

G.K. Lieten *Editor*

Hazardous Child Labour in Latin America

Hazardous Child Labour in Latin America

G.K. Lieten
Editor

Hazardous Child Labour in Latin America

 Springer

Editor

G.K. Lieten
Alberdingk Thijmstraat 62
2106 EM Heemstede
Netherlands
G.C.M. Lieten@uva.nl

ISBN 978-94-007-0176-2 e-ISBN 978-94-007-0177-9

DOI 10.1007/978-94-007-0177-9

Springer Dordrecht Heidelberg London New York

© Springer Science+Business Media B.V. 2011

No part of this work may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, microfilming, recording or otherwise, without written permission from the Publisher, with the exception of any material supplied specifically for the purpose of being entered and executed on a computer system, for exclusive use by the purchaser of the work.

Printed on acid-free paper

Springer is part of Springer Science+Business Media (www.springer.com)

Preface

The research for this book was carried out between 2007 and 2010 by an enthusiastic team of young researchers who each spent an average of 3 months on location, which varied from a mining district at an altitude of 5,000 m, to brazenly hot plantations in the lowlands, and the inhospitable city streets of three countries of Latin America. To gain access to the different sectors, and to the children and their caretakers, we were thankfully helped by several local NGOs and government departments in Guatemala, Peru and Bolivia. They not only offered us their kind collaboration in making initial contacts, but were also willing to have their initiatives related to child labour scrutinised. We are greatly indebted to them. We would also like to express our gratitude to the working children and their families for their time and sharing of ideas. Their voices are at the core of this project.

The recommendations put forth in this report are the result of various meetings held in the research countries, whereby our research data was presented and local feedback was processed. Discussions took place at local presentations, with the working children and their families, at national seminars with policy makers from governmental and non-governmental organisations, and at public meetings.

Special thanks go to the local NGOs that helped us prepare these meetings: Childhope in Guatemala, Terre des Hommes Netherlands in Bolivia and GIN in Peru. These workshops enabled us to evaluate our conclusions and recommendations and gave us the very special opportunity to discuss the policy implications of our research results with the most important actors in the field. In this way, we were able to bridge the gap that often exists between scientific research and policy implementation and hopefully the results of our research project will have a direct impact at the local level for our “informants.”

We are also thankful to those organisations and institutes that made the research projects possible financially. We are grateful to the Ministry of Social Affairs in The Hague, the ASN Bank, Terre des Hommes Netherlands, Kerk in Actie, ICCO, Kinderpostzegels, Cordaid, Edukans and Plan Netherlands for financing this research, and for their ongoing support and advice.

An enduring problem with child labour research is that efforts tend to be based on an ideology that questions whether or not child labour is acceptable. Evidence instead needs to be collected on a solid basis and with a comparative perspective, which this study has intended to do.

Hazardous Child Labour in Latin America
July 2010

G.K. Lieten

Note

The chapters of this book are summaries of reports, all of which are available for download from the IREWOC website (www.irewoc.nl):

Child Labour in the Urban Sectors of Peru (Ensing 2008b)

Child Labour in Mining and Quarrying in Cajamarca, Peru (Van den Berge 2008)

Child Labour and Quarrying in Guatemala (Quiroz 2008b)

Child Labour in the Mining Sector of Peru (Ensing 2008a)

Child Labour in the Mining Sector of Bolivia (Baas 2008a)

Rural Child Labour in Peru. A comparison of child labour in traditional and commercial agriculture (Van den Berge 2009)

Child Labour in the Coffee Sector of Guatemala (Quiroz 2008a)

Child Labour in the Sugar Cane Harvest in Bolivia (Baas 2008b)

Child Labour on Sugar Cane Plantations in Bolivia (Baas 2009)

Street Children in Peru: A Quantitative Report (Ensing and Strehl 2010, to be published)

Project Director: Kristoffel Lieten

Copyeditor: Sonja Zweegers

Photographs: all photographs in this publication and the reports above were taken by the researchers, and are the property of IREWOC.



