



POLICY PAPER

# Child Labour in the Context of Migration

Prepared for the Alliance 8.7 Migration Action Group  
2019



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This research and subsequent report was made possible through the funding provided by UK Aid from the UK Government, under the terms of HQS/FGBR/ME0034.2018 DFID. The views expressed herein do not necessarily reflect the views of the UK Government's official policies.

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This report has been finalized without formal editing by IOM.

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2019 International Organization for Migration (IOM)

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## Abbreviations

AU	African Union
CEN-SAD	Community of Sahelo-Saharan States
CHI	Child Helpline International
CRC	Convention on the Rights of the Child
DfID	Department for International Development
ECOWAS	Economic Community of West African States
EU	European Union
IFRC	International Federation of Red Cross and Red Crescent Societies
ILO	International Labour Organization
IMF	International Monetary Fund
IPEC	ILO's International Programme on the Elimination of Child Labour
IOM	International Organization for Migration
ISS	Institute for Security Studies
IZA	Institute of Labour Economics
MoU	Memorandum of Understanding
OHCHR	Office of the High Commissioner for Human Rights
PPP	Public-Private Partnership
SAARC	South Asian Association for Regional Cooperation
SDG	Sustainable Development Goals
UN	United Nations
USAID	United States Agency for International Development
WFCL	Worst Forms of Child Labour

# 1. Executive Summary

## 1.1. Study objectives

The objective of this study is to identify key policy issues relating to child labour in the context of migration and to issue recommendations for actionable interventions that will inform the strategic framework and work plan of the Alliance 8.7 Action Group on Migration.

The study focuses on child labour in the context of migration, either regular or irregular, cross-border or within borders. It centres on children who migrate either accompanied, unaccompanied or separated, resulting in child labour or a higher risk thereof. In addition, it considers trends of child labour among children who are left behind by migrating parents or adult carers. Two country contexts are highlighted as case studies of interest to Alliance 8.7 partners: Cote d'Ivoire and Nepal, as both face high levels of child labour and migration.

## 1.2. Background

In 2017, an estimated 152 million children were in child labour worldwide: 64 million girls and 88 million boys, with many more children involved in child work.<sup>1</sup> According to ILO, most child labourers are between 5-11 years old and live in Africa, both proportionally speaking and in terms of absolute numbers. While most child labour worldwide occurs in the agricultural sector, child labourers can be found in other economic sectors such as fishing, brick making, domestic servitude, and informal trade, to name a few.

In 2015, an estimated 244 million migrants crossed borders - approximately 3.3 percent of the global population - while the number of internal migrants is estimated to be much higher, at 740 million in 2009.<sup>2</sup> Around a third of migrants globally are estimated to be children and youth between 12-24 years of age. While most people endeavor to migrate through regular channels, irregular migration may be the only option for individuals, families and youth who cannot obtain access or a protective status according to national or international law. This may endanger them to the risks of human trafficking, exploitation and abuse and in the case of children: child labour. Most children migrate either unaccompanied, separated, or with family members<sup>3</sup> for economic reasons; however, drivers for child migration are complex and also include social and security concerns.

## 1.3. Main findings

Attitudes towards child labour across societies depend on a combination of national, local and household factors, including cultural norms, security, legal and socio-economic status.

### The role of migration status

The risk of child labour is higher if parents are irregular migrants, as these parents may be reluctant or simply unable to send their children to school and instead permit children to work in the informal economy.<sup>4</sup> If parents cannot find work or sufficient income to meet basic needs, in part due to their migration status, they may rely on children to work, as children are often perceived as less likely to be targeted by law enforcement for

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<sup>1</sup> ILO, 2017, *Global Estimates of Child Labour - Results and Trends 2012-2016*

<sup>2</sup> IOM, 2018, *World Migration Report*

<sup>3</sup> Edmonds and Shrestha, 2012, *Independent Child Labor Migrants*

<sup>4</sup> Flamm, 2010, *The linkage between migration and child labour: an international perspective*

irregular stay.<sup>5</sup> Once at work, it is perceivably more difficult for irregular migrant children to leave a situation of child labour as they often have no official documentation or protective local connections.<sup>6</sup>

### The role of education

Children attending school are less likely to migrate for labour purposes.<sup>7</sup> Parents prefer their children to remain in school if there are means to do so, even if it results in lower household income overall.<sup>8</sup> Conversely, children are more likely to take up work if the return on education is considered too low, if education is not available, or if child labour is seen to be more profitable than the longer-term gains accessed through education. The decision between whether to attend school or move into child labour depends on the opportunity costs for education. If education costs are high and physical access creates additional hardship and cost, without visible benefit to additional schooling, children are more likely to drop out.<sup>9</sup> When schooling is more accessible, there is often an increase in demand for skilled *adult* workers accompanied by increased school participation and reduced child labour.<sup>10</sup>

### The role of remittances

Remittances may increase a household's disposable income, thereby potentially increasing schooling opportunities for children. However, for remittances to have a positive effect on children's education and health, these services have to be available and accessible. While remittances may enable increased school attendance of children left behind, there is also a notable risk of child labour when economically active household members move out and children take their place.<sup>11</sup> Similarly, remittances can increase child labour through increased investments into microenterprises and farms, which in turn creates demand for more labour within the family that may be filled by child labourers.<sup>12</sup>

### The role of attitudes and beliefs

There are notable variances in acceptance of child labour and perspectives on what child labour means between geographic regions, depending on standards of living, available credit, the effectiveness of labour markets, access to social services and welfare. Child migration for labour is seemingly ingrained in some societies and communities, for example in communities where domestic work is seen as the only viable livelihood option for girls and women.<sup>13</sup> The emigration of an adult household member might have a positive effect on beliefs and attitudes related to child labour. For example, migrating parents may return with a reduced tolerance of child labour, or children might be more motivated to study knowing that a parent migrated in order to pay for their education.

### Migrant children compared to non-migrant children

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<sup>5</sup> IFRC, 2018, *Rights of Migrants in Action*

<sup>6</sup> IOM, 2013, *Migrant children in child labour: A vulnerable group in need of attention*

<sup>7</sup> Flamm, 2010, *The linkage between migration and child labour: an international perspective*

<sup>8</sup> Hashim and Thorsen, 2011, *Child Migration in Africa*

<sup>9</sup> Edmonds et al/ UNICEF, 2009, *Children's Work and Independent Child Migration: a critical review*

<sup>10</sup> ILO, 2015, *World Report on Child Labour*

<sup>11</sup> IZA, 2016, *How does migration affect child labor in sending countries?*

<sup>12</sup> IZA, 2014, *Remittances and Child Labour in Africa: Evidence from Burkina Faso*

<sup>13</sup> IOM, 2013, *Migrant children in child labour: A vulnerable group in need of attention*

Research suggests that migrant children who work can be at higher risk of labour exploitation and abuse than local child labourers,<sup>14</sup> as they face additional challenges such as language barriers, lack of support networks, unfamiliarity with local laws, discrimination, and exclusion from labour unions, job protection and unequal access to education and health services.<sup>15</sup> Migrant child labourers are more likely to live at the workplace or in the household of employment, often unable to leave, and are therefore vulnerable to exploitation and less likely to receive schooling. Migrant children tend to work longer hours, conduct more hazardous work and receive less - or in some cases, no pay - compared to non-migrant children. Migrant children reported more abuse than non-migrant children, including violence and the denial of food.<sup>16</sup>

#### Unaccompanied migrant children

Unaccompanied migrant children are more likely to be involved in child labour, compared to either accompanied migrant children or unaccompanied non-migrant children.<sup>17</sup> That said, children who accompany migrating parents may be under pressure to work to support the household and so being accompanied does not remove risks of child labour.

#### Children left behind

Children left behind by migrating parents may find themselves at increased risk of exploitation and child labour, as they take on responsibilities of previously economically productive adult household members. Whether out-migration of a parent has a positive or negative outcome depends not only on the skillset of adults migrating and availability of social services, but also household specific characteristics.<sup>18</sup>

#### Implications for Policy

Policy development and implementation relating to child labour and migration issues are often divided between a host of ministries, as highlighted by the case studies of Nepal and Cote d'Ivoire. The various ministries and agencies responsible for migration, labour, child and general social protection tends to complicate the development of comprehensive regulatory frameworks and service delivery. To address child labour in the context of migration, labour and social policies need to align with long-term development goals. Policies affecting healthy labour markets for adults is directly linked, as are protective policies for children along with increased monitoring and enforcement.

### 1.4. Recommendations

- 1) Mainstream migration issues into child labour laws, policies and action plans, and child labour issues into migration laws, policies and action plans.
- 2) Develop implementation plans for national legislation and policies aimed at eliminating child labour. Ensure inclusion of targets focusing on migrant children, migrant families, and children affected by migration.

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<sup>14</sup> UNCTAD, 2018, Economic Development in Africa - Migration for Structural Transformation

<sup>15</sup> ILO, 2013, Child migration, child trafficking and child labour in India

<sup>16</sup> ILO IPEC, 2012, Child migrants in child labour: An invisible group in need of attention

<sup>17</sup> Flamm, 2010, The linkage between migration and child labour: an international perspective

<sup>18</sup> MPRA, 2011, Paternal migration, child labour and education: a study in brickfield areas of West Bengal

- 3) Establish task forces for the elimination of child labour, including all scenarios where children are affected by migration. The task forces should include government in the labour, migration and child protection sector as well as civil society, the private sector, employers' organizations, unions, recruitment agencies and migrant associations.
- 4) Ensure that communities with high rates of emigration and immigration provide accessible education for all boys and girls regardless of immigration status. In general, the opportunity costs for education should be reduced for all households and communities affected by migration.
- 5) Consider interventions such as cash transfers or school vouchers to supplement household income in communities with high rates of emigration.
- 6) Launch programmes or campaigns that facilitate and promote remittance spending on education and development of children left behind by migrating adults.
- 7) Sensitize migrant families with children about labour laws in the countries of destination (and where relevant, transit), including legal working age and what is considered child labour in that particular national context. Communities of emigration should also be sensitized on labour laws as they pertain to child labour in their country of origin (to prevent child labour of children left behind) and common countries of destination (to inform the migration decision-making process).
- 8) Carry out more country-specific and sector-specific research into the prevalence of migrant children or children affected by migration in child labour. Disseminate findings among a broad spectrum of stakeholders that includes the relevant private sector(s), employers' organizations, unions as well as child and migrant protection organizations.
- 9) Build the capacity of labour inspectors with regards to the rights and vulnerabilities of migrants, including migrant children, in both formal and informal working environments. Ensure immigration officials are aware of child labour laws.
- 10) Establish bilateral and/or multilateral agreements between countries in specific migration corridors with high prevalence of child labour of children affected by migration. Prioritize child labour of children affected by migration as an issue for discussion in Regional Consultative Processes on Migration.

## 2. Introduction

### 2.1. Context

In 2017, an estimated 152 million children were victims of child labour worldwide: 64 million girls and 88 million boys.<sup>19</sup> Children engaged in child labour often miss out on essential education and training opportunities, becoming disadvantaged and potentially entrapping future generations into a vicious cycle of poverty. Children in informal employment are particularly vulnerable to exploitation. Most child labour occurs in the agricultural sector, as the leading productive sector which is extremely labour intensive.<sup>20</sup> According to the International Labour Organization (ILO), the incidence of child labour in countries affected by armed conflict is 77 per cent higher than the global average.<sup>21</sup>

Migrant children are also engaged in child labour in various sectors of the economy. Research suggests that migrant children who work may be at higher risk of labour exploitation and abuse than local child labourers,<sup>22</sup> as they face challenges similar to those of adult migrants. These include language barriers, lack of support networks, unfamiliarity with local laws, discrimination, and exclusion from labour unions, job protection and unequal access to education and health services, on top of their increased vulnerability as children.<sup>23</sup> Children left behind by migrating parents may find themselves at increased risk of exploitation and child labour, as they may take on responsibilities of economically productive adult household members.

Most children migrate for economic reasons, either unaccompanied, separated or with family members.<sup>24</sup> However, drivers for child migration are complex and include social and security concerns. While in 2015, an estimated 244 million migrants crossed international borders - about 3.3 percent of the global population - the number of internal migrants is estimated to be much higher at 740 million in 2009.<sup>25</sup> Around a third of migrants are estimated to be children and youth between 12-24 years of age.

