

Child Labour Report 2017



# The Neglected Link

Effects of Climate Change and  
Environmental Degradation on Child Labour

**Terre des Hommes**  
International Federation

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Federation run 1.046 development and humanitarian aid  
projects in 69 countries (2015).

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# Preface

Dear Reader,

There are no ready-made solutions to end child labour as decades of painstaking efforts to achieve this aim have shown. Child labour is such a complex and multifaceted phenomenon that it can be difficult to establish clear-cut relations between causes and effects. Nonetheless, decision-makers have a duty to address the problem. In such a context, it often makes sense to concentrate on the conditions that have an immediate impact on children's lives. The flipside of this approach is that more indirect factors or underlying determinants of child labour risk to be left out of consideration. The Child Labour Report 2017 argues that without a comprehensive and contextualised understanding of child labour, without a close view to newly emerging dynamics and phenomena, policies and programmes aimed at the abolition of its worst forms risk falling short of achieving their objectives.

The study links child labour to environmental conditions, both as root causes of child labour or exacerbating factors of existing root causes and as a background to children's working "environment". While many families, especially in rural areas, depend on the environment to earn a living, prevention and protection mechanisms in relation to child labour do not always consider the effect of environmental degradation on parents' decision to send their children to work or to migrate in search of work. Furthermore, the exploitative nature of e.g. resource extraction or certain agricultural practices is strongly mirrored in the hazardous conditions under which children are forced to work in these sectors. On the other hand, findings suggest that engagement in certain types of work like recycling, if managed properly, can also have positive outcomes for both the children involved and the environment.

The topic for our 2017 child labour report is purposefully chosen. The relationship between children's rights and the environment is an emerging issue in the international debate on children's rights. The last few decades have seen a steep rise in environmental awareness, but protection of the environment with a view to guaranteeing the human rights of affected communities becomes even more challenging, while effects of climate change affect more and more regions. By shedding light on the two areas of concern – child labour and the environment – Terre des Hommes hopes to inspire debate on the structural but often unnoticed factors that undermine the realization of children's rights. Environmental degradation is likely to increase over the next decades, improving our understanding of its adverse effects on children's rights, including in the area of child labour, deserves more attention. While doing research for this study, we stumbled over the scarcity of available data and the small amount of research carried out on the issue. The form of the 2017 child labour report responds to this difficulty by taking a qualitative and illustrative approach. We have included case studies from five countries to highlight the various dimensions that characterise the link between child labour and the environment. These are embedded in a wider analysis of environmental drivers and their impact on child labour, including an exploration of States' and other actors' duties in the area as well as good practices of prevention and protection. We should understand the substantial gaps in our current understanding of the relationship between child labour and the environment as an encouragement to do further research and raise more awareness in this area.

Terre des Hommes would like to thank all children who shared their experiences and expressed their views and hopes with us in interviews during this study. We thank our partner organisations for providing information on the different cases. Without their work, it would have been impossible to compile this report.

Ignacio Packer

Secretary General  
Terre des Hommes



Jörg Angerstein

Spokesman of the Executive Board  
terre des hommes Germany



# 1. At a Glance

“We are the first generation to be able to end poverty, and the last generation that can take steps to avoid the worst impacts of climate change.”

Ban Ki-moon

Former Secretary-General of the United Nations

Over half a billion children are living in areas with extremely high levels of floods and nearly 160 million children live in areas of high or extremely high droughts.<sup>1</sup> The World Health Organisation (WHO) estimates that 26% of the annual 6.6 million deaths of children under-five are linked to environment-related causes and conditions.<sup>2</sup> Children are also disproportionately affected by pollution, not only in terms of death rates, but also in terms of cognitive and physical development.<sup>3</sup> This report illustrates that **environmental causes also have an impact on whether children are pushed to work and on the kind of work they engage in**, the conditions of work, exposure to dangerous toxicants and the risk of exploitation. However, the report raises more questions than it answers as it is one of the first reports addressing the question, how environmental degradation and climate change affect the vulnerability of children towards exploitation. Data on child labour is available, though by far not sufficient to understand all relevant root causes and dynamics. Only some data on effects of climate change and environmental degradation is available, mainly on health issues. **Further research and awareness** of the relationship between environmental changes and child labour are thus **necessary** to avoid that the respective policies and programmes fall short of achieving their objectives.

- The **Convention on the Rights of the Child (CRC) remains largely absent from climate- and environmental related policies, action, investments and dialogue**. This is even more noticeable when it comes to specific issues, such as child labour. Children should be placed at the centre of inter-

national and national climate strategies and the best interests of the child should be the primary consideration when designing, implementing and monitoring environmental and labour policies and developing mitigation and adaptation strategies.

- The five case studies in Nepal, India, Burkina Faso, Peru and Nicaragua show that **environmental changes acted as root causes or exacerbated existing root causes** pushing children to work, worsen their conditions of work, migrate or even engage in more hazardous forms of work. However, not all environmental changes had the same impact on child labour:
  - The case of **Burkina Faso** shows that climate change in the Sahel region leads to **unpredictable weather patterns and soil depletion, which forces families to seek alternative sources of income**. A combination of poor livelihood conditions, low quality education and lack of decent work opportunities for young people and adults as well as the recent gold rush have caused children to work under dangerous and harmful conditions in the gold mines.
  - The example of **India** shows that **especially migrant children are increasingly trapped in hazardous forms of labour** because their **families flee from environmental stress** in their home districts in the state of Odhisa. Due to climate change, the duration of this seasonal migration has extended from three to six months, which denies the children access to quality education. Moreover, the example shows that this group of migrants is hardly reached by development and government programmes. They are left behind although the area generally shows a positive development with a decrease of child labour.
  - The case study on **Nepal** illustrates how **slow onset events** such as changing rainfall patterns **threaten those who depend on the agricultural sector forcing children to look for sources of income** to assist their families. Extreme shocks such as the 2015 earthquake deteriorate existing patterns of exploitation dramatically. Seasonal migration is an adaptation strategy for many families as it reduces reliance on agriculture livelihoods.

1 UNICEF, Unless we act now: The impact of climate change on children, 2015

2 Prüss-Üstün, A., Wolf, J., Corvalán, C., Bos, R., Neira, M., Preventing disease through healthy environments. A global assessment of the burden of disease from environmental risks, Geneva: WHO, 2016

3 Sunyer J., Esnaola M., Alvarez-Pedrerol M., Forn J., Rivas I., López-Vicente M., et al., Association between Traffic-Related Air Pollution in Schools and Cognitive Development in Primary School Children: A Prospective Cohort Study, 2015



The brick kilns draw families for seasonal work and child labour is often needed to pay off loans.