The Foundation for International Research on Working Children (IREWOC) was established in 1992 to conduct anthropological qualitative research on child labour, to raise awareness and influence policy concerning this complex issue.

IREWOC research takes a child-centred and holistic approach, exploring children's own views and opinions within the wider context of poverty and unequal development. Its normative framework is based on established international agreements, particularly the ILO Conventions 138 and 182, and the United Nations Convention on the Rights of the Child.

IREWOC responds to the ever-increasing demand for policy-relevant knowledge. Anthropological research is conducted in close collaboration with governmental and non-governmental organisations active in the field of child labour. Working directly with policy makers is the most effective way to close the gap between scientific research and policy design.

Contents

1 Introduction: The Worst Forms of Child Labour in Latin America	1
G.K. Lieten	
2 Child Labour in an Urban Setting: Markets and Waste Collection in Lima	21
Anna Ensing	
3 The Risks of Becoming a Street Child: Working Children on the Streets of Lima and Cusco	43
Talinay Strehl	
4 Child Miners in Cajamarca, Peru	67
Marten Pieter van den Berge	
5 Stone Quarries in Guatemala	81
Luisa Fernanda Moreno Ruiz	
6 Ore Mining in Bolivia	105
Laura Baas	
7 Mining at High Altitudes in Peru	125
Anna Ensing	
8 Children in Traditional and Commercial Agriculture	145
Marten Pieter van den Berge	
9 Coffee in Guatemala	165
Luisa Fernanda Moreno Ruiz	
10 Children on Bolivian Sugar Cane Plantations	191
Laura Baas	

11 Concluding Remarks and Recommendations	211
G.K. Lieten	
References	221
Index	227

Contributors

Laura Baas Laura Baas studied International Development Issues at the Radboud University Nijmegen, from which she graduated in 2004. She conducted research on urban youth in San Salvador during 2005 and later did research on child labour with the Dutch NGO HIVOS and with IREWOC. Her anthropological field research for this institute mainly focused on the work of children in Bolivia on sugar cane plantations and in the mining sector. Currently, Laura works for Servicio Internacional para la Paz (SIPAZ), an international peace organisation based in Chiapas, Mexico.

Marten Pieter van den Berge Marten Pieter van den Berge studied Cultural Anthropology at the University of Amsterdam, where he specialised in Development Sociology. He worked as a research associate and project coordinator at IREWOC for several years, during which time he conducted fieldwork on child labour in urban and rural areas of several Latin America countries, working specifically on the themes of children as agents of change, worst forms of child labour and rural child labour in the Andes. Currently he works in the Knowledge Program on Civil Society Building of the Institute for Social Studies, coordinating a research project on social movement dynamics in Lima.

Anna Ensing Anna Ensing studied Development Studies in Nijmegen and Latin American and Caribbean Studies in Utrecht. She conducted research for Cordaid among urban youths in Peru and worked for a child-focused NGO in Colombia. Later, she joined IREWOC, where she conducted research on children working in gold mining, garbage recycling and at wholesale markets in Peru; on child labour in the leather production in Dhaka, and on working girls in Dhaka, Bangladesh. Anna now works as a project manager at TIE-Netherlands (Transnationals Information Exchange), an organisation that focuses on strengthening independent labour unions in different regions around the world.

G.K. Lieten Kristoffel Lieten is the International Institute of Social History professor of Child Labour studies at the University of Amsterdam and the Director of IREWOC. He has done extensive fieldwork, particularly in South Asia, on various topics related to poverty, rural development, labour relations, and of course child labour. Professor Lieten studied languages in Antwerp (Belgium), political sciences in Reading (UK), history in New Delhi (India) and obtained his PhD for a study on

the triangular relationship between the colonial state, the Indian entrepreneurial class and the working class in Mumbai in 1928–1929. He spent many years in South Asia where he was a radio correspondent for the Dutch and Belgian radio during the 1970s and at intervals during the 1980s.