While most men, women, boys and girls endeavour to migrate through legal channels, irregular migration may be the only option for those who cannot obtain access or the necessary protective status according to national or international law. Irregular migration can endanger all demographics to the risks of trafficking in persons, exploitation and abuse, and in the case of children, these violations as well as child labour.

Political and ethical debates surrounding migration have intensified in the past decade, in response to a rise in migration which has been largely prompted by financial crises and conflicts. The UN Global Compact on

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<sup>19</sup> ILO, 2017, *Global Estimates of Child Labour - Results and Trends 2012-2016*. The report defines: 'child labour is a narrower category than children in employment. It excludes children in employment who are in permitted light work and those above the minimum age whose work is not classified as a worst form of child labour, or, in particular, as "hazardous work", and points out that girls may be underrepresented in the data as they often work in 'under-reported forms of child labour such as domestic service in private households'.

<sup>20</sup> IFRC, 2018, *Rights of Migrants in Action*

<sup>21</sup> [https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\\_575499.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575499.pdf)

<sup>22</sup> UNCTAD, 2018, *Economic Development in Africa - Migration for Structural Transformation*

<sup>23</sup> ILO, 2013, *Child migration, child trafficking and child labour in India*

<sup>24</sup> Edmonds and Shrestha, 2012, *Independent Child Labor Migrants*

<sup>25</sup> IOM, 2018, *World Migration Report*

Migration has been developed with the aim of strengthening international cooperation on migration and presents policy options to address some of the most pressing issues around international migration.<sup>26</sup>

## 2.2. Purpose and scope of the research study

Alliance 8.7 was launched in 2016 as an inclusive global partnership of states, non-governmental organizations, international organizations, workers' and employers' bodies, civil society, academic institutions and other relevant stakeholders with the aim of achieving target 8.7 of the Sustainable Development Goals (SDG).

**SDG Target 8.7:** 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.

This study was commissioned by the Migration Action Group of Alliance 8.7 which is co-led by the International Organization for Migration (IOM) and UNICEF. One of the objectives of the Migration Action Group is to work to reduce migrant vulnerabilities to human trafficking, child labour, and associated forms of exploitation by identifying interventions to make migration safer, irrespective of the reasons why people move or the channels they use to migrate. The study focuses on child labour in the context of migration - regular or irregular, cross-border or within borders. It centres on children who migrate—either accompanied, unaccompanied or separated and end up in a situation of child labour. In addition, it considers children who are left behind by migrating adults, who find themselves at higher risk of, and/or in situations of child labour.

The objective of the study is to issue recommendations for actionable interventions that will inform the strategic framework and work plan of the Alliance 8.7 Action Group on Migration. Through this study, States and other actors involved in Alliance 8.7 aim to prevent, address, and eliminate child labour among those affected by migration.

It is important to stress that the international community has vowed to end child labour as it is considered harmful to physical and psychological development (see glossary and summary of definitions in the text box below). This also applies to all children affected by migration. Promoting the migration-of-children-for-work should generally be discouraged and while there are reasonable and acceptable situations whereby children of a logical age can engage in safe and appropriate work, also referred to as 'child work', due diligence is required in how this is identified and promoted. Standards that promote ethical recruitment states that labour recruiters should not recruit migrant workers under the age of 18, and explicitly prohibits the use of child labour.<sup>27</sup>

Table 1. Summary of key definitions<sup>28</sup>

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<sup>26</sup> <https://www.iom.int/global-compact-migration>

<sup>27</sup> IRIS Standard. General Principle A. <https://iris.iom.int/iris-standard>

<sup>28</sup> ILO, International Programme on the Elimination of Child Labour (IPEC), fast facts: <https://www.ilo.org/ipec/facts/lang--en/index.htm>

Child work	Child labour	Worst forms of child labour (WFCL)
<ul style="list-style-type: none"> <li>• Paid or unpaid economic activities that are not detrimental to children's health and mental and physical development.</li> </ul>	<ul style="list-style-type: none"> <li>• Work that is dangerous and harmful to children.</li> <li>• Work that interferes with their schooling.</li> </ul>	<ul style="list-style-type: none"> <li>• Involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves.</li> <li>• Hazardous child labour is a particular type of WFCL and is work that is likely to harm the health, safety and morals of children.</li> </ul>

### 3. Methodology

The study is based on a qualitative methodology, consisting of a non-exhaustive literature review. The researcher conducted a literature review on child labour in the context of migration, using parameters to select recent literature to ensure relevance (2008 to-present), with a focus on 2012-2016, in line with ILO Global Estimates on Child Labour. Two country contexts are highlighted as case studies: Cote d'Ivoire and Nepal, as both face high levels of child labour and migration and are of interest to Alliance 8.7 partners.

An open source search was conducted on 'child labour and policy and migration', 'child labour in migration', 'child labour and migration in Nepal' and 'child labour and migration in Cote d'Ivoire'. In addition, academic articles were accessed through Google Scholar and IOM's subscriptions. Evidence was collected from academic child labour and/ or migration studies, policy and programme reports, national child labour surveys and sector studies, among others.

When searching for child labour in combination with policy and migration, results are limited. While the grey literature focuses on international conventions and projects by international organizations addressing child labour policy, research studies mainly examine the household level effects of migration on child labour. The study shows that there is a lack of existing policies dealing with both child labour and migration, as well as context specific studies upon which these policies should be based. Furthermore, studies often lack disaggregated demographic data, such as detailed age brackets of migrating children and perhaps more importantly, age brackets of migrating children who work. This missing information is important to recall when reading this report. Reference to national migration and/or labour policies is also minimal. ILO specifically mentions the need for 'more knowledge about the implications for child labour of broader global challenges, including migration'.<sup>29</sup>

Chapter 4 describes the drivers of child migration, which, apart from poverty, can include conflict and disasters. Chapter 5 is a case study describing the background of child labour in the context of migration in Cote d'Ivoire, while Chapter 6 examines the context in Nepal. Chapter 7 provides over-arching policy recommendations to

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<sup>29</sup> ILO, 2017, Ending child labour by 2025: A review of policies and programmes

the Migration Action Group which can be repackaged for recommendations to States and organizational partners.

## 4. Child labour in the context of migration

According to international human rights law, children have the right to liberty of movement both within and outside their country. This means that children have the right to migrate in search of family life, safety or opportunity. In particular, they have a right to flee violence and danger.<sup>30</sup>

### 4.1. Child labour

Globally, there were an estimated 152 million child labourers in 2017: 64 million girls and 88 million boys. The majority (48%) of children in child labour are between the ages of 5 and 11 with the agriculture sector accounting for 70.9 percent of all child labour worldwide.<sup>31</sup> In absolute numbers, it is estimated that the majority of child labour occurs in Africa (27.1 %) and the Asia Pacific region (10.7%), followed by the Americas (8.8%), Europe (6.5%) and the Arab states (4.6%). It is significant to note that girls working domestically on household chores are often not included in child labour estimates.<sup>32</sup> While child labour is known to have declined overall in the past decades, the rate of decline slowed over 2012-2016.

Child labour is presumably less expensive to employers and child migrant labour the least expensive, as employers may provide housing and food as part of the remuneration for migrant children who work.<sup>33</sup> Employers can recruit children through intermediaries who might be strangers but are more commonly known relatives and friends of the child<sup>34</sup>, and who have typically experienced child labour themselves.

#### 4.1.1 Prevalence and acceptance

The concept of childhood differs greatly across societies, depending on cultural norms, ethnicity and socio-economic status. Studies show a significant difference in acceptance of child labour between geographic regions, influenced by standards of living, available credit, the effectiveness of labour markets and access to social services and welfare. Child migration for the purpose of work appears to be common in some societies and communities, for example in communities where domestic work is seen as the only viable livelihood option for girls and women.<sup>35</sup>

There are studies that show a correlation between the education level of migrant parents and the risk of their children in child labour. Migrant parents with low levels of education tend to earn less, which increases the risk

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<sup>30</sup> OHCHR, “Recommended principles to guide actions concerning children on the move and other children affected by migration”. Principle 3. [https://www.ohchr.org/Documents/HRBodies/CMW/Recommended-principle\\_EN.pdf](https://www.ohchr.org/Documents/HRBodies/CMW/Recommended-principle_EN.pdf)

<sup>31</sup> ILO, 2017, Global Estimates of Child Labour - Results and Trends 2012-2016

<sup>32</sup> ILO, 2017, Global Estimates of Child Labour - Results and Trends 2012-2016

<sup>33</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>34</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>35</sup> IOM, 2013, Migrant children in child labour: A vulnerable group in need of attention

of child labour for their children. Conversely, when adult members of the household earn higher wages, the need for child labour tends to decrease.<sup>36</sup>

Children who do not have a birth certificate or official registration documents of some kind, may have limited access to schools and other benefits and may instead opt to work.<sup>37</sup>

#### Country and region-specific examples

- A study conducted in rural areas in Thailand found that children over the age of ten viewed child labour as a viable livelihood option, such as working on the family farm at home. This study also mentions that children obtain falsified identification to be able to work in urban areas if they are underage.<sup>38</sup>
- A 2013 study conducted by the ILO noted that families in Cambodia often consider it normal that children between the ages of 15-17 migrate for work to Thailand. This same study mentions that in India child labour and child migration is economically driven and widely accepted socially, even though most families are aware that the practice is illegal.<sup>39</sup> In Bangladesh, labour is seen as a key role and responsibility of children within the household.<sup>40</sup>
- In many West African countries, children are at least partially responsible for their personal consumption, such as education and clothing. Education in this context may include training on the job, which might be considered child labour in other contexts. In some West African countries, child labour is considered part of growing up, or a rite of passage. While most of these children contribute to household income, some may work for their own benefit and retain their own income.<sup>41</sup>

### 4.1.2 Sectors employing child migrants

#### 4.1.2.1 Domestic

Often unreported, it is speculated that significant child work and labour is conducted in the home, mainly with girls involved in cooking, cleaning, and household maintenance.<sup>42</sup> Child labour outside the household and in the domestic sector tends to increase around age 10, however, child domestic workers as young as six years old have been identified. It is more common for older children to engage in migration to work in the domestic sector. At the same time, as children are growing up, education may become less important in their lives.<sup>43</sup>

#### Country and region-specific examples

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<sup>36</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>37</sup> UNICEF, 2016

<sup>38</sup> Huijsmans and Baker/ ISS, 2012, Child Trafficking: 'Worst Form' of Child Labour, or Worst Approach to Young Migrants?