- In contrast to the other case studies in this report, the case of **Nicaragua** shows how **environmental degradation leads to new forms of work** for adults and children alike. As agricultural productivity falls due to climate change and the frequency of extreme weather events, families start migrating, either seasonally or permanently, to urban areas in search of food safety and employment. The huge **dumpsites** form one **lucrative income opportunity**, as this type of work is easy to access. At the same time, **waste pickers form part of the solution** and see their work as a contribution to a more clean and healthy environment.
- **Peru** is an example that illustrates the **effects of climate change on the agricultural sector**. Local subsistence farmers are not equipped to react to the climate change induced income losses and turn to coping mechanisms such as **migration to urban areas and sending their children to work**, e.g. in brick kilns, to ensure the family's survival.
- **Rural areas** where families' livelihoods depend on the land **are heavily impacted by environmental degradation and climate change**. Due to droughts, extreme temperatures and other environmental changes, poverty increases and puts even more pressure on families to send their children to work, as adult breadwinners are unable to earn enough to cover their basic needs.
- When attempts to cope with environmental degradation, including harm from climate change and ecosystem changes, are insufficient or inappropriate, families often resort to **migration in search of alternative sources of income**. Although children may migrate alone, environmental migration often takes place with the immediate or extended family. Rural to urban migration is the most common form, and depending on the type of environmental factor, which pushes children to migrate, they may be seasonal or permanent migrants. Rural to urban migration puts more pressure on cities and urban areas, fuelling the vicious cycle again.
- **Migration**, be it permanent or seasonal, has been identified as a **key factor in stopping children from attending school**. In certain cases, the lack of, or inadequate, school facilities for migrant children, meant that children discontinued school. While in other cases, parents did not see the value of schooling, when they could not cover their basic needs. Another issue facing migrants, especially seasonal ones, was the fact that they were not registered with local authorities and were therefore not entitled to access public services such as health and education. In certain case studies, children combined work and education. However, for most of the children, limited educational opportunities or the inability to combine education and work led to school dropout.

## 2. Child Labour and the Environment

Having worked to improve working conditions for children in light work and to eradicate the worst forms of child labour for decades, Terre des Hommes has noted that environmental factors, whether they are due to natural disasters, climate change, the depletion of natural resources, pollution, dumping toxic waste, invasion of various diseases or destroying ecosystems are becoming more prominent root causes of child labour. As communities develop strategies to deal with changes in the environment, children may begin to work, increase or change the kind of work they engage in, or even engage in some of the worst forms of child labour.

While children are referred to in international environmental agreements, such as the Paris Agreement on Climate Change,<sup>4</sup> the specific impact on children, including with regards to child labour, is rarely analysed in depth and the relationship between environmental changes and child labour remains largely unexplored. At the same time, environmental degradation and climate change are often overlooked in child protection policies and initiatives, including those related to child labour.

### What is environmental degradation?

There is no internationally accepted definition of “environmental degradation”. However, the terminology in this report is based on the following understanding that derives from Schroeder (2011): “All human activities have an impact on the environment. [...] Taken together, environmental degradation generally stems from one of two main causes:

- Use of resources at unsustainable levels,
- Contamination of the environment through pollution and waste at levels beyond the capacity of the environment to absorb them or render them harmless.”<sup>1</sup>

Following this definition, environmental degradation implies a certain kind of influence on the environment by human activity.

1 Schroeder, Christopher H., *Defining the Environment and Its Characteristics*, in: Shelton, Dinah L./ Anton, Donald K., *Environmental Protection and Human Rights*, Cambridge University Press, 2011

### The impact of environmental factors on children's lives

In a ten year review of disasters, the United Nations Office for Disaster Risk Reduction found that 87% of disasters were climate-related. Not only did they contribute to over 700'000 deaths, but they affected 1.7 billion people (included over 155 million displaced since 2008) and led to USD 1.4 trillion in economic losses.<sup>5</sup> Developing countries bore the brunt of most of these disasters, leaving populations living in already precarious conditions to become even more vulnerable. This had an impact on many aspects of children's lives, as they try to cope with the aftermath. Irrespective of disasters, the WHO estimates that 26% of the annual 6.6 million deaths of children under-five are linked to environment-related causes and conditions.<sup>6</sup> Children are also disproportionately affected by pollution, not only in terms of death rates, but also in terms of cognitive and physical development.<sup>7</sup>

According to UNICEF, over half a billion children are living in areas with extremely high levels of floods and nearly 160 million live in areas of high or extremely high droughts.<sup>8</sup> Children are also living in areas with considerable deforestation or soil depletion. These changes affect the living conditions of communities, increase poverty levels and escalate the risk of unsafe migration. Children from rural areas are more vulnerable to environmental stress and shocks than urban children, and poorer households tend to respond by disrupting children's schooling and sending them to work.<sup>9</sup>

4 Paris Agreement, adopted 12 December 2015, entry into force 4 November 2016, 144 States parties as of 30 April 2017


5 United Nations Office for Disaster Risk Reduction, *Ten-year review finds 87% of disasters climate-related*, 2015

6 Prüss-Üstün, A., Wolf, J., Corvalán, C., Bos, R., Neira, M., *Preventing disease through healthy environments. A global assessment of the burden of disease from environmental risks*, Geneva: WHO, 2016

7 Sunyer J., Esnaola M., Alvarez-Pedrerol M., Fornes J., Rivas I., López-Vicente M., et al., *Association between Traffic-Related Air Pollution in Schools and Cognitive Development in Primary School Children: A Prospective Cohort Study*, 2015

8 UNICEF, *Unless we act now: The impact of climate change on children*, 2015

9 Chuta, Nardos, *Children's Agency in Responding to Shocks and Adverse Events in Ethiopia*, Young Lives Working Paper 128, 2014

A large fire is burning in a forest, with thick, dark smoke rising into the sky. The fire is visible as bright orange and red flames amidst the trees. In the foreground, there is a dense forest of green trees, and a small wooden house with a thatched roof is visible. The overall scene depicts a significant environmental disaster.