Luisa Fernanda Moreno Ruiz (née Quiroz) Luisa Fernanda Moreno Ruiz studied Cultural Anthropology at the University of Amsterdam. Her specialisations Development Sociology and Children & Development brought her to Medellín, Colombia to carry out a child centred research on street children and their perceptions on life. Luisa joined the IREWOC Worst Forms of Child Labour Project in Latin America in January 2007. She conducted research on child labour in the coffee plantations and stone quarries in Guatemala. Luisa currently works at SMS (Stichting Mondiale Samenleving) as a staff member in charge of the Voluntary Sustainable Return project.

Talinay Strehl Talinay Strehl studied Cultural Anthropology at the University of Amsterdam. In addition to her specialisation in Medical Anthropology, she developed a great interest in ethnic and women's social movements in both Latin America and Asia. She has conducted research on the indigenous Zapatista movement in Chiapas (Mexico) and on the rise of an indigenous women's movement against large-scale open-pit mining in the Cordillera region in the Philippines. In June 2009 Talinay started working for IREWOC and conducted a child centred research on street children and intervention programmes in Peru.

Chapter 1

Introduction: The Worst Forms of Child Labour in Latin America

G.K. Lieten

Child labour, despite a broadly accepted understanding that it must be eradicated, and despite the International Conventions, national legislation and various time-bound programmes, lingers on in many parts of the world, including Latin America, which albeit has a much higher GDP than countries in Africa and South Asia. Despite the commitment to include universal primary education leading to the elimination of child labour as one of the millennium development goals, to be achieved by 2015, it has remained difficult to tackle the problem.

There are various reasons as to why it continues to be such a tenuous social problem, both on the supply side and on the demand side. And so there is also disagreement on the solutions. In fact, there is even disagreement on the extent of the actual problem of child labour (Lieten 2004, 2005).

Since June 1999, a consensus has emerged on the urgency of addressing the worst cases and to work towards an agenda that will eliminate the ‘worst forms of child labour’ by 2016. These worst forms of child labour are listed in the ILO Convention 182, which was swiftly ratified by most governments in the world. Convention 182 defines two categories of worst forms of child labour:

- The *unconditional worst forms* include slave labour, prostitution and pornography, child soldiers and children in illicit activities, particularly drugs trade
- *Hazardous work* that, by its nature or the circumstances in which it is carried out, is likely to jeopardise the health, safety or morals of children

A major problem with the second category is that it needs to be specified, in each country, what it includes and what it excludes. Legislation and regulation will benefit from detailed empirical knowledge about the effects that the work in each specific sector has on children involved and what types of child labour should be classified as a worst form. It is therefore relevant to examine specific sectors and to make a detailed study of working children’s exact activities, and to document the hazards they are exposed to.

G.K. Lieten (✉)

Alberdingk Thijmstraat 62, 2106 EM Heemstede, Netherlands
e-mail: G.C.M.Lieten@uva.nl

New Debates

Child labour as a phenomenon actually emerged in Western Europe towards the late eighteenth century, as a ghastly by-product of the industrial revolution. It was a time when families became separated from their own means of production, e.g. a plot of agricultural land or a craft, and parents and children alike had to offer themselves to greedy entrepreneurs, for meagre wages and abysmally bad working conditions (Lieten and Nederveen 2010). In the following century, social and political movements against child labour appeared in the industrialised countries, and later in the decolonised countries, using a series of arguments. These arguments remain valid and form the bottom-line for national anti-child labour legislation in all countries.