<sup>39</sup> ILO, 2013, Child migration, child trafficking and child labour in India

<sup>40</sup> Heissler, 2013, Children's migration for work in Bangladesh: The extra-and intra-household factors that shape 'choice'and 'decision-making'

<sup>41</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>42</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>43</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

- A 2011 study conducted across numerous African countries found that young children are encouraged to support their household through childcare and running errands, while starting to engage in livelihood activities at approximately age seven, and as full contributors to the household from age fourteen.<sup>44</sup>
- In some African contexts, there is a perceived tendency for parents to be less committed to keep girls within their household as they reach puberty, mainly because boys are expected to continue providing income and sustain the family lineage.<sup>45</sup>
- At the same time in West Africa, it is common for girls between 8-14 years old from disadvantaged socio-economic backgrounds to migrate from Togo to Ghana and from Senegal and the Gambia to Mauritania for domestic labour.<sup>46</sup>
- In the Philippines, young children – especially girls – are expected to help with housework and childcare. Older children may support the household through paid domestic work in other people’s homes. Rather than seen as child labour by the people studied, it is viewed as an extension of their normal domestic activities and responsibilities<sup>47</sup> as well as a way to prepare for marriage.
- A study conducted by the International Programme on the Elimination of Child Labour (IPEC) and Child Helpline International (CHI) among a small sample size in Peru, Kenya and Nepal, found that almost all girls and 50 percent of migrant child labourer boys worked in the domestic sector. A relatively large proportion of these migrant child labourers worked for relatives compared to non-migrant child labourers.<sup>48</sup>
- Child domestic workers in Bangladesh tend to come from impoverished rural households, and upon migration they often become fully dependent on their employers for food and accommodation, at times not receiving an actual salary, reporting restricted movement and communication. Over half of these children reported abuse, which illustrates their vulnerability to the Worst Forms of Child Labour (WFCL).<sup>49</sup>

#### 4.1.2.2 Agriculture

As the largest employer of labour worldwide, it is not surprising that the agriculture sector employs the most reported child labourers.<sup>50</sup> The exact proportion of migrant child labourers in agriculture is difficult to establish, as the sector combines seasonal, temporary and permanent labour migration. Studies indicate that sugarcane, cocoa, tobacco and cottonseed farms use the most child labour, with children often working alongside their parents as seasonal labourers during harvesting season, through both internal and international migration. Agricultural labour is strongly gendered: girls tend to work primarily in cotton cultivation and boys in sugarcane cultivation.<sup>51</sup>

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<sup>44</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>45</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>46</sup> UNCTAD, 2018, Economic Development in Africa - Migration for Structural Transformation

<sup>47</sup> Camacho, 2006, Children and Migration - Understanding the migration experiences of child domestic workers in the Philippines

<sup>48</sup> ILO IPEC, 2012, Child migrants in child labour: An invisible group in need of attention

<sup>49</sup> Save the children, 2016, Child Poverty

<sup>50</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>51</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

The amount of productive assets the household contains will both determine the amount of child labour on the farm and influence child migration.<sup>52</sup> Children may also migrate to provide agricultural labour support to relatives in need.<sup>53</sup>

#### Country and region-specific examples

- In Burkina Faso, children are expected to work on the family farm, which is considered a proper way to acquire necessary skills and discipline. This way, age-appropriate child labour is seen as a form of education.<sup>54</sup> Besides working on their own farm, boys may assist other households if additional labour is required as part of communal 'work parties'.<sup>55</sup>
- In Turkey, an estimated 35 to 40 per cent out of a million migrant agricultural workers were children aged 5-17, indicating a heavy reliance on migrant labour among children.<sup>56</sup>
- In Mexico, an estimated 10 per cent of agricultural migrants working on fruit farms were 14-17 years old, mostly boys, with larger-scale farms often employing younger children.<sup>57</sup>
- In Egypt up to one million children work during the cotton harvest, often these are from single-parent households with a history of migration for economic reasons.<sup>58</sup>
- In West Africa, a study found that many impoverished children from rural areas migrate to small farms, and their cultivation of cash and subsistence crops remains largely invisible.<sup>59</sup>

#### *4.1.2.3 Other*

Child migrant labourers may move from a low-productivity sector such as agriculture to other low-productivity activities in the informal economy if the expected returns are higher for the same amount of labour required.<sup>60</sup> A study conducted in Bangladesh found that one in six children are engaged in work. While most children work in agriculture in rural areas, over 19 percent of children aged 5 to 14 in urban slums are engaged in child labour, with boys most often working across sectors such as construction and manufacturing, as well as fishing.<sup>61</sup>

Seasonal migration usually occurs during low labour demand periods in the household, for instance during the harvesting season in agriculture areas. To mitigate this variation in income, families may look for work in accessible, higher labour demand areas. A study in Nepal showed that boys are likely to migrate during the rainy seasons, while girls out-migrate during winter, in an attempt to diversify household income.<sup>62</sup> The country's carpet factories employed an estimated 7,689 children in 2002, of which up to 96 percent were migrants.<sup>63</sup>

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<sup>52</sup> Edmonds et al/ UNICEF, 2009, *Children's Work and Independent Child Migration: a critical review*

<sup>53</sup> Hashim and Thorsen, 2011, *Child Migration in Africa*

<sup>54</sup> Anyidoho and Ainsworth, 2009, *Child Rural-Rural Migration in West Africa*

<sup>55</sup> Hashim and Thorsen, 2011, *Child Migration in Africa*

<sup>56</sup> Save the children, 2016, *Child Poverty*

<sup>57</sup> Save the children, 2016, *Child Poverty*

<sup>58</sup> Save the children, 2016, *Child Poverty*

<sup>59</sup> Anyidoho and Ainsworth, 2009, *Child Rural-Rural Migration in West Africa*

<sup>60</sup> UNCTAD, 2018, *Economic Development in Africa - Migration for Structural Transformation*

<sup>61</sup> Save the children, 2016, *Child Poverty*

<sup>62</sup> Edmonds et al/ UNICEF, 2009, *Children's Work and Independent Child Migration: a critical review*

<sup>63</sup> Edmonds and Shrestha, 2012, *Independent Child Labor Migrants*

While it is easier for children to find work in the informal economy, this increases opportunities for children to be exploited.<sup>64</sup> Where children do enter a contract, short-term contracts are often dependent on yield and thus remain high risk in terms of earnings, whereas children with long-term contracts risk exploitation as they are dependent on one employer.<sup>65</sup> Migrant child labourers are more likely to live at the workplace or in the household of employment, often unable to leave, less likely to receive schooling and vulnerable to exploitation.

The informal economy is known to employ many children. Refugee children from the Syrian Arab Republic for instance, have been found to work in neighbouring countries in agriculture, garment factories, street vending, smuggling goods, household work and collecting food, usually without a contract. Most of these countries had an existing problem of child labour and high rates of youth unemployment before the influx of Syrian refugees. In Jordan, youth employment in 2012 was almost twice as high as the global average. Refugee children were found to work longer hours for less pay, and girls were usually paid even less than boys.<sup>66</sup>

Some sectors seem more harmful than others: the fishing industry has a particularly bad record of abuse of children.<sup>67</sup>

#### 4.1.3 Worst Forms of Child Labour including Hazardous Child Labour

ILO estimates that in 2012 there were 47.5 million children between 15 and 17 years in hazardous work, accounting for 40 percent of all those employed in their age group, and 28 percent of all children in child labour, although the legal definition of hazardous work may differ between countries. Among 15 to 17-year olds in hazardous work, boys constituted the majority at 81 percent, although among younger age groups girls are most at risk. Studies show that children rarely combine hazardous work with education, compared to other forms of child labour.<sup>68</sup> IPEC/CHI found that migrant children tend to work longer hours, undertake more hazardous work and receive less or - in case of girls - no pay, compared to non-migrant children. Migrant children reported more abuse than non-migrant children, including violence and the denial of food.<sup>69</sup>

##### Country and region-specific examples

- Nepal considers tourism related occupations as hazardous, as well as 'service-oriented occupations' such as slaughterhouses, cold storage, public transportation and construction. Additionally, work related to the manufacturing of cigarettes and alcohol, carpets, cloth, processing of leather, dangerous substances, and the production of energy are viewed as hazardous (Child Labour (Prohibition and Regulation) Act, 2000).
- In Cote d'Ivoire, children from 16 years old are legally permitted to undertake hazardous activities under the condition that "their health, safety, and morals are guaranteed" and that they have received specific and adequate training or vocational training in relation to the activity. Sectors considered to

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<sup>64</sup> Flamm, 2010, The linkage between migration and child labour: an international perspective

<sup>65</sup> Anyidoho and Ainsworth, 2009, Child Rural-Rural Migration in West Africa

<sup>66</sup> Terre des Hommes, 2016, Child Labour among Refugees of the Syrian Conflict

<sup>67</sup> Anyidoho and Ainsworth, 2009, Child Rural-Rural Migration in West Africa

<sup>68</sup> ILO, 2015, World Report on Child Labour

<sup>69</sup> ILO IPEC, 2012, Child migrants in child labour: An invisible group in need of attention

entail hazardous work include agriculture and forestry, livestock, fishery and aquiculture, trade and services and crafts and industry.<sup>70</sup>

- A study conducted in Ethiopia found evidence that urbanization and migration from rural to urban areas by children led to an increase in domestic child labour and WFCL. Children who migrated from rural to urban areas to look for paid work, were often at a disadvantage against the better educated urban labour force, resulting in taking up work qualifying as WFCL.<sup>71</sup>
- Among Syrian refugees, hazardous forms of child labour were identified, including illicit drug trafficking, forced begging, commercial sexual exploitation and working in agriculture. Worryingly, reports indicated that children as young as 14 years of age joined armed groups in camps in the Syrian Arab Republic and the Republic of Iraq. This was not always for ideological reasons, rather it can be seen as an avenue to provide for their families.<sup>72</sup>

#### 4.2. Drivers of child migration

In 2015, an estimated 31 million children were living outside their country of birth, including 10 million child refugees and 1 million asylum seekers.<sup>73</sup> Children's movements are difficult to quantify, as migration flows are often denoted as the number of adults or families on the move as opposed to individual children.<sup>74</sup> Legal migration opportunities are out of reach for many children, resulting in irregular migration through smuggling, a situation which could deteriorate into human trafficking, labour exploitation and modern slavery, in particular in areas without strong state institutions and/or significant organized crime.<sup>75</sup>

Children have a right to migrate, although they have specific vulnerabilities, depending on factors such as whether they are unaccompanied or accompanied, their gender, ability or disability, nationality and legal status, and whether they are members of ethnic or religious minorities.<sup>76</sup> On the other hand, migration may have positive impacts on children in terms of access to increased or improved education, health services and other social services.<sup>77</sup>

Drivers of migration include 'pull factors', such as a demand for human resources in the destination region.<sup>78</sup> 'Push factors' include protracted conflict, violence, climate change, disasters, extreme poverty and social disadvantage, often a combination of these (figure 1).<sup>79</sup> Children migrate in search of economic opportunities including work, but also for family reunification, escaping forced marriage, insecurity, or conscription into armed forces.

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<sup>70</sup> ICI, 2017

<sup>71</sup> Erulkar et al, 2017, *The Journey of Out-of-School Girls in Ethiopia: Examining Migration, Livelihoods, and HIV*

<sup>72</sup> Terre des Hommes, 2016, *Child Labour among Refugees of the Syrian Conflict*

<sup>73</sup> UNICEF

<sup>74</sup> Anyidoho and Ainsworth, 2009, *Child Rural-Rural Migration in West Africa*

<sup>75</sup> UNICEF, 2017, *Protecting Children on the Move*

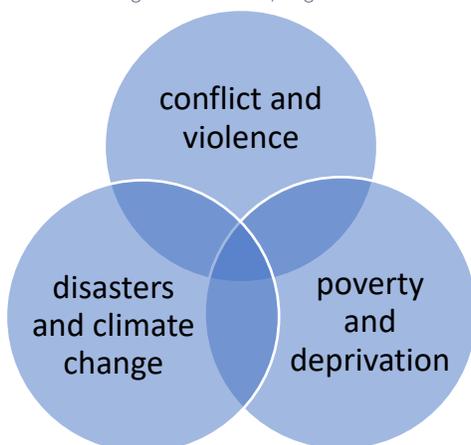
<sup>76</sup> IFRC, 2018, *Rights of Migrants in Action*

<sup>77</sup> ILO, 2013, *Child migration, child trafficking and child labour in India*

<sup>78</sup> MPRA, 2011, *Paternal migration, child labour and education: a study in brickfield areas of West Bengal*

<sup>79</sup> UNICEF, 2017, *Protecting Children on the Move*

Figure 1: drivers of migration



#### 4.2.1. Economic

Research indicates that most child migration occurs for economic purposes. Indeed, many children attempt to lift themselves and their families out of poverty and deprivation, by contributing to household income through remittances. Studies show that domestic child workers are usually sent away by their family out of economic need, to gain skills and/or access better education, and are often employed by relatives in places where they may access better education, safety, or other services.<sup>80</sup>

Legal labour migration opportunities do not reflect the high demand for low-skilled labour.<sup>81</sup> Demand from the agriculture, domestic and manufacturing sectors creates opportunities for middle-men and smugglers, who charge prospective migrants (adults as well as children) for their services, creating debts that leave migrants vulnerable to exploitation.<sup>82</sup>

#### Country and region-specific examples

- A study conducted in Viet Nam on internal child migration found that the main motivation to move was economic: a combination of low household income, the inability to send children to school and debts. Besides saving on household expenses with one less person to support, reasons for child migration included aspirations for a better future for the child in other environments, as well as opportunities for remittances.<sup>83</sup>

#### 4.2.2. Education

Children attending school are less likely to migrate for labour purposes.<sup>84</sup> The decision between whether to go to school or move into child labour depends on the opportunity costs for education. If education costs are high and there is no clear benefit to additional schooling, children are likely to drop out.<sup>85</sup> Research shows that

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<sup>80</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>81</sup> UNICEF, 2017, Protecting Children on the Move

