. 182), and Recommendation (No. 190), Members should identify types of domestic work that, by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children, and should also prohibit and eliminate such child labour.
(2) When regulating the working and living conditions of domestic workers, Members should give special attention to the needs of domestic workers who are under the age of 18 and above the minimum age of employment as defined by national laws and regulations, and take measures to protect them, including by:
 - (a) strictly limiting their hours of work to ensure adequate time for rest, education and training, leisure activities and family contacts;
 - (b) prohibiting night work;
 - (c) placing restrictions on work that is excessively demanding, whether physically or psychologically; and
 - (d) establishing or strengthening mechanisms to monitor their working and living conditions.

1.3 The ILO Conventions No. 138 and No. 182 on child labour and the Convention No. 189 concerning decent work for domestic workers

The ILO's fundamental child labour Conventions, namely Convention No. 138 concerning the minimum age for admission to employment and Convention No. 182 on the worst forms of child labour, provide the framework for ending child labour and protecting all under-18s.

Children should not be working in domestic work in the home of a third party or employer, below the general minimum age for admission to employment or work, which shall not be less than the age of completion of compulsory schooling, and in any case not lower than 15 years.¹⁰ National laws and regulations may permit children below the minimum age to carry out "light work".¹¹ Where this is allowed, legislative provisions should strictly limit its nature and duration. Children should not be in domestic work in

¹⁰ Convention No. 138, Article 2(3): Ratifying countries may initially determine 14 years as legal minimum age, subject to the conditions specified in Article 2(4) and (5).

¹¹ Ibid., Article 7(1), defines "light work" as activities that are not harmful to the child's health and development and do not prejudice attendance at school and participation in vocational training, nor "the capacity to benefit from the instruction received."

a situation considered to be a worst form of child labour, such as hazardous work or slavery-like situations. Children are to be prevented from engaging in child labour in domestic work and, in situations where they are already involved, need to be removed in conformity with the standards.

At the same time, where young workers above the minimum age and below 18 are legally permitted to be engaged in domestic work in the home of a third party or employer, safeguards should be put into place to ensure that they are appropriately protected, i.e. that their working conditions and environment are age-appropriate, take account of their specific needs, and prevent their situation from becoming hazardous.¹² Young workers in domestic work are to be protected and provided with decent work conditions in line with Convention No. 189 and Recommendation No. 201.

Convention No. 189 compliments the provisions of Conventions No. 138 and No. 182. Recommendation No. 201 reinforces this link by calling for the identification, prohibition and elimination of hazardous work by children, and for the implementation of mechanisms to monitor the situation of children in domestic work.

Children trapped in child labour in domestic work from a very young age are likely to have had no or insufficient access to schooling. At the same time, child domestic workers above the legal minimum age have a reduced chance of continuing with education. Convention No. 189 therefore calls on member States to take measures to ensure that work performed by young domestic workers who are entitled to work does not deprive them of compulsory education, or interfere with their involvement in further education or vocational training.

¹² ILO: *Effective protection for domestic workers: A guide to designing labour laws* (Geneva, 2012), p. 31.

For the purpose of this report, “**child domestic work**” refers to children’s work in the domestic work sector in the home of a third party or employer. Where that work is performed by children below the relevant minimum age (for light work, full-time non-hazardous work and hazardous work respectively) or in a slavery-like situation that work is referred to as “**child labour in domestic work**”. Where the conditions of work and the age of the child concerned meet the requirements of international labour standards, the work is referred to as “**youth employment / young workers in domestic work**”.

1.4 Evolution of the ILO approach to child domestic work

For decades, the ILO has been concerned with protecting and improving the situation of domestic workers, including those above the legal minimum age but under the age of 18.

The last 20 years in particular has seen ILO-IPEC at the forefront of efforts to transform the perception of child domestic work as a benign cultural practice to widespread acknowledgement of the many ways in which it can undermine children’s rights. The process of elaborating ILO Convention No.182 in the latter half of the 1990s shed particular light on the situation of child domestic workers, which had often previously been perceived as a permissible exception to the minimum age under ILO Convention No. 138. Under Convention No. 182, child domestic work was not explicitly defined as a worst form of child labour; however, it was acknowledged that some situations could be considered as worst forms of child labour. Furthermore, a growing number of studies have been looking beyond this analysis to examine the issue as a gender-based social phenomenon



Nairobi, Kenya.
Young girls working as
domestic workers in a family.

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with links to a range of other child rights concerns. Understanding has also shifted beyond consideration of child domestic workers simply as passive victims of child labour towards recognition of them as people able to change their own lives and the lives of others, in particular, when they act collectively.

The ILO Workers' group, the International Trade Union Confederation (ITUC) and the International Union of Food workers (IUF), launched in 2006 a concerted campaign for the ILO to develop a new Convention to protect domestic workers. And two events during the last decade, accompanied by ILO-IPEC publications, further helped to strengthen the ILO focus on domestic work and child labour. In 2004 the World Day Against Child Labour was dedicated to child labour in domestic work, with its accompanying report *Helping hands or shackled lives? Understanding child domestic labour and responses to it*,

receiving considerable attention. In 2006, IPEC organized an Interregional Workshop on Child Domestic Labour and Trade Unions.

This workshop was strongly supported by the Workers' Group of the ILO Governing Body, and was well attended by trade unions and relevant ILO departments. It created an increased interest for the domestic sector which never faded.

The adoption in 2011 of the ILO Convention and Recommendation concerning decent work for domestic workers confirms this shift in policy thinking on labour regulation for this sector.¹³ This also coincided with a stronger ILO focus on the deficit of decent work in the informal economy in general. This theme is further elaborated throughout this report.

¹³ ILO: *Effective Protection For Domestic Workers* (2012), op. cit., p. 6.

Alajuelita, Costa Rica.
Young domestic worker.

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2

Why focus on child domestic work?

“For so long we have suffered in silence. We need to put an end to this exploitation and abuse.”

(Joyce, 17 years, female, child domestic worker, The Philippines)

Promoting decent work conditions for domestic workers, including those young workers who are legally entitled to do so, lies at the heart of the Convention No. 189 concerning decent work for domestic workers and its accompanying Recommendation No. 201. These standards have brought the need for decent work for domestic workers to the fore internationally, and are already prompting many countries to review their current legislation, regulations and practices with a view to extending worker protections to domestic workers.¹⁴

2.1 Child domestic work is a social and developmental priority

Poverty invariably underlies a child’s vulnerability to domestic work. The large majority of child domestic workers come from poor families and, particularly in societies lacking social protection safety nets, are sent to work to supplement their family’s income or simply to lessen the financial strain at home.¹⁵ However, in addition to poverty, there are many other “push” factors or triggers such as gender and ethnic discrimination, social exclusion, lack of educational opportunities, domestic violence, (to flee a) forced marriage, rural to urban migration, displacement, or the loss of close family members as a result of conflict and disease. These factors are exacerbated by the cultural motivations of parents to send their girls into “safe” and suitable situations in advance of

¹⁴ ILO: *Domestic workers across the world* (2013), op. cit.

¹⁵ UNICEF-ICDC: *Child Domestic Work*. Innocenti Digest No. 5 (Florence, International Child Development Centre, 1999).

Box 4 – ILO Convention No. 189 concerning decent work for domestic workers, 2011: Extracts from the Preamble

Recognizing the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability, and substantial income transfers within and between countries, and (...)

Considering that domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights, and (...)

Considering also that in developing countries with historically scarce opportunities for formal employment, domestic workers constitute a significant proportion of the national workforce and remain among the most marginalized (...)

(...) adopts this sixteenth day of June of the year two thousand and eleven the following Convention, which may be cited as the Domestic Workers Convention, 2011.

married life. In some locations, particularly in parts of South Asia, it is not uncommon to find children working as domestic workers to repay family debts.¹⁶

HIV/AIDS and its consequences have compelled many children to begin domestic work in the households of others at a young age. The death or illness of adult family members from AIDS can often result in children being sent away to live with relatives, or forces the oldest to become providers for themselves and their siblings.¹⁷

“I started living with my maternal uncle’s family as a domestic worker as my parents could no longer support my education. My relatives paid for my education only for the initial months, but slowly began to pull back on their commitment. When I switch gears between being a nephew, a domestic worker, and a student, I face significant challenges in maintaining these relationships and feel helpless about my situation.”

(Ravi, 13 years, male, child domestic worker, Sindhuli, Nepal)¹⁸

Evidence from research on child domestic work in a number of contexts – particularly sub-Saharan Africa – shows that many children in domestic work have no, or only one, parent alive.¹⁹ For example, the movement of large numbers of children in Liberia from rural areas to live with relatives or friends of relatives in

¹⁶ IPEC: *Helping hands or shackled lives? Understanding child domestic labour and responses to it* (Geneva, ILO, 2004); Black, M.: "What are the best ways to develop effective strategies and approaches to reach and support Child Domestic Workers?", in *Comic Relief Review* (London, Comic Relief, 2011). With reference to the link between forced marriage and child domestic work, there is evidence that the prospect of forced early marriages pushes some children (especially girls) to run away to the street, where they are vulnerable to child labour and other forms of abuse, including in domestic work. See, for example, *Iran – CEACR, Convention No. 182, direct request*, 2010.

¹⁷ IPEC: *Give girls a chance. Tackling child labour, a key to the future* (Geneva, ILO, 2009), p. 5.

¹⁸ Obtained by ILO-IPEC in Nepal.

¹⁹ See, for example, IPEC: *Preliminary report on rapid assessment on child domestic workers in the districts of Rakai, Tororo, Busia and Lira (Uganda)*, unpublished (Kampala, ILO, 2002).



urban settings mirrors the long established tradition of child fostering across much of West Africa.²⁰ Results from a study of the psychosocial impact of domestic work on children has found that the level of cultural and social acceptability of child domestic work in a society impacts upon the age at which children enter the sector. Children in societies where the practice is widely accepted are found to be starting work at a younger age than where the practice is less tolerated.²¹ Social acceptability also impacts on how they are subsequently treated.

Children are also “pulled” into domestic work as a result of economic uncertainty and the widespread belief that the move will offer an opportunity for better living conditions. They are also “pulled” by siblings and friends already working in households. The increasing participation of women in the labour force has resulted in a considerable demand for domestic work. Many employers opt for younger workers because they are cheaper and considered to be more acquiescent to the employer’s requirements.²² In some countries, significant numbers of older children report that they themselves make the decision to leave home and seek work in order to be able to continue with their education.²³

“I was going to study this year but my employer said it wasn’t possible; we couldn’t leave the children alone. Both he and his wife go out to work.”

(Victor, 16 years, male, child domestic worker, Lima, Peru)

Children’s wish to sustain their education is critical not only to their own life chances, but also to the successful development of the societies in which they live. That educating girls is one of the most effective ways of tackling poverty is now the subject of almost universal consensus. It is also understood that poverty, lack of education and child labour are closely linked, and that, if future generations of child labour are to be avoided, decent work deficits for adults must be overcome and accessible quality education must be provided for all children.²⁴

2.2 Child domestic work is a fundamental human rights concern

The exclusion of domestic workers from coverage under national labour laws remains widespread, systematically limiting their rights and protections and denying them access to legal redress.²⁵ Typically, domestic workers are still debarred from essential conditions which all categories of workers should enjoy, including the right to organize and to bargain collectively, paid annual

²⁰ Blagbrough, J.: *Blind Hope: Children on the move in Liberia*, unpublished (London, Save the Children UK, 2008).

²¹ Anti-Slavery International: *Home Truths: Wellbeing and vulnerabilities of child domestic workers* (London, Anti-Slavery International, 2013).

²² IPEC: *Children in hazardous work: What we know, what we need to do* (Geneva, ILO, 2011).

²³ Blagbrough, J.: *They respect their animals more* (2008), op. cit.

²⁴ IPEC: *Give Girls A Chance* (2009), op. cit., p. 6; see also UN Special Envoy for Global Education: *Child Labor & Educational Disadvantage – Breaking the Link, Building Opportunity*. A Review by Gordon Brown, UN Special Envoy for Global Education (2012), p. 9.

²⁵ ILO: *Giving globalization a human face – General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization, 2008. Report of the Committee of Experts on the Application of Conventions and Recommendations* (Geneva, 2012).

leave, working time controls, minimum wage coverage and maternity protection – among others.²⁶ Domestic work is among the lowest paid of any occupation, with domestic workers usually earning less than half, and sometimes no more than 20 per cent, of average wages.²⁷

As affirmed by the United Nations Committee on Economic, Social and Cultural Rights in the context of Article 6 (right to work) of the International Covenant on Economic, Social and Cultural Rights, “domestic work ... must be properly regulated by national legislation so that domestic ... workers enjoy the same level of protection as other workers”.²⁸ And, as discussions during the development of the Convention No. 189 underlined, to eliminate child labour in domestic work and to bring domestic workers –including young workers who are legally entitled to work – under the protection of labour legislation is a matter of *gender equality* and equal protection under the law and therefore also a question of human rights.

“I have only received money on four or five occasions since I’ve been working there, sums of between 1,000 to 5,000 rupees (14 to 70 USD) to buy sandals or a few other items. I also occasionally receive clothes that used to belong to my employer’s daughter, who is more or less the same age as me. She says that because I receive board and lodging, I have no right to anything else.”

(Interview with Ms S. Danuwar, 24, who started domestic work at the age of 7, President of the Nepal Independent Domestic Workers Union –NIDWU. Decent work and decent life for domestic workers, ITUC Action guide (Brussels, 2010)

Young domestic workers who are legally entitled to work but are under the age of 18 are particularly vulnerable to conditions which amount to child labour. Many are additionally vulnerable as a result of their movement from rural locations to urban centres, as evidenced by recent research showing that working child migrants are worse off in a variety of ways compared to non-migrant working children.²⁹ Amongst these, children who are compelled to migrate alone – of whom many are child domestic workers – do so at considerable risk.³⁰

Child labour in domestic work is not simply an abuse of children’s rights but constitutes a serious challenge to ensuring decent work for adults. In its recent General Survey, the ILO highlighted respect for and the interdependence of its core labour principles and standards in making decent work a reality for domestic workers.³¹ Where legislation or enforcement falls short of protecting children from child labour in domestic work, or prevents domestic workers from organizing, the potential for abusive working conditions is significant. Furthermore, respect for the ILO’s fundamental principles and rights at work is undeniably beneficial to the development of human potential and economic growth in general, and emphasizes their contribution to social justice and sustainable peace.³²

²⁶ ILO: *Domestic workers across the world* (2013), op. cit., p. 1.

²⁷ ILO: *Giving globalization a human face* (2012), op. cit., paragraph 707.

²⁸ ILO: *Effective Protection For Domestic Workers* (2012), op. cit., p. 3.

²⁹ IPEC and Child Helpline International: *Child migrants in child labour: An invisible group in need of attention* (Geneva, ILO, 2012).

³⁰ ILO: *Joining forces against child labour: Inter-agency report for The Hague Global Child Labour Conference of 2010*, (Geneva, ILO and Understanding Children Work, 2010), paragraph 20.

³¹ ILO: *Giving globalization a human face* (2012), op. cit., paragraph 966. The term “core labour principles” refers to the ILO Declaration on Fundamental Principles and Rights at Work, see Footnote 25.

³² *Ibid.*, paragraph 4.



Box 5 – Child domestic work and children's rights

An important lens through which to examine child domestic work is from the child rights perspective. The United Nations Convention on the Rights of the Child (UNCRC), 1989 — outlines the full range of rights of all children under the age of 18. The Convention provides a useful benchmark for determining the extent to which child domestic workers' rights are being violated, or their vulnerability to such violations. Analysing child domestic work in this way reveals the many rights that are actually or potentially infringed, including:

- The right to non-discrimination, on grounds of ethnic or social origin, birth or other status (Article 2);
- The right to be cared for by his or her parents (Article 7);
- The right to preserve identity, nationality, name and family relations (Article 8);
- The right to maintain regular contact with parents if separated from them (Article 9);
- The right not to be illicitly transferred abroad (Article 11);
- The right to express views in all matters affecting her/himself (Article 12);
- The right to freedom of association (Article 15);
- The right not to be subject to unlawful attacks on her or his honour and reputation (Article 16);
- The right to be brought up by parents or guardians whose basic concern is his or her best interests (Article 18);
- The right to protection from physical or mental ill-treatment, neglect or exploitation (Article 19);
- The right to benefit from the highest attainable standard of health and access to health care services (Article 24);
- The right to social security, including social insurance in accordance with national law (Article 26);
- The right to conditions of living necessary for his or her development (Article 27);
- The right to education (Article 28);
- The right to rest, leisure, play and recreation (Article 31);
- The right to protection from economic exploitation and from performing any work that interferes with his or her education or is harmful to his or her mental, spiritual or social development (Article 32);
- The right to protection from all forms of sexual exploitation and sexual abuse (Article 34);
- The right to protection from abduction, sale or trafficking (Article 35);
- The right to protection from cruel or degrading treatment, and arbitrary deprivation of liberty (Article 37).

Despite the continuing efforts of national and local governments, thousands of local social partner and civil society organizations and of UN agencies, there remains a considerable gap between the international recognition of these rights and making them a daily reality for child domestic workers.

For the vast majority of parents and employers, the concept of child rights, let alone of a child domestic worker having rights which might be being violated, remains unknown.³³

³³ IPEC: *Helping hands or shackled lives?* (2004) op. cit., pp. 29-32; and Black, M.: "What are the best ways to..." (2011), op. cit.

Box 6 – When does child domestic work become slavery?

There is evidence that considerable numbers of *child domestic workers are in debt bondage* (when a child enters domestic work in exchange for money for a third party, or in repayment of an outstanding debt), often as a side effect of traditional feudal relationships between landlords and tenants as well as on an individual basis.³⁴ For example, families in agricultural bonded labour in Pakistan and Nepal have for centuries been required to send a daughter to the landlord's house to be a domestic worker, and sometimes such children are sent away from the rural estate to work at the landlord's city home or another urban household connected to the landlord's family. There are also reports of parents pledging children into individual bondage as domestic workers (outside of any landlord-tenant relationship) due to the need to obtain money for survival or for some exceptional expense.³⁵

For many years the ILO's Committee of Experts on the Application of the Conventions and Recommendations (CEACR) has discussed various manifestations of *child domestic work as forced labour*, and more recently *as a worst form of child labour*. This includes children who are obliged to work long hours without pay and who experience restricted freedom of movement, children who are sold into domestic work by their parents, those who are trafficked for the purpose of domestic labour (see below), as well as children in various traditional systems of domestic servitude.³⁶ For example, in 2011, concerning C.182, the CEACR observed that, "...the Committee has been commenting for many years on the situation of hundreds of thousands of *restavèk*³⁷ children who are often exploited under conditions that qualify as forced labour. It noted that in practice many of these children, some of them only 4 or 5 years old, are the victims of exploitation, are obliged to work long hours without pay, face all kinds of discrimination and bullying, receive poor lodging and food and are often subjected to physical, psychological and sexual abuse. In addition, very few of them attend school".³⁸ In relation to this observation the CEACR requested the Government of Haiti to take "*immediate and effective measures to ensure, in law and in practice, that children under 18 years of age may not be employed as domestic servants under conditions equivalent to slavery or under hazardous conditions, taking account of the special situation of girls*".

More recently, child domestic work has also been identified *as a trafficking issue*. At its simplest, child trafficking can be described as the process of recruiting and moving a child for the purpose of exploitation.³⁹ While prospective employers may approach the child or her family directly, more

"Because my salary was too small, I ended up asking for money advances from my employer. Over the years, I incurred too huge a debt I could never repay it. So I worked and worked just to be able to get more advances while my debt grew bigger and bigger"

(Anna, former child domestic worker, who entered domestic work at the age of 9, The Philippines)

³⁴ Debt bondage is defined in the UN's 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery as: "the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined" (Article 1(a)).

³⁵ ILO: *Collective for Social Science Research in Karachi: A Rapid Assessment of Bonded Labour in Domestic Labour and Begging in Pakistan*. Bonded Labour Research Forum (Geneva, 2004).

³⁶ ILO: *Giving globalization a human face* (2012) op. cit., paragraph 469.

³⁷ In Haiti "*restavèk*" is the term used in Creole to refer to child domestic workers, and means "to stay with".

³⁸ *Haiti* – CEACR, Convention No. 182, observation, 2011.