Deforestation: damage for residents and environment



Child labour in Zambia:  
copper mining causes damage  
to environment and health

### Experience from the field: A multi-dimensional relationship between child labour and the environment

Terre des Hommes has noticed in its project work that environmental degradation and climate change can not only have an impact on children's lives in general, but also on whether children are pushed to work as well as the kind of work they engage in, the conditions of work, the exposure to dangerous toxicants and the risk of exploitation. The relationship between child labour and the environment seems to be multi-dimensional. In certain sectors, such as agriculture, mining and brick-making, children's lives are intrinsically linked to the environment. The raw materials they work with come from the environment (e.g. soil, crops and minerals) or depend on the environment (e.g. climate). The work they carry out can be detrimental to children themselves and the environment. For instance, through the exposure to dangerous toxicants, such as pesticides in agriculture, mercury in gold mining or toxic waste and smoke in dumpsites. Children working in other sectors, such as manufacturing, selling or even domestic work, are also affected by, or having an effect on, the environment. For instance, they might have to work or have migrated as a result of environmental degradation. Meanwhile, certain types of work, such as recycling, can be beneficial to the environment, and if well managed, to communities and the children themselves.

### Understanding the relationship between child labour and the environment – a neglected link

Understanding the relationship between child labour and the environment is in its infancy. The International Labour Organisation (ILO) examined the issue of economic vulnerability, social protection and the fight against child labour and remarked that economic vulnerability associated with poverty, risk and shocks, such as drought, flood and crop failure, can lead to child labour.<sup>10</sup> Meanwhile, UNICEF noted that children become more susceptible to child labour following floods, droughts, severe weather and extreme heat events.<sup>11</sup>

The broader relationship between the environment and children's rights, including those related to child labour, is gaining traction. In 2016, the UN Committee on the Rights of the Child (hereinafter: the Committee) organised an event, called a Day of General Discussion, to discuss the nexus between the two based on a proposal submitted by Terre des Hommes.<sup>12</sup> Meanwhile, UN human rights experts with mandates related to the environment have examined the link with children's rights, including child labour. For instance, in his report to the Human Rights Council (HRC) on the rights of the child and hazardous substances and wastes, the Special Rapporteur on Toxic Waste referred to child labour.<sup>13</sup> He recommended that States "eliminate work by children where they are exposed to toxics", ensure "safer alternative employment", and monitor and ensure that affected children receive treatment and compensation. An analytical study on the relationship between climate change and the full and effective enjoyment of the rights of the child is under preparation by the Office of the High Commissioner for Human Rights,<sup>14</sup> and the Special Rapporteur on human rights and the environment is also preparing his next report on this relationship.

10 ILO, World Report on Child Labour, Economic vulnerability, social protection and the fight against child labour, 2013

11 UNICEF, Unless we act now: The impact of climate change on children, 2015

12 United Nations, Committee on the Rights of the Child, Concept Note, Day of General Discussion, Children's Rights and the Environment, 2016

13 Human Rights Council, Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes on the impacts of toxics and pollution on children's rights, and the obligations of States and responsibilities of businesses in preventing exposure by children to such substances, A/HRC/33/41, 2016

14 To be submitted to the Human Rights Council in June 2017.



### 3. Objectives and Methodology

Based on observations from the field, the objective of this report is to shed light on the link between the environment and different forms of child labour. Given that this intersection is only beginning to be explored by those working on environmental issues and children's rights, this report aims to identify some of the key issues and to trigger discussion and research on this topic. This exploratory analysis will focus on how environmental factors and child labour can be both a root cause and a consequence of each other and the complexity of their relationship.

Given the limited available data, the report focuses on individual cases of child labour in five countries which have high levels of child labour and face particular environmental issues (e.g. natural disasters, climatic changes, exposure to toxicants, depletion of resources), namely Burkina Faso, India, Nepal, Nicaragua and Peru. It illustrates how environmental degradation or climate change has had an impact on children's work, whether it is pushing them to work, changing the kind of work they engage in and/or their conditions of work.

The analysis is based on a desk review of UN agencies, non-governmental organisations (NGOs) and academic research; the documentation from the UN Committee on the Rights of the Child's Day of General Discussion on "Children's Rights and the Environment"; 6 project case studies from Terre des Hommes member organisations and implementing partners; 34 case studies of individual children and 13 interviews with Terre des Hommes national offices and partner organisations in the five countries as well as international experts. As this is the first study of its kind, data linking child labour and environmental degradation is for the most part qualitative.

This report illustrates environmental push and pull factors for child labour, highlights prevention and protection mechanisms, identifies initial trends and makes recommendations for concerned stakeholders.

#### Push and pull factors

"The push factor involves a force which acts to drive people away from a place and the pull factor is what draws them to a new location."<sup>1</sup>

**Push factors** include "poverty, economic shocks, social acceptance of child labour, insufficient educational opportunities and/or barriers to education, discrimination in access to schooling or certain jobs and lack of parental guidance."

While **pull factors** include "attraction of earning an income, unregulated enterprises in the informal economy, unprotected migrants seeking opportunities, family enterprises relying on children, work that is organised to only be performed by children and hiring practices."<sup>2</sup>

<sup>1</sup> Matt Rosenberg, Push-Pull Factors, 2017

<sup>2</sup> ILO and International Organisation of Employers, How to do business with respect for children's right to be free from child labour: ILO-IOE child labour guidance tool for business, Geneva, p. 17, 2015



Infant and mother  
in an Indian stone quarry

## 4. International Legal and Political Framework

### 4.1 Defining Different Forms of Child Work and Labour

While the understanding of the relationship between child labour and the environment is in its infancy, States' obligations to protect children from environmental harm, including from climate change, as well as from economic exploitation, are enshrined in international norms.<sup>15</sup>

Three international conventions frame child labour and provide the basis for child labour legislation, policies and programmes, namely the ILO Convention No. 138 concerning Minimum Age for Admission to Employment (1973), ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999) and the UN Convention on the Rights of the Child (1989).<sup>16</sup> Other relevant conventions include ILO Convention No. 189 concerning decent work for domestic workers (2011) and the International Covenant on Economic, Social and Cultural Rights (1966) which protects children and young persons from economic and social exploitation.

The international conventions most relevant to the environment include: the Rio conventions (1992), namely the UN Framework Convention on Climate Change, the UN Convention on Biological Diversity and the UN Convention to Combat Desertification, as well as the Paris Agreement, namely the new UN Framework Convention on Climate Change (2015).