The arguments against child labour are manifold. For example, in the United States, according to Trattner, in his historical study of the National Child Labor Committee, the movement was inspired by various ideas:

Motivated by pity, compassion, and a sense of patriotism, they argued that, for the child, labor was a delusion; for industry it was a fallacy; and for society, a menace. Child labor meant the spread of illiteracy and ignorance, the lowering of the wage scale and hence the standard of living, the perpetuation of poverty, an increase in adult unemployment and crime, the disintegration of the family, and, in the end, racial degeneracy. (Hindman and Smith 1999:27)

These indeed have been some of the arguments taken up by the anti-child labour movement in the past and present. In the recent past, however, the protagonists of child labour have turned these arguments upside down. They have questioned the eradication of child labour on ethical and humanitarian grounds and, particularly in Latin America, have proposed a culturally embedded approach, which defends the rights of the child to work.

The issue of child labour can be looked at from different angles. Myers (2001) uses four different perspectives: a labour market perspective, a human capital perspective, a social responsibility perspective and a child-centred perspective; he maintains that each perspective can be used in order to reject child labour, but also to appreciate child labour (see also Judith Ennew et al. 2005). For example, even though child labour leads to adult unemployment, lowering of wages, intergenerational poverty and low efficiency, in many cases the economic contribution of children has forestalled or alleviated family poverty. The arguments do admittedly have validity. Child labour is often indeed the ultimate survival strategy. Scholars, however, use this unfortunate condition to defend child labour as a culturally legitimated right. Since there is no 'adequately developed theory of why child labour would produce a negative macro-economic impact' Myers argues, 'ethnocentric imposition of context-specific North solutions' would do more harm and 'the labour market perspective can itself be a threat to children when it places adult economic and political interests before children's' (1999:33).

Any argument, in this understanding, depending on the ethical position one takes, can be neutralised by the opposite argument. The problem of child labour thus appears to have become intractable. Indeed, the difficulty in the debate on child labour actually starts at the stage of defining the problem. Children are engaged in

a multiplicity of activities, including playing, leisure, attending school, learning, doing chores and engaging in productive work. Each activity attracts a subjective value, depending on the nature of the work, the age of the child and the socio-cultural context. Frequently, such activities cross boundaries and may simultaneously be work, leisure and education. Indeed, in the process of growing up, children and adults may consider the lighter forms of work as another way of playing and learning. Work thus may be considered as a sensible thing for children to do and need not necessarily be classified as a form of child labour that needs to be abolished. Such part-time work may be a learning experience, which, some have even argued, is superior to what children learn in school. It provides life skills that they shall need later on in life and has a positive effect on self-confidence and practical knowledge.

Within that line of thinking, some scholars thus have objected to the principles underlying the anti-child labour movement. They prefer to restrict the concept of child labour to indecent forms of labour, i.e. working conditions which are 'exploitative'. This, for example, is the position taken by the so-called *regulacionistas* in Latin America, in stark opposition to the *erradicacionistas*. It is represented by a powerful group of scholars who oppose the approach of the International Labour Organisation (ILO). They argue that the 'abolitionist' agenda was carried to other parts of the world through the colonial system and is still being imposed by Western-dominated international organisations with a basic disrespect for local cultures and the meaning of work within those cultures. They argue that the mainstream agenda assumes children to be ignorant of the world and to be unable to fend off its evils: 'They are depicted as helpless victims, or potential victims, dependent on protection and rescue by adults. This is primarily a modern Western urban, middle class notion of childhood' (W.E. Myers 1999:31).

In a letter on 7 May 2010, preceding the Global Child Labour Conference in The Hague (10–11 May 2010), jointly organised by the ILO and the Government of The Netherlands, the main scholars supporting the right of the child to work (including, for example: Michael Bourdillon, Deborah Levison, Manfred Liebel, William Myers, Ben White, Martin Woodhead), sent an open letter to Constance Thomas, the Director of IPEC, asserting that there is 'little or no countervailing evidence that a general ban on work below a given minimum age is protective or helpful', that the conference overlooks 'important practical issues increasingly raised by the extensive and accumulating evidence from anthropology, child development, economics, psychology, sociology and other fields', and calls this a strategic loss of opportunity:

Missing this opportunity to engage the fundamental issues means that ... some very interesting findings about what actually does work for children are not picked up on and utilized. In the end, it is the children who end up paying the highest price when unaccountable institutions are content merely to promote what they already think and do and ignore the opportunity to avidly search out new facts and fearlessly explore the practical implications of them.