³⁹ This paraphrases the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (supplementing the UN Convention against Transnational Organized Crime, 2000) which defines child trafficking as "The action of recruitment, transportation, transfer, harbouring, or receipt [of a child] for the purposes of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices, and the removal of organs." The trafficking of children is considered to be a worst form of child labour, under Article 3(a) of the ILO Convention No. 182 on the worst forms of child labour, 1999.



often than not it is intermediaries who broker the deals between parents and employers, and who transport the children to their employing families. Some intermediaries deceive or coerce the child or her parents/guardians – who are fed false promises about the working conditions, opportunities for education and about what life for the child will be like. This means that the way in which significant numbers of children (but by no means all) enter domestic work can legitimately be described as trafficking.⁴⁰ For example, in 2011, in a direct request in relation to C.182, the CEACR noted that Ethiopia “*is one of the top ten countries of origin for children trafficked from Africa, and that every year thousands of women and girls are reported to be trafficked from Ethiopia to the Middle East. It also noted that [...], poverty-stricken Ethiopians sell their children for as little as US\$1.2 to traffickers for use in prostitution, domestic work, or as weavers and professional beggars*”. The Committee further noted that, “*...out of the large number of children engaged in the worst forms of child labour, many of them are victims of internal trafficking*”, and urged the Government, “*to strengthen its efforts to protect children from becoming victims of trafficking, particularly internal trafficking, and of commercial sexual exploitation*”.⁴¹ In another example, research has established that a principal motive for the trafficking of children into the United Kingdom each year is for “domestic servitude”, and that many of these children are subsequently used for sexual exploitation.⁴²

Sometimes it is the children themselves or their families who take the initiative to migrate and who themselves approach recruiters. Although these children may be more aware of what they will be doing, they are generally unaware of the hardships that they are likely to face.⁴³ Invariably, the trafficked child is totally dependent on the trafficker for her or his well-being – particularly during the transportation process. Additional vulnerabilities arise when national borders are crossed, for example, in situations where the child is undocumented, located in a place where she or he doesn’t speak the local language, and/or is cut off from family and community.⁴⁴

“I was taken away from my village in Benin when I was nine years old by a friend of my father, and we went to Côte d’Ivoire to work. There I worked with another girl to sell water and lollipops [for my employer]. For three years I only ate maize paste”

(Isoka, 12 years, female, child domestic worker, Benin)

“I managed to escape from my employer’s house with the help of an NGO for I was aware of their intention to sell me to another family in Janakpur. I am now living happily with my parents.”

(Buddhi, 14 years, male, former-child domestic worker, Kavre, Nepal)⁴⁵

⁴⁰ See, for example, *Central African Republic* – CEACR, Convention No. 182, direct request, 2010; *Chad* – CEACR, Convention No. 182, direct request, 2010; *Lesotho* – CEACR, Convention No. 182, observation, 2011; and *Mali* – CEACR, Convention No. 182, observation, 2010.

⁴¹ *Ethiopia* – CEACR, Convention No. 182, direct request, 2011.

⁴² See, for example, Beddoe, C.: *Missing Out: A Study of Child Trafficking in the North-West, North-East and West Midlands* (London, ECPAT UK, 2007); and The Anti-Trafficking Monitoring Group: *All Change: Preventing Trafficking in the UK* (London, ATMG, 2012); see also “Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude”, Research paper on trafficking in *Human Beings for*

Domestic Servitude in the OSCE Region: Analysis and Challenges and Report of the Tenth Alliance against Trafficking in Persons Conference – “Unprotected Work, Invisible Exploitation: Trafficking for the Purpose of Domestic Servitude”, Vienna, 17-18 June 2010 (Vienna, OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, 2010).

⁴³ IPEC: *Unbearable to the Human Heart: Child Trafficking and Action to Eliminate it* (Geneva, ILO, 2002).

⁴⁴ IPEC: *Give Girls A Chance* (2009), op. cit., p. 39.

⁴⁵ Obtained by ILO-IPEC in Nepal.

2.3 Child domestic work is a gender equality challenge

Understanding child domestic work purely in terms of child rights or as a labour issue is only a partial analysis. Evidence shows that the practice is highly feminized, in large part due to deep-rooted societal beliefs that domestic work is fundamentally the domain of women and girls.⁴⁶ As will be seen in Chapter 3, the large majority of child domestic workers are girls.

Two-thirds of the 776 million illiterate people in the world are female, an indication of the continuing lack of relative value placed on girls' education in many settings. The popular view of girls' education as of lesser importance stems from the assumption that educated boys will have better labour market opportunities, while girls' time is better spent taking care of domestic chores in preparation for marriage and motherhood. The inequalities in access to education mean that by the time girls reach the minimum legal age of employment many are already at a distinct social and economic disadvantage.⁴⁷

Quite often, when it comes to adolescent girls, the prevailing view amongst parents is that schools are unsafe places because of the exposure to sexual harassment both in school and on the journey, compounding the widespread belief that schooling is irrelevant for their girls' future roles as wives and mothers.⁴⁸ Yet child labour in domestic work can also expose children, especially girls, to the risk of sexual abuse, harassment and violence in their workplaces – often hidden from the public eye.

In general terms, domestic work is seen, including by many women and girls themselves, as “women’s work”. Indeed, it is one of the few types of work where the employer is generally assumed to be a woman, reflecting the perception that the day-to-day running of a household is traditionally a woman’s responsibility. In addition, adult domestic workers often steer their girls into a domestic worker role by taking them to work, both in order to keep an eye on them and so that they can “learn the ropes”. In this scenario it is, therefore, not surprising that many of those girls who are already out of school will follow their mothers into domestic work.⁴⁹

Across the world, domestic work is an important source of employment for adults as well as for young workers above the minimum working age. Recent statistics have confirmed, for example, that more than a quarter (26.6 per cent) of all female wage workers in Latin America and the Caribbean are domestic workers (and 13.6 per cent in Africa).⁵⁰ In the Asia Pacific region, more than 20 million people are employed by private households, representing over 3 per cent of all paid employees (80 per cent of whom are women). In addition to the large numbers working within their own countries, some States, such as Indonesia, the Philippines and Sri Lanka, witness the outflow of tens of thousands of female migrant domestic workers abroad each year.⁵¹

It is also the case that, compared to adults, young women and men are, on average, twice or three times more likely to be unemployed. Amongst employed youth, labour force participation rates show that

⁴⁶ Plan: *Because I Am a Girl – The State of the World's Girls 2010 – Girls in the Global Economy: Adding It All Up* (London, Plan UK, 2009).

⁴⁷ IPEC: *Give Girls A Chance* (2009), op. cit., p. 2.

⁴⁸ Black, M.: "What are the best ways to..." (2011), op. cit.

⁴⁹ IPEC: *Helping hands or shackled lives?* (2004) op. cit., pp. 21-22.

⁵⁰ ILO: *Domestic workers across the world* (2013), op. cit., p. 26 (Latin America and the Caribbean) and p. 33 (Africa).

⁵¹ *Ibid.*, pp. 28-29.



there is still a pronounced difference between employment opportunity for female and male young workers (with females in some regions far less likely to be in paid employment), although there is evidence that the gap is closing.⁵² In the context of poverty, disadvantage, poor education provision (and take up) and entrenched notions which undervalue work in households and which narrowly define female roles, decent domestic work opportunities for young workers who have reached the minimum legal age of employment are still particularly limited. These dynamics create the bedrock for abusive working and employment conditions and lay the foundations for their vulnerability when working in employers' households.

The subordinate and marginalized position of girls in many societies compounds the problems they face in the labour market.⁵³ Information about, and opportunities for, training and the development of skills are limited and all too often push girls towards the learning of low-paid "female" skills (such as beauty and child-care courses) which simply reinforce traditional societal expectations of their role. Apprenticeships too are largely gender specific, and tend to benefit male more than female young workers.⁵⁴

Extending the protections that are available to other workers to domestic workers is likely to go a long way to addressing the decent work deficits for this vulnerable group, and ILO Convention No. 189 is widely seen as having considerable potential for achieving greater gender equality in the world of work. Providing domestic workers, including

young workers, with stronger rights and recognizing them as workers would help to combat gender-based discrimination, and also discrimination on the grounds of race, national extraction or caste that often manifests itself in the sector.⁵⁵

⁵² IPEC: *Give Girls A Chance* (2009), op. cit., p. 62.

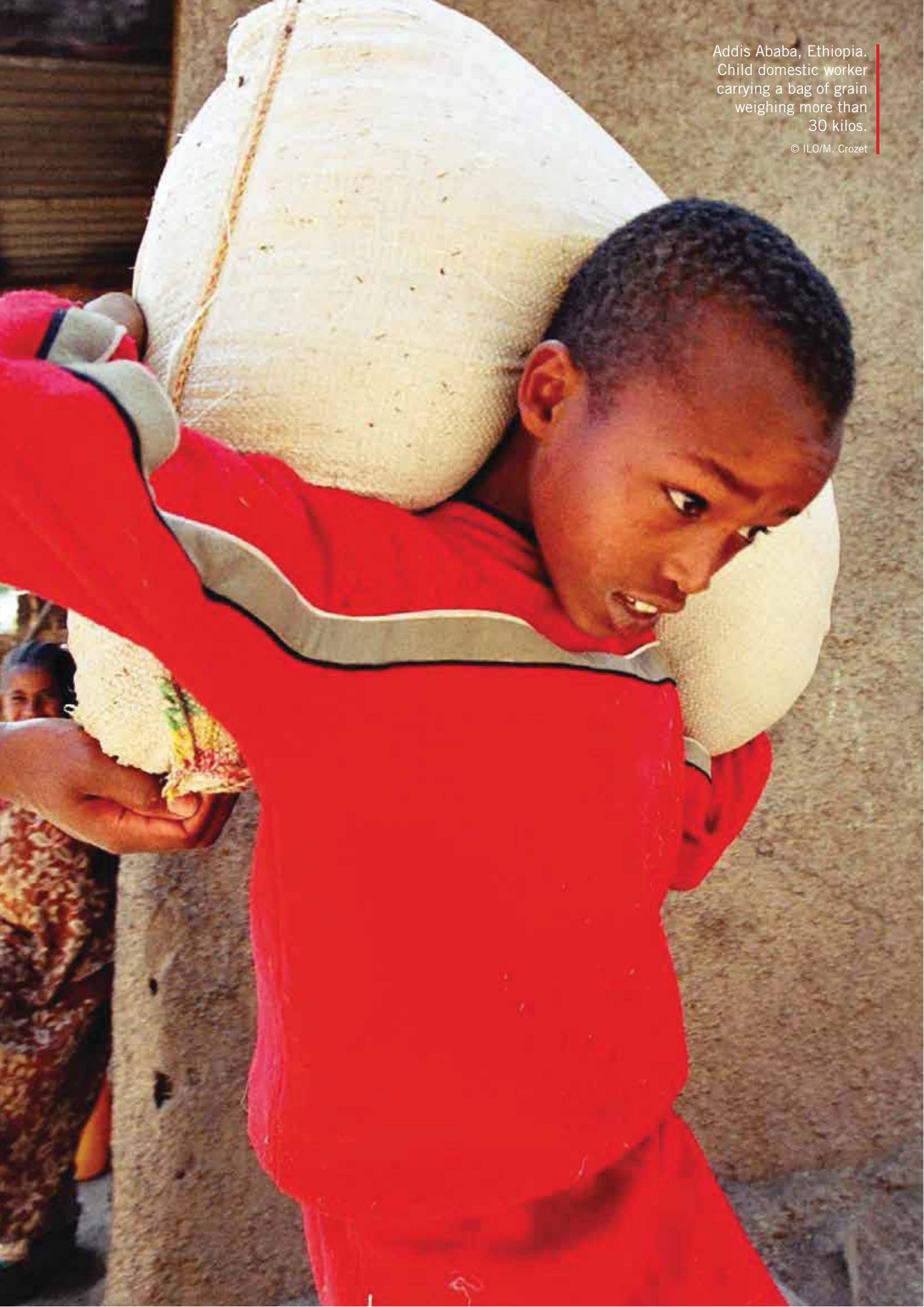
⁵³ Ibid., p. 4.

⁵⁴ ILO: *Youth: Pathways to decent work: Promoting youth employment – Tackling the challenge, Report VI*, International Labour Conference, 93rd Session (Geneva, 2005).

⁵⁵ ILO: *Domestic workers across the world* (2013), op. cit., p. 2.

Addis Ababa, Ethiopia.
Child domestic worker
carrying a bag of grain
weighing more than
30 kilos.

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3

Global estimates on child domestic work

Within the framework of the global estimates on child labour published by the ILO in 2010⁵⁶, ILO-IPEC, for the first time, produced global estimates of children in domestic work. This effort built on detailed information from national household surveys, which contain a valuable source of data on child domestic work.⁵⁷

The precise number of child domestic workers worldwide is still not known, because reliable data on this type of activity remain limited. An additional difficulty in measuring child domestic work has been the ambiguity surrounding which children to include. As measurement involves decisions

of what and how to measure, it is important to note that in this chapter the term “child domestic work” refers to the situation where children aged 5 to 17 years perform domestic tasks in the home of a third party or employer (with or without remuneration). Also in statistical terms, therefore, child domestic work is considered as “economic activity” – or a subset of children in employment.

Despite a number of limitations to fully capturing all hidden work situations, a number of household surveys among those used in the 2010 ILO’s global estimates on child labour, provide important quantitative information on child domestic work – allowing for global estimates on child domestic workers to be made.⁵⁸ All estimates are for the benchmark year 2008.⁵⁹ These estimates are based on established ILO

⁵⁶ This chapter has been prepared mainly on the basis of a working paper: ILO: *Measuring child domestic employment through the ILO’s global estimation methodology on child labour: A technical note* (Geneva, 2011), of which it reproduces a significant part of the text. This document was intended to stimulate discussion towards refining the estimation procedure of the total number of children employed in “domestic work” globally. Please notice that terminological consistency, in what in this chapter is referred to as “child domestic work”, is referred to in the technical note as “child domestic employment”.

⁵⁷ IPEC: Diallo, Y., et al.: *Global child labour developments: Measuring trends from 2004 to 2008* (Geneva, ILO, 2010).

⁵⁸ Since these surveys were not designed specifically for quantifying child domestic work, they are not sufficiently detailed to capture child domestic workers in more hidden situations.

⁵⁹ For further explanation on the definitions and methodology used, please refer to ILO: *Measuring child domestic employment...* (2011), op. cit.

statistical methodologies. Additional research, including missing-data studies, would add further to statistical accuracy and knowledge.

3.1 Children in domestic work

By age group

It is estimated that over 15.5 million children aged 5-17 years were engaged in domestic work in the world in 2008, representing almost 5 per cent of all children in economic activity in this age group.⁶⁰ Of this, the number of child domestic workers between 5-14 years old is estimated to be 7.4 million, accounting for approximately 4 per cent of all children in employment in that age group. A marked difference in the incidence of child domestic work can be observed as one crosses the international benchmark minimum age to work of 15 years. The estimated number of child domestic workers in the 15-17 year old age category was about 8.1 million in 2008, or almost 6 per cent of all children in economic activity in that age category (**Table 1**).

By sex

Perhaps not surprisingly, girls far outnumber boys in domestic work. Statistically speaking, 2.4 per cent of all boys aged 5-17 years in economic activity are in domestic work, increasing to 8.7 per cent of all 5-17 years old economically active girls. In absolute terms, at least 4.2 million boys are involved in domestic work compared to 11.3 million girls aged 5-17 years. The gap widens as children cross the minimum age for work threshold, with 2.2 per cent of economically active 15-17 year old boys in

domestic employment, as against 12.2 per cent of girls (**Table 1**). Of the total number of children aged 5-17 years engaged in domestic work, some 73 per cent are girls and 27 per cent are boys (**Figure 1**).

3.2 Child labour in domestic work

Child labour in domestic work denotes those situations which are internationally unacceptable, either because of the child's age, or the circumstances under which domestic work is carried out (as defined by ILO Conventions No. 138 and No. 182 – see **Chapter 1**). Therefore, in keeping with the ILO's global estimate classifications, child labour in domestic work statistically includes: (i) all children aged 5-11 years engaged in domestic work; (ii) all children aged 12-14 years engaged in domestic work for more than 14 hours per week; and (iii) all children aged 15-17 years engaged in hazardous domestic work which includes “for long hours” defined for purposes of these estimates as “43 and more hours per week”.⁶¹

By age group

Table 2 and **Figure 2** show that in 2008 there were an estimated 10.6 million children in child labour in domestic work in the world, of whom 61 per cent (6.5 million) were in the age group 5-14 years old. One-third of all children in child labour in domestic work were younger than 12 (3.5 million).

⁶⁰ The term “children in economic activity” is numerically same as “children in employment” in the context of child labour statistics.

⁶¹ See also ILO: *Measuring child domestic employment...* (2011), op. cit., Figure 1 in Annex 1.



Table 1: Estimates of children in domestic work by age and sex, 2008

Age group and sex	Children in employment (CE)	Children in domestic work (CDW)	CDW as % of CE
5-11	91,024,000	3,514,000	3.9
Boys	49,490,000	1,430,000	2.9
Girls	41,534,000	2,084,000	5.0
12-14	85,428,000	3,880,000	4.5
Boys	49,679,000	1,069,000	2.2
Girls	35,749,000	2,811,000	7.9
Total 5-14	176,452,000	7,394,000	4.1
Boys	99,169,000	2,499,000	2.6
Girls	77,283,000	4,895,000	6.3
Total 15-17	129,217,000	8,130,000	6.3
Boys	76,608,000	1,694,000	2.2
Girls	52,609,000	6,436,000	12.2
Total 5-17	305,669,000	15,524,000	5.1
Boys	175,777,000	4,193,000	2.4
Girls	129,892,000	11,331,000	8.7

Figure 1: Distribution of children in domestic work by age and sex, 2008

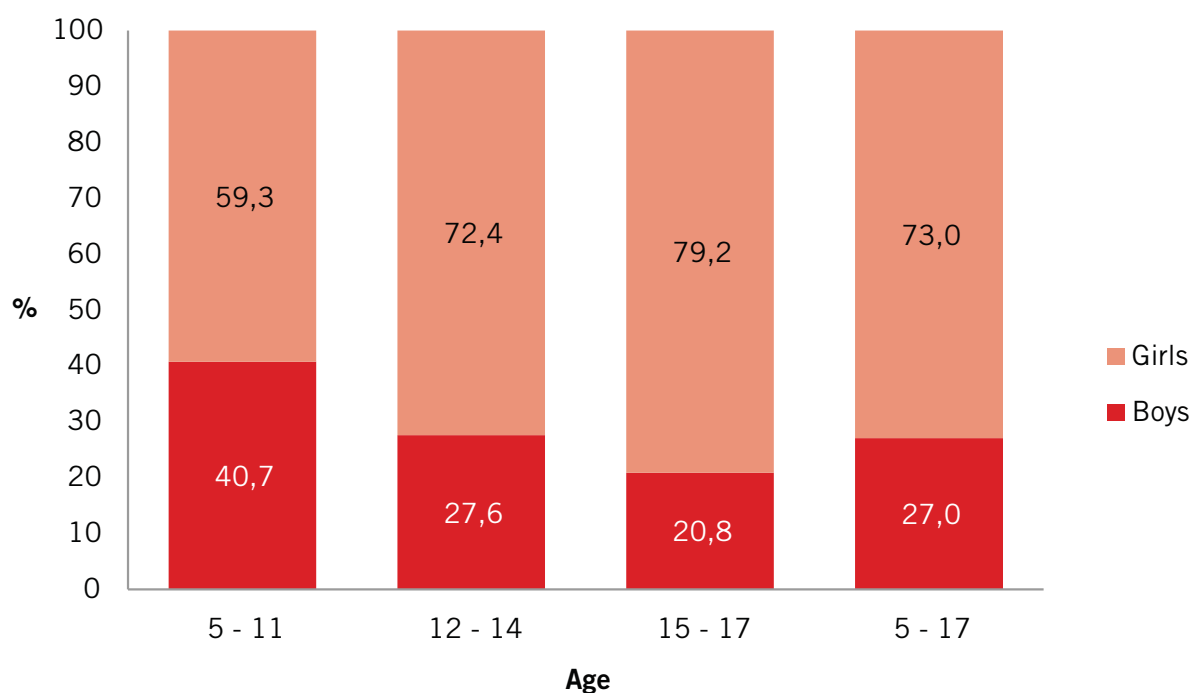
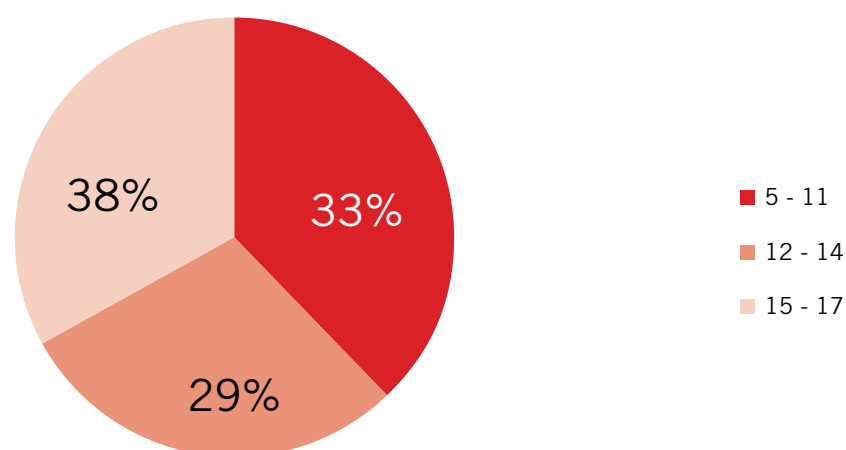


Table 2: Estimates of children in child labour in domestic work by age and sex, 2008

Age group and sex	Children in employment (CE)	Child labour in domestic work (CL in DW)	CL in DW as % of CE
5-11	91,024,000	3,514,000	3.8
Boys	49,490,000	1,430,000	2.9
Girls	41,534,000	2,084,000	5.0
12-14	85,428,000	2,995,000	3.4
Boys	49,679,000	775,000	1.6
Girls	35,749,000	2,220,000	6.2
Total 5-14	176,452,000	6,509,000	3.7
Boys	99,169,000	2,205,000	2.2
Girls	77,283,000	4,304,000	5.6
Total 15-17	129,217,000	4,048,000	3.0
Boys	76,608,000	829,000	1.1
Girls	52,609,000	3,219,000	6.1
Total 5-17	305,669,000	10,557,000	3.3
Boys	175,777,000	3,034,000	1.8
Girls	129,892,000	7,523,000	5.8

Figure 2: Distribution of children in child labour in domestic work by age, 2008



By sex

Differentials by sex with regard to children in *child labour* in domestic work increase with age (Figure 3). These differentials are similar to those between the 15.5 million total number of boys and girls in child domestic work in general (Figure 1).