15 Human Rights Council, Reports of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, Individual report on the United Nations Convention on the Rights of the Child (2013) and Human rights obligations relating to climate change, A/HRC/31/52, 2016

16 (1) ILO Convention No. 138 concerning Minimum Age for Admission to Employment, 58th ILC session, 26 June 1973; (2) ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 87th ILC session, 17 June 1999; (3) United Nations, Convention on the Rights of the Child, 20 November 1989, A/RES/44/25

#### Child work and labour – understanding and global prevalence

Terre des Hommes believes that the worst forms of child labour should be abolished and that no child below the age of 18 should be involved in hazardous and exploitative forms of child labour, as defined in ILO Convention 182. In the country case studies, the following terms are used to refer to work performed by children:<sup>1</sup>

**Child work:** The participation of children in any paid or unpaid economic activity, or activities to support families and caregivers, which are not detrimental to their health and mental and physical development, nor interfere with children's schooling. It is generally considered to do no harm or be even beneficial for children and their families.

**Child labour:** All kinds of labour which jeopardise a child's physical, mental, educational or social development and deprive them of their childhood. It includes work that is physically, mentally, socially and morally

harmful and dangerous and interferes with schooling (including depriving them from attending or forcing them to leave).

These two definitions vary between countries and sectors and often depend on the child's age, hours, type and conditions of work. Based on this understanding, the global number of children (5 to 17 year olds) in any form of child work or labour has dropped from 246 million (2000) to 168 million (2013), 85 million children continue to engage in hazardous labour. An estimated 58.6% work in agriculture, 25.4% in services (excluding domestic work), 6.9% in domestic work, 7.2% in industry (e.g. mining, construction and manufacturing) and 1.9% are not defined.<sup>2</sup> Most children work in the informal economy.

1 (1) Terre des Hommes, Position on Child Labour, 2016; (2) ILO Website, What is Child Labour

2 International Labour Organisation, Marking Progress against Child Labour, Global estimates and trends 2000–2012, 2013



Child labour in India

## 4.2 Key Provisions and Interpretations Relevant to Child Labour and the environment

### Conventions of the International Labour Organisation

ILO Convention No. 138 concerning Minimum Age for Admission to Employment prohibits economic activity by children below age 13 (12 in developing countries) and sets the minimum age for admission into employment at 15 (14 in developing countries). While ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour requires States parties to take immediate and effective measures to prohibit and eliminate the worst forms of child labour as a matter of urgency. The worst forms of child labour relevant for this study include “all forms of slavery”, such as debt bondage, serfdom and forced or compulsory labour and “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” A Roadmap for Achieving the Elimination of the Worst Forms of Child Labour<sup>17</sup> by 2016 was endorsed by the ILO in 2006, but was not achieved. A new pathway to follow up from the roadmap will be discussed at the IV

Global Conference on the Sustained Eradication of Child Labour (Argentina, November 2017).

### United Nations Convention on the Rights of the Child

Article 32(1) recognises “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.” The CRC is one of a few human rights treaties which explicitly mentions the environment by obliging States to take into consideration “the dangers and risks of environmental pollution”<sup>18</sup> when implementing the right to the highest attainable standard of health, including the provision of adequate nutritious foods and clean drinking water, and including “the development of respect for the natural environment”<sup>19</sup> in the aims of education.

17 Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016, Outcome Document, The Hague Global Child Labour Conference 2010

18 United Nations, Convention on the Rights of the Child, 20 November 1989, A/RES/44/25, Article 24 (2)

19 United Nations, Convention on the Rights of the Child, 20 November 1989, A/RES/44/25, Article 29 (1)



Mozambique: child labour on a garbage dump

Through the examination of State party reports on the measures States have taken to fulfil their obligations and the development of general comments, the Committee on the Rights of the Child has linked environmental concerns with other rights, many of which are associated with child labour.<sup>20</sup>

The Committee urges States parties to “take all necessary measures to abolish all forms of child labour, starting with the worst forms” and to “regulate the working environment and conditions for adolescents who are working” in accordance with international standards.<sup>21</sup> The Committee also recommends that States introduce measures to “address the factors driving adolescents to migrate and the vulnerabilities and rights violations faced by adolescents left behind when parents migrate” including child labour.<sup>22</sup> States should also ensure that working safeguards are in place to protect children from work that is hazardous or harms their health or physical, mental, spiritual, moral or social development. In addition, the Committee recommends the establishment of mechanisms to address violations linked to environmental harm caused by businesses.<sup>23</sup>

### Day of General Discussion on children's rights and the environment

In 2016, the Committee held a Day of General Discussion to promote understanding of the relationship between children's rights and the environment and to identify what needs to be done for child rights-related law, policy and practice to take adequate account of environmental issues and for environment-related law, policy and practice to be child sensitive.<sup>24</sup> It originates in a proposal submitted by Terre des Hommes who was then the United Nations' lead partner for organizing the event. It is expected that recommendations in the final report of that day will include a reference to the link between child labour and the environment.

### International Covenant on Economic, Social and Cultural Rights (ICESCR)

Article 10(3) of the Covenant protects children and young persons from economic and social exploitation: “Their employment in work is harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law.”<sup>25</sup> In addition, the Committee on Economic, Social and Cultural Rights emphasised the need to protect children

from “all forms of work that are likely to interfere with their development or physical or mental health”.<sup>26</sup>

### 2030 Agenda for Sustainable Development

The Agenda for Sustainable Development addresses both child labour and the environment and enjoys high political commitment. Amongst the most relevant Sustainable Development Goals (SDGs)<sup>27</sup>, Goal 1 to end poverty in all its forms everywhere; Goal 8 to promote sustained, inclusive and sustainable economic growth, full and productive employment, decent work for all as well as the elimination of the worst forms of child labour and ending “child labour in all its forms” by 2025; Goal 13 to take urgent action to combat climate change and its impacts and Goal 16 to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

20 United Nations Committee on the Rights of the Child, Outline, Day of General Discussion Children's Rights and the Environment, 2016, See also Help for Children in Distress: Protecting environmental child rights, Terre des Hommes, 2013

21 United Nations Committee on the Rights of the Child, General Comment No. 4, Adolescent health and development in the context of the Convention on the Rights of the Child, CRC/GC/2003/4, 2003, para. 18

22 United Nations Committee on the Rights of the Child, General Comment No. 20 on the implementation of the rights of the child during adolescence, CRC/C/GC/20, 2016, para. 77

23 United Nations Committee on the Rights of the Child, General Comment No. 16 on State obligations regarding the impact of the business sector on children's rights, CRC/C/GC/16, 2013, see paras. 4, 19 & 37

24 United Nations Committee on the Rights of the Child, Outline, Day of General Discussion, Children's Rights and the Environment, 2016

25 United Nations, International Covenant on Economic, Social and Cultural Rights, 16 December 1966, A/RES/21/2200

26 United Nations Committee on Economic, Social and Cultural Rights, General Comment No. 18, The Right to Work, 24 November 2005, E/C.12/GC/18

27 United Nations, Transforming our world: the 2030 Agenda for Sustainable Development, 21 October 2015, A/RES/70/1

## 5. Case Studies

To explore the link between child labour and the environment, including harm from climate change, five highly affected areas were studied. Each case illustrates the conditions of children who work in different environmental contexts and illustrates how environmental factors have had an impact on children's work, whether by pushing them to work, changing the kind of work they engage in and/or their conditions of work. All case studies aim to explore the so far neglected relationship between child labour and the environment and to encourage a global debate on this issue.

