

Forum: Special Conference 2

Issue: Combating child labour

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Introduction

Child labor is a violation of the Human Rights of the child. It is a harmful and exploitative practice that leaves children with physical, emotional and psychological scars they will have to bear for the rest of their lives. Child Labour is defined by the International Labour Organization (ILO) as “work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development. It refers to work that: is mental, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school; obliging them to leave school prematurely, or requiring them to attempt to combine school attendance with excessively long and heavy work.” (ILO, n.d). Considering the Convention on the Rights of the Child (OHCHR) every child has the right to enjoy education, freedom and a safe environment, all of which have been taken away from 168 million children aged between 5 to 17 around the world currently some form of exploitation. Presently, children undergo different forms of child labor such as slavery, bonded labor, child soldiers, sex work and drug trafficking, among others. These practices are physical, mentally, morally and socially dangerous and harmful for children, that is why thousands of organization have worked to reduce this practice.

This practice is not something new. During the Industrial Revolution, it was considered the cheapest and most cost-effective workforce, employees benefited from the needs of families to achieve economic stability by imposing long working hours in unhealthy environments. It wasn't until 1802 that in the United Kingdom, that legislator started to disagree with this form of exploitation. However, it was in 1943 when the Supreme Court approved the Fair Labor Standards Act, which finally deemed child labor as an unethical practice.

Although Child Labor has significantly decreased throughout the years, it is still prevalent in various countries across the globe. The fifth edition of the quadrillennial report made by the International Labor Organization on the global figures on child labor state that there are currently 40 million modern slaves and 152 million child slaves in the world.

Definition of Key Terms

Child

According to the OHCHR, a child is “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”.

Child Labour

As defined by the ILO, Child Labour is “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.” (ILO, n.d)

Sexual Slavery

Sex trafficking is a crime when women, men and/or children are forcefully involved in commercial sex acts. In the United States, any minor under the age of 18 engaged in commercial sex acts is automatically considered a victim of sex trafficking under the law. (End Slavery Now, n.d)

Modern Slavery

As defined by the Walk Free Foundation, “Modern slavery refers to situations where one person has taken away another person’s freedom – their freedom to control their body, their freedom to choose to refuse certain work or to stop working – so that they can be exploited. Freedom is taken away by threats, violence, coercion, abuse of power and deception.” (Walk Free Foundation, n.d)

Debt Bondage

A form of coercion used by traffickers in both sex trafficking and forced labor is the imposition of a bond or debt. Some workers inherit debt; for example, in South Asia it is estimated that there are millions of trafficking victims working to pay off their ancestors’ debts. Others fall victim to traffickers or recruiters who unlawfully exploit an initial debt assumed, wittingly or unwittingly, as a term of employment. (US Department of State, n.d)

Human Trafficking

Human Trafficking, also known as modern slavery, is defined in Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” (United Nations [UN], n.d)

Decent Work

According to the International Labour Organization (ILO), decent work involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men. (ILO, n.d)

Forced Labour

According to ILO, Forced Labour is defined as situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities. (ILO, n.d)

Background Information

When evaluating the issue of child labour, it is important to take into account all its different aspects; its causes, its consequences, how many people it affects and who is most impacted by it, in order to be properly informed on the subject. These aspects can include - but are not limited to - region, religion, gender, socio-economic status, political affiliation, etc.

Child Labour Statistics

- In the world's poorest countries, around **1 in 4 children** are engaged in child labour. (United Nations International Children's Emergency Fund [UNICEF], 2017)
- **Sub-Saharan Africa** has the **largest proportion of child labourers** (29 per cent of children aged 5 to 17 years) (UNICEF, 2017)

- **Middle East and North Africa, fewer than 1 in 10** (7 per cent) of children in this age group are performing potentially harmful work compared to 11 per cent of children in Latin America and the Caribbean. (UNICEF, 2017)
- There are around **265 million working children** in the world (ILO, 2013)
- According to ILO's newest report, for the 12-year period beginning in 2000, the dynamic picture is one of significant progress. There were almost **78 million fewer child labourers** at the end of this period than at the beginning, a reduction of almost one-third. (ILO, 2013)