The results indicate that in 2008, of the total number of children aged 5-17 years found in *child labour* in domestic work, around 71.3 per cent (7.5 million) were girls and 28.7 per cent (3.0 million) were boys.

Considering the differentials by sex among children in child labour in domestic work as a percentage of the 306 million children in all types of economic activity, we see that:

(a) for the age group 5-11 years, 5 per cent (2.1 million) of girls in economic activity were in child labour in domestic work, in comparison with 2.9 per cent (1.4 million) of boys; and

(b) by contrast, in the age group 15-17 years, while 6 per cent (3.2 million) of all girls in economic activity were in child labour in domestic work, only 1 per cent (0.8 million) of all working boys were (Table 2).

By comparing Table 1 on the total number of children in domestic work and Table 2 on the total number of children in *child labour* in domestic work we see that:

- (a) all children in domestic work in the age group 5-11 years (3.5 million) are in child labour because they are below the minimum age for employment, including light work;
- (b) in the age group 12-14 years, the vast majority of children in domestic work are in child labour, – 77.2 per cent or 2.99 million – while 22.8 per cent or 0.88 million perform light work in domestic work, i.e. they work less than 14 hours per week in non-hazardous conditions; and

Figure 3: Distribution of children in child labour in domestic work by age and sex, 2008

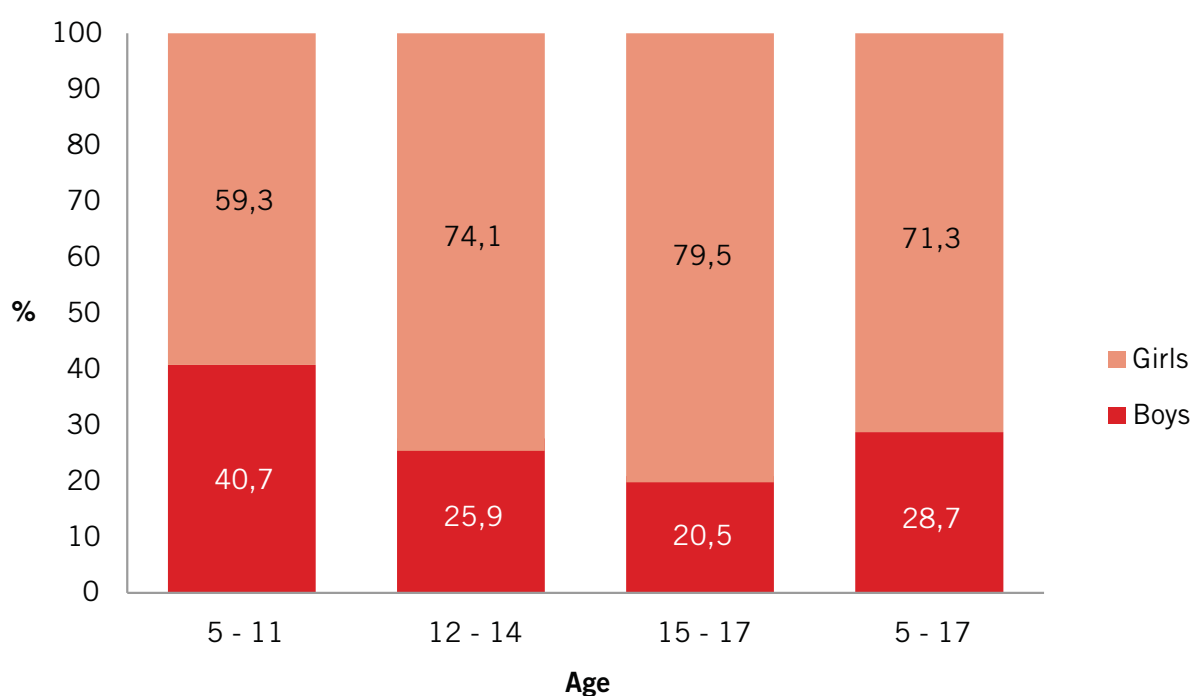
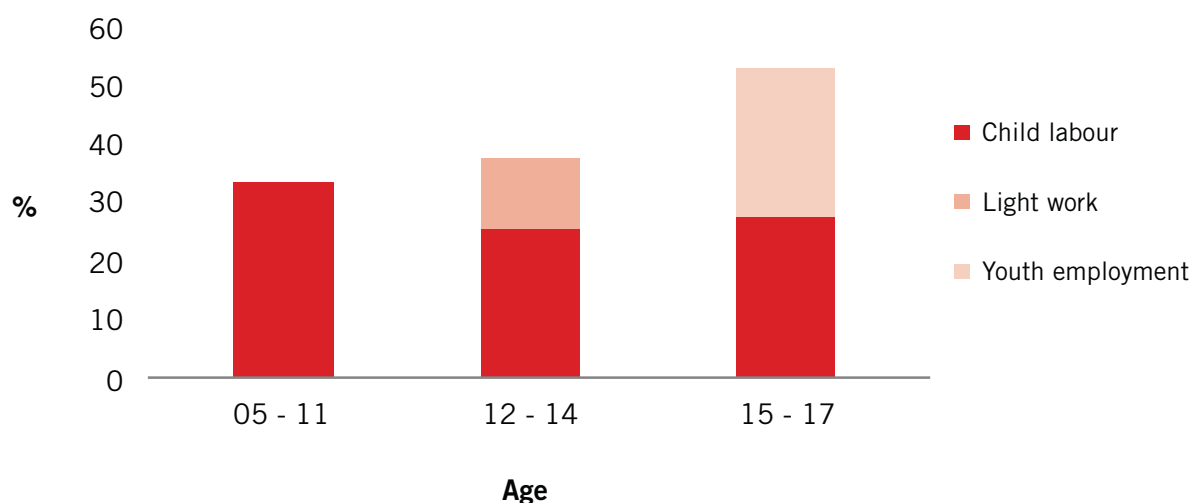


Figure 4: Distribution of children in domestic work by age: child labour, light work and youth employment, 2008



(c) among the age group 15-17 years, 49.8 per cent or 4.04 million children engaged in domestic work are in child labour – given their age, that means, by definition, that they are in hazardous work (see Section 3.3). In that same age group, 50.2 per cent or 4.08 million children are engaged in domestic work in permissible conditions, i.e. they are above the minimum age for employment and their work is in compliance with legal requirements (Figure 4).

children in domestic work – are performing hazardous work. A quarter of children performing hazardous domestic work are under 12 years old (Table 3). This includes children working for long hours, defined for the purposes of these estimates as at least 43 hours per week. However, hazardous work also includes other conditions or circumstances such as night work, or exposure to physical or sexual abuse, for which there are currently no reliable and comparable data.⁶²

3.3 Hazardous domestic work by children

By age group

Hazardous domestic work by children is work which, by its nature or the circumstances under which it is carried out, is likely to harm the health, safety or morals of children. It is a worst form of child labour under ILO Convention No. 182 and is a subcategory of child labour in domestic work. Three quarters (8.1 million) of *all* children between 5 and 17 years in child labour in domestic work - almost half of *all*

By sex

In contrast to the usually larger number of boys involved in other forms of hazardous work, 5.8 million girls are involved in hazardous domestic work, compared to 2.3 million boys.

Data emerging from previous global estimates on child labour have shown that

⁶² As demonstrated in previous exercises on hazardous work by children, the measurement of children in these hazardous work conditions depends on the extent to which the appropriate elements are covered by national surveys. Full comparability of national datasets has therefore not always been possible in this respect.



Table 3: Estimates of children in hazardous domestic work by age and sex, 2008

Age group and sex	Children in employment CE	Hazardous domestic work HDW	HDW as % of CE
5-11	91,024,000	2,292,000	2.5
Boys	49,490,000	965,000	1.9
Girls	41,534,000	1,327,000	3.2
12-14	85,428,000	1,731,000	2.0
Boys	49,679,000	508,000	1.0
Girls	35,749,000	1,223,000	3.4
Total 5-14	176,452,000	4,023,000	2.3
Boys	99,169,000	1,473,000	1.5
Girls	77,283,000	2,550,000	3.0
Total 15-17	129,217,000	4,048,000	3.0
Boys	76,608,000	829,000	1.1
Girls	52,609,000	3,219,000	6.1
Total 5-17	305,669,000	8,071,000	2.5
Boys	175,777,000	2,302,000	1.3
Girls	129,892,000	5,769,000	4.4

gender differentials with regard to the work children do increase with age and with the dangers children face. **Table 3** seems to confirm these earlier estimates. In the age group 5-14 years, 1.5 per cent of all boys in economic activity were in hazardous domestic work, as against 3 per cent of all girls. Amongst 15-17 year olds, this dropped to 1.1 per cent of boys as compared to 6.1 per cent of girls.

(55 per cent), compared to 9.5 million (45 per cent) men and boys. Children aged 17 years and below represent 26 per cent of all forced labour victims (or 5.5 million children).⁶³ While the specific number of children in forced labour and trafficking for domestic work remains unknown, evidence points to the existence of significant numbers of children in debt bondage, victims of trafficking and in servitude situations (**Box 6**).

3.4 Domestic work and children in slavery-like situations

In 2012, the ILO produced its Global Estimate of Forced Labour. Of the total number of 20.9 million forced labourers, women and girls represent the greater share of total forced labour – 11.4 million victims

⁶³ ILO: *Global Estimate of Forced Labour 2012* (Geneva, 2012).





4

A complex phenomenon: Key features of child domestic work

Despite the many and varied manifestations of child domestic work in different contexts, there are a number of important similarities in the circumstances and experiences of child domestic workers across countries and continents. These are outlined in this chapter.

4.1 An ambiguous relationship

The negative social connotations attached to domestic work in many settings compounds the ambiguity of child domestic workers' relationships to the employing family. For example, even though they know that their child will be engaged in domestic work, parents of child domestic workers may place them with a new (employer) family, not as a "worker", but as a "daughter" or "son".⁶⁴ Broadly speaking, the blurred

relationship with the employing family can be characterized thus: the child is working, but is not considered a worker, and; although the child lives in a family setting, she or he is not treated like a family member. The informality of this arrangement suits both the parents and employers, in that it allows continuation of the parental pretence that their child is being cared for in a family environment, while encouraging employers to believe that they are assisting the child and her or his family. However, the familial and legal "care vacuum" created by this situation works against the interests of the child by disguising an arrangement that might entail abusive working conditions and often masking violence and abuse.⁶⁵

⁶⁴ Baum, N.: "Girl Domestic Labour in Dhaka: Betrayal of Trust", in *Working Boys and Girls at Risk: Child labour in urban Bangladesh*, Lieten, G.K (ed.) (Dhaka, The University Press Limited, 2011). The terms used to describe child domestic workers in different settings are also indicative of this ambiguity: "house daughter" in Nicaragua; "criadas" in the Dominican Republic (denoting a nurturing relationship); or "muta'alma" in Morocco,

meaning "someone in the process of learning". See, for example, IPEC: *El trabajo infantil doméstico en América Central y República Dominicana: Síntesis subregional* (San José, ILO, 2002); and IPEC: *Helping hands or shackled lives?* (2004), op. cit., pp. 29-34.

⁶⁵ Blagbrough, J.: "Child domestic labour: a global concern", in *Child Slavery Now: A contemporary reader*, Craig, G. (ed.) (Bristol: The Policy Press, 2010).

“When you are placed as a domestic in someone else’s home, an employer will not buy shoes for you. But if the employer decides to buy shoes for you, it means that you are part of the family.”

(Nadège, 13 years, female, child domestic worker, Cotonou, Benin)

In some societies, the notion of the child domestic worker’s employer as a benefactor has been legitimized by the description of this relationship as “adoption” by strangers or “fostering” by extended family members – practices which still prevail in parts of Asia and Latin America, as well as across much of sub-Saharan Africa including, in some cases, in branches of extended families resident in industrialized countries. Characterizing child domestic work situations as “adoption” or “fostering” invokes perceptions of caring kinship relations and community support for raising children, while in reality concealing their potential vulnerability to child labour in domestic work.⁶⁶

“Once, I had tea with my employers. They told me to go in the corner and drink.”

(Kavitha, 13 years, female, child domestic worker, India)

The ILO’s Committee of Experts on the Application of Conventions and Recommendations (CEACR) has expressed concern that, under the guise of adoption, young girls in Papua New Guinea were being compelled to do domestic work under conditions similar to bonded labour or under hazardous conditions.⁶⁷ In 2011,

⁶⁶ Dottridge, M. and Feneyrol, O.: *Action to strengthen indigenous child protection mechanisms in West Africa to prevent migrant children from being subjected to abuse* (Lausanne, Terre des Hommes Foundation, 2007).

⁶⁷ *Papua New Guinea* – CEACR, Convention No. 182, observation, 2011.

the CEACR also characterized Paraguay’s *criadazgo* system – which legitimizes the quasi-adoption practice of children working in domestic work in exchange for food, board and education – as a violation of the ILO Convention No. 182 on the worst forms of child labour.⁶⁸

However, the assumption that all employers of child domestic workers intend to employ them in conditions of child labour is to oversimplify the many reasons why they may take in a child to work. In many countries where child domestic work is commonplace, a child working in the home is culturally and socially acceptable – sometimes despite laws which may dictate otherwise. Indeed, many employers feel duty-bound to rural kin or acquaintances to take in a child, and consider that not to do so is negligent.⁶⁹ At the same time, it is evident that many employers rely on the labour provided by these children as much as these children are dependent on their care.⁷⁰

4.2 Discrimination and isolation

Significant power inequalities exist between child domestic workers and employers. Firstly, the child is a child, probably a girl. She or he is far from home, in unfamiliar surroundings, with little or no support network, and is likely to be from a family with fewer economic resources than the employing family. She or he may be of a different ethnic origin (typically perceived as of lower social status), or from a group considered to be inferior to the employing

⁶⁸ *Paraguay* – CEACR, Convention No. 182, observation, 2011.

⁶⁹ Klocker, N.: *Struggling with child domestic work: what can a postcolonial perspective offer?* (Children’s Geographies, 2014), forthcoming.

⁷⁰ *Ibid.*



family in local social hierarchies, and is likely to lack basic education, which makes it more difficult to protect the child's rights.⁷¹ These inequalities are usually compounded by employer beliefs that they are "doing the child a favour".⁷²

"My punishment was not being able to see my family; they knew my family was my weak point."

(Luis, male, former child domestic worker, Pucallpa, Peru).

Child domestic workers often report that the daily experience of discrimination and their isolation in the employer's household is the most difficult part of their burden. A study in Bangladesh found that it was "neither the verbal or physical punishments, nor the possible lack of material goods or even food, that upset [child domestic workers] the most; it was the discrimination, exclusion, disrespect, ingratitude, and other assaults on their emotional needs that truly hurt them".⁷³ Even if their relationship with members of the household is good, these relationships are not on equal terms. A typical manifestation of this discrimination is that the employer's children go to school, whilst the child domestic worker cannot. The child often has to eat separately from the employing family and may have to eat food of inferior quality. Whilst she or he may sleep in the same room as the employer's children, or may equally end up in the kitchen or on the veranda.⁷⁴

Although most employers make some effort to assist child domestic workers in times of ill-health, there are persistent reports of

child domestic workers receiving little or inadequate medical treatment. Employers often prefer to treat child domestic workers themselves, rather than taking them to a doctor or hospital. In more extreme cases, employers may send child domestic workers back home to avoid them being a burden.⁷⁵

Child domestic workers have limited freedom of movement, often living in their employers' houses and subject to their rules. Commonly, these children are told not to leave the house by employers, who frighten them with stories of what they will face on the outside. Even if they are paid, they may not handle their wages or have enough money to leave.⁷⁶

"I'm 14 years old; I worked since I was 5-6 years old. For two years I worked as a maid in a city very far away from home. The people I worked for used to hit me and didn't treat me like one of their own children. I used to see other children go to school while I couldn't. Now I feel better, I've learnt to read. I like the association and I have everything I need. We play ball, go on outings, learn French, Arabic, and read stories and draw pictures."

(Fatima, female, former child domestic worker, Salé, Morocco)⁷⁷

The denial of child domestic workers' rights – including the right to an education and to play – is made even more difficult when these children live side-by-side with those

⁷¹ IPEC: *Give Girls A Chance* (2009), op. cit., p. 3

⁷² IPEC: *Helping hands or shackled lives?* (2004), op. cit., pp. 29-34.

⁷³ Baum, N.: "Girl Domestic Labour in Dhaka: Betrayal of Trust", (2011), op. cit.

⁷⁴ UNICEF-ICDC: *Child Domestic Work* (1999), op. cit.

⁷⁵ Blagbrough, J.: "Child domestic labour: a global concern" (2010) op. cit.

⁷⁶ Blagbrough, J.: *Violence against Child Domestic Workers*. Paper presented at workshop "Towards a Strategy to Address Corporal Punishment of Children in Southeast Asia Pacific", 6-9 October 2003 (Bangkok, Save the Children Alliance, 2003).

⁷⁷ Obtained by ILO-IPEC in Morocco.

who do enjoy them. Many studies note the distress of child domestic workers who take their employer's children to school or the park, but are not allowed to join in.⁷⁸ This inferior treatment not only has negative repercussions for child domestic workers, but also for other children in the employers' household, who grow up with a sense of innate superiority over others. The young "masters" or "mistresses", even when far younger, may habitually give orders to the domestic workers looking after them – contrasting with the deference age usually commands in society and reinforcing these children's sense of superiority and entitlement to privilege.⁷⁹

4.3 Movement for work and its impact

The majority of child domestic workers move long distances, often hundreds of kilometres, away from their own families and into employers' households. This mostly rural to urban (and sometimes cross border) movement is part of a wider pattern of population movements taking place in many settings – a trend which is set to continue as a result of economic imperatives, conflict, state failure, natural disasters, and environmental and resource pressures.⁸⁰ Children "on the move" for domestic work are doing so under varying circumstances and for many reasons. Some may take the decision to migrate, others are displaced, while others have been trafficked. Children forced to migrate alone are by far the most vulnerable group of children affected by migration, and child domestic workers constitute a particularly important part of this group.⁸¹

⁷⁸ IPEC: *Helping hands or shackled lives?* (2004), op. cit.

⁷⁹ UNICEF-ICDC: *Child Domestic Work* (1999), op. cit.

⁸⁰ Reale, D.: *Away from Home: Protecting and supporting children on the move* (London, Save the Children UK, 2008).

⁸¹ ILO: *Joining forces against child labour* (2010), op. cit., par. 20.

While evidence from some locations suggests that domestic workers working in their own country tend to be younger, come from poorer areas and have lower levels of education, irregular and undocumented migrant domestic workers of all ages face particular risks as their precarious legal status can make them even more dependent on their employers.⁸²

A 2011 study of child migrants in child labour conducted by ILO and Child Helpline International in Kenya, Nepal and Peru found that migrant working children (many of whom were child domestic workers) appeared to be worse off than local working children in a variety of ways. In the main, they had to work longer hours, were paid less, denied food more, had greater exposure to hazards, were more prone to violence and were more likely to be unable to leave their employer's household.⁸³

"It was my decision to start working; I wanted to go out of my village for a better opportunity. I was scared of machines on which I had to work and stitch cardboard in the factory and found that work dangerous. I am learning to cook and one day I can become a head cook somewhere else. First I thought that I can become an industrial worker but now I want to become a cook."

(Madhav, 17 years, young domestic worker, Delhi, India)⁸⁴

Child domestic workers living far from their families often find the resulting lack of contact difficult to bear. Some have reported

⁸² ILO: *Domestic workers across the world* (2013), op. cit., pp. 29 and 44.