### 5.1 Artisanal and Small-Scale Gold Mines

#### Case Study on Burkina Faso

The case of Burkina Faso shows that climate change in the Sahel region leads to unpredictable weather patterns and soil depletion, which forces families to seek alternative sources of income. A combination of poor livelihood conditions, low quality education and lack of decent work opportunities for young people and adults as well as the recent gold rush have caused children to work in gold mines under dangerous and exploitative conditions.

28 International Programme on the Elimination of Child Labour (IPEC), *Children in Hazardous Work: What we know, what we need to know*, International Labour Organisation, 2011

29 Ministère de l'Action Sociale et de la Solidarité Nationale, *Etude sur le travail des enfants sur les sites d'orpaillage et les carrières artisanales dans cinq régions du Burkina Faso*, 2011, Sample size – 640 children on 32 sites in 5 districts

30 International Labour Organisation, *International Programme on the Elimination of Child Labour, Child Labour in Gold Mining: The problem*, 2006

31 International Monetary Fund, *Mining sector and considerations for a fiscal rule in Burkina Faso*, 2014

32 Berne Declaration, *A Golden Racket: The true source of Switzerland's « Togolese » gold*, 2015

#### Situation analysis

The ILO has identified artisanal and small scale mining as one of the worst forms of child labour due to the risk of death, injury and long term health problems resulting from heavy manual labour and exposure to dust, mercury and other heavy metals.<sup>28</sup> A 2011 study estimated that in five regions in Burkina Faso, 20,000 children were working in small-scale gold mines, forming 35.7% of the total workforce.<sup>29</sup> The ILO had previously estimated that 30–50% of the workforce in small-scale gold mines were children with 70% being under 15.<sup>30</sup> Burkina Faso is currently the fourth largest producer of gold in Africa and gold accounts for three-quarters of Burkina's exports.<sup>31</sup> Artisanal or small-scale gold mines spring up temporarily when a deposit is discovered and disappear once the reserve has been depleted. Excavation of wells for gold extraction also causes physical degradation to agricultural soils, which are subsequently unusable for long periods of time. It is a seasonal and informal activity generally located in remote, poor, rural areas. Extraction equipment and material are minimal, but require a large number of employees. Children move rapidly between sites depending on labour demands and the profitability of sites.<sup>32</sup>





Terre des Hommes is working in gold mines in five regions in Burkina Faso on the prevention of child labour, care of working children and social and vocational training of children and youth. The target group for their activities is 10,000 children at risk and 800 child victims between the ages of 10–18.

### Environmental stress

Burkina Faso ranks 60 out of 180 countries in the Global Climate Risk Index (2016)<sup>33</sup>, which analyses to what extent countries have been affected by the impacts of weather-related loss events (storms, floods, heat waves etc.). Generally, this index shows clearly that developing countries are hit hardest by severe climate events. Since the 1980's, droughts in the northern region of the Sahel have led to crop failures. In recent years, the Sahel region has been subject to important changes in rainfall patterns. These have become more erratic in terms of quantity, timing and geographic scope, leading to an increase in droughts, floods and crop failures due to soil erosion. Numerous experts have attributed these changes to global warming.<sup>34</sup> Harvests can no longer cover the food needs of the population and the

subsequent increase in poverty, forces families out of farming. This has led to distress migration where people, including children, leave their villages in search of alternative sources of income. Rather than being pulled by economic opportunities, families are being pushed out of their villages due to changing weather patterns and their inability to cope with these changes.<sup>35</sup>

One of these alternative sources of income is work in the gold mines. Discoveries of gold reserves and the 2003 revision of the Mining Code, which encouraged investors to develop mining sites and exempts artisanal miners from obtaining a mining title<sup>36</sup>, combined with

<sup>33</sup> Germanwatch, Global Climate Risk Index, 2016

<sup>34</sup> Refugees International, Sahel: Recurrent climate shocks propel migration; resilience efforts face challenges, 2013

<sup>35</sup> Ibid

<sup>36</sup> International Institute for Environment and Development (IIED), Mining, Minerals and Sustainable Development (MMSD), Small-Scale Mining in Burkina Faso, 2001



Washing under  
worst circumstances

record world gold prices in recent years, has led to a boom in the gold mining sector. Gold digging acts as a pull factor for child labour as it is seen as an alternative source of income and a potential way to earn money quickly. Children rush to new gold sites dreaming of a better future from the money to be made from gold.<sup>37</sup>

Children often see working in the mines as temporary, allowing them to earn enough money to pay for their schooling or move into more lucrative work that is less difficult.<sup>38</sup>

Children who drop out of school at the end of the primary cycle are often drawn to work in the mines, which does not require any professional qualifications. Despite the serious risks that they face, children work on the gold sites mostly due to lack of work (36.3%) or the hope of finding gold (36.3%).<sup>39</sup> The primary general reasons that children give for working in the mines are economic (64.5%), independence (45%) and helping their parents (34.5%).<sup>40</sup>

37 Songda, *Sanem toubou pa kamba tumd yé!*, 2015

38 Thorsen, Dorte, *Children Working in Mines and Quarries: Evidence from West and Central Africa*, 2012

39 Ministère de l'Action Sociale et de la Solidarité Nationale, *Etude sur le travail des enfants sur les sites d'orpaillage et les carrières artisanales dans cinq régions du Burkina Faso*, 2011

40 Terre des Hommes, *Profilage des enfants sure 12 sites d'orpaillage et carrier dans les zones de Ouagadougou, Dori et Zorgho*, 2014, Sample size – 1,369 children on 12 sites in 3 districts

41 Terre des Hommes, Burkina Faso, case study, 2017, Seno

**“I have come to work on this site due to the difficult living conditions of my parents so I work to support my needs and to help them. Once the rains come, I will return to my village to help my parents work in the fields.”** Boy aged 14 <sup>41</sup>