Child Labour History

Even though children are known to have been workers and servant throughout most of human history, child labour reached a peak during the Industrial Revolution. During this time, children often found themselves working long hours, in very dangerous conditions and earning a very small wage. Children were perceived as a good candidate for a worker due to the fact that they were easily controlled; could fit in small spaces, where adults couldn't; and could be paid less to do so. Children that took part in this practice often had to give up their education in order to sustain their family. Reformers during the nineteenth century, partnered with labour organizations, and fought to restrict child labour and improve their working conditions; but it wasn't until the market crash that public opinion finally came to their side. So, during the Great Depression, Americans focused on giving every available job to an adult rather than to a child.

Main causes

Child Labour is a consequence of various different factors that all add up to the disturbing situation that exists today. Child labour is practiced because of the poverty, deeply rooted in many countries around the world, it can be because of the lack of a good education system or because of a range of traditions and views that a certain culture holds.

Poverty

Poverty is known as the greatest single driving force of child labour. In many families in precarious situations, an additional wage can save their lives, put food on the table, put clothes on their backs, so for many children going to work is not an option, as it is the only way they or their families will survive.

Education

Many communities do not possess the adequate means to provide school facilities or a good education. Furthermore, even when schools exist, in many communities an education is not perceived as a plausible alternative to working, due to the fact that a child attending school implies that she/he no longer is generating a wage. It is also normal that the education that is offered is frequently not of good quality and teaches certain tools that are not considered useful in the situations or environments they live in.

Traditions and Popular views

Work is also surrounded by many popular perceptions that deem it “good for character-building and skill development” (ILO, n.d) Another idea that contributes to child labour is the tradition that a child should follow in their parent’s footsteps, meaning that they are expected to learn how to practice said trade from a very early age. Traditions also end up playing a part in the practice child labour, as many social event and religious occasions are dates when many poor families are pressured to spend important amounts of money to then rely on their children’s work to pay off their debts. As child labour is so common in several cultures across the globe, neither parents nor children in many situations consider their situation illegal or even wrong.

Gender based discrimination

The widely-held view that a woman’s education is worth less than a man’s causes families take their daughters out of school and, force them to work, sell them into domestic employment or involve them in sex work.

Unhealthy Family Life or Familiar Dysfunction

In families facing social and economical disadvantages, alcoholic relatives, morally bankrupt guardians, are often causes of dysfunctional families. These factors force children out of their homes, either for short or prolonged amounts of time, and make them start taking independent decisions they are not ready and mature enough to take. This may lead them to start working or be manipulated and coerced by others who take advantage of their vulnerable situations to take part in trafficking or child labour.

How child labour violates Human Rights

As mentioned before, Child Labour is defined as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.” (ILO, n.d). First and foremost, child labour denies children one of their most basic rights: the right to life. This right, which is listed as a basic rights in the Convention on the Rights of the Children is violated when children are not allowed to feel safe and live freely, because they are forced into labour. Secondly, this practice denies children the right stated in Article 13 of the Universal Declaration of Human Rights, which is the right to freedom of movement. In third, as child labour is a form of modern slavery. The ILO also passed the Declaration on Fundamental Principles and Rights at Work in 1998, which states that workers have the right to freedom of association, and additionally demands the elimination of “forced or compulsory labour” (ILO, n.d) and “discrimination in respect of employment and occupation ” (ILO, n.d) , as well as the abolition of child labour; all of which, are not being respected or being put into practice as child labour continues its course. Lastly, Article 31 of the Convention on the Rights of the Child states That every child has the right to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts. That member governments shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.” (UN, 1989). Therefore, if forced into labour, which usually takes place for long hours in inhumane conditions, children are not allowed to play or enjoy their childhood.

Challenges faced when eradicating Child Labor

The International Labor Organization has recognized that the toughest challenges we will face and are facing when trying to abolish child labor are, firstly, **the widely held belief that nothing can be done to stop child labor** and, in second place, **the school of thought that states that child labor only exists because some unethical adults took advantage of children**. This first idea reasons that child labor’s first and only cause is poverty and that child labor will only stop when poverty itself has been eliminated. On the other hand, as to the second challenge, following the previously mentioned school of thought, all that has to be done about this issue is to use the full force of the law to put these people behind bars and send the children to school, which is inaccurate and unrealistic approach.