⁸³ IPEC and CHI: *Child migrants in child labour* (2012), op. cit., p. 5.

⁸⁴ Obtained by ILO-IPEC in India.



that their employers make matters worse for them by deliberately isolating them from their families and limiting their opportunities for communication and visits. In a study in Tanzania, a third of child domestic workers stated that they were not allowed to have visitors or to visit their parents or relatives – and the numbers were higher amongst child domestic workers who were working in the capital city Dar es Salaam, who reported being more isolated in terms of social networks than those working closer to home.⁸⁵

“They don’t allow me to speak with my mummy on the phone. They always say it is a wrong number.”

(Meena, 10 years, female, child domestic worker, India)

Although the recruitment and movement of child domestic workers may, initially, appear as voluntary, it can, through the involvement of intermediaries, become trafficking (see **Box 6**). Girls are affected disproportionately and might be trafficked, in particular, for domestic work. In these situations, the children’s isolation and separation from family and community is commonplace. Sometimes children will end up in places where they have no legal status and do not speak the language, making them especially vulnerable to child labour and unscrupulous employers.

Trafficked children are more vulnerable than other child workers to severe physical and psychological abuse. Long working hours, heavy loads, exposure to dangerous tools and toxic substances, fear and intimidation, violent punishment and sexual abuse expose them to severe physical and psychological harm. Any attempt to refuse demands made on them, disobey, protest or escape, may

result in severe punishment. Trafficked children may be treated as criminals instead of victims, denounced to the authorities, arrested, and detained.

Trafficking is recognized in many cases, for instance in the West and Central Africa region, as an extension of the traditional custom of “placing” a child with extended family members. Such “placement” for domestic work has been recorded, for example, in Burkina Faso, Côte d’Ivoire, Ghana and Mali.⁸⁶ In particularly egregious cases, traffickers of children for commercial sexual exploitation deceive children and their families about what will happen to them by promising them jobs as domestic workers. In the Philippines, for example, most of the children and young women trafficked to Manila from rural areas in search of work are assured jobs as domestic workers, but a significant number end up in commercial sexual exploitation.⁸⁷

However, not all children on the move for domestic work are child trafficking victims. It is necessary to analyse and understand the variety of triggers and motivations for such movement, as well as how such children travel and what situations they end up in. The “victim of trafficking” label has to be used appropriately, so that it does not become an obstacle to the development of child-centred responses which keep the best interests of child domestic workers as their uppermost concern.⁸⁸

4.4 A hazard to health

⁸⁵ Blagbrough, J.: *They respect their animals more* (2008) op. cit., p. 15.

⁸⁶ IPEC: *Combating trafficking in children for labour exploitation in West and Central Africa: Synthesis report* (Geneva, ILO, 2001).

⁸⁷ Flores-Oebanda, C., Pacis, R. and Montaña, V.: *The Kasambahay – Child Domestic Work in the Philippines: A Living Experience*, (Manila, ILO and Visayan Forum Foundation, 2001).

⁸⁸ Dottridge, M. and Feneyrol, O.: *Action to strengthen indigenous...* (2007), op. cit.

Domestic work can be hazardous both because of the tasks undertaken and because of the conditions of work. In its most recent General Survey, the ILO's CEACR noted that child domestic workers constitute a "high-risk group", and expressed concerns regarding the effect on their physical health associated with, amongst other things, long hours, poor food, overwork and hazards implicit in their working conditions.⁸⁹

Child domestic workers regularly perform a variety of tasks, such as carrying heavy loads (including water, laundry, fuel and other children), handling toxic household chemicals, gardening, farming and working with knives, hot pans and irons, which can be exhausting and dangerous, particularly for younger children and for those already fatigued by long working hours and lack of sleep.⁹⁰

Long working hours are especially common amongst live-in domestic workers of all ages, who are often expected to be available at all times.⁹¹ The ILO found in Indonesia that child domestic workers perform the same amount of work as adult workers, which was clearly detrimental to their physical capacity and stamina. The study also commented that the long hours of work and little time for rest, recreation or socializing impacted on these children's mental, physical, social and intellectual development.⁹² In Guinea, Morocco and several other countries, Human Rights Watch has documented young girls working between 12 and 18 hours a day,

seven days a week.⁹³

"My name is Po Bo. I am 25 years old and I am from Burma. When I was 17, I left for Thailand, to look for a job to support my parents. [...] Domestic work is hard work and requires a lot of capacities: my day-to-day duties include cleaning house, washing dishes, cooking, doing laundry, ironing, and babysitting. Baby-sitting is quite a challenging job for me. At the beginning I had to face many difficulties: homesickness, language barrier, lack of required job skills. We are also exposed to unsafe working conditions. I will never forget the time when I was requested to stand on the very narrow veranda of a 17-story building to clean the outside window without any protection: this was a really dangerous and scary experience for me. I am not the only one in such a difficult situation. [...] My working hours are from 10 am until 11 pm, totalling about 13 hours. Quite often, I have to work even more than 13 hours. Those extended working hours were never counted for extra pay. I do not have any holiday and I do not have a written contract: there is just a verbal agreement between me and my employer. [...]"

Testimony at: "Women speak up: Voices of the informal sector", Panel during the UN Special Session to commemorate International Women's Day (ILO, Bangkok, 25 March 2010)

⁸⁹ ILO: *Giving globalization a human face* (2012) op. cit., paragraph 553.

⁹⁰ IPEC: *Children in hazardous work* (2011), pp. 28-29. For a full list of hazards affecting child domestic workers, see IPEC: *Hazardous Child Domestic Work: A briefing sheet* (Geneva, ILO, 2007).

⁹¹ ILO: *Domestic workers across the world* (2013), op. cit., pp. 58-59.

⁹² ILO: *Flowers on the Rock: Phenomenon of Child Domestic Workers in Indonesia* (Jakarta, 2004), pp. 70-71.

An ILO survey of child domestic workers in

⁹³ See for example, Human Rights Watch: *Lonely Servitude: Child Domestic Labor in Morocco* (New York, HRW, 2012); and Human Rights Watch: *Bottom of the Ladder: Exploitation and Abuse of Girl Domestic Workers in Guinea* (New York, HRW, 2007).



Viet Nam found that 36 per cent had been sick or injured during their service, with a higher percentage among the younger workers (between the ages of 9 and 14). Common illnesses reported by these child domestic workers included coughs and respiratory problems, headaches, back pain and wounds.⁹⁴

“I think that any task, whether easy or hard can be dangerous if we don’t pay attention to what we are doing or if we don’t do it with a minimum level of safety.”

(Natalia, 15 years, female, child domestic worker, San José, Costa Rica)

A study in Brazil of 3,269 children aged 10-17 found that those involved in domestic work experienced more musculoskeletal pain than those employed in other sectors.⁹⁵ Of particular concern is that the injuries associated with this pain – caused by awkward posture and monotonous and heavy physical work – can hinder physical development and result in long-term damage.⁹⁶ There are also likely to be long-term health impacts of chronic sleep deprivation (ranging from, for example, depression and behaviour disorders to chronic diseases), and from being “on-call” 24 hours a day – although evidence specific to child domestic workers is lacking.⁹⁷

More recently, concern about the health impacts of child domestic work has shifted to include aspects of their psychosocial well-being. In its reports on the situation

of child domestic workers in El Salvador, Guatemala, Indonesia, Morocco and Togo, Human Rights Watch has found that, almost without exception, interviewees suffered some form of psychological abuse. It concludes that “employer abuse, combined with isolation at the workplace, excessive work demands, and financial pressures may contribute to intense anxiety and depression”.⁹⁸

“Having to wash dishes until late night makes me feel sad and I miss my family terribly. It goes severe during winters as my fingers swell due to cold.”

(Shyam, 14 years, male, child domestic worker, Kavre, Nepal)⁹⁹

Evidence of the psychosocial impact of child domestic work is now emerging. In Brazil, a cross-sectional survey of 3,139 children, including young workers, found that those in domestic work were particularly at risk of developing behavioural problems.¹⁰⁰ Another large study, in Ethiopia, established that child domestic workers aged 8-15 suffered more psychosocial disorders (such as phobia and separation anxiety) than other working and non-working children. The researchers concluded that this was due to child domestic workers being under the control of employers; excessive hours of work; lack of personal freedom; and physical, verbal and emotional abuse.¹⁰¹

⁹⁴ ILO: *Survey report: Child domestic workers in Ho Chi Minh city* (Hanoi, 2006).

⁹⁵ Fassa, A.G. et al.: “*Child labour and musculoskeletal disorders: The Pelotas (Brazil) epidemiological survey*”, in *Public Health Reports* (2005), Vol. 120, No. 6, pp. 665–673.

⁹⁶ IPEC: *Children in hazardous work* (2011) op. cit., pp. 29–30.

⁹⁷ Ibid.

⁹⁸ Human Rights Watch: *Swept Under the Rug: Abuses against Domestic Workers Around the World*, Vol.18, No. 7 (c), July 2006, pp. 10-11.

⁹⁹ Obtained by ILO-IPEC in Nepal.

¹⁰⁰ Benvegnú, L.A. et al.: “*Work and behavioural problems in children and adolescents*”, in *International Journal of Epidemiology* (2005), Vol. 34, No. 6, pp. 1417–1424.

¹⁰¹ Alem, A. et al., “*Child labor and childhood behavioral and mental health problems in Ethiopia*”, in *Ethiopian Journal of Health Development* (2006), Vol. 20, No. 2, pp. 119–126.

Table 4: Selected list of common domestic tasks, hazards and potential consequences

Tasks	Hazards	Inquiries and potential health consequences
Cooking, cleaning, ironing, and other household chores	Sharp blades; hot pans; stoves and other tools in poor repair; toxic chemicals	Cuts; burns; respiratory disease; rashes and other forms of dermatitis; allergies; ergonomic injuries
Gardening	Sharp objects; heavy loads; hot weather; stinging insects; toxic pesticides and fertilizers	Cuts; back and other muscle pain; heat stroke; sunburn; dehydration; insect and animal bites; developmental and neurological effects
Gathering fuel, water, groceries	Heavy loads; traffic and other urban hazards; long distances by foot	Back and other muscle pain; injury from traffic accident or urban violence; harassment
All tasks out of public view	Inadequate food and shelter; long hours; no privacy; physical, verbal and sexual abuse; humiliating or degrading treatment	Exhaustion; hunger; depression; behavioural disorders; suicidal tendencies; bruises, burns and other injuries incurred from abuse
All task when working alone	Isolation; separation from family and peers	Disrupted psychological; social and intellectual development

Source: IPEC: Children in hazardous work: What we know, what we need to do, p. 29 (ILO, Geneva, 2011).

“I did not like my employer because she would shout at me, call me a “Tai” [faeces] and “Anjing” [dog]. I did not feel comfortable. Why am I being treated this way? I could not stand my employer’s treatment of me.”

(Lastri, 15 years, female, child domestic worker, Yogyakarta, Indonesia)¹⁰²

This mirrors the findings of a landmark study in Kenya, which discovered that child domestic workers manifested many more psychological problems than other working and non-working children – commonly including bedwetting, insomnia, nightmares, frequent headaches, withdrawal, depression and phobic reactions to their employers.¹⁰³

¹⁰² Human Rights Watch: *Swept Under the Rug* (2006) op. cit.

¹⁰³ Bwibo, N.O. and Onyango, P.: *Final Report of the Child Labour and Health Research* (Nairobi, University of Nairobi, 1987).

4.5 Vulnerability to violence and abuse

The largely hidden nature of domestic work gives rise to particular concerns, especially for children. While cases of poor treatment of child domestic workers surface regularly in the press, evidence suggests that these are just the tip of the iceberg. The fact that the work takes place within the confines of a private home means that abuse very often goes unseen and unreported.¹⁰⁴

The child’s isolated situation and her indistinct role in the employers’ household makes her particularly vulnerable to physical, verbal and sexual abuse. If violence does occur, her dependency on her employer for basic needs, her sense of duty to her parents to make the situation work out, or her fear of the consequences

¹⁰⁴ IPEC: *Give Girls A Chance* (2009) op. cit., p. 3.



of speaking up makes her far less likely to report it.¹⁰⁵ Regular violence or its threat routinely leads to a loss of self-esteem and a self-perpetuating cycle of abuse develops, resulting in abused child domestic workers (amongst other girls in a similar position) feeling unable to challenge the situation.¹⁰⁶

“When I was 12, I left school to take up domestic work – seven days a week, from 7 a.m. to 10 p.m., without any breaks. I was earning 15,000 shillings (US\$11) a month. I slept on a mattress in my employer’s living room. I wasn’t allowed to eat the same food as the family. They were a couple with three children. The wife was always hitting me and insulting me. The worst jobs were washing the clothes, fetching water and cleaning the toilets. When the people from CHODAWU (Conservation, Hotels, Domestic and Allied Workers’ Union) met me in 2008, I hadn’t been paid for three months.”

“Interview with Neema, 16 years, female, child domestic worker, Tanzania”, in World of Work, No. 68 (ILO, Geneva, April 2010)

There are broad similarities with regard to the incidence and range of violence against child domestic workers, although differences exist in local manifestations of violent behaviour towards these children. For example, in some countries research has indicated that girls tend to suffer more from verbal bullying and boys more from physical violence. Commonly, child domestic

workers experience various kinds of violence. Verbal violence takes the form of name-calling, insults, threats, swearing, shouting and screaming. Numerous types of physical violence towards child domestic workers are regularly reported, including beating, kicking, whipping, pinching, scalding, overwork and denial of food.¹⁰⁷ In a 2006 study of 500 child domestic workers in West Bengal (India), for example, it was found that 68 per cent had faced physical abuse, with almost half suffering severe abuse that had led to injuries and 86 per cent of child domestic workers had experienced emotional abuse. The study also found that nearly a third of families had no idea where their children, mostly daughters, were working, and 27 per cent admitted they knew that they were being beaten and harassed.¹⁰⁸

“Instead of beating us, slapping us, making us kneel down in the gravel, wounding us with blades, putting pepper in our private parts, denying us food as punishment for making mistakes we would rather you gave us advice and taught us good manners.”

(Esther, 14 years, female, child domestic worker, Togo)

The labels used by some to describe child domestic workers are important components in reinforcing their low self-esteem. In Haiti, the term to describe in Creole child domestic workers, *restavèk* (“stay-with”) has come to mean someone motherless or unwanted, and can be used as an insult to describe someone without a personality or life. Some employers routinely change the

¹⁰⁵ Blagbrough, J.: “Child domestic labour: a global concern” (2010) op. cit.

¹⁰⁶ Pinheiro, P.S.: “Violence against children in places of work”, in *Report of the independent expert for the United Nations study on violence against children (A/61/299)*, 29 August 2006, p. 242.

¹⁰⁷ Blagbrough, J.: “Child domestic labour: a global concern” (2010) op. cit.

¹⁰⁸ Save the Children UK: *Abuse Among Child Domestic Workers, A research study in West Bengal* (West Bengal, Save the Children UK, 2006).

given name of the child domestic workers in their homes.¹⁰⁹

Sexual violence towards child domestic workers, due to the child's vulnerability and isolation, is relatively common. The risk of abuse and harassment is greatest amongst those who live-in, and who are therefore present in the household all the time.¹¹⁰ In Haiti, *restavèk* girls are sometimes called *la pou sa*, a Creole term meaning "there for that" - reflecting a commonplace acceptance of the sexual abuse of these children by the men or boys of the household.¹¹¹ In West Bengal (India), a study indicated that a third of child domestic workers had their genitals touched by members of their employing family. Twenty per cent had been forced to have sexual intercourse.¹¹² In El Salvador, an ILO study showed that more than 15 per cent of child domestic workers who had changed their employers had done so because of sexual harassment or abuse.¹¹³

"My sister told me that her employer came close to her and told her: Mamita, I want to have sex with you."

(Maria, sister of a female child domestic worker, Peru)

It has been established that more than a quarter of girls being commercially sexually exploited in Dar es Salaam (Tanzania) are

former child domestic workers – many of whom were sexually abused by members of the family they were working for.¹¹⁴ Similar findings have been reported in El Salvador.¹¹⁵ In cases where girls become pregnant, they are often thrown out of the house and forced to fend for themselves on the streets, as the shame of their situation makes it difficult for them to return home. Many families reject these "spoiled girls" because their behaviour has brought dishonour to the family. In these instances, domestic work typically becomes a precursor to sexual commercial exploitation, as those concerned have few other available options.¹¹⁶

"The worst time in my life was when I had to leave my first working home and live in the street."

(Sunita, 17 years, female, child domestic worker, Nepal)

It is evident that, in some cases, the nature and extent of the violence inflicted on child domestic workers amounts to premeditated cruel, degrading and inhuman treatment – even torture. Such behaviour is the subject of international human rights instruments and is generally criminalized in national law. Nonetheless, there is still little evidence of commitment to or actual prosecution of employers of domestic workers who exact such violence, including against children.

¹⁰⁹ Camacho, A.Z.V. et al.: *The Phenomenon of Child Domestic Work in Asia: Issues, Responses and Research Findings*. Background paper for the Regional Consultation on Child Domestic Workers in Asia (Manila, 19–23 November, 1997).

¹¹⁰ ILO: *Effective Protection For Domestic Workers* (2012), op. cit.

¹¹¹ NCHR: *Restavèk No More: Eliminating Child Slavery in Haiti* (New York, National Coalition for Haitian Rights, 2002).

¹¹² Save the Children UK: *Abuse Among Child Domestic Workers* (2006), op. cit.

¹¹³ IPEC: *El Salvador – Trabajo infantil doméstico: Una evaluación rápida* (Geneva, ILO, 2002).

¹¹⁴ IPEC: Mwakitwange, R.: *Fighting Commercial Sexual Exploitation of Children: Study of Good Practices in Interventions in Tanzania*, Vol. III. (Dar es Salaam, ILO, 2002).

¹¹⁵ IPEC: *El Salvador – Trabajo infantil doméstico* (2002), op. cit.

¹¹⁶ UNICEF-ICDC: *Child Domestic Work* (1999), op. cit.



Box 7 – Statement by the SRSG on Violence against Children, Ms. M. Santos Pais, on the Adoption of ILO Convention No. 189 concerning decent work for domestic workers

(...) Freedom from violence is a key component of the struggle to end child labour. The new ILO Convention and accompanying Recommendation are critical instruments that will help to eliminate violence from the daily lives of millions of children trapped in domestic work. In recognizing the elimination of all forms of forced or compulsory labour and the effective abolition of child labour as underlying principles for its implementation, the Convention joins a strong normative framework for the protection of children's rights, together with the Convention No. 138 concerning the minimum age, the Convention No. 182 on the worst forms of child labour, as well as the UN Convention on the Rights of the Child and its two Protocols. Indeed, the express reference in the new Convention to the ILO's two child labour Conventions, the clear requirement to impose a minimum working age for domestic service, and the recognition of the importance of free, universal and compulsory education firmly add this new instrument to the arsenal of international standards for protecting children from all forms of violence.

The Special Representative wholeheartedly encourages Governments to bring the new Convention and Recommendation on Domestic Workers to the attention of the competent national authorities to consider its speedy ratification and entry into force.

4.6 An impediment to education

Much research has shown how child domestic work directly impedes the child's right to education – to their individual detriment and to the detriment of society as a whole.¹¹⁷ School attendance rates are particularly low amongst girls in domestic service.¹¹⁸ Most child domestic workers themselves attach great importance to becoming educated and, in some cases, they and their parents consider that becoming a domestic worker is a way of continuing their studies.¹¹⁹ In reality, their situation is, more often than not, a serious obstacle to studying. This may simply be because employers do not allow them to go to school or training, or renege on an initial agreement to do so.¹²⁰

However, even when child domestic workers are given the opportunity, the long working hours and requirements of their job often make it impossible to take up education. In Peru, for example, some children persevere with night schools, but report that they have little time for homework and are frequently tired at school, which has made it difficult to progress.¹²¹ Similar issues are common elsewhere, where the requirements of school, in addition to the burden of domestic work duties, results in late and irregular attendance and in being unable to concentrate.¹²²

Preliminary results from a multi-country study (in Costa Rica, India, Peru, the

¹¹⁷ IPEC: *Give Girls A Chance* (2009), op. cit., p. 49.

¹¹⁸ UN Special Envoy for Global Education: *Child Labor & Educational Disadvantage* (2012), op. cit.

¹¹⁹ IPEC: *Helping hands or shackled lives?* (2004) op. cit., pp. 34-35.

¹²⁰ IPEC: *Give Girls A Chance* (2009) op. cit., p. 4.

¹²¹ Blagbrough, J.: *They respect their animals more* (2008), op. cit.

¹²² IPEC: *Helping hands or shackled lives?* (2004) op. cit., pp. 34-35.