### Working conditions

Children working at gold sites crush stones, sieve dust and earth, and transport water. It is often seen that the youngest children (6–11) do the sorting, older children (12–15) do the washing, and the oldest (16–17) do the digging and go down into the holes<sup>42</sup>. Boys work more often underground, while girls are usually on the surface. Although the majority of children found the work in the mines to be difficult (55.5%), many found it to be suitable (39.7%). Only 4.5% consider the work to be dangerous with crushing, drilling and transporting of minerals considered to be the most dangerous activities. Nevertheless, 83.4% of children would prefer to stop working in the mines.<sup>43</sup> In addition, violence, abuse and prostitution is rampant on many mining sites while law and order are absent so that children, especially girls, are at risk to be exposed to all forms of abuse.<sup>44</sup> On the other hand, one child interviewed for this study noted:

“Please do not forbid me from working here as it would complicate my situation further. Here I manage to get by, although badly, but if you tell me to leave it will be the same as telling me to die as this is how I survive.” Girl aged 17<sup>45</sup>

This quote illustrates the highly complex situation of many working girls and boys. They feel trapped in their given situation, do not see any chance for getting access to education or improving their situation and are afraid of hunger and even more extreme poverty. It is of utmost importance to not only “rescue” these children from a dangerous and exploitative workplace, but provide them with a better and sustainable alternative. Survival of the children and their family must be ensured. Thus, offering alternative light forms of work combined with access to education is in many cases the most promising path followed by Terre des Hommes projects.

### Consequences

The conditions at the work sites are often hot and cramped with children being exposed to dust and toxic gases, which can cause serious respiratory conditions. Children risk death from explosions, rock falls and tunnel collapses and there is a high risk of falling down open shafts or into pits.<sup>46</sup> Mercury, which is highly toxic, is often used to extract gold in Burkina Faso. It is estimated that small-scale miners use 35 tons of mercury each year.<sup>47</sup> Children are not provided with protective clothing such as helmets, goggles, or gloves and receive no instruction on the proper handling of mercury, which can be inhaled through vapour or absorbed through the skin. The mercury may also seep into the soil and water supply contaminating food and drinking water.

<sup>42</sup> Ministère de l'Action Sociale et de la Solidarité Nationale, Etude sur le travail des enfants sur les sites d'orpaillage et les carrières artisanales dans cinq régions du Burkina Faso, 2011

<sup>43</sup> Ibid

<sup>44</sup> Thorsen, Dorte, Children Working in Mines and Quarries: Evidence from West and Central Africa, 2012, p. 8

<sup>45</sup> Terre des Hommes, Burkina Faso, case study, Dori, 2017

<sup>46</sup> Terre des Hommes, Profilage des enfants sur 12 sites d'orpaillage et carrières dans les zones de Ouagadougou, Dori et Zorgho, 2014

<sup>47</sup> United Nations Industrial Development Organization, UNIDO to help Burkina Faso work towards elimination of mercury use in the artisanal and small-scale gold mining sector, 6 March 2017

“After we remove the earth, we search for gold with mercury and often cyanide which are then returned to nature without special precautions. This pollutes the air and contaminates the water table.” Boy, aged 17<sup>48</sup>

Prolonged exposure to mercury by children is toxic to the central nervous, immune, and digestive systems, lungs, skin and eyes. Exposure to mercury in early childhood can lead to lifelong consequences such as impairments in cognitive thinking, memory, attention, language, and fine motor and visual spatial skills.<sup>49</sup> Most of the children working in the mines (83 %) were not currently attending school. On the sites surveyed, more than half (52.3 %) of the children have never attended school and an additional 30.7 % dropped out to work in the mines.<sup>50</sup> Children who leave school to work in the mines have little chance of returning.<sup>51</sup>

### Prevention and protection mechanisms

Burkina Faso has ratified ILO Conventions 138 and 182. The minimum working age is set at 16 in the Labour Code (2008); 18 for hazardous work. Under a 2016 Decree, children under 18 are explicitly forbidden from

certain hazardous work in mining such as working underground, extracting minerals, cutting, grinding or polishing stones, crushing, moulding or washing minerals, transporting minerals to the surface, pouring metals and any use of mercury.<sup>52</sup> Lack of monitoring and penalties has made implementation of this decree largely insufficient. The Minamata Convention, which aims to protect human health and the environment from the adverse effects of mercury, has been signed, but not ratified by Burkina Faso.

As child labour at mining sites is considered both within Burkina Faso and internationally as one of the worst forms of child labour, the aim is to remove the child from the work site and propose schooling, vocational training, literacy classes or an alternative type of work. With technical assistance from Terre des Hommes, a code of conduct to fight the worst forms of child labour was developed for stakeholders at the gold mines. It reinforces legislative texts by forbidding the worst forms of child labour and prohibiting the use of chemicals such as mercury and acids. The Code also forbids access to the galleries in underground mines and requires the use of protective gear, such as masks and goggles. Breaches of the Code are to be reported to the person responsible for site, a labour instructor, the police or, if exists, a monitoring committee.<sup>53</sup> Though these compliance mechanisms may work in informal settings, they do not reach out to illegal businesses, such as illegal mines. Mechanisms, based on the UN Guiding Principles for Business and Human Rights, have been established with regards to supply chain due diligence in terms of human rights and the environment. For example, the Responsible Jewellery Council (RJC) has developed a Standard, which defines responsible ethical, human rights, social and environmental practices in the jewellery supply chain.

### Fairtrade Gold

The Fairtrade Standard for Gold and Associated Precious Metals for Artisanal and Small-Scale Mining aims to improve working conditions for artisanal and small-scale miners including improved environmental management (such as mitigating the use of mercury) and the elimination of child labour in mining communities.<sup>1</sup> The Standard prohibits the employment of children below the age of 15 or under the age defined by local law as per ILO 138 and the worst forms of child labour as defined by ILO 182. The Fairtrade Gold has not yet been launched in Burkina Faso

1 Fairtrade Standard for Gold and Associated Precious Metals for Artisanal and Small-Scale Mining, 2013

48 Terre des Hommes, Burkina Faso, case study, Piltem, 2017

49 World Health Organization, Inheriting a sustainable world?: Atlas on children's health and the environment, 2017

50 Terre des Hommes, Profilage des enfants sure 12 sites d'or-paillage et carrier dans les zones de Ouagadougou, Dori et Zorgho, 2014

51 Songda, Sanem toubou pa kamba tumd yé!, 2015

52 Décret No 2016-504 portant détermination de la liste des travaux dangereux interdits aux enfants, Burkina Faso, 2016

53 Code de conduite des acteurs des sites aurifères de la région du Sahel en matière de lutte contre les pires formes de travail des enfants

## 5.2 Seasonal Migration to Work in Construction

### Case Study on India

The example of India shows that especially migrant children are increasingly trapped in hazardous forms of labour because their families flee from environmental stress in their home districts in the state of Odhisa. Due to climate change, the duration of this seasonal migration has extended from three to six months, which denies the children access to quality education. Moreover, the example shows that this group of migrants is hardly reached by development and government programmes. They are left behind although the area generally shows a positive development with a decrease of child labour.