Relevance within the Sustainable Development Goals (SDGs)

The question of child labour was addressed in the UN's agenda aimed to tackle 17 sustainable development problems by 2030. This agenda, which was published on January 1st 2016, incorporates the issue under target goal 8.7, stating it aims to “to take immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers, and by 2025 end child labor in all its forms.” (UN, 2016). Furthermore, target goal 16.2 also condones any violence children are exposed to by stating it aims to “End abuse, exploitation, trafficking and all forms of violence and torture against children.” (UN, 2016)

Major Countries Involved and Organizations Involved

The Global March Against Child Labour

A worldwide network of trade unions, teachers' and civil society organisations that works together towards the shared development goals of eliminating and preventing all forms of child labour, slavery and trafficking and ensuring access by all children to free, meaningful and good quality public education. (Global March Against Child Labor, n.d)

International Initiative to End Child Labour (IIECL)

A US-based, not-for-profit US organization, incorporated in 1999. It conducts and/or provides education, training, technical assistance, capacity building, research, social accountability auditing, resources, and evaluation services to public and private institutions and agencies, non-governmental organizations, and international programmatic institutions that seek to eliminate the worst forms of child labor in the United States and around the world. (IIECL, n.d)

Love 146

An international human rights organization working to end child trafficking and exploitation through survivor care and prevention. Love146 is helping grow the movement to end child trafficking while providing effective, thoughtful solutions. They believe in the power of love and its ability to effect sustainable change. (Love 146, n.d)

Stop Child Labour Coalition

A national network for the exchange of information about child labor; provide a forum and a unified voice on protecting working minors and ending child labor exploitation; and develop informational and educational outreach to the public and private sectors to combat child labor abuses and promote progressive initiatives and legislation. (Stop Child Labor Coalition, n.d)

International Labor Organization (ILO)

The International Labor Organization is a United Nations organization aimed at setting acceptable, international labor standards around the world and promoting the protection of workers rights in the workplace. The ILO has been also specifically focused on combat the issue of child labor and modern slavery, having worked closely with local and international governments, as well as programmes, to amend legislation and raise awareness on the issue.

Bangladesh

Although Bangladesh has made some moderate efforts to combat child labour, such as extending its Child Labour Plan up to 2021, revising national legislation in 2006 and adopting a list of hazardous form of child labour in 2013, Bangladesh still has a long way to go, as children in this country engage in some of the worst forms of child labour. Among the work these children do there is forced labour in the production of bricks and dried fish, as well as the production of leather goods and garments, which usually includes hazardous and dangerous tasks. Additionally, the labor law in Bangladesh does not deem it illegal for children to work in “informal” economic sectors and also fails to specify the activities and hours of light work per week permitted for a child between 12 and 13 years old. Moreover, although the Department of Inspection for Factories and Establishments has previously provided comprehensive training for a majority of labor inspectors, the amount of inspectors is insufficient for the significant size of Bangladesh’s workforce. In last place, the fines that the government has put in place to further try and diminish child labour are pretty insignificant, as they haven’t been able to make a notable impact on the decision companies or factories make.

Brazil

Brazil is the home to approximately 3 million Brazilian Boys and Girls, aged 10 to 17 years, who are victims of child labour. (UNICEF, 2014). Nonetheless, the Brazilian Government has taken some significant steps throughout the years to address this problem.

These measures include publishing an updated version of the “Dirty List”, which is a list containing information of all the employers the Ministry of Labor found to be using child labour, conducting a large operation across 24 different states to combat the sexual exploitation of children as well as the use of child pornography. In addition, the Labor Prosecution Service has also created the #StopChildLabor campaign, which employs celebrities to raise awareness as to what is happening in Brazil and the City of Campinas, which is located in Sao Paulo, has approved a Municipal Plan to Eradicate Child Labor. Still, within Brazil, many children take part in child labour in various different sectors of the economy, such as agriculture and the production of coffee. Between the months of September and December, the Government ran out of funding for gasoline, air travel, vehicles, meals and daily lodging for labor inspectors and were subsequently obliged to limit labor inspectors to certain state capitals or cities. There are still not enough labor inspectors to cover all the workforce as well as a lack of resources for victims of sexual exploitation.