Philippines, Tanzania and Togo) on the impact of child domestic work has found that while many child domestic workers, particularly in middle income countries, manage to combine their work with some school attendance, these children tend not to perform as well as non-working children at school. They have higher drop-out rates, poorer perception of their own achievement and are more likely to have to repeat school years.¹²³

“I start cooking at 4:00am and start cleaning the house. I do errands from 5:00am. In the afternoon, my employer allows me to go to school from 1:00 to 4:00pm. During rest time, my employer asks me to run errands sometimes, or put the child to sleep at around 8:00 or 9:00pm. It’s hard because I don’t get to study so I don’t come prepared for school the next day.”

(Michelle, 13 years, female, child domestic worker, Manila, The Philippines)

The inflexibility of the formal education system is seen as another obstacle to continuing their education, as is the poor teaching quality in some schools and the difficulty in affording school books, equipment, uniform, and in paying school fees. Many child domestic workers also end up dropping-out during the school year because of these problems, and are discouraged from returning to formal education due to the need to earn money for their families.¹²⁴

¹²³ Anti-Slavery International: *Home Truths* (2013), op. cit.

¹²⁴ Blagbrough, J.: “Child domestic labour: a global concern” (2010) op. cit.

In addition to seeing education as a tool for advancement, a 2008 study in India indicates that education is a key factor in protecting child domestic workers, “because it denotes the support of their parents, community and teachers and allows them to participate, grow and have aspirations”.¹²⁵ The earlier cited 2013 multi-country study has also found that child domestic workers who are unable to attend school are more likely to suffer from poor psychosocial health, particularly low self-esteem, than those who do.¹²⁶

“Yes we would like to go to school, but where is the time - we wake up at 5 am, sometimes 4 in the morning to begin work as trash collectors before the municipal cleaners get there and then move on to houses and offices where we clean and swab the floors.”

(Muafiz and Manir, 7 and 13 years old respectively, male, migrants from Assam, child domestic workers and trash collectors, Delhi, India)¹²⁷

“Going to school helped me to understand life and my circumstances. It helped me to order my ideas, increased my vocabulary and helped me to deal with my emotions.”

(Karina, 16 years, female, child domestic worker, Lima, Peru)

¹²⁵ Meyers, A.: *Psychosocial Impacts of Domestic Child Labour in India: Through the lens of a Save the Children development education resource*. Unpublished MA dissertation at Institute of Education, p. 74 (London, University of London, 2008).

¹²⁶ Anti-Slavery International: *Home Truths* (2013), op. cit.

¹²⁷ Obtained by ILO-IPEC in India.



Nepal
Young girl working as
domestic worker.

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5

Policy responses to child domestic work

5.1 Joining forces to tackle a complex issue

Opinion is coalescing among governments, the social partners, international agencies and civil society around the need for concerted and joint action at national and international levels to continue and strengthen on-going efforts to promote decent work for domestic workers and to eliminate child labour in domestic work. Children's work in domestic work below the general minimum age for employment, or in a situation considered to be a worst form of child labour – such as hazardous work or slavery-like situations – should be prohibited, prevented and eliminated. In addition, young domestic workers of legal working age should be provided with adequate protection against abusive working conditions.

Increased knowledge of child domestic work and the interplay with the forms of child labour, youth employment and the domestic work sector has resulted in a better understanding amongst policy makers of

the complexities at play, and consequently a greater appreciation that piecemeal responses will not suffice in tackling them. Child domestic work is not simply a labour, children's rights or gender issue. It relates to a range of policy areas such as legislative action and enforcement, social protection, education, vocational training, labour markets, health, and social norms, amongst other things.

As this report notes, child domestic work cannot be seen in isolation from the social and cultural milieu in which it exists, as it is the product of many inter-connected factors both within and between countries. The situation of many child domestic workers not only constitutes a serious violation of child rights, but remains an obstacle to the achievement of many national and international development objectives, including the Millennium Development Goals, Education for All, poverty reduction and Decent Work.¹²⁸

¹²⁸ ILO: *Joining forces against child labour* (2010), op. cit.

As a result, child domestic work has required responses that cut across policy boundaries and which involve a variety of voices, both within and outside government. Child domestic work is not simply of concern to the children, their families and communities, but is also pertinent to wider national development agendas and plans, including poverty reduction and decisions concerning budgetary resource allocations. This means that while responsibility for responding to child domestic work rests primarily with national governments and their institutions – assisted by employers’ and workers’ organizations and civil society – international agencies have a critical role to play in nurturing and supporting these activities. Agencies, such as the ILO, UNICEF, UNESCO and the World Bank, must, in particular, continue to support the integration of policy responses and the terms of the relevant international instruments into broader national and sectoral development plans.¹²⁹

Box 8 – Inter-agency cooperation

An example of inter-agency good practice is in Morocco, where UN agencies have developed a multi-sectoral project to fight gender-based violence through the empowerment of women and girls to support progress towards the Millennium Development Goals. This has brought together 13 ministerial departments and eight UN agencies. In Morocco, where child domestic workers are overwhelmingly girls, the inclusion of child domestic work in this project has enabled ILO to connect the issue with broader action to combat violence against women and to mobilize funds and a wide range of actors concerned with child protection and specializing in gender issues.

Source: IPEC: *IPEC action against child labour 2010-2011: Progress and future priorities* (Geneva, ILO, 2012).

5.2 Developing knowledge and promoting statistics

Recognition in the late 1990s of the need for concerted international action on child labour and for reliable data to underpin these efforts, resulted in two important developments. Firstly, the ILO-IPEC’s *Statistical Information and Monitoring Programme on Child Labour* (SIMPOC), which has assisted countries in the collection, documentation, processing and analysis on child labour relevant data. Secondly, the inter-agency research programme, *Understanding Children’s Work* (UCW), initiated by the ILO, UNICEF and the World Bank to develop a shared understanding of child labour in its various dimensions, and to help identify common policy approaches for addressing it. During this time, much has been individually and collectively achieved in terms of improving a policy-oriented knowledge base on the issue of child labour generally and on child labour in domestic work in particular.

The social partners and civil society organizations have also contributed extensively to enhancing knowledge on domestic work and on child domestic work by producing numerous national studies and situation analysis.

However, although significant progress has been achieved in this area, domestic workers in general continue to suffer from statistical invisibility – and children in domestic work are no exception. Efforts towards developing improved data collection and statistical tools to better capture child labour – including those in slavery-like situations – and youth employment in domestic work must continue. This is key to designing sound policy, awareness raising and action responses to child domestic work at national, regional and international levels. In particular, research efforts should look at

¹²⁹ Ibid.



Box 9 – ILO tools to assist policy-making on child domestic work

ILO-IPEC has prepared a number of technical and policy tools as part of its on-going commitment to addressing knowledge gaps and developing policy and practical responses on the child domestic work issue, including a range of reports with the aim of sharing good practice and lessons learned. Guidelines on the design of direct action strategies to combat child labour in domestic work provide project planners with guidance, based on ILO-IPEC experience, to assist them in devising prevention, protection and reintegration strategies and actions to support child domestic workers.¹³⁰ A briefing pack on hazardous child domestic work aims to assist policymakers, trade unions, employers' organizations and other stakeholders involved in discussing and deciding on hazardous work in the country context.¹³¹

ILO's Conditions of Work and Employment Branch (TRAVAIL) has also developed tools relating to domestic work issues, including a number of Policy Briefs on Domestic Work which aim to stimulate and inform policy debates about advancing decent work for domestic workers. The series provides information on terms and conditions of employment in domestic work, policy issues and different views on these issues, and varied approaches to addressing them around the world.

For more information visit: www.ilo.org/ipec and www.ilo.org/domesticworkers.

improving methodologies for capturing and monitoring the number of child domestic workers as well as the main trends in their working and living conditions.

5.3 Legislative and regulatory action

In many countries, child domestic work has remained unrecognized as a form of child labour, and it has been international legal standards, such as the ILO Convention No. 182 on the worst forms of child labour, which have drawn attention to their situation and been instrumental in getting key concerns onto national agendas.

At the same time, it has been noted that, from a public policy point of view, the inclusion of domestic workers in labour law can make a substantial contribution to

the creation of decent work opportunities and the professionalization of the growing domestic work sector.¹³² Indeed, legislative and regulatory action to ensure decent work for domestic workers more generally, the protection of young domestic workers and to advance the elimination of child labour in domestic work are interrelated and mutually reinforcing.

With regard to domestic work, regulation and enforcement, at the national level, has remained limited. Worldwide, only 10 per cent of all domestic workers are covered by general labour legislation to the same extent as other workers, with more than a quarter excluded from national labour legislation altogether.¹³³ However, this situation is changing and legislative progress has been made in a number of countries.

¹³⁰ IPEC: *Guidelines on the design of direct action strategies to combat child domestic labour* (Geneva, ILO, 2007).

¹³¹ IPEC: *Hazardous Child Domestic Work* (2007), op. cit.

¹³² ILO: *Effective Protection For Domestic Workers* (2012), op. cit., p. 2.

¹³³ ILO: *Domestic workers across the world* (2013), op. cit., p. 50.

“A new law would give us strength to report abuse.”

(Nicole, 16 years, female, child domestic worker, The Philippines – in 2010, referring to the draft ILO standards on domestic work)

Since the adoption of Convention No. 189 and Recommendation No. 201, a total of ten countries have passed new laws or regulations improving domestic workers' labour and social rights, including Argentina, Bahrain, Brazil, India, the Philippines, Thailand, Spain Singapore, Venezuela and Viet Nam. Legislative and regulatory reforms have also begun in Austria, Chile, Finland, Jamaica, Kuwait, Morocco, Namibia, Paraguay, the United Arab Emirates and the United States, among others.

At national level and with regard to child domestic work, these legislative and regulatory actions provide an opportunity for:

- clearly setting a minimum age for domestic workers consistent with the provisions of Conventions No. 138, and not lower than that established by national laws and regulations for workers generally;
- identifying or revising, as relevant, and prohibiting the types of domestic work that, by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children; and
- regulating working and living conditions to protect young domestic workers, giving special attention to their needs.

The ILO is providing technical assistance and guidance to those involved – legislators, labour ministry officials, representatives of workers' and employers' organizations, or their technical staff and legal advisers – in the review and formulation of labour laws and regulations. To that end, the ILO has produced a guide to designing labour laws

for the effective protection of domestic workers.¹³⁴ The references in **Boxes 10, 11** and **12** have been extracted from that guide and reproduce several examples on the way national legal provisions address the above mentioned issues.

5.4 Learning from experience: Key policy strategies

Efforts aiming at the elimination of child labour in domestic work and to protect adequately young workers of legal working age in this sector are an important facet of the Decent Work Agenda. Child labour in domestic work not only prevents children from acquiring the skills and education they need for a better future, it also perpetuates poverty and affects national economies through losses in competitiveness, productivity and potential income. Ending child labour in domestic work, providing children with education, and assisting their families with training and employment opportunities contribute directly to creating decent work for adults.

As part of this approach, a robust legal framework is required to identify clearly child labour situations in domestic work – i.e. situations to be eliminated – as well as situations when young workers can legally work. Clear principles, objectives and priorities for national action are also an important component of effective intervention. The ILO's Global Action Plan on Child Labour¹³⁵ provides clear policy orientations towards the elimination of

¹³⁴ ILO: *Effective Protection For Domestic Workers* (2012), op. cit.

¹³⁵ ILO: *Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work: Technical cooperation priorities and action plan regarding abolition of child labour*, GB.309/TC/3, November 2010, paragraphs 21-28.



Box 10 – Examples of national legislation and regulation (1)

Setting a minimum age for admission to domestic work

- **Côte d'Ivoire**, Decision No. 009 MEMEASS/CAB of 19 January 2012 prohibits the employment of children below 16 years in domestic work. Where domestic work is performed as part of vocational training, children may perform it as of 14 years (section 6).
- **Uruguay's** Act No. 18.065, section 11, establishes a minimum age of 18 for domestic service, while permitting a competent authority to authorize employment as of 15 years of age in individual cases.
- **South Africa's** Sectoral Determination 7, provides in section 23(1), for a minimum age for admission to domestic work that is the same as that established in the generally applicable labour law and consistent with compulsory education requirements:
 - (1) *No person may employ as a domestic worker a child*
 - (a) *who is under 15 years of age; or*
 - (b) *who is under the minimum school leaving age in terms of any law, if this is 15 or older.*

Regulating “light work” done by children below the minimum age for admission to work

- **France's** National Collective Agreement of Employment of Individual Employers, article 24, strictly limits the duration and kinds of tasks performed by children between the ages of 14 and 16 engaged in domestic work:
 - (a) *Adolescents from 14 to 16 years old may be hired only for half of their school holiday, and only for light work.*
- **Finland's** Young Workers' Act, section 2 and 4 allow for the employment of young workers below the age of 15 as well as those in school but limits the timing duration, and kind of work:
 2. *Admission to work*

A person may be admitted to work if he (or she) has reached the age of 15 and is not liable to compulsory school attendance.

Furthermore, a person admitted to work if he has reached the age of 14 years or will reach that age in the course of the calendar year and if the work in question consists of light work that is not hazardous to his health or development and does not hinder school attendance, as follows:

 - (1) *for at most half of the school holidays, and*
 - (2) *temporarily during schoolwork or otherwise, for individual work performances of a short duration*

(...)
 4. *Regular working hours*

... During the school year, the daily working hours of a person of school age shall not exceed seven hours on days when there is no school and two hours on school days. The total length of the school day and working hours cannot, however, exceed eight hours or the weekly working hours 12 hours.

In addition, the Act sets out special working time restrictions for workers aged 14 years (see chapter 2 of the Act).

Source: ILO: *Effective Protection For Domestic Workers: A guide to designing labour laws* (Geneva, 2012), pp. 32-33.

Box 11 – Examples of national legislation and regulation (2)

Classifying domestic work as hazardous to children and regulating it accordingly

- In **Brazil**, Decree No 6.481 of 12 June 2008 contains a hazardous list work determined in line with Convention No. 182. The list includes domestic service. This work is therefore prohibited for persons under the age of 18. The hazardous work list describes the risks and repercussions of domestic work.
- **Panama's** Executive Decree No. 19 of 12 June 2006, section 3(11), includes a list of the worst forms of child labour, which recognizes domestic work in private households, both under live-in and live-out arrangements, as a potentially hazardous activity, particularly when it involves limited rest, long hours, and care of persons or property.
- In **Paraguay** Decree No 4.951/05 issued pursuant to Act No. 1657/2001 on the approval and implementation of the Convention and Recommendation on the Worst Forms of Child Labour, identifies a list of hazardous work including child domestic work. The Decree allows that such work may be deemed permissible for workers of 16 and 17 years of age by the competent authority if sufficient protections are provided to the young domestic worker, including proper training. The Childhood and Adolescence Code (Act No 1.680/01) recognizes the enhanced vulnerability of young migrant workers to hazardous and exploitative employment situations. Section 67 of the Code proscribes the recruitment of adolescents - defined as persons under the age of 18 - for domestic work abroad.
- In **Côte d'Ivoire**, Order No. 009 MEMEASS/CAB of 19 January 2012 prohibits children under 18 to be engaged as guards in urban areas, which is considered as hazardous domestic work.
- **Togo's** Order No. 1464 MTEFP/DGTLS of 12 November 2007 prohibits as hazardous any domestic work carried out in urban centres.
- **Austria:** The Act Governing Domestic Help and Domestic Employees, section 8, establishes a general duty of care of employers for domestic workers, with an obligation to pay particular attention to the workers' age and gender:

In regulating individual services, the employer shall ensure that neither the work requested nor the working tools and environments constitute a hazard to the employee's life, health, morals and property. In complying with this obligation, the employer shall give due consideration to the employee's age, gender and general condition.

In addition, section 7 addresses more specifically the situation of workers below the age of 18:
... The employer shall take measures to safeguard the [worker's] morals as ... advisable due to the age and gender of the young people. When entering service, the young person shall be advised of any hazards which may be associated with the service and instructed of the facilities provided to ward off such hazards and their use.

Source: ILO: *Effective Protection For Domestic Workers: A guide to designing labour laws* (Geneva, ILO, 2012), pp. 35 and 88-89.



Box 12 – Examples of national legislation and regulation (3)

Limitations on the working time of young domestic workers

- **Austria's** Act Governing Domestic Help and Domestic Employees, section 5, provides for enhanced daily rest periods for domestic workers below the age of 18:

(3) *Employees residing in the employer's household who have completed their 18th year of age shall be granted a period of rest of at least 10 hours, which period shall include the time between 9 pm and 6 am, or, if they have not yet completed their 18th year of age, a period of rest of at least 12 hours, which period shall include the time between 8pm and 7am. ...*

(4) *Employees not residing in the employer's household who have completed their 18th year of age shall be granted a period of rest of at least 13 hours, which period shall include the time between 9 pm and 6 am, or, if they have not yet completed their 18th year of age, a period of rest of at least 15 hours, which period shall include the time between 8 pm and 7 am. ...*
- In **Cambodia**, the Prakas on the Prohibition of Hazardous Child Labour of 28 April 2004, provides in article 2 that a child who has attained 12 years of age, but not 15 years of age shall not be employed during school hours and for more than eight hours a day including schooling hours. Further, they must enjoy a daily rest period of 12 uninterrupted hours, including the interval between 21:00 pm and 06:00 am, and they may not work on Sundays and public holidays.
- **Finland's** Young Workers' Act includes the several provisions regarding young workers aged 15 to 18, including the following:

Section 8. Periods of rest.

A person of 15 years or older shall be granted at least 12 consecutive hours of rest in every 24. ... Where the daily working hours of young workers are in excess of four hours thirty minutes, said employees shall be granted a rest period of at least thirty minutes in the course of their work, during which they shall be free to leave the workplace. ... Young workers shall be granted a weekly break of at least 38 consecutive hours.
- In **Spain**, Royal Decree 1620/2011, article 9(8) reiterates the working time limitations for workers under 18 years under the Labour Code as applicable to domestic workers:

(a) *Minors may only work for eight hours a day, with a break of 30 minutes for working days longer than four-and-a-half hours. If a minor works for more than one employer, the hours worked for each employer shall be taken into account when calculating the above-mentioned eight hours.*

(b) *Minors shall not work overtime or perform night work, i.e. work between 10 p.m. and 6 a.m.*

(c) *The period of rest between working days shall be at least 12 hours.*

(d) *Weekly rest periods shall be at least two consecutive days.*

Restrictions regarding excessively demanding tasks

- **France:** *The collective agreement covering domestic workers, article 24, sets out the following:*

(d) *It is prohibited to employ adolescents under the age of 18 for work beyond their strength and for handling hazardous substances.*
- **Finland:** *The Young Workers' Act, section 9, requires that:*

The employer shall see to it that the work ... does not require more exertion or responsibility than can be considered reasonable with respect to [the young person's] age and strength.
- **Austria:** *The Act Governing Domestic Help and Domestic Employees, section 7, provides that "[w]hen young people are employed, special consideration shall be given to their physical capacities".*

Requiring employers to keep records regarding workers under 18

- In **Cambodia**, the employment of children of less than 15 years in domestic work must be notified to the Ministry of Labour or one of its local offices. The employer and the child's parents are jointly and individually responsible for ensuring registration prior to the employment (article 4 of the Prakas on the Prohibition of Hazardous Child Labour of 28 April 2004).

- **Paraguay's** Act No. 1.680/01, the Childhood and Adolescence Code, establishes an Advisory Council for the Rights of Children and Adolescents (CODENI) tasked with maintaining a special register of adolescent workers. The law further requires that employers maintain and provide to CODENI detailed records regarding all adolescent workers employed by them:

Section 60. - On the Employer's obligation concerning registration

Employers of adolescent workers are obliged to keep a register recording:

(a) The first name and surname, place and date of birth, address and place of residence of the adolescent worker;

(b) The first name and surname and place of residence of the mother, father, guardian or person responsible for the adolescent;

(c) The date on which the worker entered service, the duties performed, remuneration received, work timetable and social security registration number;

(d) The educational establishment attended by the worker and class timetable; and

(e) Other relevant information.

(...)

Section 61. On the obligation to report on employment of adolescents

All employers are obliged to provide the information required by the Ministry of Justice and Labour and the Municipal Advisory Council for the Rights of Children and Adolescents (CODENI), as well as to register the employment of an adolescent within 72 hours.

- **Finland's** Young Workers' Act, which covers all persons under 18 in an employment relationship provides, in sections 12 and 13, that such workers produce evidence of their age and liability to compulsory schooling prior to commencing work and that the employer of such young workers keep records regarding such employees, which include the job description and "the name and address of the person having care and control of the worker".