Bourdillon et al. (2009) argue that excluding children from the right to work is a fundamental denial of basic human rights principles. The international covenants, including the United Nations Convention on the Rights of the Child, do provide for

children's protection and such protection 'might seem to authorise a minimum-age policy', but, they argue, protection should not take precedence over other rights. Abridging of children's human rights would be legitimate only if it were demonstrated to be necessary and to be effective:

However, Convention 138 meets neither of these conditions; it has demonstrated neither that the minimum-age approach is the uniquely necessary remedy, nor that the approach achieves its protective aims. It is not clear, therefore, that the ILO or its member states can legally exclude children from rights plainly granted to all without exception in the "International Bill of Human Rights"... Refusing them trade union protection is an egregious violation of their rights that has no defensible basis in human rights law. That such denial is based on an ILO international convention declaring that "underage" children should not be workers at all is inconsequential. The stronger human rights provision prevails.

The academic protagonists of the right to work are associated with the 'World Movement of Working Children and Adolescents', which, for example at its 2nd international meeting in Berlin (19 April to 2 May 2004) stated in the Final Declaration:

We, the world movement of working children and adolescents from Africa, Asia and Latin America, value our work and view it as an important human right for our personal development. We oppose every kind of exploitation and reject everything that hurts our physical and moral integrity.... We denounce the policies of the ILO that aim at abolishing children's work. The ILO has failed to understand the realities of working children and the viable alternatives to exploitative labour.

During the Global Child Labour Conference in The Hague, MOLACNATS (Movimiento Latinoamericano y del Caribe de Niñas, Niños y Adolescentes Trabajadores), the pro-child labour movement, issued a number of statements *by* the child workers and *on behalf of* the child workers. The statements, while 'fully rejecting' ILO Convention 138 (on the minimum age) and 'remaining critical and opposed' to Convention 182 (the Convention calling an end to the worst forms of child labour), actually objected to the very concept of child labour:

As regards C182, which considers the use, procuring, or offering of a child for prostitution, the production of pornography or for pornographic performances, or the use of a child for illicit activities, in particular for the production or trafficking of drugs as the worst forms of child labor, we believe that these are criminal offences and flagrant violations of a child's human rights. We are clearly against all of these phenomena, but calling them "labor" creates dangerous confusion and leads to purely repressive practices as opposed to truly liberating alternatives.

It agrees that children should not be engaged in certain activities, e.g. prostitution and drugs trafficking, but considers them as illegal activities, rather than 'worst forms of child labour'. By doing so, it skips the problem of the much more numerous worst forms of child labour, activities which do not fall under the criminal activities, but which nevertheless could be considered as intolerable activities. Those activities are the subject matter of this book. It needs yet to be established that these worst forms (which are 20 times more numerous than the illegal worst forms) are 'truly liberating activities'.

The *regulacionistas* have a strong presence in Latin America, particularly in Peru, where the Jesuit father Cussianovich founded IFEJANT, a Christian organisation for children and youths, and in 1995 created the MOLNAT (Movimiento Latinoamerica de Niñas, Niños y Adolescentes Trabajadores), which is considered to be an independent child labour union. In practice, most of the children in the organisation are in school or have studied up to a minimum level and at most do light forms of work, which even according to ILO standards would be permissible (Van den Berge 2007a, b). A major ideological representative of the movement is Manfred Liebel who has published various books in which he makes a plea for ‘child protagonism’, which expects adults to enter a new relationship with children; not one of authoritarian protectionism, but one that allows children to take responsibility for their own lives. Adults should not exclude children as workers and should start to realise that children also have the right to work and that, accordingly, they could take their lives into their own hands, as adults do. Liebel (2007:284) accordingly argues:

The ILO is deaf to the concrete interests and needs of working children. Instead of preaching the elimination of child labour – currently step by step – the ILO should be recommended to ask exactly what could help to improve the situation of these children – while actually listening to working children and their organizations, and beginning a serious dialogue marked by mutual respect.