<sup>82</sup> UNICEF, 2017, Protecting Children on the Move

<sup>83</sup> Kneebone et al, Child Labour & Migration - From Hue to Saigon, Vietnam

<sup>84</sup> Flamm, 2010, The linkage between migration and child labour: an international perspective

<sup>85</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

the lack of youth employment prospects and an increase in low-skilled job opportunities may lead to child labour, as in this instance skills are not considered worth investing in. On the other hand, an increase in demand for skilled adult workers is accompanied by increased school participation and reduced child labour, if services such as schools are accessible.<sup>86</sup>

Schools in remote locations are often under-resourced, and in combination with a lack of qualified teaching personnel, this may result in poor quality education.<sup>87</sup> School attendance in these areas is often lower than in urban centres, as labour is perceived as a better alternative to attending school.<sup>88</sup> Children may either drop out to help their family, provide younger siblings a chance to attend school<sup>89</sup>, or to migrate to find better education. Education itself can be a strong driver for children's migration to better serviced areas, in particular for secondary education which is often not available in rural areas. Furthermore, children from urban households may migrate for training or apprenticeships, to improve future income potential.<sup>90</sup>

Studies suggest that parents prefer their children to remain in school if there are means to do so, even if it results in lesser household income overall.<sup>91 92</sup> However, if parents do not have the funds to keep children in school, children may contribute to the costs of formal education through child labour.<sup>93</sup>

#### 4.2.3. Security and Conflict

Insecurity and violence create strong drivers to migrate. In addition, children in conflict areas may be sent to work when parents lack access to legal work opportunities and children have limited access to education and health services. In addition, productive adult family members may be missing from the household due to the conflict itself. If humanitarian assistance is insufficient or unavailable, children may be compelled to find labour opportunities to supplement provisions.<sup>94</sup>

Children may migrate unaccompanied as a result of personal insecurity, for example after a traumatic family experience such as domestic violence, physical or mental abuse, or as an attempt to escape forced marriage.<sup>95</sup>

#### 4.2.4. Climate change, environmental and natural disasters

Households faced with slow-onset impacts of climate change gradually lose household income and assets, as their livelihood systems are weakened, and productivity and/or profitability is reduced. One of the main effects of the 2013 food crisis in the Sahel was the increased school drop-out rate and child labour. While boys previously supported the family farm after school hours, they now migrated to find work in mining or agriculture, while girls tended to stay closer to their family in unpaid domestic jobs.<sup>96</sup>

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<sup>86</sup> ILO, 2015, World Report on Child Labour

<sup>87</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>88</sup> Flamm, 2010, The linkage between migration and child labour: an international perspective

<sup>89</sup> Camacho, 2006, Children and Migration - Understanding the migration experiences of child domestic workers in the Philippines

<sup>90</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>91</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>92</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>93</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>94</sup> Save the children, 2016, Child Poverty

<sup>95</sup> IOM, 2013, Migrant children in child labour: A vulnerable group in need of attention

<sup>96</sup> Eynon, 2010, Responding to the Worst Forms of Child Labour in emergencies

Disasters may also severely impact a household's disposable income, leading to one or more family members migrating for remittance purposes or to lift pressure from the household. Giving up a child for fostering by another household, often relatives, is one strategy for poor households to cope with adverse shocks.<sup>97</sup> WFCL are a particular concern during crises as social services collapse and safe-guarding tends to disappear, leaving children who plan to migrate vulnerable to hazardous labour or exploitative situations.<sup>98</sup>

#### Country and region-specific examples

- In India, most households in the Sundarban delta, an area at risk of floods and salinization, have an adult member migrate to urban areas to increase household wealth through remittances.<sup>99</sup>
- A study in Punjab in India found that most migrant child labourers came from landless households from socially-oppressed classes, a large proportion originating in drought prone areas.<sup>100</sup>
- In India and Cambodia, floods and droughts resulting in a lack of available work in rural areas force families to migrate for several months every year to find employment.<sup>101</sup>
- Following typhoon Bopha in 2012 in the Philippines, a lack of information on available livelihood support caused numerous youth to migrate for labour, either to plantations in rural, or urban centres.<sup>102</sup>

#### 4.2.5. Complex and interlinked

While the above drivers are an important factor for children's migration in practice, the drivers of child migration are complex and interlinked. There is limited research on pull factors, for instance on why employers choose to use child labour.<sup>103</sup>

A fall in household income may lead to school drop-out and reduced food intake. To mitigate, one household member may migrate, which can further increase the risks of child labour for children left behind. If an entire household is forced to migrate, children may be excluded from access to social services, including health and education, due to a lack of financial resources and/or discrimination in other countries and communities.<sup>104</sup> Young children in particular have less resources available than adults to absorb shocks, and they may lack support of caregivers if these are dealing with their own issues, including legal status, increasing chances of child labour.<sup>105</sup>

Figure 2 shows an example of a decision tree which may determine whether a child attends school or chooses child labour. Not just the availability of a school is important: the distance from the child's home, the related costs for books and uniforms, and the quality of education will all influence the decision.

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<sup>97</sup> Edmonds et al/ UNICEF, 2009, *Children's Work and Independent Child Migration: a critical review*

<sup>98</sup> Eynon, 2010, *Responding to the Worst Forms of Child Labour in emergencies*

<sup>99</sup> NRC, 2015, *Community Resilience and Disaster Related Displacement in South Asia*

<sup>100</sup> Goyal, 2011, *Migration and Child Labour in Agriculture – A Study of Punjab*

<sup>101</sup> Glind, ILO, 2010, *Migration and child labour - Exploring child migrant vulnerabilities and those of children left-behind*

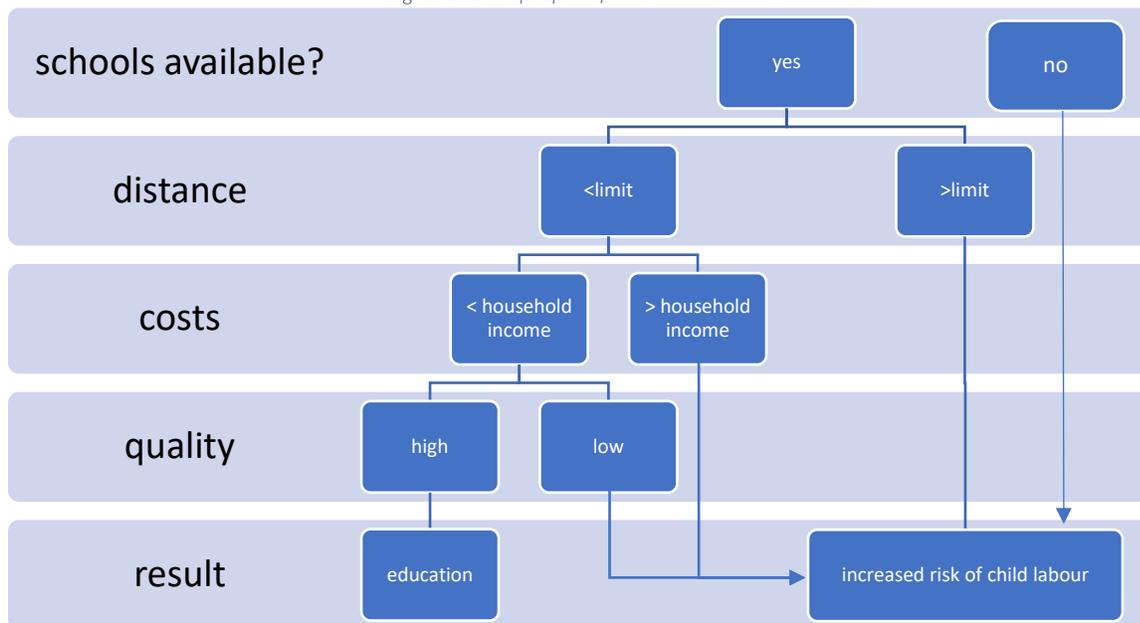
<sup>102</sup> Eynon, 2010, *Responding to the Worst Forms of Child Labour in emergencies*

<sup>103</sup> Edmonds et al/ UNICEF, 2009, *Children's Work and Independent Child Migration: a critical review*

<sup>104</sup> ILO, 2013, *Child migration, child trafficking and child labour in India*

<sup>105</sup> Save the children, 2016, *Child Poverty*

Figure 2: Example push factor decision tree - education



Even with all factors being favourable for education, children may still prefer to work. Whether or not to migrate for work may depend on a host of factors, including the level of education of household members, children’s transferable skills, financial and physical household assets, the intra-household allocation of labour, vulnerability to poverty, savings, levels of income and a family or community history of migration.<sup>106</sup> In Ethiopia, the reasons for children’s internal migration ranged from looking for schooling or paid work, to accompanying family moves and moving with a spouse for girls.<sup>107</sup>

While the decision to migrate varies between contexts, in general child migration for work will be reduced if alternatives to migration are improved, although child labour at home remains one of these alternatives. As mentioned, children are more likely to work if the return on education is considered too low, if education is not available, or if child labour is more profitable. Children from households with fewer assets are generally more likely to migrate unaccompanied, as this releases pressure on household income.<sup>108</sup>

Where families and/or children would like to migrate for economic purposes, very poor households tend to lack the information, social networks and resources to organize the move.<sup>109</sup> While poverty plays an important role in the decision to migrate, poverty may actually halt child migration from remote locations, as travel costs become too high. While there may be little employment in remote areas, they may also be more expensive to migrate from.<sup>110</sup>

<sup>106</sup> UNCTAD, 2018, *Economic Development in Africa - Migration for Structural Transformation*

<sup>107</sup> Erulkar et al, 2017, *The Journey of Out-of-School Girls in Ethiopia: Examining Migration, Livelihoods, and HIV*

<sup>108</sup> Edmonds and Shrestha, 2012, *Independent Child Labor Migrants*

<sup>109</sup> Hashim and Thorsen, 2011, *Child Migration in Africa*

<sup>110</sup> Edmonds and Shrestha, 2012, *Independent Child Labor Migrants*

Poverty in combination with preparing for, or recovery from, disasters or other unpredictable events such as agricultural productivity shocks, seems to contribute to reduced schooling and child migration for work, as the returns for migration are perceived as relatively higher compared to the lack of opportunities at home. Child migration as a response to shocks may become permanent, and research shows this particularly affects girls.<sup>111</sup>

The destination area is determined based on the costs of getting there and the presence of networks which may facilitate integration. Meanwhile, regional and international migration are determined by constraints and facilitators such as visa requirements, access to financial resources, information on the migration recruitment industry and available infrastructure.<sup>112</sup>

#### 4.3. Children affected by migration

Households affected by poverty tend to engage in multiple livelihood strategies and one of these may be labour migration.<sup>113</sup> Studies suggest that in developing countries a large percentage of children live in labour migrant households, including up to 40 percent of all children in Bangladesh, 60 percent in Tanzania and 80 percent in Mali. While most global migration occurs from rural-urban areas, there are significant rural-rural migration flows, as well as urban-urban, either domestic or international. In West Africa for example, child migration includes rural to rural: boys migrating to work as farm labour and herders, and rural to urban: girls migrating to urban areas to become domestic workers.<sup>114</sup>

Children may migrate with their parents or by themselves. Global studies find that unaccompanied migrant children were more likely to be involved in child labour, compared to either accompanied migrant children, or unaccompanied non-migrant children.<sup>115</sup> In addition, there are many more children are left behind by parents or other main productive household members who migrate.