Source: ILO: Effective Protection For Domestic Workers: A guide to designing labour laws (Geneva, 2012), pp. 91-93.

child labour, including in domestic work. The Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016 – adopted by the Global Child Labour Conference, 10–11 May 2010, in The Hague (The Netherlands) – further specifies the guiding principles as well as the policy priorities for action, including the monitoring of progress in eliminating the worst forms of child labour.¹³⁶

In addition to enhancing the knowledge base on domestic work and taking legislative and regulatory action, a comprehensive policy response to child domestic work requires action on several other fronts:

- **Fundamental Rights at Work:** Action on child labour in domestic work requires recognition that fundamental rights at work are both human rights – and therefore universal – as well as enabling rights. Effective legal protection for the exercise of the fundamental principles and rights at work is an essential base for all sustainable action in domestic work. In particular,

¹³⁶ ILO and Ministry of Social Affairs and Employment of the Netherlands (2010). *Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016*, adopted by the Global Child Labour Conference (10–11 May 2010, The Hague) (Geneva, ILO), see Part I and Part II.



domestic workers and employers of domestic workers must enjoy the right to freedom of association and the effective recognition or the right to collective bargaining. Without it, nobody can hold to account those with the responsibility to ensure that the various elements required to combat child labour in domestic work are in place.

- **Social protection:** Households without adequate social protection, including essential health care and basic income security, may rely on their children's work to make ends meet. The ILO's Social Protection Floors Recommendation of 2012 is aimed at extending basic social protection to the estimated five billion people around the world lacking adequate social security.¹³⁷ Social protection policy options currently in operation include the use of unconditional and conditional cash transfers, public works programmes and credit schemes. A recent ILO-IPEC publication analyzes in detail the role of poverty and economic shocks in rendering households vulnerable to child labour, and pays detailed consideration to the role played by income transfers, public employment programmes, social insurance and microcredit initiatives, to combat it.¹³⁸ However, simply providing families with extra livelihood or women with income-generating opportunities is not a panacea to ending child labour in domestic work and must be carefully assessed alongside more hidden cultural factors.¹³⁹
- **Education and vocational training:** More accessible and better quality schools are important in ensuring that education is a realistic and attractive option for child domestic workers, those at risk of child

labour situations, and their families. Measures to improve education and make it more accessible range from building schools to the reduction or elimination of direct and indirect costs, improved teacher training and curriculum reform. For child domestic workers, the majority of whom are girls, making schooling girl-friendly and safe, as well as increasing suitable educational and training opportunities for them is vital. Involving parents more in the life of the school brings important benefits to all concerned, and at a minimal cost.

"Going to school makes it possible to find a good job; our employers have a job because they went to school."

(Grace, 12 years, female, child domestic worker, Lomé, Togo)

- **Labour markets:** Children removed from child labour in domestic work need education and vocational training opportunities to help them in securing decent work in the future. At the same time, labour markets need to function better for young workers of legal working age looking for domestic work. This is important so that parents and carers can see the benefit of an education for their children's future work prospects, and thereby avoid sending them to work prematurely. Finding decent work opportunities for adults also lessens the pressure on families to have children working. Countries are developing, with assistance from the ILO's programme on youth employment, coherent and coordinated interventions on youth employment, which combine macro-economic policies with measures addressing labour demand and supply, as well as the quantity and quality of employment.¹⁴⁰

¹³⁷ ILO Social Protection Floors Recommendation No. 202 (2012). See also the UN Social Protection Floor Initiative at: www.socialprotectionfloor-gateway.org/

¹³⁸ ILO: *World Report on Child Labour: Economic vulnerability, social protection and child labour* (2013).

¹³⁹ Black, M.: *Good Practice in Working Children's Participation: A Case Study from the Child Workers Opportunity Project (Maharashtra, India, Save the Children Alliance, 2003)* pp. 18-19.

¹⁴⁰ The ILO also coordinates an international Youth Employment Network, a platform for policy advice, knowledge sharing, projects and partnerships with the aim of improving employment opportunities for youth. For more information see www.ilo.org/global/topics/youth-employment.

- **Strategic communication and advocacy:** If households are insufficiently aware of the benefits of schooling or of the risks of child labour to children's wellbeing and development, or if prevailing socio-cultural norms discourage schooling, they are also less likely to choose the classroom over the workplace for their children. For these reasons, a range of strategic communication and advocacy efforts are relevant both to building a broad-based consensus for identifying, prohibiting and eliminating hazardous work in child domestic work and in changing the attitudes of households towards children working.

Policy makers at national and international levels are also beginning to take note of the millions of **children “on the move”** for domestic work and other forms of labour. As a result of the work of many stakeholders,

there is growing understanding of the variety of situations in which migrant children can be found, the risks to which they are exposed, and the many ways in which they are vulnerable. There is also rising sophistication in responses which differentiate between situations amounting to child trafficking and those which do not. When it comes to migrant child domestic workers, there is often the need to support vulnerable households in sending areas, to promote a change in attitude both in source as well as in destination households, to integrate them into formal or remedial education and promote their freedom of association.

As mentioned earlier, in some cases children might combine work in domestic work with other types of work such as, for instance, in agriculture. Therefore, it is important

Box 13 – Namibia: The Wages Commission for Domestic Workers

Accounting for 10.9 per cent of total employment in 2008, private households constitute a significant source of employment in Namibia. Namibian labour legislation covers domestic workers and gives them the same entitlements to employment protection, weekly rest and maternity leave that other employees enjoy. However, in practice their working conditions are often unregulated and employment relationships are typically informal, with more than 80 per cent of domestic workers employed on the basis of a verbal agreement. Wages for domestic workers are particularly low, with 60 per cent of all domestic workers earning less than 600 Namibian dollars (N\$) (about USD 70) per month.

To address the situation, the Government of Namibia appointed a Wages Commission for Domestic Workers in 2012, following strong support from the social partners. The five-member Commission includes one member nominated by the trade unions and one who was appointed at the recommendation of the employers' federation. It has a broad mandate to recommend a new minimum wage for domestic workers, to investigate other conditions of employment and to make recommendations on the protection of child domestic workers. According to the Commission's terms of reference, its investigation will be guided by the existing Namibian legislation and the ILO Convention No. 189 concerning decent work for domestic workers, 2011.

Source: ILO: Domestic workers across the world: global and regional statistics and the extent of legal protection (Geneva, 2013), p.77.



to avoid that efforts against child labour made in a particular sector or occupation are compromised due to the children's displacement from one sector to another. To overcome this problem, in recent years, the ILO-IPEC has adopted a new approach, the “**integrated area-based approach**” (IABA). The IABA seeks to defend all children's human rights by preventing and withdrawing all children in or at risk of child labour in a given location, thus avoiding displacement from one sector or occupation to another and recognizing that the same child may work in more than one sector.¹⁴¹

5.5 Building institutional capacities

In recent years, countries in a number of regions have, with ILO-IPEC support, been active in building national and local capacity to combat the worst forms of child labour in domestic work. For example, a number of West African countries have put in place community-based child labour monitoring systems to identify child domestic workers, determine why they are working, and assist, as necessary, in remedying their situation. Efforts in several Arab States, including Jordan, Syria, Lebanon and Yemen, have focused on the underlying causes of child labour in domestic work, including inequality, discrimination and social exclusion, exacerbated by deficiencies in the education system coupled with a lack of freedom of association and collective bargaining. In Latin America, countries have focused on strengthening public policy to combat egregious forms of child domestic work.¹⁴²

¹⁴¹ IPEC: *Emerging good practices from the integrated area based approach in Uganda* (Kampala, ILO, 2012).

¹⁴² IPEC: *IPEC action against child labour 2010-2011* (2012), op. cit., pp 9-13.





6

The role of social partners

In recent years, several developments have contributed to creating an environment in which the rights of adult and child domestic workers can be better protected. Among the most important has been the advance in the self-organization in many countries of domestic workers' in their own organizations or as part of wider sectoral trade unions, as well as the development of a global domestic workers' movement and a coordinating body, the International Domestic Workers' Network (IDWN). The IDWN is a network of some 100 domestic worker and other trade union organizations, established in 2009, based in the International Union of Food workers (IUF) and reporting to the IUF Executive. IDWN is supported by WIEGO (Women in Informal Employment Globalizing and Organizing).

In 2008, the ILO Governing Body, following a long campaign by the international trade union movement, placed the item of an instrument to protect domestic workers on the agenda of the International Labour Conference for 2010 and 2011. Three years

later, in 2011, ILO Convention No. 189 was adopted, and the involvement of the International Trade Union Confederation (ITUC), the IUF and the IDWN and their member organizations in the development of the Convention and in the proceedings of the International Labour Conference discussions was unprecedented. The campaign for ratification of the Convention has provided a further vehicle for campaigning and organizing.

The adoption of ILO Convention No. 189 highlighted the need for social partners to attend to providing decent work conditions for young domestic workers of legal working age. Beyond the primordial importance of the self-organization of domestic workers, employers' and workers' organizations can also both play a critical role in mobilizing civil society to prevent, and remove children from, child labour in domestic work.

The social partners bring unique knowledge and competence to bear in discussions regarding the world of work, and are in a



Group of domestic workers come to support final result of the vote on the ILO Convention No. 189 concerning decent work for domestic workers. International Labour Conference, 100th Session, Geneva, 16 June 2011.

Box 14 – 12 by 12 Campaign

The **12 by 12 Campaign** is an International Trade Union Confederation (ITUC) initiative to mobilise workers around the world to push their governments to ratify the ILO Convention No. 189 concerning decent work for domestic workers and to enact laws ensuring decent work for domestic workers. Significantly, the campaign initiative is one of close partnership between the international and national trade union movements, including domestic worker organizations, and migrant rights groups, international NGOs and funding partners which share the objective of securing basic labour rights for domestic workers, including on issues of the right to organise, pay, working hours, days off and social security benefit. The 12 by 12 Campaign has mobilized unions and workers in about 80 countries so far.

For more information, visit: www.ituc-csi.org/domestic-workers-12-by-12.html.





commanding position to influence policy development and reform in key national and international socio-economic arenas, including debates around education, social protection and employment.¹⁴³ In particular, both partners are integral to the functioning of tripartite child labour steering committees at national level in many countries, and therefore in the development of policy efforts to combat child labour.

6.1 Action by workers' and employers' organizations to combat child labour in domestic work and to support decent work

In recent years, trade unions around the world have taken action against child labour in domestic work through organizing locally and globally, and through awareness-raising, campaigning, education, counselling, monitoring and legal action. As a result, thousands of children found in child labour in domestic work have been withdrawn from places of work and have benefited from rehabilitation and social reintegration programmes.¹⁴⁴

For example, in Tanzania the Conservation Hotels, Domestic and Allied Workers Union (CHODAWU) has been active for many years in preventing and withdrawing and child domestic workers from harmful situations and supporting their rehabilitation. CHODAWU has also encouraged others in Tanzania and in East Africa to take up the issue by translating into Kiswahili and disseminating ILO-IPEC produced

Guidelines on the Design of Direct Action Strategies to Combat Child Domestic Labour. In its initial co-operation with IPEC, CHODAWU developed two methods that grew into key strategies for trade union action against child labour in domestic work. First, they mobilized their own structures in the sending areas as well as those of other unions, including teachers, as watchdogs on recruitment. Second, they initiated cooperation with recruitment agencies that agreed to operate within the law and to recruit only girls who were above the minimum age. This added influx of adult domestic workers also boosted the membership of the domestic workers' union. In Togo, social partners actively participated in a workshop to develop a sectoral action plan on child domestic work, and efforts to mark the 2009 World Day Against Child Labour were undertaken in partnership with the Government and with NGOs working with child domestic workers including the Bureau International Catholique pour l'Enfance (BICE) and WAO Afrique – an important member organization of the Global March Against Child Labour. In Senegal, local trade unions have established a training centre in Dakar which provides instruction in household skills and information about labour rights for young female workers coming from rural areas in search of domestic work. In Sri Lanka, a schools-based essay and art competition was organized by the National Workers' Congress in the former conflict-affected location of Amparai – where the vulnerability of children drifting into child labour had been particularly problematic. Most of the artworks reflected child labour in domestic work and agriculture.¹⁴⁵

Employers' groups have acted to combat child labour in domestic work, in addition to other child labour issues, by encouraging

¹⁴³ IPEC: *The Social Partners and IPEC : Action against child labour, 2008-2009. Supplementary report to the IPEC International Steering Committee* (Geneva, ILO, 2010), p. 2.

¹⁴⁴ IPEC: *ILO-IPEC Interregional Workshop on Child Domestic Labour and Trade Unions: Report* (Geneva, ILO, 2006).

¹⁴⁵ IPEC: *The Social Partners and IPEC* (2010), op. cit.

businesses to develop and implement codes of conduct to promote the observance of minimum age laws by labour supply agencies. In Indonesia, for example, they have assisted the Association of Domestic Worker Suppliers (APPSI), which represents agencies involved in supplying domestic workers to private households in Greater Jakarta. Although the biggest demand from APPSI's clients is for children aged 13-16 age, since 2005, following ILO assistance, APPSI has been applying a policy of non-recruitment and non-placement of children younger than 15 years. This policy is reflected in APPSI's guidelines for members on the recruitment and placement of domestic workers.¹⁴⁶

While the importance of organizing domestic workers is now well recognized, the benefit of organizing employers of domestic workers is still less understood. However, establishing organizations of employers of domestic workers could facilitate social dialogue and collective bargaining arrangements and assist progress towards decent work in the sector.¹⁴⁷ Indeed, the Domestic Workers Convention, under Article 18, promotes the creation of representative workers' and employers' bodies.¹⁴⁸

After defining the issue as a priority area, affiliates of the Trade Union of the Americas (TUCA-CSA, the regional organization of the ITUC) began actions to prevent and eliminate child labour in domestic work, including through workshops and piloting trade union resource material on the subject. In recognition of the close relationship between the commercial sexual exploitation of children and child labour in domestic work in parts of the region, ILO-IPEC has

provided support to strengthen trade union capacity, for example in Costa Rica. In Haiti, where the situation of child domestic workers is of particular concern, workers' groups have been active on these issues.¹⁴⁹

Trade union policy on informality has advanced significantly in recent years. A new consensus has replaced the earlier debate on how trade unions should deal with work – and child labour – in the informal economy. In Chennai, India, in 2005, for example, an IPEC and ACTRAV Asian regional trade union seminar on child labour developed what has become known as the

Box 15 – Zambia: Code of conduct for employers of domestic workers

In 2011, the Zambia Federation of Employers prepared a code of conduct for employers of domestic workers (including individuals and commercial entities) to promote decent work in the sector. Developed in cooperation with the Ministry of Labour and Social Security, the Ministry of Home Affairs, the Zambia Congress of Trade Unions (ZCTU) and the Federation of Free Trade Unions of Zambia, the code sets out the gamut of decent work principles to be followed by employers of domestic workers. Presented in a simplified form and backed up with reference to relevant Zambian labour laws, the code covers areas including the minimum age for admission to employment and the special protection of young workers, working hours, duties, wages, sick leave, maternity benefits. The code also advises the drawing up a mutually agreed employment agreement/ contract which specifies the terms and conditions of work, such as salary, rest days, medical benefits and the scope of the duties involved.

Source: Zambia Federation of Employers: Code of conduct for employers of domestic workers in Zambia (Lusaka, ZFE, 2011).

¹⁴⁶ IPEC: *Give Girls A Chance* (2009), op. cit., p. 30.

¹⁴⁷ ILO: *Domestic workers around the world* (2013), op. cit., p. 44.

¹⁴⁸ ILO: *Effective Protection for Domestic Workers* (2012), op. cit., p. 10.

¹⁴⁹ IPEC: *The Social Partners and IPEC* (2010), op. cit.



Box 16 – Brazil: The Tripartite National Child Labour Commission

The Brazilian Household Survey 2011 indicated that more than 250 thousand children are involved in domestic work in third party households: 67,000 in the 10-14 age group and 190,000 aged 15-17.

Child labour in domestic work has been a permanent concern in Brazil and in national public policies, which have included conditional cash transfer programmes and a national plan of action on child labour that also covers domestic work. A milestone in the protection of child domestic workers was reached on 12 June 2008, (World Day against Child Labour), when President Lula da Silva signed Decree No. 6481, which established the hazardous child labour list and identified 89 activities as hazardous for children, including domestic work. The decree describes the occupational risks of each activity and its consequences for children's health, morals and wellbeing.

The list was developed - within the ambit of the work of the National Child Labour Commission, chaired by the Ministry of Labour - over three years of consultations led by the National Confederation of Brazilian employers (CNI). The numerous surveys, studies and technical meetings on which the Commission's collaborative work relied led it to acknowledge the risks faced by child domestic workers. The technical input of the CUT-affiliated Federation of Domestic Workers (FENATRAD) to these discussions provided crucial first hand information about the conditions and circumstances of domestic workers' work and the risks they face in their workplace.

“Chennai Agenda”. It seeks to encourage the effective presence of the social partners in those parts of the labour market where child labour remains prevalent and the rule of law and structures for social dialogue are weak or largely absent – not least in the informal and rural economies. In numerous countries it is bearing fruit, as demonstrated by the increasing number of informal economy and rural workers' organizations and their increasing membership.¹⁵⁰ Especially among trade unions, this new consensus replaced the earlier debate about whether or not trade unions should give priority to the informal economy and whether or not to support the organizing of workers without recognized employment relationships.¹⁵¹ Resource

challenges to trade union outreach remain, however, especially during a period of economic crisis. IPEC is providing support to the ITUC and IUF domestic worker affiliates to integrate child labour concerns in their organizing agendas and to the Global March Against Child Labour to encourage ratification of ILO Convention No.189 and to end child labour in domestic work.

“We have to work without breaks because we don't feel we can ask adults for them as our rights.”

(Priyanka, 14 years, female, child domestic worker, Tamil Nadu, India)

¹⁵⁰ IPEC: *IPEC and the role of the social partners in the struggle against child labour during 2008*. Supplementary Report to the IPEC International Steering Committee, unpublished (ILO, Geneva, 2009).

¹⁵¹ The 2012 ILC endorsed this strategy for the whole of the organization, when it said in paragraph 11 of the Framework for action for the effective and universal respect, promotion and realization of fundamental principles and right at work 2012 – 2016: “While violation of fundamental principles and rights at work are not limited to any specific sector, the majority affects adults and children in the informal economy.”

At the international level, in 2006, an Interregional Workshop on Child Domestic Labour and Trade Unions was organized by ILO-IPEC in Geneva (Switzerland), which provided a forum for a global exchange of ideas and practice. A number of common strategies emerged in worker approaches to the issue.¹⁵² Of particular note are the close connections between approaches tackling child labour in domestic work and targeting the domestic work sector more generally:

- *Adult domestic workers are a major link to child domestic workers:* Identifying child domestic workers in conditions of child labour requires effective monitoring mechanisms. A key method of doing this is by mobilizing and organizing adult domestic workers;
- *Access of domestic workers to fundamental labour rights and standards:* The trade union movement, from local to global level, has a major role in ensuring protection and recognition of domestic workers through supporting their self-organization and also in establishing collective bargaining mechanisms for the sector;
- *Targeting child labour in domestic work demands an institutional and systematic approach:* Action against child labour in domestic work should be integrated into formal government and tripartite programmes, systems and institutions to ensure sustainable impact;
- *Enforcement is vital:* Even where domestic workers are covered by legislation, are organized and benefit from labour standards, the problem of law and policy enforcement remains a major challenge;
- *Education for all and the quality of education:* A common theme to all interventions was in linking trade union child labour efforts to broader national and international initiatives to ensure education for all and improve education quality;

Box 17 – Indonesia: PROMOTE – Tackling child labour in domestic work project

In 2012, with support from the US Department of Labour, the ILO began 'PROMOTE', a new project that focuses on strengthening domestic workers' organizations' capacity to organize and support domestic workers, through which the project will seek to tackle child labour in domestic work. With its main learning and action hub in Indonesia, and strengthened by exchange of regional knowledge, PROMOTE will focus on expanding legal protection to child and adult domestic workers; and broadening the national and regional outreach and responsiveness of domestic workers' organizations to tackle child labour in domestic work and decent work deficits in the domestic work sector. It will do this through targeted capacity building; promoting in-country and regional knowledge sharing; developing new awareness-raising methods using non-traditional media and innovative partnerships; and by analysing and documenting outcomes. Key strategies include:

- Promoting ratification of ILO Convention No. 189;
- Promoting in Indonesia the adoption of a Bill on Domestic Work and provincial and district regulations providing specific protection for 15-17 year old child domestic workers;
- Promoting strategic partnerships involving international groupings such as ITUC Asia Pacific Regional Organization, the IUF and the IDWN to strengthen the capacity of domestic worker organizations;
- Fostering learning and action across Asia on decent work for domestic workers.

¹⁵² IPEC: *Child Domestic Labour and Trade Unions: Report* (2006), op. cit.



- *Building the capacity of all levels of the trade union movement* to respond to child labour in domestic work issues and the sector more generally;
- *Raising awareness*: Trade unions are effective campaigning organizations and the importance of this area of advocacy is an integral part of union programmes and activities;
- *Linking child labour programmes to campaigns for improved adult employment*: Many trade unions highlight the problem of child labour within the broader context of national employment policy. Bringing about improved working conditions for adults should result in a corresponding decline in the incidence of child labour and growth in the number of children enrolling and remaining in school;
- *Child labour monitoring*: Trade unions have a role to play in monitoring child labour and in pre-empting situations where children might become involved in child labour in domestic work or in other sectors; and
- *Working with civil society organizations*: tackling child labour has been a catalyst for closer collaboration between the trade union movement and civil society groups which has been of significant benefit to both parties and to the children involved.

