

Child Labor A Violation of Human Rights

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Child labor has been recognized in the Philippines as one and, most disturbingly, one of the most rampant problems we face. In an effort to create an awareness of an already existing law that is evidently not properly implemented, child labor clearly falls within this category. Every child has the right to the most basic of necessities in life like a healthy environment, formal education, and most importantly, a loving family to come home to. Yet, poverty hinders the child to any of these things and forces labor in farming fields, mining shafts and peddling in the busy and dangerous streets of the country. Child labor refers to the illegal employment of children below 18 years old in hazardous occupations. Underage children are being forced to manual labor to help their families mainly due to poverty. About 2.06 million children all around the Philippines are compelled to do labor, such as in crop plantations, mining caves, rock quarries and factories.

The prevalence of child labour is a slap on our society. It harms not only the present generation but also the posterity. The origin of the problem of child labour can be traced to some complex social vices illiteracy, poverty, inequality, failure of social welfare schemes, population explosion, etc. The root cause lies in the economic insecurity of families that results from job loss, natural calamities and sickness of parents in poor families that are often in debt and have no savings. Children of the poor have become an expendable commodity. The children either supplement their poor parents' income or are the only wage earners in the family. Discrimination based on gender, race or religion is also responsible for the problem of child labour. Domestic employers often compel poor children to work for minimal wages. Also, work is relatively easy to get in households. Thus, the household sector employs the largest number of children labourers. Sometimes, child labour is deliberately facilitated by vested interests to get cheap labour. Employers justify this with the logic that it saves children from starvation and prevent them from being sucked into the world of crime. The "nimble finger theory" holds that children are better producers of certain products such as knotted carpets and other such kinds of goods. Hence, poor children are hired, exploited and made to work and produce such types of goods. Child labor has many ill effects in children who are supposed to be in the environment of a classroom rather than roaming the streets and risking every chance, time and time again, to earn enough money. Although most do get the privilege of education, most end up being dropouts and repeaters because they are not able to focus on their studies. Because of child labor, children suffer from malnutrition, hampered growth and improper biological development. Children constitute part of the labor force in virtually every country. An estimated 246 million people between the ages of 5 and 17 work in the agricultural, industrial, and craft sectors worldwide. Approximately 180 million of these children work under the worst forms of child labor as defined by the International Labor Organization (2002). In spite of conventions and protocols designed to eradicate the worst forms of child labor, international human rights violations concerning children in the workplace persist.

The ILO has estimated that some 165 million children between the ages of 5 and 14 are involved in child labour. Many of these children work long hours, often in dangerous conditions. Child labour is closely associated with poverty. Many poor families are unable to afford school fees or other school costs. The family may depend on the contribution that a working child makes to the household's income, and place more importance on that than on education. And when a family has to make a choice between sending either a boy or girl to school, it is often the girl who loses out.

The Conventions of the ILO, the 1926 and 1956 Slavery Conventions, and the UN Convention on the Rights of the Child are the major tools used for regulation of child labour. The other potent instruments used for the eradication or regulation of child labour are: Article 32 of the UN Convention on the Rights of the Child (1989), which holds, "State parties recognize 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."

For years after Convention 138 was adopted, scholars and activists debated its effectiveness to progressively eliminate child labor and began working toward a more effective solution. Eventually, the ILO adopted a new convention. ILO Convention 182 on the Worst Forms of Child Labor, unanimously adopted by ILO member countries in June 1999, was aimed at the immediate elimination of intolerable forms of child labor (ILO 1999). Convention 182 has focused the attention of the ILO, various national governments, and civil society organizations' resources on working toward eliminating child labor.

The United Nations also adopted the Convention on the Rights of the Child (CRC) in 1989. The CRC is the most widely ratified convention in the history of the United Nations. Two specific protocols related to the CRC that deal with the worst forms of child labor were also adopted one dealing with prostitution and pornography and the other addressing the issue of children in armed combat situations (United Nations 1989).

There are a handful of the international human rights instruments that are relevant to child labor. Articles 23 and 26 of the United Nations Universal Declaration of Human Rights seek to guarantee "just and favorable conditions of work" and the "right to education," both of which are violated constantly and globally through the exercise of the worst forms of child labor (United Nations 1948).

Despite the widespread adoption of these international conventions, declarations, and protocols, child labor continues in our global society. Given the nexus between international human rights and the worst forms of child labor, students need to know and understand the international laws and conventions that protect them and other students around the world from unfair, harmful, and cruel child labor practices. As citizens of the twenty first century, students should be prepared to recognize and evaluate the conditions and situations under which approximately 180 million of their peers work and live each day. The ultimate goal of such learning experiences is for students to become motivated to act on behalf of all the children of the world in abolishing the violations of human rights found in the damaging and harmful practices associated with child labor. Failure to abolish child labor in general, in particular its

"worst forms," has led to the suggestion that the issue of child labor is not simply an issue of worker rights or child rights, but an issue of basic human rights which apply to all human beings. The policymakers as also the ordinary citizens must understand that the future of children would not be secured unless their rights are clearly identified, redefined and restored. Seen from this perspective, it becomes a mandatory duty of all governments across the world to take all possible steps to put an end to the problem of child labour once and for all. Today's children will constitute the backbone of tomorrow's society. Hence, it is the obligation of every generation to bring up children, who will be citizens of tomorrow, in a proper way.