#### Situation analysis

The Krishna District is one of the most developed districts in Andhra Pradesh in the southeast of India. It has fertile soil, rich agriculture, marine resources and mineral wealth (limestone, iron ore, quartz, sand), a good road network that includes major highways and is an important railway junction. The District also has a large number of stone quarries, brick kilns, coal mining units and cement factories, which employ unskilled labourers. Although decreasing, child labour remains prevalent in the area. The 2011 census showed that Andhra Pradesh had approximately 405,000 working children between the ages of 5–14, a sharp decrease from 2001 when 1.3 million children were working. In Odisha, 92,000 children were working in 2011 compared to 378,000 children in 2001.<sup>54</sup> The decline in child labour has been attributed to numerous legislative, political, institutional and programmatic interventions, which aim to prevent child labour.<sup>55</sup>

This case study is based on information provided by Navajeevan Bala Bhavan Society which works with 120 children ages 12–18 in three migrant/labour camps in the Krishna District.

#### Environmental stress

India is among the countries that have been most affected by extreme weather events in 2015, it follows Mozambique, Dominica as well as Malawi on rank 4. Heavy floods due to unseasonal rainfall and one of the deadliest heatwaves in world history marked the year 2015.<sup>56</sup> The state of Odisha has been historically prone to natural disasters and climate change, such as heat waves, cyclones, droughts and floods. These have been increasing in frequency and have spread to areas never before considered vulnerable. In addition, the average daily temperatures have been rising and weather conditions have become more erratic. Deviations in rainfall patterns, increases in the sea level, massive deforestation and soil erosion have led to a depletion of the fresh water supply. Climate change has led to crop failure, a decrease in grazing land, a decline in income and employment opportunities, escalation of food prices, hunger and malnutrition.<sup>57</sup> This, combined with limited alternative sources of income, has pushed families with small land holdings or working as daily wage labourers to migrate to more urban areas, such as Andhra Pradesh, in search of better livelihood opportunities.<sup>58</sup>

The drought has created distress migration, used as a strategy to deal with food insecurity and fewer options for diversifying from agriculture. There has been an increase in the number of people migrating due to the drought. This migration has generally been seasonal but now increased from three to six months. There has also been an increasing trend of landless families migrating permanently due to the uncertainty of climatic conditions and lack of safety nets.<sup>59</sup> Government figures, which only include those who are registered, show that

54 Government of India Ministry of Labour & Employment, Census Data on Child Labour, 2001/ 2011

55 International Labour Organisation, International Programme on the Elimination of Child Labour (IPEC), The Impact of Mahatma Gandhi National Rural Employment Guarantee Scheme on Child Labour, 2013

56 Germanwatch, Global Climate Risk Index, 2016

57 Sangram Kishor Patel, Climate Change and Climate-Induced Disasters in Odisha, Eastern India: Impacts, Adaptation and Future Policy Implications, International Journal of Humanities and Social Science Invention, 2016

58 UNICEF, When Coping Crumbles: A rapid assessment of the impact of drought on children and women in India, 2016

59 Ibid



India: boys carrying motor to the top of stone crushing unit

146,000 seasonal migrant workers left Odisha for other states in 2015, compared to 87,000 in 2008.<sup>60</sup>

As the main employer of seasonal migrants, the rapidly growing construction industry, including brick making, cement factories or stone quarries, in districts such as Krishna acts as a pull factor. Families go where the work takes them with the objective to earn enough money to be able to live a better life in their home villages.<sup>61</sup> Children generally accompany their families from Odisha to Andhra Pradesh. Moving makes it difficult for children to attend school regularly although children of seasonal workers often attend school for several months when they return home. Parents also lack the willingness to send children to school as they feel that their children could work alongside them to alleviate the family's

poverty. Poor educational facilities not resulting in employment opportunities and the lack of school facilities, particularly for older children, also push children to discontinue their schooling. If access to schooling is difficult then girls are sent to work. If the family situation is impoverished, then boys as well give up their education to shoulder family responsibilities.

**Hari, aged 16, feels that if the government of Odisha had provided employment opportunities to his parents, he would not have had to drop out of school.<sup>62</sup>**

### Working conditions

Children often are employed in the wider field of construction, i.e. brick making, cement factories or stone quarries, as unskilled day wage labourers. In cement factories, there is a high level of pollution caused by dust and other air pollutants and the quarries generate sand dust that pollutes both the air and the water. Children often start working as helpers or apprentices, have few opportunities to build skills, and take 2–3 years before

60 The Times of India, Number of migrant labourers from Odisha rise three-fold in 10 years, 10 December 2016

61 Association for Stimulating Know-how (ASK), Study on Movement of Children in Construction and Domestic Work Sectors, 2016

62 Terre des Hommes, India, case study, not his real name, 2017

they move up a level. Their lack of skills makes children easily replaceable and they are frequently rotated across worksites. As children are not supposed to be working, they have little recourse or bargaining power.

### Consequences

Children working in hazardous industries such as construction including brick making, cement factories or stone quarries are subject to a high number of accidents due to carrying heavy loads, use of explosives and flying shards of rock. They are exposed to air pollution from cement particles, paint fumes and chemicals which can cause skin diseases and chronic respiratory infections. The high levels of pollution also cause health problems, such as respiratory issues and lung disease, for people living in the vicinity of the factories. Children between the ages of 12–17 who migrate with their families in search of better livelihood options often end up working.<sup>63</sup> In many cases, children who migrate with their families do not attend school as they have difficulties following lessons in a new language and have to attend classes at home and in the target area, following different curricula. There is no opportunity for higher education in the migrant camps and government schools are 7–10 km away. This is especially the case for girls as it is considered unsafe for them to travel long distances. There is also a feeling of social and cultural exclusion as they are faced with a different language, different food

and different festivals. Younger children who grew up in the new locality often do attend schools in the migrant camps until the 5<sup>th</sup> standard.