6.2 Social partners' responses to new challenges

ILO Convention No. 189 has galvanized the domestic workers movement, both in encouraging trade unions to take up the issue and by fostering links between domestic workers' organizations and other organizations and structures in the trade union movement.¹⁵³ However, the Convention also presents workers' organizations, in particular, with several key challenges, not least the perennial problem of how to reach and support the organization of domestic workers who are out of sight in private homes, and how to tackle child labour in domestic work. Another principal challenge is to deal with the significant numbers of young workers in domestic work who are above the legal minimum working age but below the age of 18. Not only do these young workers, when they can legally work, have a right to organize and be represented by their own organizations, but their age and high dependency on their employers increase their vulnerability and the need to ensure they are protected at work. Their tenuous legal status in some countries requires urgent attention and begs the question, what strategies can trade unions adopt to better assist them?¹⁵⁴

At its most straightforward, young domestic workers of legal working age should be able to enjoy the same rights to decent work as their adult counterparts. They have a right to decent youth employment. Nonetheless, their status as persons under 18 and their vulnerable situation requires close attention, especially regarding: the continuation of their education and training; and the identification, prohibition and elimination

¹⁵³ ILO: *Achieving decent work for domestic workers: An organizer's manual to promote ILO Convention No. 189 and build domestic workers' power* (Geneva, 2012).

¹⁵⁴ IPEC: *Child Domestic Labour and Trade Unions: Report* (2006), op. cit.

Box 18 – Building strong and effective domestic workers’ organizations

The largest international network of domestic workers’ organizations is the International Domestic Workers’ Network (IDWN), with member organizations in well over 50 countries and coordinators on every continent. Launched in 2009, the IDWN, with the IUF, coordinated advocacy efforts around the ILO discussion of the new international labour standards on decent work for domestic workers during 2010 and 2011.

As domestic workers face legal, administrative and practical barriers to accessing their rights to organize into trade unions and to bargain collectively, many domestic worker organizations exist without official recognition as a trade union. However, many are independent, membership-based organizations that collect dues from their members, have democratic decision-making processes and promote an agenda for achieving legal and social change for domestic workers.

Domestic workers’ organizations have adopted a diversity of approaches and activities to improve the lives of domestic workers – and they are organizing worldwide – in industrialized, emerging and developing economies. In Hong Kong (China), six organizations of migrant domestic workers from various countries created a federation to strengthen their efforts. The Federation of Asian Domestic Workers’ Unions (FADWU) then affiliated with the Hong Kong Trade Union Confederation in 2011. In New York, Domestic Workers United has won the first state law in the history of the United States to protect domestic workers, and is currently in the process of organizing neighbourhood-based Domestic Work Justice Zones to negotiate area-specific agreements on wages, benefits and terms of employment. In the United Kingdom, “That’s my Passport” was an early campaign of organized migrant domestic workers linked to and supported by the then Transport and General Workers’ Union. The Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (KUDHEIHA) has recruited thousands of domestic workers in five cities by going door to door and by talking to them at bus-stops and in markets. In Belgium, CSC-Alimentation et Service represents more than 20,000 domestic workers; in the Netherlands, FNV Bondgenoten organized a domestic workers and cleaner’s action to win a better collective agreement for cleaners; while in Uruguay, domestic workers and a coalition of unions collaborated to achieve a national, sector-wide collective agreement in 2006. In the Caribbean, a regional network of domestic workers’ organizations has been formed in spite of the fact that there was formerly only a single domestic workers’ union in the region – The National Union of Domestic Employees (NUDE) in Trinidad and Tobago. The NGO Jamaica Household Workers’ Association is not only a leading member of this network; on 14 March 2013 it became a registered trade union and an affiliate of the Jamaica Confederation of Trade Unions. It included awareness raising on child labour in domestic work in its island-wide work from 2012.

Both men and women, boys and girls are engaged in domestic work. But the overwhelmingly feminized nature of the sector, the significant proportion of domestic workers who are internal or cross-border migrants and the experience of social exclusion often common to their home communities are all elements which lead to an “intersectional” denial of their rights at work – based in particular on their gender, and ethnic and social origin. Domestic workers’ organizations are developing an equally “intersectional” response, demonstrating that the key to successful growth is making their organizing agendas immediately relevant to the daily, interwoven and specific needs of their members.

Source: ILO: Domestic workers across the world (2013), p. 71.; and ILO Caribbean Newslink at www.ilocarib.org.tt.



International Domestic Workers Network, at www.idwn.info.

of types of domestic work that by their nature or the circumstances in which they are carried out may be hazardous to them. These require, among other things, the adoption of strict limits to their working hours, prohibition of night work, and the need to establish mechanisms to monitor their working and living conditions.

"When we just agree by word of honour, the employer, in the end, will have the final say. It is difficult to challenge the weight of their word when things get worse. They have a reputation in the community and we are just newcomers to their homes."

(Katrina, 15 years, female, child domestic worker, The Philippines)

In discussions about the rights at work of child domestic workers, it should be recalled that fundamental rights at work – the right to freedom of association and collective bargaining and the right to be free of child labour, forced labour and discrimination in work and employment – are human rights. They are universal, mutually supportive and indivisible. They are also enabling rights that permit the bearers of those rights to act together in favour of social justice.¹⁵⁵ At the 2006 ILO-IPEC Interregional Workshop on Child Domestic Labour and Trade Unions, note was taken both of the exclusion, in some countries, of domestic work from the scope of national labour legislation and of the discussions in Chennai about the right to freedom of association. In Chennai, reflecting on the universal right of freedom of association, delegates had pointed out that legal restrictions in some countries on trade unions either operating in the informal economy or being allowed to accept young

¹⁵⁵ ILO: *Resolution concerning the recurrent discussion on Fundamental principles and rights at work*. International Labour Conference (2012).

Box 19 – The Philippines: SUMAPI

The first organization of domestic workers in The Philippines, SUMAPI (*Samahan at Ugnayan ng mga Manggagawang Pantahanan sa Pilipinas*) was established in 1995. It came out of earlier efforts and the support of the Visayan Forum (VF – an NGO working for the empowerment of vulnerable migrants, especially victims of human trafficking and domestic servitude and against child labour) to reach out and organize young female workers in domestic work as they congregated during their Sundays off. Today, with over 10,000 members, SUMAPI is among the largest registered national domestic worker organizations. It is composed of networked core groups based in parks, schools, churches and other trafficking transit points. Together they speak out about the plight of domestic workers, and they aim to increase protection for child domestic workers via national laws and codes of conduct.

SUMAPI is guided by a 10-point agenda workers for national and international action on decent work for domestic which includes legislative reform, action against trafficking, the need to ensure safe migration and prioritizing education provision for child domestic workers.

SUMAPI mobilizes domestic workers for an annual nationwide Domestic Workers' Day celebration. These take place in public parks where domestic workers meet and organize throughout the year, and members organize trips to social security registration booths, counselling centres and other government agencies. For many domestic workers living away from their loved ones, SUMAPI has become a second family that protects and looks after them.

Source: ILO and International Domestic Workers Network: Decent work for domestic workers in Asia and the Pacific: Manual for Trainers (Bangkok, ILO, 2012), p. 108.

workers below the age of 18 but above the minimum age for employment into membership impeded the protection of these young workers.¹⁵⁶

younger workers – for instance in passing on their “tricks of the trade” for raising difficult subjects with an employer.

There are a now numerous pioneering efforts to protect those of working age but under 18 on which to draw and there are many lessons to be learned from the recent developments in self-organization of domestic workers.¹⁵⁷ One such lesson is the importance of providing space for members to participate meaningfully in the design and implementation of activities for their fellow domestic workers. Advice from experienced domestic workers can prove very useful to

“Our situation should be monitored by an inspector of the Labour Ministry because they know the themes and the regulations. They are more capable to understand labour matters and regulations.”

(Johana, 16 years, female, child domestic worker, Lima, Peru)

¹⁵⁶ IPEC: *Child Domestic Labour and Trade Unions: Report* (2006), op. cit.

¹⁵⁷ See, for example, ILO: *Achieving decent work for domestic workers* (2012), op. cit.; and ILO and International Domestic Workers Network: *Decent work for domestic workers in Asia and the Pacific: Manual for Trainers* (Bangkok, ILO, 2012).



Box 20 – Malawi: Tripartite cooperation to support decent work for young workers in domestic work

In Lilongwe, YECE (Youth Empowerment and Civic Education), with ILO-IPEC support, has designed an innovative system for improving the working conditions of young workers (14-17 years) in domestic work. All young domestic workers must be registered with the chief of the Traditional Authority – including the names of their employer and their workplace address. Monitoring visits and a means of resolving potential conflict is provided by local Community Child Labour Committees, in conjunction with the District Labour Office.

As a first step to developing a more formal body, the Malawi Congress of Trade Unions through the Malawi Union for Informal Sector, is promoting the establishment of local forums for these young workers to meet and discuss issues of mutual interest. These forums also act as watchdogs, with members always on the lookout for underage child workers. In addition, members of the forums play a role in developing, reviewing and implementing individual contract agreements between themselves and their employers. Designed by YECE, these contract agreements – based on Malawi's Employment Act – have resulted in significant improvements in the working conditions of those involved.

In a further step, the employers' organization ECAM (the Employers Consultative Association of Malawi) is providing training to a number of emerging domestic workers' employer forums, in an effort to improve working conditions for those they employ.

In South Africa, for example, the leaders of the South African Domestic Service and Allied Workers' Union (SADSAWU) take time out with the younger workers to explain different techniques for talking to an employer.¹⁵⁸

Employers of domestic workers and their organizations also have a critical role to play in identifying child labour situations in domestic work and in protecting young workers of legal working age – for instance by developing and implementing codes of conduct in their businesses and for their staff, which promote decent work for domestic workers and the observance of minimum age laws.

¹⁵⁸ ILO: *Achieving decent work for domestic workers* (2012), op. cit., p. 22.

Desamparados, Costa Rica
Young domestic worker.

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7

Reaching and supporting child domestic workers: civil society responses

Community-based organizations (CBOs) and non-governmental organizations (NGOs) – collectively referred to in this chapter as civil society groups – are often the front-line groups playing a critical role in reaching child domestic workers and providing them with the immediate care and longer term support they need. They are also key to influencing parents and employers of child domestic workers vis-à-vis child domestic work, and are in the vanguard of efforts towards changing societal attitudes that serve to push children into domestic work or create a demand for younger workers.

Civil society groups have undertaken a wide range of initiatives with these hard-to-see and hard-to-reach children. These initiatives include a plethora of locally adapted methods of reaching child domestic workers; a range of crisis intervention measures involving rescue, rehabilitation, reintegration; health, trauma and legal interventions; a variety of formal and non-formal education and training options; opportunities for recreation and

peer interaction; prevention activities and advocacy including campaigning, lobbying public education; and local, national, regional and international capacity building processes.¹⁵⁹

“The people who are handling children in crisis should be properly trained and should be friendly to the child – since the child has already undergone trauma and should not be further traumatized.”

(Aditi, 17 years, female, child domestic worker, Chennai, India)

¹⁵⁹ Black, M.: *Child Domestic Workers: A handbook on good practice in programme interventions* (London, Anti-Slavery International, 2005).

Box 21 – The role of NGOs and other members of civil society

The challenges for domestic workers are manifold and their union structures are supported not only by established trade unions and confederations but also by many NGOs and other solidarity organizations. The crucial research and strategic work of international NGOs, in particular Human Rights Watch and Anti-Slavery International and international networks like WIEGO and IRENE, have contributed significantly to understanding the complex dimension of domestic work in different parts of the world. These organizations have focused in particular on migrant domestic work, child labour in domestic work and the links between domestic work, forced labour and human trafficking, as well as on ways to understand the gendered structure of the informal economy. In their efforts to promote meaningful legislative and policy reform, they have persuaded regional and United Nations-based human rights bodies to give these issues serious consideration.

Source: ILO: Decent work for domestic workers, Report IV (1), International Labour Conference, 99th Session, (Geneva, 2010), paragraph 283.

A key common factor in these interventions is the close understanding of the local context, since, despite a number of similarities in child domestic worker's situations, the differences and nuances in manifestations of the practice requires a detailed understanding of the setting in question, not on generalized perceptions.¹⁶⁰

7.1 Reaching child domestic workers

The first priority in any efforts with child domestic workers is to reach them, though their hidden situation means that this is no simple task. In addition to finding them via their parents and employers, organizations have managed to make contact with child domestic workers by both direct and indirect routes, including in parks, street markets and supermarkets, at bus stops, places of worship, by going door-to-door, via schools, community leaders and through centres, shelters and hotlines. Creating opportunities to reach child domestic workers requires not only determination, but also sensitivity and the use of effective information, education and communication techniques.¹⁶¹

"I want to play like other children do. When I see other children playing, I want to join them."

(Eric, 11 years, male, child domestic worker, Cotonou, Benin)

Seeking opportunities for education is among the main motivation for many children to enter domestic work – and for their families to permit or encourage them to do so. So schools have been a logical entry-point for contact with the children concerned. Teachers in many schools have assisted in identifying child domestic workers and awareness-raising has taken place in schools attended by employers' children – who can help to reach child domestic workers as well as transform employers' behaviour in their own homes. Word-of-mouth between domestic workers, who may meet in apartment block stairways and hallways, hanging laundry on common

¹⁶⁰ Black, M.: "What are the best ways to..." (2011), op. cit.

¹⁶¹ Anti-Slavery International: *A handbook on good practice in programme interventions* (2005), op. cit.



Box 22 – Reaching child domestic workers through local community structures

A number of organizations have directly enlisted local officials and community leaders to enable them to reach child domestic workers. For example, WAYS in Kampala (Uganda) maintains contacts with community groups, including parish development committees and women's groups, as a way of identifying child domestic workers at risk of abuse.

Kivulini, an organization based in Mwanza, Tanzania, works closely with leaders at the lowest structure of the local government. The advantage of working through street-level functionaries is that they have right of access to people's homes – no special permit is necessary. Since they know all the local households, they know where young workers are employed, and whether there is conflict in the household. They are trusted by both employers and the domestic workers.

In Phnom Penh, Cambodia, ILO-IPEC has worked with government functionaries and partner NGOs in a number of ways. VCAO, the Vulnerable Children Assistance Organization, is one of the groups to run awareness-raising sessions for local leaders, police representatives, householders and children. These community members are then sensitized to report any instance they come across where a child domestic worker is particularly at risk.

roof-tops, or running errands to fetch milk or bread, plays an important role in identifying child domestic workers and in spreading the word about finding help.¹⁶²

A number of key lessons can be drawn from local experience of reaching child domestic workers:

- It has been found that making contact with child domestic workers outside the

household requires considerable sensitivity. A particularly effective method of reaching child domestic workers is through contact by another young worker or a former child domestic worker.

- Engaging with the children of child domestic worker's employers can reduce discriminatory behaviour in the home and can be an entry point to enlisting support from employers themselves.
- It is important not to alienate employers but instead to get them on board, or the child domestic workers in their care may suffer. Engaging in a positive and friendly way tends to work best.
- Where people are being sensitized to bring cases of child labour in domestic work, including its worst forms, to the attention of the authorities, retaining the co-operation of employers (if possible) is helpful. They will respond best to officials they already know and trust.

7.2 Working in source areas: Prevention and reintegration approaches

Working with parents, families and communities of origin has been found to be critical in preventing children from entering hazardous employment and in ensuring sustainable (re)integration for those returning home.

Identifying source communities and developing practicable preventive interventions requires specific approaches, some of which are pertinent to the eradication of child labour more generally. These include efforts to maintain children in school, and to promote universal basic education, including the enrolment of girls, as well as enhancing the quality of schooling and of school environments so that parents and children are motivated to maintain

¹⁶² Black, M.: "What are the best ways to..." (2011), op. cit., p. 9.

attendance and not drop out at an early age. Augmenting family income, especially for women, is another strategic intervention designed to reduce the need for children to work.¹⁶³

A key component of prevention has been the necessity of building awareness among families and the wider community that the practice of children entering domestic work may not be as beneficial as they had been led to believe. A variety of tools have been used for this purpose, including community dialogues, dramas, radio, poster campaigns and children's clubs in schools. Efforts to curb the illegal activities of recruiters, through community watchdogs such as child protection committees, are also in operation in many localities.

Those organizations concerned with removing children from child labour situations in domestic work and returning

them to their families face a number of challenges – particularly given that most are based in destination towns and cities. Visiting far-off “sending” areas and undertaking activities in those communities requires time, personnel, and long-distance travel. This has necessitated greater collaboration between “destination” city or town-based organizations and community organizations and other groups in rural or peri-urban “source” areas.

Several lessons have emerged from efforts to prevent and eliminate child labour in domestic work and to reintegrate withdrawn children:

- Awareness-building among children, parents and among community members generally, is the key to both prevention of recruitment/trafficking, and to the withdrawal from employer households of child domestic workers who are in child labour, including its worst forms.

Box 23 – The role of intermediaries in child domestic work

In seeking a domestic worker, prospective employers may approach the child or her family directly or, more often, make use of an intermediary with links to source areas.

The prevailing assumption is that intermediaries are invariably unscrupulous recruiting agents with concerns other than the child's best interests. However, there is growing recognition that many of those who facilitate the movement of children for domestic work are likely to be their friends and relatives – in other words, people who, more than most, have an interest in protecting them. For example, a clear message from child and adult respondents during research in Liberia was that travelling with someone the child and parents know and trust is potentially an important protection mechanism. This does not mean, however, that the recruiter who believes his or her intentions to be good is necessarily acting in a way that protects the child against child labour.

Several approaches relevant to the protection of child domestic workers are being used by organizations concerned with migration, including: information campaigns and awareness raising for parents and children to provide information about risks and rights; developing ways to make journeys themselves safer, for example by improving travelling conditions; and developing the protective role played by responsible and trustworthy intermediaries, as well as developing the skills and confidence to expose unscrupulous intermediaries.

Source: Blagbrough, J.: Blind Hope: Children on the move in Liberia (London, Save the Children UK, 2008), unpublished.

¹⁶³ Anti-Slavery International: *A handbook on good practice in programme interventions* (2005), op. cit., p. 54.



- Trafficking of children for domestic work is a complex phenomenon, involving a range of illegal operators and employers. These activities can only be stopped by action by the public authorities, including law enforcement, labour inspection services and, where relevant, by immigration authorities. Public authorities, social partner organizations and civil society can all play a role in community vigilance against trafficking.
- The relevant public services and, where appropriate, civil society groups, can provide shelter and rehabilitation for rescued victims, and play an important role in information, awareness-building and in orientation/facilitation.
- Maintaining contact with their families is not only a protective mechanism for child domestic workers, but is also important for their smooth return home if and when necessary. Additionally, regular dialogue between employers and parents of child domestic workers can help in sustaining familial relationships.
- Where activities cannot easily be undertaken in sending communities because an organization is city-based, it is important to establish partnerships with local community-based organizations and authorities.
- Reintegration of a child labourer performing domestic work into her or his family requires contact and counselling with the relatives and the child and should be in her or his best interest. It may also require material support to the child and/or family, and continued monitoring by community leaders or other appropriate third parties.

7.3 Responding to education and training needs

Top priority for almost all child domestic workers is the desire to go to school. More than most, they understand the value of learning to build successful lives and civil society actors are aware of the potential of these activities to enable child domestic workers to interact with their peers and improve self-esteem and confidence. However, the negative school experiences of some child domestic workers has also focused attention on the need to improve teacher training, change discriminatory attitudes, and upgrade school facilities for girls in particular. Non-formal education or “bridge courses” are commonly provided in cases where formal schooling is not available, or where catch-up classes are necessary to facilitate entry into mainstream education. The scope of these classes range from academic subjects, especially basic reading, writing, and numeracy to complementary topics, such as life skills, creative activity, communications, and other issues not necessarily covered in a formal curriculum.

“The AMF [a local service provider] has given me school materials and some money towards the registration fee at school. We have workshops to talk about rights; they teach us lots of things that might be useful in life.”

(Cecilia, 11 years, female, child domestic worker, Cajamarca, Peru)

A key demand of domestic workers’ organizations is that the skills of domestic workers and the contribution they make to the functioning of national economies should be properly recognized and respected. Vocational training is desired by many young workers in domestic work, who

value the opportunity to improve their skills, the respect in which those skills are held, enhance their prospects and seek better paid work. In some cases such training – for example in cooking, child-care, laundry, dressmaking or embroidery skills - can relate to their current working life, which may help to encourage employers to release them for classes. The workers concerned often appreciate training in these sector-specific skills associated with “reproductive work” in the home, because they may also enable decent alternative employment prospects in the event of changing employer or leaving domestic work. However, some or many of these skills may be seen as traditionally “female” and provide restricted opportunities because of gender discrimination in labour markets. They need

to be combined with other transferable skills to widen girls’ future employment options. In providing *alternatives* to domestic work, successful schemes are those which assess and adapt training to the local job market.¹⁶⁴ Offering a range of occupational training in different disciplines provides a choice for young female and male workers, among which domestic work can be one option.