The debate between the *erradicacionistas* and the *regulacionistas* is conducted in different languages, loading different meanings onto child labour. On the one hand, the protagonists of the ‘right to work’ argue that there are multiple, competing definitions of child labour: ‘the term is not an objective, technical description of a single, observable set of human relations, but rather a rhetorical label that blends description with negative value judgments’ (Judith Ennew et al. 2005:28). They further argue that the ‘worst forms language just adds to an already confusing list of imposed terminology’ and confront what they consider as indigenous Southern cultures with the stigmatising Northern cultural construction of childhood:

Current scientific evidence suggests that not one construct of childhood or child-raising merits adoption as a universal model. Yet a Northern cultural construction of childhood and child-rearing, which is now globally dominant, is incorrectly assumed to represent a scientific understanding of children valid everywhere and is the driving force behind many universalized social policies, including those governing child work (Judith Ennew et al. 2005:31).

In a subtle change in language, ‘child labour’ in the argument is being replaced by ‘child work’. The protagonists of the right of the child to work and some international organisations like Save the Children, actually hardly ever use the concept of child labour, mainly, as they say, because it has a negative image and they want to highlight the positive aspects of working children. ‘That is why’, argues Alejandro Cussianovich, the founding father of the Latin American child labour unions, ‘we consider it pertinent to emphasize a different paradigm, capable of confronting not only the ethno and adult-centrism, but also the ethics and culture of globalisation, which denies protagonism to all peoples and all cultures’ (Cussianovich 2002:5).

The differentiated paradigm hinders a fruitful discussion with the ILO and with the mainstream movement against child labour. It confuses the issue by attributing

a caricature position to the ILO; yet it is unfortunately mostly overlooked that the ILO is in fact not opposed to children working. On the contrary, it accepts the position that work done by children can be a normal and even beneficial activity:

Millions of young people legitimately undertake work, paid or unpaid, that is appropriate for their age and level of maturity. By doing so, they learn to take responsibility, they gain skills and add to their families' and their own well-being and income, and they contribute to their countries' economies. (ILO 2002b:9)

For the ILO, and for the mainstream approach to child labour, the salient point is the agreement on dividing lines between child work and child labour, and between child labour and the worst forms of child labour.

Children do a variety of work in widely divergent conditions. The work takes place along a continuum. At one end of the continuum, the work can be considered as beneficial, promoting capacities and a sense of responsibility without interfering with schooling and leisure; on the other end, the work done by children takes on the form of child labour and becomes harmful and exploitative. Child work takes many forms and 'in some cases, such as traditional agricultural or handicraft production, it is carried out under the supervision of parents. Work of this type is often an integral part of the socialisation process' (ILO 1986:14). It is helpful to refer to the caveat introduced by Alec Fyfe (1989:3–4) who on all counts has a long history of involvement in the struggle against child labour:

There is little doubt that many children welcome the opportunity to work, seeing in it the rite de passage to adulthood. Work can be a gradual initiation into adulthood and a positive element in the child's development. Light work, properly structured and phased, is not child labour. Work which does not detract from the other essential activities of children, namely, leisure, play and education, is not child labour. Child labour is work which impairs the health and development of children.

Indeed, not every kind of activity by children should be considered as 'child labour'. Actually, a distinction should be made between work and labour. Work refers to any activity that requires physical or intellectual involvement. Labour is work that is applied with a specific purpose to generate products or provide services. Child labour is the subset of children's work that is detrimental, negative or undesirable to children.