The risk of child labour linked to migration has a significant gender aspect, which is also highly likely to be influenced by social norms. While girls tend to migrate at a younger age, partly because of a lack of employment opportunities for girls in rural agricultural communities, boys usually migrate over comparably longer distances. It is uncommon that all children in a household migrate, and girls' decisions to migrate are greatly influenced by the presence of elder siblings.<sup>116</sup>

There are different risks to children in terms of child labour depending on whether migration is permanent, temporary or seasonal.<sup>117</sup> For example, seasonal work limits the possibility of sustainable school registration, in turn increasing the risk of children working alongside their parents.<sup>118</sup> Labour conditions at migrant labour sites, where children live – and possibly work - alongside their parents is a particular area of concern because the social isolation in remote labour sites results in a lack of sustained educational opportunities.<sup>119</sup>

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<sup>111</sup> Edmonds et al/ UNICEF, 2009, *Children's Work and Independent Child Migration: a critical review*

<sup>112</sup> UNCTAD, 2018, *Economic Development in Africa - Migration for Structural Transformation*

<sup>113</sup> Hashim and Thorsen, 2011, *Child Migration in Africa*

<sup>114</sup> Hashim and Thorsen, 2011, *Child Migration in Africa*

<sup>115</sup> Flamm, 2010, *The linkage between migration and child labour: an international perspective*

<sup>116</sup> Huijsmans, ISS 2012, *Children, childhood and migration: some critical thoughts*

<sup>117</sup> MPRA, 2011, *Paternal migration, child labour and education: a study in brickfield areas of West Bengal*

<sup>118</sup> Glind, ILO, 2010, *Migration and child labour - Exploring child migrant vulnerabilities and those of children left-behind*

<sup>119</sup> MPRA, 2011, *Paternal migration, child labour and education: a study in brickfield areas of West Bengal*

### Country and region-specific examples

- A study in Sri Lanka showed that daughters of families with mothers who had migrated were at higher risk of sexual exploitation.
- In Zambia, girls migrating from rural to urban areas for education purposes often end up in domestic labour.<sup>120</sup>
- The presence of a primary school in villages in Burkina Faso showed a reduction in girls' migration for work both within and across borders.<sup>121</sup>
- A study in Benin found that it was mostly boys who migrated internationally and girls internally.<sup>122</sup>
- In India, boys migrate more often than girls.<sup>123</sup>

#### 4.3.1. Accompanied

As aforementioned, research indicates that children migrating with their parent or guardian are at lower risk of child labour than unaccompanied migrant children.<sup>124</sup> On the other hand, children who accompany their parents may be expected to work to support the household. A study conducted in India's brick kilns - where two out of five workers are child labourers - concludes that children accompanying their parents for low-skilled seasonal employment are most at risk of getting stuck in the same low-wage cycle as their parents, working to fulfil their parents' quotas, often not registered as labourer.

The risk of child labour may be higher if parents are irregular migrants, as they may be reluctant or unable to send their children to school, instead sending their children to work in the informal economy.<sup>125</sup> Alternatively, if parents cannot find or gain work because of their migration status, they may need their children to work to provide basic needs, especially since children are perceived as less likely to be targeted by law enforcement for their irregular stay.<sup>126</sup>

### Country and region-specific examples

- In Burkina Faso girls typically migrate with their families, while boys often migrate with friends and other relatives.<sup>127</sup>

#### 4.3.2. Unaccompanied

Unaccompanied children in this report are children who are not under the supervision of their parents and/or a related adult. While they may lack adult supervision and protection, children often migrate as part of a group of other minors and/or through their network.<sup>128</sup> Unaccompanied children are already extremely vulnerable to

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<sup>120</sup> Save the children, 2016, Child Poverty

<sup>121</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>122</sup> Glind, ILO, 2010, Migration and child labour - Exploring child migrant vulnerabilities and those of children left-behind

<sup>123</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>124</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>125</sup> Flamm, 2010, The linkage between migration and child labour: an international perspective

<sup>126</sup> IFRC, 2018, Rights of Migrants in Action

<sup>127</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>128</sup> Huijsmans, ISS 2012, Children, childhood and migration: some critical thoughts

exploitation and violence throughout the migration process. Even children migrating with friends or relatives are at risk of abuse by law enforcement, recruiters or employers.<sup>129</sup>

While it is difficult to determine precisely the number of unaccompanied migrant children who engage in child labour, surveys indicate that in some developing countries around 20 percent of all children 12-14 and 50 percent of children 15-17 do not accompany a parent, and migrants moving to a developing country are more likely to be unaccompanied.<sup>130</sup> Some studies indicate that girls are more likely to migrate unaccompanied at a younger age compared to boys. Unaccompanied child migrants tend to be the eldest siblings and they usually migrate at an earlier age than any subsequently migrating brother or sister. Meanwhile, studies indicate that the presence of a very young sibling reduces the chances of labour migration of older siblings, as they may be required to take care of them.<sup>131</sup>

Immigration policies globally can be restrictive, causing child migrants to resort to smugglers, which may escalate into trafficking. If there are opportunities for legal migration, then child migrants might not be aware of these channels.<sup>132</sup> Moreover, if legal migration is possible but too expensive, child migrants may still resort to irregular migration, increasing their risk of trafficking and exploitation.<sup>133</sup> Irregular migrant children may face further disadvantages in terms of accessing social services such as education and other benefits, in turn increasing the risk of child labour.<sup>134</sup>

In addition, social norms in destination areas greatly influence the experiences and outcomes of migration. Across West Africa, for example, there are communities where migration is described as 'a rite of passage' for children.<sup>135</sup> After migration, children may look for labour opportunities to support their migration onwards or repay debts.<sup>136</sup>

#### Country and region-specific examples

- A study in the Plurinational State of Bolivia found that on two sugarcane farms, 18 percent of boys and 5 percent of girls were unaccompanied migrants, as were 41 percent of children working on cocoa farms in Cote d'Ivoire.<sup>137</sup>
- Children who migrate without their parents or guardian in Southeast Asia were usually children over 10 years old looking for work.

#### 4.3.3. Children left behind

Various studies point to the link between international migration, local labour markets and child labour. One study, for example, shows that emigration across borders may significantly reduce child labour in disadvantaged

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<sup>129</sup> ILO, 2013, Child migration, child trafficking and child labour in India

<sup>130</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>131</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>132</sup> ILO, 2013, Child migration, child trafficking and child labour in India

<sup>133</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>134</sup> Flamm, 2010, The linkage between migration and child labour: an international perspective

<sup>135</sup> Anyidoho and Ainsworth, 2009, Child Rural-Rural Migration in West Africa

<sup>136</sup> IFRC, 2018, Rights of Migrants in Action

<sup>137</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

households by changing the local labour market.<sup>138</sup> Another study mentions that, in general, an increase in local labour demand reduces child migration for labour purposes, although increased income may provide the necessary finances to be able to migrate instead.<sup>139</sup> In addition, child labour may increase if more low-skilled jobs become available through the emigration of unskilled adult workers. While a rise in local wages due to limited labour supply may allow more families to send children to school, a rise in wages for unskilled jobs may provide an incentive for children to work.<sup>140</sup>

It is also important to highlight the role of remittances. Remittances may increase a household's disposable income, thereby potentially increasing schooling opportunities for children. Research on seasonal internal labour migration in India for example, showed that while most remittances in poor families were used for daily expenditures, the share of income on education by migrant families was higher than that of non-migrant families, and particularly increased the school attendance rate for girls, reducing the gender gap.<sup>141</sup> However, for remittances to have a positive effect on children's education and health, these services have to be available and accessible.

Alternatively, remittances can intensify reasons for child labour through increased investments in microenterprises and farms, increasing the family's need for more workers.<sup>142</sup> One study conducted in Burkina Faso, a country with high rates of child labour and migration (75% of households have experience with migration), remittances only reduce child labour among children between the ages of 5-9.<sup>143</sup>

Many children left behind remain involved in domestic and household farm labour, substituting migrated family members.<sup>144</sup> Indeed, the time children spend on household chores may increase in the absence of a parent.<sup>145</sup> Children left behind are often most involved in supporting the household immediately after an adult member leaves. This could be because during an adaptive period following the loss of a productive household member, the household relies on children to work.<sup>146</sup>

The emigration of an adult household member might affect beliefs and attitudes. For example, migrating parents may return with a reduced tolerance of child labour. Moreover, children might be more motivated to study knowing that a parent migrated in order to pay for their education.<sup>147</sup>

In terms of schooling, generally children's education increases if a parent migrates, however this has a particularly beneficial effect on younger children and girls from low-skilled parents. In Burkina Faso, attending school does not necessarily result in a decline in child labour however, if families do not view child labour negatively.<sup>148</sup>

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<sup>138</sup> Paoli and Mendola, 2012, Does International Migration Increase Child Labor?Page 1

<sup>139</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>140</sup> IZA, 2016, How does migration affect child labor in sending countries?

<sup>141</sup> Roy et al, 2015, Impact of Rural-Urban Labour Migration on Education of Children: A Case Study of Left Behind and Accompanied Migrant Children in India

<sup>142</sup> IZA, 2014, Remittances and Child Labour in Africa: Evidence from Burkina Faso

<sup>143</sup> IZA, 2014, Remittances and Child Labour in Africa: Evidence from Burkina Faso

<sup>144</sup> Paoli and Mendola, 2012, Does International Migration Increase Child Labor?

<sup>145</sup> Shimada, 2015, Parental migration, unpaid child labour and human capital

<sup>146</sup> IZA, 2014, Remittances and Child Labour in Africa: Evidence from Burkina Faso

<sup>147</sup> Flamm, 2010, The linkage between migration and child labour: an international perspective

<sup>148</sup> IZA, 2014, Remittances and Child Labour in Africa: Evidence from Burkina Faso

Available research does not provide a consistent or definite conclusion as to whether parental migration benefits the children left behind. Ultimately the effect of out-migration depends on household characteristics, including location (urban or rural), level of education, number and age of children, and income levels.<sup>149</sup> Whether out-migration of a parent has a positive or negative outcome depends not only on the skillset of adults migrating, the available social services and institutional arrangement, but also on household dynamics.<sup>150</sup>

#### 4.4. Decision making and children's agency

The decision for children to migrate may be taken by the child, their parents, a relative, a community leader, or others. Typically, there are multiple agents involved in decisions to work or migrate, and migration occurs when the agent is better off with the child migrating than staying.<sup>151</sup> For example, the decision for a child to migrate may be household-based, often out of a necessity for extra income. Parents might not necessarily support child migration for labour purposes, however, they may not be able to prevent it.<sup>152</sup> Research also shows that the birth order and the number of siblings play a significant role.<sup>153</sup> The data shows that parents tend to first use their savings to ensure children can attend school, before sending their children to work.<sup>154</sup> Conversely, with increased school attendance, children may be inspired to look for more skilled work outside their village.<sup>155</sup>

In the last ten years, the influence children have in the decision-making process has become better understood and appreciated.<sup>156</sup> Children are neither passive, nor the ultimate decision maker, but often negotiate actively in the decision-making process. Children may make the decision to leave for skill development, gain autonomy or as a rite of passage.<sup>157</sup>

Like all migrants, children usually migrate to a destination with an existing social network and may use funds and connections from parents or other relatives for transportation and protection. These networks are anticipated to provide knowledge of the labour market, reduce costs and risks of migration, and in theory, increase net benefits.<sup>158</sup>

#### Country and region-specific examples

- In India, children from higher castes show more autonomy in choosing to migrate.<sup>159</sup>

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<sup>149</sup> Paoli and Mendola, 2012, Does International Migration Increase Child Labor?

<sup>150</sup> MPRA, 2011, Paternal migration, child labour and education: a study in brickfield areas of West Bengal

<sup>151</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>152</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>153</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>154</sup> Terre des Hommes, 2016, Child Labour among Refugees of the Syrian Conflict

<sup>155</sup> Heissler, 2013, Children's migration for work in Bangladesh: The extra-and intra-household factors that shape 'choice'and 'decision-making'

<sup>156</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>157</sup> Heissler, 2013, Children's migration for work in Bangladesh: The extra-and intra-household factors that shape 'choice'and 'decision-making'

<sup>158</sup> Camacho, 2006, Children and Migration - Understanding the migration experiences of child domestic workers in the Philippines

<sup>159</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

- A study conducted in the Philippines concluded that generally children appreciated the benefits migration provided themselves and their families, however it is difficult to determine if they would feel the same if they had a choice between alternatives.<sup>160</sup>
- Migration levels will be higher with more experience within the network - the high migration levels across West Africa mean that migrants are able to move successfully within cultural contexts and social relations across numerous places.<sup>161</sup>

#### 4.5. Main challenges

All child migrants are vulnerable, this vulnerability can be both situational – arising from their dependence on irregular migration routes, smugglers, and others.<sup>162</sup> For example during their journey, children migrating irregularly may be hesitant or unable to ask for protection from the authorities. Once in the destination country, children may find it difficult to arrange housing or jobs, especially if they lack local connections. Even accompanied migrant children may suffer abuse at the workplace, all of which go unchallenged as children and their parents have less leverage to defend themselves and seek redress.<sup>163</sup> While children may migrate to find better schooling, often the costs of education are so high that they need to work to support themselves.<sup>164</sup>

Many irregular migrants are unable to access education and health services, which increases the risk of child labour in the informal economy. Once they are involved in child labour, their irregular status means they can be criminalized, detained and deported, and/or have threats of these outcomes used against them further. The migration status of parents is also important to determine the vulnerability of their children. For example, a study conducted in the United States suggests that having one irregular migrant parent more than doubles the chances of a child living in poverty and having two irregular migrant parents multiplies the risk seven times.<sup>165</sup>

Children who are victims of human trafficking have the lowest wages of all child labourers<sup>166</sup> A child is a victim of trafficking if they are recruited, transported, transferred, harboured or received for the purpose of exploitation.<sup>167</sup> Child migrants may be trafficked in the country of destination due to various vulnerability factors such as lack of funds, livelihood options, and/or weak or non-existent protection.