India

India currently houses 18.3 million slaves among its 1.3 billion population, as stated by the Global Slavery Index (Global Slavery Index, 2016). In the past, India has amended the Child Labour Act and ratified both the ILO Convention 182 and 183 to deem any child under the age of 18 working in dangerous occupation illegal, however, to this day this type of slavery is still prevalent. However, the Child Labour Act mentioned before does not include all hazardous work occupations that children in India currently have, with the fines for employing children for long hours in unhealthy conditions also failing to deter violations. The Indian Government has also launched a National Plan of Action for Children which focuses on specifically vulnerable children, such as victims of sex trafficking and child laborers. Across the country, Indian children are known to engage primarily in the forced labour of producing garments and quarrying of stones.

Venezuela

Venezuela is known around the world as one of the worst countries for child labour. According to the United States Department of Labour, up until 2016, Venezuela made minimal advancements to eradicate child labour in the country. Although the Government continues to fund social programmes aimed at improving the conditions of working children and victims of human trafficking, children in Venezuela still engage in some of the worst forms of child labour such as commercial sexual exploitation, mostly as a result of human

trafficking. The Venezuelan Government has yet to publish a list of hazardous jobs or occupations that are prohibited for children and announce ways in which they are currently enforcing labor laws. Furthermore, the public lacks access to information detailing how effective the Government has been at combating this issue, nevertheless, they currently don't have enough efforts to protect children in important sectors where child labour is most prevalent.

Timeline of Events

Date	Description of the event
1802	The Health and Morals of Apprentices Act 1802 was approved in The United Kingdom, an act that regulated the conditions of factories and limited children to work up to 12 hours per day.
1899	Approximately 29 states in the United States (U.S) had already passed laws that regulated child labour, but national one did not yet exist.
1916	The U.S congress passed the Keating-Owen Act which banned the sale of products from any factory, shop, mine or facilities that failed to comply the previous laws.
1918	The Keating-Owen Act was declared unconstitutional due to matters regarding interstate commerce.
1918	A new law was passed by the U.S congress, the Child Labor Tax Law.
1922	This law was also declared as unconstitutional due to same issues.
1938	Finally, the Fair Labor Standards Act, an act that had the same goals regarding child labour regulation, was proposed by the U.S congress.
1943	The Supreme Court approves the Fair Labor Standards Act
2000	United Nations passes the Protocol to "Prevent, Suppress, and Punish Trafficking in Persons" as part of the Convention against Transnational Organized Crime. This is the first time there is a global legally binding treaty with an internationally agreed definition of trafficking in persons.
2008	The Council of Europe Convention on Action against Trafficking in Human

Beings is created. Its preamble is the first international law to define trafficking as a violation of human rights, promises protection to victims.

Relevant UN Treaties and Events

- World Day Against Child Labor, June 12
- The International Labour Organization (ILO) Convention No. 138 concerning minimum age for admission to employment
- The rights of the child, 20 February 1997 (A/51/615)
- Recommendation No. 146 (1973); ILO Convention No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour
- Recommendation No. 190 (1999); and the United Nations Convention on the Rights of the Child
- Resolution 608(XXI) - Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 30 April 1957
- Resolution A/51/492 - Exploitation of child labor, 14 October 1996
- Resolution A/RES/51/7721
- Resolution A/RES/70/122
- A/51/492 Report by Secretary General