Such a distinction between work and labour can be made for adult work as well, but children constitute a special case. Economists have tended to focus on the 'labour' aspect and have developed tools to measure the extent of child participation in labour processes. But child labour is not the involvement of children in labour as such (analogous to female labour or male labour), but is to be defined by the effect of the activity on the child. Child labour should be treated as one concept: it is work done by children in a specific context with a specific duration and with a specific potentially harmful impact. It is a concept that looks at the work done by an underage person from the interests of the child rather than from the point of view of economic accounting. Such a usage of child labour as one concept rather than as a combination of two words would include certain activities that until recently had not been included in the statistics, and could possibly exclude many activities that are now included. Child labour is work performed by children under 18, which is exploitative,

hazardous and inappropriate for their age, and which is detrimental to their schooling and development. That is also how it has been defined in article 32 of the UN Convention on the Rights of the Child (1989): ‘the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development’.

That definition would exclude from the child labour category many instances of work done in and around the household:

Child labour does not include activities such as helping out, after school is over and school-work has been done, with light household or garden chores, childcare or other light work. To claim otherwise only trivializes the genuine deprivation of childhood faced by the millions of children involved in the child labour that must be effectively abolished. (ILO 2002b:9)

Labour, at least until recently, had been conceived in terms of economic activities only, i.e. activities that could be captured by the System of National Accounts (SNA). Only the work producing values, either through products or services, whether in self-employment or in labour relationship, had been included in the sampling. Not all children who are working are economically active (work in the household, for example). In December 2008, SIMPOC (the statistical bureau of the ILO) agreed to go beyond economic activities and to include children in non-productive activities as well. Henceforth, household chores could also be counted as child labour as long as the work is considered hazardous. The qualifications as to what constitutes child labour are of a general nature and are difficult to translate into exact measurable figures. In short, although the general principles underlying international and national regulation are unambiguous, the concrete application is full of loopholes. Child labourers, it is agreed, are those entering the labour market under hazardous conditions or for long hours, or who work at home for too long and at too early an age. But then, how many hours should one work every day, and under which circumstances, to qualify as hazardous and harmful to the child and therefore as child labour. And child labourers are also those who are involved in household work beyond a certain threshold without producing goods and services that can be added to the national accounting statistics.

In 1973, the ILO adopted Convention 138, which set the minimum age of employment at 15 or, in the case of developing countries with an insufficiently developed educational and economic system, at 14. Children, from the age of 13 onwards (age 12 in developing countries) are permitted to engage in light forms of work during a couple of hours per day.

However, despite widespread ratification and international attention, the effective abolition of all child labour proved to be a difficult task. Two major considerations became apparent after the ratification of Convention 138. First, research illustrated the massive extent of the child labour problem, which led to an understanding that not all forms of child labour could be done away with instantaneously and that the most intolerable cases should be dealt with on a priority basis. Second, there was a growing understanding that not all forms of child labour are equally harmful. As stated in the 1997 UNICEF report *The State of the World’s Children*, child

labour appears in many forms and not all labour is equally destructive or exploitative. The work takes place along a continuum. At one end of the continuum, the work is palpably destructive or exploitative:

But to treat all work by children as equally unacceptable is to confuse and trivialize the issue and to make it more difficult to end abuses. This is why it is important to distinguish between beneficial and intolerable work and to recognize that much child labour falls in the grey area between these two extremes. (UNICEF 1997)

This realisation resulted in the decision by the ILO in 1999 to concentrate on the worst forms of child labour, while continuing to pursue the wider goal of reducing child labour in all its forms and adhering to the age limits. Convention 182 explicitly calls for immediate and effective measures to secure the prohibition and elimination of these worst forms. Each state is obliged to discuss, at a tripartite level – government, trade unions and employers – which employment/industrial sectors should be placed on their ‘worst forms’ list, and below which age work by children in that sector should be prohibited. Not all states have as yet fulfilled this obligation.