Child migrants in child labour often find themselves in a poverty trap, in addition to immediate exploitation. A lack of legal status, intermittent labour and longer working hours mean that they are less likely to attend schools.<sup>168</sup> If they have no official documentation or local connections, they may be unable to leave a situation of child

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<sup>160</sup> Camacho, 2006, Children and Migration - Understanding the migration experiences of child domestic workers in the Philippines

<sup>161</sup> Hashim and Thorsen, 2011, Child Migration in Africa

<sup>162</sup> IOM, Handbook: Protection and Assistance to Migrants Vulnerable to Violence, Exploitation and Abuse. p. 101

<sup>163</sup> ILO, 2013, Child migration, child trafficking and child labour in India

<sup>164</sup> IOM, 2013, Migrant children in child labour: A vulnerable group in need of attention

<sup>165</sup> Glind, ILO, 2010, Migration and child labour - Exploring child migrant vulnerabilities and those of children left-behind

<sup>166</sup> ILO, 2013, Child migration, child trafficking and child labour in India

<sup>167</sup> UN Convention against Transnational Crime

<sup>168</sup> IOM, 2013, Migrant children in child labour: A vulnerable group in need of attention

labour.<sup>169</sup> Numerous sources cited in this report suggest that migrant child labourers face worse working conditions than local child labourers in general, and may be at higher risk of exploitation because of their lack of status and visibility.<sup>170</sup>

The prevalence of child labour not only affects children and their families negatively, but the local labour market as well. As child labourers replace adults for much lower wages, the bargaining power of adults is affected, thereby lowering the wage structure.<sup>171</sup>

Protecting children in the context of migration is complicated by the multitude of stakeholders in policy development and implementation. In most countries, it is commonly the Ministries of Interior or Home Affairs which are responsible for migration, law enforcement and border security. Other relevant ministries include the Ministries of Foreign Affairs and Social Affairs. On the other hand, the Ministry of Labour is usually responsible for issues related to child labour. To streamline all the different laws, policies and budgets under these ministries and related agencies requires strategic frameworks and cooperative mechanisms for child protection.

## 4.6. International regulatory frameworks and guidelines

### 4.6.1. Human Rights

The United Nations (UN) Convention on the Rights of the Child (CRC) came into force in 1990 and currently has 192 signatories. The CRC requires each State Party to respect and ensure the rights of each child in their jurisdiction, without discrimination and irrespective of the child's parents or legal guardians' origins or status.<sup>172</sup> A child is a person under the age of 18 under the Convention, although national laws may make exceptions.<sup>173</sup> Under the Convention, State Parties commit to keep the best interest of the child in mind, while ensuring protection and care<sup>174</sup>, and take appropriate measures to protect the child against exploitation and abuse.<sup>175</sup>

Under Article 7, State Parties commit to registering each child at birth<sup>176</sup>, and establish a child's identity.<sup>177</sup> Furthermore, the Convention provides for the right of the child to health<sup>178</sup>, social security<sup>179</sup> and education.<sup>180</sup> The latter includes compulsory and free primary education, while encouraging the development of secondary education. Article 32 focuses on the right of the child to be protected from economic exploitation, hazardous work, or any work that interferes with the child's education or is harmful to the child's health or development.<sup>181</sup> It therefore calls for the implementation of a minimum age and regulation of working hours. The protection

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<sup>169</sup> IOM, 2013, *Migrant children in child labour: A vulnerable group in need of attention*

<sup>170</sup> Save the children, 2016, *Child Poverty*

<sup>171</sup> Goyal, 2011, *Migration and Child Labour in Agriculture – A Study of Punjab*

<sup>172</sup> CRC 44/25, 1989, Article 2 (1)

<sup>173</sup> CRC 44/25, 1989, Article 1

<sup>174</sup> CRC 44/25, 1989, Article 3

<sup>175</sup> CRC 44/25, 1989, Article 19 (1)

<sup>176</sup> CRC 44/25, 1989, Article 7 (1)

<sup>177</sup> CRC 44/25, 1989, Article 8 (2)

<sup>178</sup> CRC 44/25, 1989, Article 24

<sup>179</sup> CRC 44/25, 1989, Article 26

<sup>180</sup> CRC 44/25, 1989, Article 28

<sup>181</sup> CRC 44/25, 1989, Article 32 (1)

of the child against sexual exploitation and trafficking are provided for.<sup>182</sup> Recruitment into the armed forces is prohibited under 15 years of age.<sup>183</sup>

Under the Convention, countries are obliged to provide services to all children, including irregular migrant children. However, in many countries service providers are obliged to report migrants with irregular status, which deters undocumented migrants from seeking out services.<sup>184</sup>

#### 4.6.2. ILO Conventions

Two fundamental International Labour Organization (ILO) Conventions regulate the eradication of child labour: the Minimum Age Convention, 1973 (C138) and the Worst Forms of Child Labour Convention, 1999 (C182). Additional conventions to note include the 2011 Domestic Workers Convention (C189), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).

C138 was adopted in 1973 and is ratified by 171 countries. The Convention provides for national policies progressively raising the minimum age for employment or work, to ensure proper physical and mental development of young persons.<sup>185</sup> The minimum age should not be less than 15 years and at least above the age of completion of compulsory schooling<sup>186</sup>, with an exception of 14 years in developing countries.<sup>187</sup> Hazardous work may only be conducted from the age of 18, although what constitutes hazardous work may be determined by each State Party<sup>188</sup> and exceptions may be made for children above the age of 16 if protection and training are provided. Light work for children between 13-15 years is permitted if this is not harmful or affects school attendance<sup>189</sup>, and this may even lower to 12-14 in developing countries.<sup>190</sup> While the Convention lists sectors where its provisions are to be applied at a minimum, it excludes 'family and small-scale holdings producing for local consumption and not regularly employing hired workers'.<sup>191</sup>

C182 entered into force in November 2000 and requires its 182 State Parties to secure the prohibition and elimination of the worst forms of child labour<sup>192</sup>, concerning all persons under 18 years of age.<sup>193</sup> The types of work that fall under WFCL are to be determined at national level through laws and regulations according to international standards.<sup>194</sup> Member states are required to establish a monitoring mechanism to ensure prevention from WFCL, remove children from WFCL and assist their reintegration, and ensure access to free education.<sup>195</sup> Furthermore, Members are encouraged to increase international cooperation to assist each other in achieving the Convention's goal.<sup>196</sup>

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<sup>182</sup> CRC 44/25, 1989, Article 34-35

<sup>183</sup> CRC 44/25, 1989, Article 38 (2-3)

<sup>184</sup> UNICEF, 2017, Protecting Children on the Move

<sup>185</sup> ILO C138 Article 1

<sup>186</sup> ILO C138 Article 2 (3)

<sup>187</sup> ILO C138 Article 2 (4)

<sup>188</sup> ILO C138 Article 3 (1-2)

<sup>189</sup> ILO C138 Article 7 (1)

<sup>190</sup> ILO C138 Article 7 (4)

<sup>191</sup> ILO C138 Article 5 (3)

<sup>192</sup> ILO C182 Article 1

<sup>193</sup> ILO C182 Article 2

<sup>194</sup> ILO C182 Article 4 (1)

<sup>195</sup> ILO C182 Article 7 (a-c)

<sup>196</sup> ILO C182 Article 8

### 4.6.3. Global Compact on Migration

In 2016 the United Nations General Assembly agreed to develop a global compact for safe, orderly and regular migration, which was adopted in December 2018 by the Member States. It is a non-legally binding instrument to provide countries with a common approach to international migration, based on human rights and responsibility sharing, while upholding States' sovereignty. It includes 23 objectives for better managing of migration at all levels, focusing on drivers of migration, as well as risks and vulnerabilities of migrants, based on data collection and evidence-based policies.<sup>197</sup>

It acknowledges the need for international cooperation and the importance of achieving the Sustainable Development Goals of Agenda 2030 to limit the drivers for irregular migration. Where migration does occur, it calls for the provision of information, availability of pathways for regular migration, fair and ethical recruitment and conditions for decent work, reducing vulnerabilities in migration, combatting smuggling and eradicating trafficking, ensuring consular protection and assistance, access to basic services for migrants, promoting integration and investing in skills development, among others. Under the Compact, a capacity-building mechanism is to be established to support Member States in their efforts to implement the objectives of the Global Compact, under a wider UN network on migration.<sup>198</sup>

The Compact includes specific provisions for children, reaffirming international legal obligations in relation to the rights of the child, and assuring to uphold the principle of the best interests of the child as a primary consideration in the context of international migration. This includes providing accessible referral to child-sensitive support, counselling and legal services. Importantly, it requests signatories to enact and implement laws to prevent and counter child labour and other forms of exploitation, while strengthening enforcement of labour inspectors and other authorities. Birth registration, access to education and family reunification are other examples countries are requested to organize, to protect children's rights under the Compact.<sup>199</sup>

## 5. Case study: Cote d'Ivoire

### 5.1. Context

Estimates indicate that almost half of all child labour worldwide occurs in Africa, with a total of 72 million children estimated to be in child labour - almost 20 percent of all children on the continent.<sup>200</sup> Older children and young adults often move out of agricultural households, shifting the tasks associated with cocoa production to the remaining population including children.<sup>201</sup> Child labour is low-skilled and semi-skilled in the agriculture and domestic sector as well as the informal sector which is often hazardous.<sup>202</sup>

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<sup>197</sup> IOM, 2018, Global Compact for Safe, Orderly and Regular Migration

<sup>198</sup> IOM, 2018, Global Compact for Safe, Orderly and Regular Migration

<sup>199</sup> IOM, 2018, Global Compact for Safe, Orderly and Regular Migration

<sup>200</sup> ILO, 2017, Global estimation of child labour 2016

<sup>201</sup> Tulane University, 2015, Survey Research on Child Labor in West African Cocoa Growing Areas

<sup>202</sup> UNCTAD, 2018, Economic Development in Africa - Migration for Structural Transformation

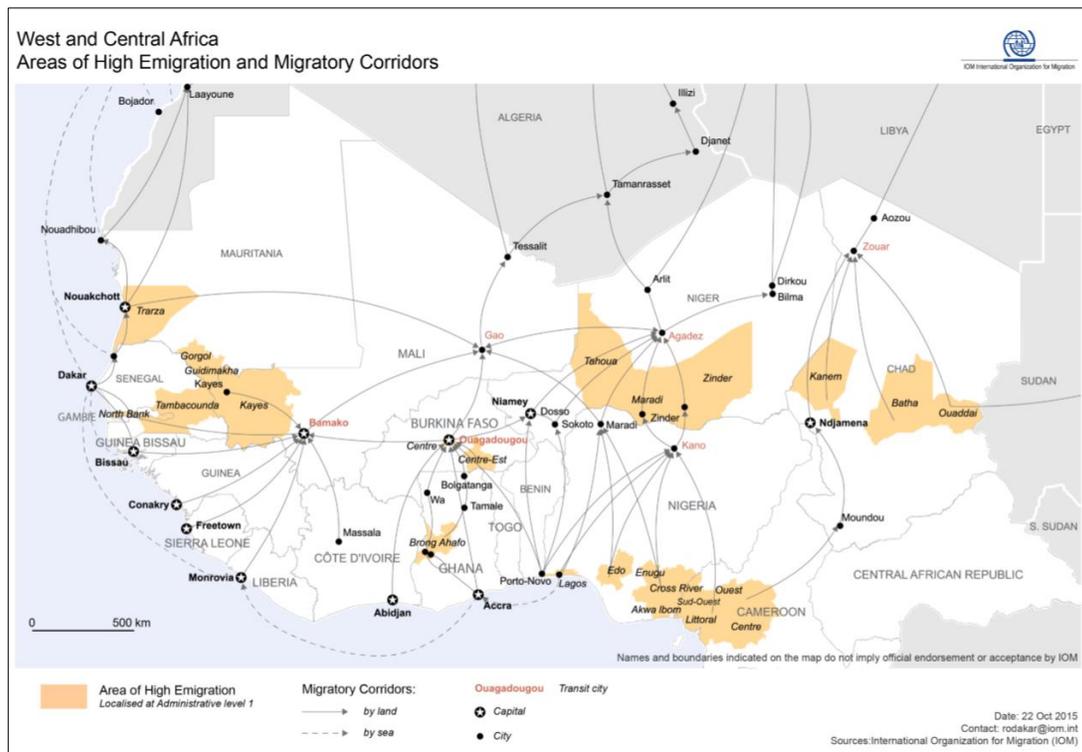
Cote d'Ivoire has almost 25 million inhabitants, of which a third are children under 14 years old, and the median age is 21. Over 20 percent of children under 17 live independently without a parent.<sup>203</sup> The country's economy consists mainly of agriculture, specifically cocoa, coffee and palm oil. The agricultural sector employs about two-thirds of the labour force, while the service sector adds over half of GDP.<sup>204</sup> As a lower middle-income country, it is one of the main destination countries for migrants in the wider region.