Key lessons from civil society education and training interventions include the importance of:

- Training in skills linked to the existing workplace, such as baking , needlework, embroidery, early childhood care and other transferable skills, which give young workers confidence and equip them with extra

Box 24 – What do child domestic workers need to know and how can they be motivated to learn?

Child domestic workers, given their background and situation, often have a very limited understanding of the wider world. Many have stated that they need assistance in accessing government and state infrastructure that can help them. For these reasons they may gain a great deal from organized visits to such places as schools and training and youth centres, council offices, health centres, post offices, banks, police stations – and, where they exist, to the offices of domestic workers’ organizations – to understand how they work and how child domestic workers can make use of them.

Often child domestic workers have few mentors and confidants to ask about important subjects, such as: how the body functions and how it changes during adolescence; sexual health, how babies are conceived, what happens during pregnancy and birth; common illnesses and how to avoid them; how to say “no” to unwanted sexual advances; what the effects are of drugs and alcohol on a person’s mind and body; and HIV.

Many young workers in domestic work want to catch up with their education and go to a formal school. They may need “bridge courses” to facilitate this, and after-school classes to help keep up and remain motivated. Their employers and parents will also require motivation to support the children’s attendance at school. Old-fashioned didactic methods which simply drill information into children are off-putting, and unsuccessful in enabling children who have had a poor experience of school to flourish. Education offered to child domestic workers needs to captivate and encourage a desire to learn, and the learning environment needs to be age and gender-appropriate.

Source: Black, M. Child Domestic Workers: A handbook on good practice in programme interventions, London: Anti-Slavery International, 2005.

¹⁶⁴ See ILO Recommendation No. 201, Paragraph 25(a).



options and may make it possible to leave an abusive employer or seek for improved conditions, including a better salary;

- Identifying useful vocational training alternatives, with a view to linking new skills to locally available jobs or business opportunities;
- Educational programmes that match a young worker's capabilities, outlook on life and interests with the practical requirements of working life – and which are run in a friendly manner so that learning is seen as a useful and desirable activity; and
- Motivating employers and parents to allow children to attend. Where the formal schooling on offer is not currently appropriate for the child, the goal of educational programmes should be to facilitate future entry into mainstream education as well as to develop life skills, self-reliance and personal growth.

7.4 Getting employers on board

Identifying and assisting child domestic workers through engagement with their employers is a highly effective and sustainable strategy, but is not easy to do. NGOs such as WAO Afrique in Togo have had success in identifying young workers in domestic work and in persuading their employers to allow them to participate in centre-based activities through a time-intensive door-to-door method. A women's group of former employers of child domestic workers, established as a result of this initiative, now helps to convince others to alter their view towards their child domestic workers. In the absence of a school and training opportunities in the children's

home areas, these women have been helped to start small businesses so that they can send their former child domestic workers to school. Similar "responsible employer" associations have been established locally in a number of countries, including in Tanzania, involving employers in community dialogues, video shows, and public discussions.

Getting employers on board takes persistence and sensitivity. Key lessons include:

- Enabling employers of young domestic workers to see schooling and vocational training not as unhelpful distractions but as positive advantages for young workers in their home, including for her or his manner and performance in the household. Sustaining this support for young workers in domestic work requires regular follow-up contact with the employer.
- Mechanisms for productive engagement with employers of young domestic workers are important. Centre-based programmes should establish community networks to monitor violations of child rights in the neighbourhood and promote changed attitudes towards child domestic work and an end to violence in the home.

7.5 Helping child domestic workers to help themselves

The right of children to participate in decisions affecting their lives is enshrined in the UN Convention on the Rights of the Child and in ILO Convention No. 182. It requires a shift from adult perceptions of children as passive victims of child labour, abuse, and violence towards understanding them as citizens and individuals capable of analysing and responding to their situations and problems.¹⁶⁵

Child domestic workers have, in numerous ways, demonstrated themselves to be central agents of change in their own lives, and in the lives of children in similar situations.

“We are helping each other in different activities such as home activities and those who are schooling – they help each other academically.”

(Evi, 15 years, female, child domestic worker, Tanzania)

The right of child domestic workers to associate freely is also a key aspect of their participation, as well as representing a very tangible way of reducing their isolation and supporting their protection from workplace abuses. In a number of countries – in addition to domestic workers’ unions – self-help groups and associations of young workers are actively engaged in advocacy and mutual support to protect their interests.

Invariably, soliciting the views of child domestic workers – including the very

Box 25 – Tanzania: Wote Sawa

Wote Sawa is a youth-led group of current and former child domestic workers in Mwanza, Tanzania, which exists to empower child domestic workers to advocate for their own rights and live free from all forms of abuse, sexual violence and child labour. So far, Wote Sawa has recruited and trained several hundred current and former child domestic workers to form a network of advocates – who meet quarterly to discuss issues arising and decide on strategy. The group also assists its members to develop their skills in finding alternative employment. Through its members it has rescued and counselled a number of abused child domestic workers, engages with local officials on the development of by-laws to protect child domestic workers and regularly participates in radio discussion programmes and in the press. Wote Sawa has also been at the forefront of efforts to establish the Tanzania Domestic Workers Coalition, which was formally registered in 2012.

Source: Children Unite (www.childrenunite.org.uk) and Wote Sawa, direct communication, 2012.

youngest – provides an essential perspective on their situation and needs, as well as resulting in information with which to target assistance to combat child labour and to promote decent youth employment more effectively. In regular consultations with child domestic workers undertaken at local level, they have commented on the importance of service providers and adult decision-makers recognizing their competence and agency, and on assistance which builds individual and collective child domestic work capacity to help themselves. It was found that the most effective interventions are those which systematically involve child domestic workers in their planning and implementation.¹⁶⁶

¹⁶⁵ Bourdillon, M.: *A place for work in children’s lives?* (Toronto, Plan Canada, 2010).

¹⁶⁶ Blagbrough, J.: *They respect their animals more* (2008), op. cit.



Box 26 – Child domestic workers speak-out

Consultations with more than 400 current and former child domestic workers (female and male) in over 20 locations in Benin, Costa Rica, India, Nepal, Peru, the Philippines, Tanzania and Togo, provided clear insight into their situation, as well as their views about the kinds of help and support they need most – and what interventions protect them best from child labour, including its worst forms.

Results of these individual interviews and group discussions, undertaken by Anti-Slavery International and its local partners, have indicated that the interventions which are having the most positive impact for child domestic workers are those which seek to: (1) maintain or re-establish contact between the child and her or his close relatives; (2) intervene directly with their employers in a non-confrontational way; (3) support the establishment or strengthening of domestic workers' organizations and groups, which can help themselves; and (4) encourage child domestic workers back to education and to retain them in education by catering to their specific needs.

Regardless of differences in culture and language, child domestic workers had a number of clear messages about the best kinds of assistance to protect them from the child labour and abuse that so many endure. Their common call to those who seek to help them was:

- To provide opportunities for education and training which allow them to move out of domestic work;
- To assist them in times of crisis – particularly to rescue and remove them from abusive employers and to help them seek redress;
- Not to alienate their employers, since this often serves to further isolate them. Sometimes employers may even become part of the solution to their problems;
- To provide more services which cater specifically to the needs of those in child labour in domestic work, since their needs are often quite different from those in youth employment or child labour in other sectors;
- To develop interventions which reduce their isolation and improve their treatment by employers – in particular, to end discrimination against them in their employers' households;
- To undertake longer-term assistance programmes, i.e. not to develop services for them and then pull out after just one or two years;
- To provide help on some of the issues which most affect their well-being, for example, early pregnancy and the effects of HIV/AIDS and trafficking;
- To undertake more awareness raising about their situation, and to ensure that this awareness raising goes hand-in-hand with tangible help; and
- To assist them in accessing government and state infrastructure that can help them; for example, in obtaining birth certificates, enrolling in school, in accessing health care, in locating families and returning home.

Source: Blagbrough, J.: *They respect their animals more: Voices of child domestic workers* (London, Anti-Slavery International/WISE, 2008).



"My parents are poor and I did not go to school. A couple was kind enough to take me (to work in) their home. I work hard for them, I grind the rice, I look for water, I mind the ducks, I feed the pigs... They also pay me wages but I do not know the amount because the money goes to my parents each month."

(Solo, 12 years, male, child domestic worker for a couple of rural teachers, Ambositra, Madagascar)*

* Testimony: Obtained by ILO-IPEC in Madagascar.



Recommendations

“For a long time we have only been talking. Now is the time to act.”

(Maya, 14 years, female, child domestic worker, India)

1. Developing statistical visibility and further enhancing knowledge on child domestic work

Domestic workers have traditionally suffered from statistical invisibility, and child domestic workers are no exception. This has hindered action in this sector. Improving data collection and statistical tools to better capture child labour and youth employment in domestic work, as well as enhancing the knowledge base, should continue. These efforts are crucial to informing meaningful policy, awareness raising and action against child labour and for decent youth employment at national, regional and international levels.

Research efforts should concentrate on improving methodologies for capturing and monitoring the number of child domestic

workers and the trends in their working and living conditions – including working time, rest periods, night work and occupational safety and health considerations (hazardous domestic work). Research efforts should also be pursued to improve methodologies to better capturing those subject to slavery-like situations in domestic work.

As a cost effective strategy, research efforts on child domestic work should build upon research efforts on domestic workers in general. These efforts should also build on the work of relevant public national institutions and academia. Furthermore, research efforts should be pursued by strengthening cooperation and coordination networks and partnerships, producing and disseminating practical tools, and sharing of practical knowledge and experience among key stakeholders, including governments, the social partners and civil society organizations. Knowledge and experience sharing should take place at national, regional and international levels, including through South-South/Triangular Cooperation.

2. Awareness-raising and advocacy: Challenging assumptions that child domestic workers are “like one of the family”

Despite its prevalence, the growing numbers, its importance as a source of employment and its significant contribution to local and national economies, domestic work remains a uniquely gendered, hidden, and burdensome form of work. Without proper safeguards, child domestic workers, in particular, will remain highly vulnerable to child labour, and the potential for decent work in this sector for all workers, including young workers above minimum age, will continue to be compromised.

High priority must be given to transforming social attitudes in source and destination communities on children performing domestic work in other people’s homes, on how they should be treated, as well as on gender equality. Measures are needed to address the still widespread acceptance of child labour in domestic work and the beliefs amongst employers and parents that these situations represent a protective and healthy environment for children – especially girls. Efforts towards eliminating child labour in domestic work and protecting young workers of legal working age must continue. Awareness raising and advocacy are also needed among influential groups, including politicians, opinion-leaders, civil servants, social partners, community and religious leaders, civil society organizations and the mass media in order to deal with these violations of fundamental rights at work.

3. Promoting the ratification and implementation of Convention No. 138 and Convention No. 182 on child labour and Convention No. 189 concerning decent work for domestic workers

The ratification and implementation of ILO Conventions No. 138 and No.182 is crucial to protect children from child labour, including in domestic work. In general terms, activities against child labour, under Conventions No.138 and No.182, should systematically cover domestic work.

In addition, the ratification of ILO Convention No. 189 and its implementation, along with the provisions in its accompanying Recommendation No. 201, is a critical step in promoting decent work conditions for domestic workers of all ages, including young workers of legal working age. This is important to safeguarding their rights and interests and promoting respect for these workers who provide essential services for the functioning of families, households and labour markets. Recognizing domestic work as “real work” in national labour and social policy creates a guiding framework and entry point for tackling and eliminating child labour in domestic work and for better protection of young domestic workers.



4. Taking legislative and policy action to end child labour and to protect young workers in domestic work

National and local regulation for domestic workers, including young workers of legal working age, remains a priority. While many countries have regulated domestic work, considerable gaps in labour law coverage still persist. For example, half of domestic workers globally enjoy no legal limits to their working hours and some 45 per cent have no right to a weekly day off. National laws must set a clear minimum age for domestic workers not lower than that established for workers generally. National laws and regulations should also identify types of domestic work that, by their nature or the circumstances in which they are carried out, are hazardous for workers under 18 years of age; prohibit their involvement in them, and eliminate such types of work. In addition, when regulating the working and living conditions of domestic workers, special attention should be paid to the needs of young domestic workers. This includes strictly limiting their hours of work, prohibiting night work, restricting work that is excessively demanding, monitoring their working and living conditions and ensuring non-discriminatory compliance with prevailing minimum wage coverage.

Legal protection for young workers is not only vitally important in setting minimum standards for protection, but also because it can assist in giving the issue greater visibility. However, it is not a panacea, and must be part of an integrated approach that includes the necessary policy action to protect all domestic workers.

To be effective, laws and policies must be promoted through preventive measures and, where necessary, be enforced by

appropriate penalties. National appropriate measures should be developed to tackle child labour in domestic work and to identify and register young domestic workers when they can legally work. Finding and developing locally adaptable methods for systematic monitoring of child labour and youth employment situations in domestic work should be emphasized, and accessible complaint mechanisms established. States should also ensure that children in child labour situations and young workers in domestic work have access to justice and legal redress.

Effective labour inspection is part of the solution to ensure respect for the principles embodied in international labour standards and national legislation on domestic work. While labour inspection alone will not suffice to ensure compliance, it can play an important role both in enforcing minimum age legislation and in monitoring the working conditions of young workers. States should make provision to allow labour inspectors or other relevant officials to enter premises in order to enforce provisions applicable to domestic work. Meanwhile, labour inspectorates need to develop policies to address child labour and youth employment in domestic work in an effective manner. Countries should take steps towards building or strengthening the necessary institutional capacities to that end.

5. Paying attention to child migrants vulnerability to abusive working conditions in domestic work

Many children in domestic work are migrant children; their migration status increases their vulnerability to abusive working conditions. It is important that key stakeholders, in particular governments, but also social partners and civil society organizations, acknowledge that all children – including migrant children – are born with the same rights, and that the rights of migrant children, including those at work, take priority over their possible criminalization as illegal immigrants. Migration will continue to happen, given current demographics and economic inequities in a globalized and interconnected world. It is crucial that policymakers work towards providing better local alternatives for children in need, while governing the conditions under which migration occurs, and ensuring that the end result is a decent job with decent pay for youth of working age.

6. Formalizing the employment relationship in domestic work

Written contracts are an important way of regulating the employment of domestic workers and formalizing their protection. Efforts to develop model employment contracts for domestic workers, including young workers in domestic work, should be encouraged and pursued. Model contracts should include specific clauses aimed at protecting young workers in domestic work. Such clauses should pay special consideration to their specific protection requirements, including social protection, as well as to their right to compulsory education and to participate in further education or vocational training.

7. Enhancing the role of the social partners and extending freedom of association and effective recognition of the right to collective bargaining in domestic work

Social partners bring unique knowledge and competence to bear in discussions regarding the world of work, and are in a commanding position to influence policy development and reform in key national and international socio-economic arenas, including debates around education, social welfare and employment. In addition the social partners play a critical role in preventing and eliminating child labour in domestic work and in protecting young workers in the sector.

It is of key importance to assist domestic workers to organize themselves and to extend their trade union representation so as to improve their voice and representation in the mainstream trade union movement. Similarly, efforts should be encouraged towards tackling the lack of representative organizations of employers of domestic workers.

The presence of representative organizations, both from the workers and the employer side, would facilitate social dialogue to bridge decent work gaps in domestic work, including collective bargaining arrangements on working, living and employment conditions.

In addition, young domestic workers of legal working age must be ensured their right to join or form unions.



8. Enlisting the support of employers of domestic workers

Engaging with employers of young workers in domestic work is vital to reaching children in need of assistance and, where relevant, in improving conditions of work. The formation of local “responsible employer” associations is a first step in winning hearts and minds and in promoting the observance of regulations and/or locally developed codes of conduct reflecting decent work principles. In the longer term, creating a network of strong and representative organizations of employers of domestic workers will help in formalizing the sector and negotiating better working conditions for those below 18 years but above the legal minimum working age.

Employers’ groups and businesses have an important role to play in developing and implementing staff codes of conduct promoting decent work for domestic workers and the observance of minimum age laws. Agencies that supply domestic workers and the trade bodies that represent them should develop policies to ensure that children below the minimum legal working age are not recruited or placed in households, as part of guidelines which promote decent work conditions for domestic workers and special protection for young domestic workers of legal working age.

9. Providing support to child domestic workers against child labour and for decent youth employment

Programmes to reach and support child domestic workers need to be specifically tailored to the setting and to be based on a thorough knowledge of local demand and supply factors and socio-cultural norms.

Consultations with current and former child domestic workers in many countries have provided an insight into the kinds of support and help they need from practitioners, and on what best protects them from child labour. Broadly, the interventions which are having the most positive impact for child domestic workers are those which seek to:

- maintain or re-establish contact between the child and her or his close relatives;
- intervene directly with their employers in a non-confrontational way;
- support the establishment and strengthening of groups of domestic workers to represent and help themselves;
- encourage child domestic workers back to education and to retain them by, for example, making schooling more child- and, in particular, girl-friendly.

The education system has a vital role to play. Schools provide the most important alternative to child labour in domestic work, especially for vulnerable young female workers. They are also a point of contact for some child domestic workers, and a channel through which child domestic workers employed in the houses of school attending students can be reached. However, attention is also needed on improving teacher training, recruiting – as relevant – more women teachers, upgrading school facilities for girls in particular, and in transforming discriminatory attitudes towards them.

10. Supporting the worldwide movement against child labour

Civil society organizations play an important role in the worldwide movement to tackle child labour. Building the worldwide movement towards eliminating child labour in domestic work and protecting young workers above the minimum age in this sector – globally, nationally and locally – is a priority. These organizations are at the front-line, hand in hand with public authorities and the social partners, in reaching child domestic workers and providing them with necessary services and protection. Their contribution is crucial; therefore, their work must be acknowledged, encouraged and supported.

11. Engaging with child domestic workers as agents for change

Child domestic workers themselves must be involved directly as agents for change. It is childrens' fundamental right to be heard on matters which affect them. Practitioners and policy-makers alike must listen to and learn from child domestic workers, including from those who have found ways of mitigating the abusive working and employment conditions to which many are subject. In addition child domestic workers, as well as their parents and recruiters, need to be closely involved in the appropriate components of an integrated programme.

Providing a context in which children can seek solace and safety, and articulate their experiences, is crucial to their protection and personal development. Creating and supporting such self/mutual help groups should be a priority. Enabling child domestic workers to meet and organize in such groups, as well as their involvement in the operation of services for their benefit, increases the likelihood that their interests will be best served.

12. Better together: joining forces to promote decent work for all

Significant progress has been made in recent years in understanding and responding to child domestic work. This would not have been possible without the range of partnerships that have developed across geographical and sectoral divides. However, while the issue is firmly on the international agenda, there remain major gaps in the numbers of dedicated practitioners at national, sub-national and sectoral levels. Supporting the establishment and strengthening of domestic workers' organizations and identifying and encouraging more organizations to take up the issue on the ground is critical – not only to reach and assist more children, but also to promote social dialogue and support regulatory, policy and advocacy efforts, as relevant, at national and international levels.

Stronger country-level partnerships between UN agencies, including ILO, UNICEF, UNHCHR, UNESCO and UNODC, could help bolster efforts on the issue; as would support from civil society organizations working on issues relating to child domestic work such as girls' education, the commercial sexual exploitation of children, trafficking in persons, violence against children, adolescent and sexual health and early marriage, as well as those working more broadly on human rights and economic and social development issues.

Cooperation is fundamental to effective action to eliminate child labour in domestic work, to protect young workers from abusive working and employment conditions and to promote decent work for all domestic workers. Governments at large, workers and employers' organizations, civil society groups, and international organizations have played a vital role in giving greater visibility to the issues and problems of domestic workers. This has resulted in positive



developments in national law and policy, and in mobilizing support for the ratification and effective application of the recently adopted Domestic Workers Convention, (No. 189). However, we could all do more. Continued concerted action, in particular, from these stakeholders will be critical in bringing about decent work for domestic workers in the coming years. It is crucial to continue generating political support and influencing public perceptions and attitudes towards:

- i) a better understanding of child labour in domestic work and the need to eliminate it;
- ii) the provision of adequate protection to young workers in domestic work – when they can legally work; and
- iii) the general recognition of domestic worker’s rights and dignity and of the economic and social value of the work they perform.





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Within the framework of the two ILO fundamental conventions on child labour and the recently adopted instruments on decent work for domestic workers, this new report sets the scene for a better understanding of child labour in domestic work. It outlines why involvement of children in domestic work should be a global concern and presents the basic concepts in this area as well as the required responses. It looks into child domestic work as a social development priority, a human rights concern and a gender equality challenge.

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