Worst Forms of Child Labour in Latin America

The magnitude of child labour has always been a matter of debate (Lieten 2001, 2005). Children working within the SNA production boundary for at least 1 h a day are referred to as children in employment, but they are not necessarily child labourers. It therefore has not been unproblematic to provide an accurate picture of the extent of child labour. The figures that are presently provided by the International Labour Organisation and the World Bank, thanks to the introduction of new sampling methodologies in stand-alone surveys, are becoming more accurate, but are susceptible to errors. One problem relates to the invisibility of many of the child labour activities, particularly where legislation exists that bans such labour. It is difficult to access the places of work; survey instruments often falter because the information is collected by proxy and by field staff not properly trained; and the determination of the actual age of children is fraught with difficulties. Rapid Assessment surveys are cost-effective, but tend to miss the reality in the field, for which a more intensive stay would be required.

As Boyden, Ling and Myers have argued, much research is conducted as a one-off event, providing what is often a fairly static picture of children’s working lives and school participation:

Many of the impacts of work are manifested only in the longer term and cannot be captured in a single-stage investigation. Longitudinal research, then, is much more likely to provide an accurate picture of the range, schedules and intensity of work in different seasons or different phases of childhood ... In practice, research into issues like child exploitation is often anecdotal and of no statistical validity. (Boyden et al. 1998:162)

A further problem with the collection of reliable information is even more serious. It relates to the very definition of what child labour is. Whereas child labour is a

concept that actually covers a miscellaneous category of children, the aggregated statistics erroneously suggest a homogeneous category of working children. A problem, as we have seen, also relates to the usage of SNA for delineating child labour. Richard Anker has referred to this problem as the mixed fruit bowl (2000). Recording one figure for the complex category of child labour, and analysing trends, equates putting apples and oranges in one basket; it includes children who do or do not go to school and may do light work in and around the household (e.g. on the family farm), as well as children who are at work most of the day and most of the year and who are impaired in their normal development as a child. The broad categories have a different rationale, a different impact and demand different solutions. The latter group has been referred to as the worst forms of child labour. In the latest aggregate reports and studies, the differentiation between these different forms of child labour is more and more being taken into account.

In the latest ILO global reports: *The End of Child Labour Within Reach* (2006a) and *Accelerating Action Against Child Labour* (ILO 2010), the ILO is quite positive about the reduction in magnitude of child labour, and especially the worst forms: ‘The global picture that emerges is thus highly encouraging: Child work is declining, and the more harmful the work and the more vulnerable the children involved, the faster the decline’ (ILO 2006c). ‘Given these developments, we are optimistic enough to set the goal of ending the worst forms of child labour by 2016’ (ILO 2010:IX). This positive trend is even more so the case in the Latin American context, where the decline has been the fastest: from 17.4 million economically active children in 2000 to 10 million children working in 2008. Its share in the world child employment declined from 13.7% to 10.5%. This decline puts Latin America on par with some developed and transitional economies. It is well ahead of Asia, the Pacific and Sub-Saharan Africa.

The data in Table 1.1 refer to all children in any economic activity. The size of the child labour problem, however, is distinctly smaller. Economic activity covers all market production, paid or unpaid, and production of goods for own use, i.e. all activities that are included in the SNA. Any child who has been working for 1 h/week is considered to be economically active, but not all this work is equivalent to ‘child labour’. A conceptual line needs to be drawn between acceptable forms

Table 1.1 Global trends in children’s economic activity by region, 2000 and 2008 (5–14 age group) (From ILO 2006c, 2010)

Region	Child population (million)		Economically active children (million)		Activity rate (%)	
	2000	2008	2000	2008	2000	2008
Asia and the Pacific	655	652	127.3	96.4	19.4	14.8
Latin America and the Caribbean	108	111	17.4	10.0	16.1	9.0
Sub-Saharan Africa	167	205	48.0	58.2	28.8	28.4
Other regions	269	249	18.3	10.7	6.8	4.3
World	1,199	1,217	211.0	176.4	17.6	14.5