## 5.2. Child labour in the context of migration

In 2017, Côte d'Ivoire was the second migrant receiving country in Africa with 2.2 million intra-African international migrants, the vast majority originating in the Western Africa region. Migrants contributed 19 percent to Cote d'Ivoire's GDP in 2008. One of the largest migration corridors in sub-Saharan Africa is Burkina Faso to Cote d'Ivoire with 1.3 million migrants (figure 3). It is important to note that irregular migration is estimated at 10–15 percent of official international migration flows.<sup>205</sup>

Cote d'Ivoire is also a major country of origin for migrants traveling to Europe. Most migration occurs for economic reasons, while smaller numbers of those crossing international boundaries could conceivably qualify for protection status.

Figure 3: migration corridors West Africa (IOM 2015)



<sup>203</sup> Edmonds and Shrestha, 2012, Independent Child Labor Migrants

<sup>204</sup> CIA World Factbook

<sup>205</sup> UNCTAD, 2018, Economic Development in Africa - Migration for Structural Transformation

Cote d'Ivoire's civil conflict, which ended in 2007, caused internal and cross-border migration and had a negative impact on the country's infrastructure, reducing schools and the availability of teachers, particularly in rural areas of the country.<sup>206</sup> Even now there remain several thousand people displaced because of conflict.<sup>207</sup> The incidence of child labour in countries affected by armed conflict is 77 per cent higher than the global average, while the incidence of hazardous work is 50 per cent higher in countries affected by armed conflict.<sup>208</sup>

While the compulsory education age is 16, school enrolment in Cote d'Ivoire is low, with 44 percent for junior and 21 percent for senior high school in 2014. A perceivably low quality of education is reflected in the high exam failure rates and grade repetitions, with only a third of children completing junior and just over 10 percent completing senior high school. Attending rates are 40 percent lower in rural areas, as most schools are in urban settings and a lack of teachers and school facilities cause drop-outs.<sup>209</sup> The costs of school are prohibitively high for many poor families, among which as much as 73 percent of children are not in school.

The lack of education in poor rural communities increases the risk of child labour. In cocoa growing areas, over 32 percent of 5-17-year olds are child labourers, even though the minimum working age in Cote d'Ivoire is 16 according to the Labour Code and Constitution. Older children are often involved in hazardous labour, for which the minimum age is set at 18.<sup>210</sup> Many children work in agriculture where WFCL is highly prevalent, particularly in the harvesting of cocoa and coffee. During the 2013-2014 harvesting season, the cocoa sector employed over 1.2 million child labourers between 5 and 17 years old, of which 95.9 percent were engaged in some form of hazardous work.<sup>211</sup> Other WFCL include forced begging, mining, construction and commercial sexual exploitation.

Most child labourers in the cacao sector in Cote d'Ivoire are migrants, with a majority from Burkina Faso, while others migrated internally mainly from Yamassoukro-Bouaké. Children either know the farmer directly (29 percent) or were recruited through an intermediary (41 percent). In 12 percent of cases, farmers found child labourers in their village of origin through negotiating with parents.<sup>212</sup> Studies show that migrant child workers in Côte d'Ivoire are unlikely to be enrolled in school, with only 33 percent compared to 71 per cent of local non-migrant child labourers.<sup>213</sup>

As discussed in the introductory chapters, migrating children are vulnerable for numerous reasons. The number of children among detected trafficking victims is highest in Sub-Saharan Africa, at 64 percent. The main form of exploitation among trafficked boys is forced labour (86 percent), while girls are most at risk of sexual exploitation (72 percent), followed by forced labour (20 percent).<sup>214</sup>

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<sup>206</sup> Tulane University, 2015, Survey Research on Child Labor in West African Cocoa Growing Areas

<sup>207</sup> IDMC Country Profile Cote d'Ivoire

<sup>208</sup> ILO, 2017, Global Estimates of Child Labour - Results and Trends 2012-2016

<sup>209</sup> USAID, 2016, Child Labor in Cote d'Ivoire

<sup>210</sup> ICI, 2017, Education and Child Labour risk for older children in Cote d'Ivoire

<sup>211</sup> Tulane, 2015, Survey Research on Child Labor in West African Cocoa Growing Areas

<sup>212</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>213</sup> IOM, 2013, Migrant children in child labour: A vulnerable group in need of attention

<sup>214</sup> UNICEF, 2017, Protecting Children on the Move

### 5.3. Regulatory framework

Cote d'Ivoire has ratified all eight fundamental ILO Conventions, including the C138 (Minimum Age) and C182 (Worst Forms of Child Labour) in 2003. The African Union (AU) drafted a protocol on the free movement of persons, right of residence and right of establishment (2017), as well as the African Union Youth and Employment Pact (2013). As one of the main receiving countries of regional and south-south migration, the adoption of the AU Policy Framework and the provisions for Labour Mobility and Free Movement will have great implications to Cote d'Ivoire. The country is a member of two regional bodies: the Community of Sahelo-Saharan States (CEN-SAD) and the Economic Community of West African States (ECOWAS), and committed to the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children (2006).

In 2011, US based chocolate and cocoa industry companies established a Public-Private Partnership with ILO against child labour in the cocoa sector in Cote d'Ivoire and Ghana. This Harkin-Engel Protocol, named after a Senator and Representative, aimed to reduce WFCL and achieved some successes in increasing education among child labourers on cocoa plantations and a slight decrease of children in certain types of hazardous work. There is a risk that as the cocoa sector keeps growing, child labour in the cocoa sector could continue to increase overall,<sup>215</sup> however there are significant initiatives underway to reduce this risk such as the International Cocoa Initiative, to which ILO is an advisor.<sup>216</sup>

The Government of Cote d'Ivoire enacted the Anti-Trafficking Law in 2016, a supplement to the 2010 Prohibition of Trafficking and the Worst Forms of Child Labour Law. Following a referendum in the same year, a new Constitution was adopted, prohibiting child labour. The country has a child labour monitoring system and inspectors receive training on recognizing child labour, although there are only a limited number of inspectors to enforce the regulations. While focusing on the formal sector, since 2015 an increased number of inspections have been conducted in the informal sector, where the majority of child labour is identified. To increase children's school attendance, the right to education was included in the Constitution and the government aims to improve school infrastructure.<sup>217</sup>

### 5.4. Stakeholders

The Ministry of Employment and Social Protection (MEPS) develops and enforces labour and trafficking laws, and implements the child labour monitoring system SOSTECI. The Ministry of Interior and Security leads the enforcement of criminal laws against the WFCL, and combats exploitation of children, while the Ministry of Justice investigates and prosecutes crimes related to child labour. The Ministry of Women, Child Protection, and Solidarity (MWCPS) combats human trafficking, including through implementation of a National Policy on Child Protection and a hotline for complaints.<sup>218</sup>

While a National Monitoring Committee on Actions to Combat Trafficking, Exploitation, and Child Labour (CNS) and an Interministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labour (CIM)

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<sup>215</sup> Tulane, 2015, Survey Research on Child Labor in West African Cocoa Growing Areas

<sup>216</sup> <https://www.ilo.org/ipeinfo/product/viewProduct.do?productId=14357>

<sup>217</sup> USAID, 2016, Child Labor in Cote d'Ivoire

<sup>218</sup> USAID, 2016, Child Labor in Cote d'Ivoire

coordinate, implement and monitors programmes, a lack of coordination between ministries results in gaps and overlaps.<sup>219</sup> A lack of border control hampers the fight against human trafficking.<sup>220</sup>

## 6. Case study: Nepal

### 6.1. Context

Nepal remains one of the poorest countries in the world, heavily dependent on remittances and aid. Disasters and the effects of climate change displace thousands of people each year: in 2017 alone, 380,000 people were internally displaced.<sup>221</sup> The collapse of institutions in the wake of the earthquake in 2015 was said to prompt a rise in trafficking.<sup>222</sup> Although the service sector now provides over half of the GDP, an estimated 78 percent of the working force among its 29 million inhabitants are still employed in agriculture. Almost 84 percent of people in Nepal live in rural areas, although the country is rapidly urbanizing at a rate of over 5 percent annually. Causes of urbanization include high income inequality, poverty and unemployment.<sup>223</sup>

Nepalese children often start working at a young age. This is considered a normal process in growing up and as most support the family farm or household, less than 5 percent of child labourers are paid.<sup>224</sup> About a third of children between 5-14 years old are engaged in child labour<sup>225</sup>, most of them girls (48 percent), although in rural areas boys are more economically active. While the overwhelming majority of child labourers work in the agricultural sector, their wages are lowest. Other sectors employing child labour include services and manufacturing. Informally, many children work in domestic sectors as porters, in carpet factories, restaurants and transportation.<sup>226</sup> According to ILO, an estimated 3.14 million children between 5 and 17 years old work, with 620,000 engaged in hazardous work.<sup>227</sup> Child labour is higher among certain ethnic groups, demonstrating additional social inequalities.<sup>228</sup>

A compulsory schooling age of only 13 and a lack of secondary schools in rural areas, means that most children only attend primary education at best.<sup>229</sup> Almost 60 percent do not complete primary school and the country has high levels of illiteracy. Children who do not attend school often do so because the associated costs are too high, or the benefits of education are not understood by parents. There is a significant difference in the access to institutions and services between rural and urban areas, and there is a similar difference in the number of literate children and child labours in rural and urban areas. Although the Kamaiya bonded-labour system was banned in 2002, many children of former bonded labourers are still working under forced labour conditions.<sup>230</sup>

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<sup>219</sup> USAID, 2016, Child Labor in Cote d'Ivoire

<sup>220</sup> USAID, 2016, Child Labor in Cote d'Ivoire

<sup>221</sup> IDMC, 2018, Country Profile Nepal

<sup>222</sup> Bruelisauer, 2015, Human Trafficking in Post-Earthquake Nepal

<sup>223</sup> ILO, 2011, Nepal Child Labour Report

<sup>224</sup> ILO, 2011, Nepal Child Labour Report

<sup>225</sup> USAID, 2016, Child Labor in Nepal

<sup>226</sup> ILO, 2011, Nepal Child Labour Report

<sup>227</sup> ILO, Eliminating Child Labour in Nepal

<sup>228</sup> ILO, 2011, Nepal Child Labour Report

<sup>229</sup> USAID, 2016, Child Labor in Nepal

<sup>230</sup> ILO, 2011, Nepal Child Labour Report

## 6.2. Child labour in the context of migration

A household survey showed that most children migrated with their families (67.7 percent), although marriage (15.8 percent), education (7.8 percent) and work (2.7 percent) were other reasons to migrate. An estimated 12 percent of children in employment are considered migrants, of which 60 percent are girls. While most migrant child labourers are between 14-17 years old (62 percent), a considerable number are 10-13 (31 percent) or even younger.<sup>231</sup> Most migration is from rural to urban areas, seeking employment and/or education opportunities. While the costs of migration from remote areas plays a role in determining the destination, it does not stop children from migrating.<sup>232</sup>