Previous Attempts to solve the Issue

Throughout the years, the UN and the ILO have been at the forefront of the battle against child labour, launching plans to eradicate child labor and ratifying international treaties. Since its foundation in 1919, the ILO's main aim has been to eradicate child labour, employing the adoption and revision of labour standards as their principal tool. From that year onwards, the ILO has also been very focused on linking child labour minimum age to schooling, as seen in Convention No. 138 which stated that the minimum age for admission into employment should not be less than the minimum age required to complete all compulsory schooling. The subsequent adoption of Convention No. 182 in 1999 further reinforced the global consensus around child labour abolition and provided more focus, without straying away from the goal that had already been mentioned in Convention No. 138. Furthermore, the concept of "worst forms" of child labor, created around that time, also aided in setting priorities and was used as the way many countries tackled the mainstream child labor issue. Since the year 1992, the International Programme on the Elimination of Child Labour (IPEC), founded by ILO, has also been focused towards eliminating this harmful

practice through country based programmes and policy reform. This programme has shown incredible results, as it puts out yearly reports on its progress and, among its multiples achievements, has increased global awareness on child labour and has encouraged and demanded States to enforce competent legal structures as well as appropriate policies. IPEC has also been focused on promoting Education For All, of EFA, in the context of their Decent Work Programme, not only as means to effectively combat child labour, but also as means to teach valuable life and work skills, and uplift the status of school teachers.

In 2016, an important milestone for the abolition of child labour took place, as the Sustainable Development Goals incorporated the issue under target goal 8.7, which stated “Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms” (UN, 2016). This target catalyzed many other countries and associations to come together and work towards this goal, as seen in the creation of Alliance 8.7, which called upon organizations and governments alike to join the cause and create policies that will aid the world to reach the goal by 2025.

Possible Solutions

To finally tackle the issue of child labour and its adjacent consequences, free and compulsory education should be the standard for children around the world, but especially for those in underdeveloped countries, as it is the way they will be able to break the poverty cycle and reduce child labour. This means school attendance for grades 1-12 (ages 18 and under) should be compulsory, with said obligation being enforced by the government through legislative measures. This education should be viewed as an attractive option which provides better opportunities than work as a child. This safe and equitable education should be the norm for schools across the globe. For this to occur, governments should be encouraged to further expand their funding for education. A good education widens children’s perspectives and opens their eyes to a bigger realm of possibilities that exists beyond their communities. In these schools, breakfast and/or lunch should be provided in schools to encourage parents to send their children to school, but also as a way to take care of a burden that parents in third-world countries often worry about.

Secondly, both local and international laws deeming child labour illegal should be put in place as well as a realistic, sustainable minimum wage in such a way that parents are not obliged to take their children to work in order to sustain their family.

In the third place, More Economically Developed Countries (MEDC) should be asked to engage with whatever material they can provide: donations of either money or school materials, new or used, but in good state. This should be done in order to dismantle any barrier, such as lack of school supplies, that may exist that impedes children from going to school.

In addition, a web portal should be created, by the Office of the High Commissioner or any other department, to inform the consumer of any retail brand or company that employs the use of child labour, this way discouraging them from investing their money in unlawful businesses.

Finally, sustainable health care should be provided to workers after a certain amount of time in order to keep other family members from being forced to work if the primary breadwinner in the family falls ill or is injured. Furthermore, a reasonable compensation should be compulsory for all workers that have been fired without any reasonable precedent or justified dismissal.

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- *Global March Against Child Labor*. (n.d) Who we are. Retrieved from the Global March Against Child Labor
<https://globalmarch.org/about-us/who-we-are/>

Appendices

- I. A complete and up-to-date overview of recent global trends in child labour found on ILO's newest report:
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_221513.pdf
- II. An article about the important milestones in the fight against modern slavery
<https://www.reuters.com/article/us-slavery-index-timeline/milestones-in-the-fight-against-modern-slavery-idUSKCN0YM1ZX>
- III. A guide on the terms of the Fair Labour Standards Act
<https://www.dol.gov/whd/regs/compliance/hrg.htm>
- IV. Document on Modern Slavery by the United Nations Slavery Fund
<https://www.ohchr.org/Documents/Issues/Slavery/UNVTCFS/UNSlaveryFund.pdf>
- V. A base code guidance on Modern Slavery by the Ethical Trade Initiative
https://www.ethicaltrade.org/sites/default/files/shared_resources/eti_base_code_guidance_modern_slavery_web.pdf
- VI. The 2016 government report on Child Labour
<https://www.dol.gov/sites/default/files/documents/ilab/2016ChildLaborReport.pdf>