The ILO found that the nature of labour migration out of Nepal from villages and urban areas vary between seasonal, temporary, or longer-term livelihood strategies. Studies estimate that between 1991 and 1996 around one percent of children migrated for economic reasons, with 84 percent boys. Less than half of child migrants were accompanied by a direct family member, while around 13 percent travelled alone - usually 16-17 years old. The prevalence of migration was highest in rural areas, where over 60 percent migrated to India.<sup>233</sup> Most international labour migration permits are acquired by men, leaving children behind in women-headed households.<sup>234</sup>

While agriculture is the main economic sector in the country, only 5.7 percent of migrated children worked in the sector, while over a third worked as domestic servants, often employed by relatives. In the vast majority of cases (82 percent), parents took the decision, or motivated children to work as domestic workers which is perceived to be a decision motivated by poverty and opportunity. Employers often used connections in a rural village to recruit child labourers.<sup>235</sup> Research found that almost 18 percent of child labourers are not allowed to leave their employer's household, while more migrant children – in particular girls - were in bondage conditions (16 percent) than non-migrant child labourers (5 percent). An overwhelming majority of child labourers experienced violence or abuse, with higher prevalence among migrant than non-migrant child labourers. One of the reasons may be that more migrant children live at their employer's household than non-migrant children.<sup>236</sup>

There are perceptibly more migrant children engaged in hazardous work than non-migrant child labourers, which includes having to carry heavy loads, working in unsafe or uncomfortable environments and use of dangerous equipment, the latter currently excluded from the country's hazardous work list.<sup>237</sup> With child sex work increasing, especially in the Kathmandu valley, child trafficking is a major concern, to which street children and orphans are particularly vulnerable.<sup>238</sup>

The use of child labour is rife in the carpet sector in Nepal, according to an ILO/IPEC study into its prevalence in the three districts of Kathmandu, Bhaktapur, Lalitpur, where 98 percent of the carpet production is

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<sup>231</sup> ILO, 2011, Nepal Child Labour Report

<sup>232</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>233</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>234</sup> NRC, 2015, Community Resilience and Disaster Related Displacement in South Asia

<sup>235</sup> Edmonds et al/ UNICEF, 2009, Children's Work and Independent Child Migration: a critical review

<sup>236</sup> ILO IPEC, 2012, Child migrants in child labour: An invisible group in need of attention

<sup>237</sup> ILO IPEC, 2012, Child migrants in child labour: An invisible group in need of attention

<sup>238</sup> ILO, 2011, Nepal Child Labour Report

concentrated. The study noted thousands of child labourers under 18 years of age, predominantly 15-17 years old. Almost all of them are migrants (96.3 percent); over half are boys, although the majority of non-migrant child labourers in the carpet sector were girls. Almost 60 percent of child labourers were from the Tamangs caste, followed by Magar, Terai groups and Rai. The survey showed that most migrating children originated in Kathmandu's surrounding districts with good transportation links and used well-established networks, either migrating with relatives (44 percent), friends (21 percent) and/or parents (11 percent).<sup>239</sup>

### 6.3. Regulatory framework

The Government of Nepal (GoN) is a signatory to the UN Child Rights' Convention, as well as the two key ILO Conventions 138 (Minimum Age) and 182 (Worst Forms of Child Labour). As a member of South Asian Association for Regional Cooperation (SAARC) Nepal signed the Kathmandu Declaration in 2014, committing to safe and responsible labour migration in the region, addressing protection, trafficking and alleviation of poverty.<sup>240</sup>

GoN established the Children's Act in 1992, the Child Labour Prohibition and Regulation Act in 2000 and the Kamaiya Labour Act in 2002, which prohibited the use of labour without wages or with nominal wages, or, labour to repay debts of the labourer and/or their family.<sup>241</sup> These, in addition to other legal provisions restricting child labour such as the Human Trafficking and Transportation Act (2007), the Citizens Rights Act (1995) and the Foreign Employment Act (2007), are meant to provide protection for children and their families.

Nepal's Child Labour Prohibition and Regulation Act 2056 (2000) sets the minimum working age to 14<sup>242</sup>, while no children under 16<sup>243</sup> are to be employed in 'factories, mines or similar risky activities', and includes a list of sectors considered hazardous.<sup>244</sup> Article 2 (4) relates to human trafficking, by prohibiting children to be engaged against their will through persuasion, misrepresentation or threats. Furthermore, there are limitations in terms of working hours.<sup>245</sup> The Act provides for child labourers' health and security through services and facilities, while engaging them in other activities. For this purpose, a child labour prohibition committee and supporting fund were to be established.<sup>246</sup>

If a company wants to employ a child, they need to obtain approval from a parent or guardian, as well as the local labour office. The child has to obtain a certificate of qualification - at the expense of the company - by applying to the labour office regarding their age and type of work. Following a medical test, a certificate is provided, valid for one year.<sup>247</sup> Labour inspectors have the authority to remove a child from the workplace if they are not employed according to the standards, and return them to their parents or guardian.<sup>248</sup> In the worst cases the company's activities may be suspended by the labour office.<sup>249</sup> The Ministry of Labour however

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<sup>239</sup> Edmonds et al/ UNICEF, 2009, *Children's Work and Independent Child Migration: a critical review*

<sup>240</sup> ILO, 2014

<sup>241</sup> Law 2058/2002 Chapters 2 and 3

<sup>242</sup> Law 2056/2000 Chapter 2 (3)

<sup>243</sup> Law 2056/2000 Chapter 1 (2)

<sup>244</sup> Law 2056/2000 Schedule 1 (a-k)

<sup>245</sup> Law 2056/2000 Chapter 3 (9)

<sup>246</sup> Law 2056/2000 Chapter 6 (23-24)

<sup>247</sup> Law 2056/2000 Chapter 3 (6-7)

<sup>248</sup> Law 2056/2000 Chapter 4/16

<sup>249</sup> Law 2056/2000 Chapter 4 (18)

lacks the funding and number of inspectors to effectively control and collect information on child labour.<sup>250</sup> The lack of monitoring and enforcement capacity is shown by continued bonded child labour as well.

The legal framework lacks comprehensive provisions against WFCL. While the Child Labour Act describes sectors it considers hazardous, it does not detail the exact types of hazardous work. Furthermore, the use of a child in the production of child pornography or the production of drugs is not explicitly prohibited. In addition, the Human Trafficking and Transportation Control Act does not include increased penalties for cases involving child trafficking for forced labour.<sup>251</sup>

#### 6.4. Stakeholders

The Department of Labour under the Ministry of Labour and Employment (MoLE) develops and implements labour laws, across ten district labour offices. Meanwhile, the Ministry of Land Reform and Management enforces laws that prohibit bonded labour in agriculture. The Department of Women and Children employs a small number of Child Protection Officers and Investigators to investigate cases on violations of children's rights. Furthermore, there are Central and District Child Welfare Boards who monitor and report on the enforcement of laws and the implementation of policies related to child protection with MoLE and civil society. There is a National Network Against Child Labour to assist children who are found in child labour in accessing services. The National Coordination Committee on Human Trafficking Coordinate the implementation of anti-human trafficking laws, policies, and programs.<sup>252</sup>

## 7. Conclusion and recommendations

A 2013 IOM report concluded that 'the correlation between migration and child labour has only been explored superficially'<sup>253</sup>, this research underlines that there are still many knowledge gaps in terms of child labour and migration.

There are different attitudes towards child labour across societies, depending on a host of national, local and household factors, including cultural norms and socio-economic status. While parents generally prefer to send their children to school if finances allow, children may have to contribute to the household income or choose to work towards their education.

Most child labour occurs in the agriculture sector, as it remains the most labour-intensive sector worldwide. Statistically speaking, according to ILO, most child labourers are between 5-11 years old and live in Africa. Children of irregular migrants and/or low-skilled parents in developing countries are most at risk. The risk of child labour in the context of migration has strong age and gender components, determining the sector children may be working in, the distance of migration and destination. The latter is further influenced by the funds available to migrate and any existing networks in origin and destination area.

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<sup>250</sup> USAID, 2016, Child Labor in Nepal

<sup>251</sup> USAID, 2016, Child Labor in Nepal

<sup>252</sup> USAID, 2016, Child Labor in Nepal

<sup>253</sup> IOM, 2013, Migrant children in child labour: A vulnerable group in need of attention

Internal labour migration often occurs among poor families, where children may migrate with their parents, by themselves, or be affected by migration of out-migrating parents or other adult household members. While remittances may increase school attendance of children left behind, there is also an increased risk of child labour as economically active household members move out and children take their place. There are different risks to children in terms of child labour depending on whether migration is permanent, temporary or seasonal, as both temporary and long-term contracts carry their own protection risks.

Migration may have a positive impact in terms of remittances, skills training and increased access to services, depending on whether these services are available and the legal status of the children and their family to access these benefits. Without legal migration options, the risk of child labour, including the worst forms, increases during and after migration. Migrant children in child labour appear to be more vulnerable to labour exploitation than local child labourers in terms of working hours, wages, exposure to work hazards, violence, bondage, substandard living conditions and lack of access to education.

Whether or not children migrate for work depends on a number of factors, including the level of education of household members, children's transferable skills, financial and physical household assets, the intra-household allocation of labour, vulnerability to poverty, savings, levels of income and a family or community history of migration. Patterns and flows of child migration are diverse and complicated, and difficult to address without a standardized definition of migrants, data collection methods and indicators or overview of irregular migration.

The drivers of migration are varied and complex. While there are positive drivers such as education and family reunification, most drivers are negative: poverty and exclusion, conflict, violence, climate change and natural disasters. Interlinked push and pull-factors influence the decision whether to migrate for labour for adults and children, the main pull factor typically the availability and strength of labour markets, while the most important push factor remains economic advancement.

Although most countries are signatories to the ILO Conventions concerning child labour C138 and C182, these Conventions leave space for interpretation, and the Convention on the Rights of Migrant Workers has a low ratification rate. The provisions in the Global Compact on Migration are legally non-binding and therefore can only offer guidance rather than directive. National policy development and implementation that relate to both child labour and migration issues are often divided among multiple ministries, as highlighted by the case studies of Nepal and Cote d'Ivoire. The multitude of ministries and agencies responsible for migration, labour and children's rights policies often complicate the development of comprehensive regulatory frameworks and service delivery.

### **Priority policy areas**

- 1) Mainstream migration issues into child labour laws, policies and action plans, and child labour issues into migration laws, policies and action plans.
- 2) Develop implementation plans for national legislation and policies aimed at eliminating child labour. Ensure inclusion of targets focusing on migrant children, migrant families, and children affected by migration.

- 3) Establish task forces for the elimination of child labour, including all scenarios where children are affected by migration. The task forces should include government in the labour, migration and child protection sector as well as civil society, the private sector, employers' organizations, unions, recruitment agencies and migrant associations.
- 4) Ensure that communities with high rates of emigration and immigration provide accessible education for all boys and girls regardless of immigration status. In general, the opportunity costs for education should be reduced for all households and communities affected by migration.
- 5) Consider interventions such as cash transfers or school vouchers to supplement household income in communities with high rates of emigration.
- 6) Launch programmes or campaigns that facilitate and promote remittance spending on education and development of children left behind by migrating adults.
- 7) Sensitize migrant families with children about labour laws in the countries of destination (and where relevant, transit), including legal working age and what is considered child labour in that particular national context. Communities of emigration should also be sensitized on labour laws as they pertain to child labour in their country of origin (to prevent child labour of children left behind) and common countries of destination (to inform the migration decision-making process).
- 8) Carry out more country-specific and sector-specific research into the prevalence of migrant children or children affected by migration in child labour. Disseminate findings among a broad spectrum of stakeholders that includes the relevant private sector(s), employers' organizations, unions as well as child and migrant protection organizations.
- 9) Build the capacity of labour inspectors with regards to the rights and vulnerabilities of migrants, including migrant children, in both formal and informal working environments. Ensure immigration officials are aware of child labour laws.
- 10) Establish bilateral and/or multilateral agreements between countries in specific migration corridors with high prevalence of child labour of children affected by migration. Prioritize child labour of children affected by migration as an issue for discussion in Regional Consultative Processes on Migration.

## 8. Annex

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