Children of seasonal migrants split their time between Odisha and Andhra Pradesh and often lose interest in their studies due to irregular school attendance. This failure to attend school leads to high rates of illiteracy and affects the self-esteem of children. In addition, migrant children are sometimes denied admission to government schools due to the lack of an identification (Adhaar) card. With an identity card, children would not be allowed to be employed and without it they are unable to access government services.<sup>64</sup>

**Jyoti, aged 15, studied up to the 2nd standard, but her schooling was discontinued due to migration. Her parents enrolled her in seasonal classes at the migrant camps but she stopped attending after a few months, as her family needed her financial support.<sup>65</sup>**

<sup>63</sup> UNICEF, When Coping Crumples: A rapid assessment of the impact of drought on children and women in India, 2016

<sup>64</sup> Association for Stimulating Know-how (ASK), Study on Movement of Children in Construction and Domestic Work Sectors, 2016

<sup>65</sup> Terre des Hommes, India, case study, not her real name, 2017



India: migrated family working at a brick kiln

## Prevention and protection mechanisms

The Constitution of India prohibits children under age 14 from being employed in a factory, mine or engaged in any other hazardous employment. The 2016 Child Labour (Prohibition and Regulation) Amendment Act prohibits children under 14 from working although they are authorized to help their families outside of school hours. Children aged 14–18 are prohibited from engaging in hazardous occupations and processes. Work quarries fall under prohibition, work on construction sites does not. India has not ratified ILO Conventions 138 and 182, although in January 2017, the government decided to do so. Under the National Child Labour Project, children aged 5–14 are withdrawn from work in hazardous occu-

pations and processes and put into transitional schools in order to mainstream them into formal schooling.

These schools provide non-formal or bridge courses, vocational training or skill development classes, a mid-day meal, a monthly stipend and access to health care facilities. In order to make the programme effective in the Krishna District, teachers proficient in the Odiya language would need to be appointed, transport facilities to schools provided, and the requirement for government identification to access social services addressed.

The Odisha Climate Change Action Plan 2015–2020 was developed to address the drivers of climate change, to prepare for likely impacts in Odisha and to establish goals and timetables. The Plan establishes a monitoring and evaluation process, which would take into account environmental, economic and social impacts. The Plan does not however specially mention children or social issues such as education or employment.<sup>66</sup> Following a 2016 Supreme Court ruling, the Department of Agriculture, Cooperation and Farmers Welfare revised the Manual for Drought Management. The Supreme Court asked that the government takes into account humanitarian factors such as migration from affected areas and the related plight of children when updating and revising the manual. According to the revised Manual, employment creation is the most important relief component during a drought and State Governments should provide alternative employment through the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA) and Local Area Development Schemes to generate income and prevent migration in search of employment. The Manual addresses children solely through the lens of nutritional aspects of food security through the Integrated Child Development Services and Mid-day Meals Schemes.<sup>67</sup>

## Mahatma Gandhi National Rural Employment Guarantee Act

The 2005 Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) aims to ensure a minimum income guarantee to every rural household through 100 days of guaranteed wage employment. In 2015, the days of employment were increased to 150 as a measure of immediate relief to states affected by the drought.<sup>1</sup> Most households that seek employment under MGNREGA are very poor and their earnings are spent on food, clothing and other necessities. Households with better economic conditions spend more of their additional income on healthcare and education. In these households, the increased level of income encourages them to withdraw their children from the labour market and enables children to attend school regularly.<sup>2</sup> Unfortunately, the MGNREGA has not been able to replace the income lost due to the drought because of implementation issues.

1 UNICEF, When Coping Crump UNICEF, When Coping Crumples: A rapid assessment of the impact of drought on children and women in India, 2016

2 International Labour Organisation, International Programme on the Elimination of Child Labour (IPEC), The Impact of Mahatma Gandhi National Rural Employment Guarantee Scheme on Child Labour, 2013

66 Government of Odisha, Environment Department, Odisha Climate Change Action Plan (2015-20), 2015

67 Government of India, Ministry of Agriculture, Manual for Drought Management, 2016



Nepal: child labour at a very early age

### 5.3 Brick Kiln Industry

#### Case Study on Nepal

The case study on Nepal illustrates how slow onset events such as changing rainfall patterns threaten those who depend on the agricultural sector forcing children to look for alternative sources of income to assist their families. Extreme shocks such as the 2015 earthquake deteriorate existing patterns of exploitation. Seasonal migration is an adaptation strategy for many families as it reduces reliance on agriculture livelihoods. The brick kilns draw families for seasonal work and child labour is often needed to pay off loans.

#### Situation analysis

In Nepal, brick kilns are generally located in the interiors of sub-urban areas close to urban areas. They function seasonally from October to May or until the monsoons start. Brick kilns produce hazardous black smoke which, in the short-term, hamper the vegetation process and crop production, and, in the long-run, lead to photochemical smog, a decrease in groundwater, a depletion of the ozone layer, and global warming. From 2010 to 2015, Nepal experienced one of the highest rates of urbanization in the world.<sup>68</sup> Growth in urban areas due to rural to urban migration has led to an increased demand for bricks and subsequently larger numbers of

unskilled or semi-skilled workers.<sup>69</sup> Children often come with their families to the brick kilns.

*“I am here to accompany my parents and brothers. Otherwise, I have to stay in the village with my relatives.”<sup>70</sup> Girl, aged 12*

The ILO has identified the construction industry as among the most dangerous for children and the hauling and stacking of bricks as hazardous.<sup>71</sup> In 2013, a rapid assessment estimated that approximately 30,000 children are currently working in the brick kiln industry in Nepal, half of them under age 14.<sup>72</sup>

Terre des Hommes is working in the Kathmandu Valley on the protection of children in dangerous and exploitative child labour in the brick kiln industry. It aims to address multiple risks faced by 250 children in brick factories and link 625 children under age 5 to existing support schemes.

68 Immigration Policy Institute, *Redefining Nepal : Internal Migration in a Post-Conflict, Post-Disaster Society*, Clewett, Paul, 2015

69 General Federation of Nepalese Trade Unions (GEFONT), *Labour under the Chimney: A study on the brick kilns of Nepal*, 2007

70 Terre des Hommes, *Nepal, case study*, 2017

71 International Programme on the Elimination of Child Labour (IPEC), *Children in Hazardous Work: What we know, what we need to know*, International Labour Organisation, 2011

72 National Labor Academy (NLA) & School of Planning Monitoring Evaluation and Research (PMER), *A Rapid Assessment of Children in the Brick Industry*, 2012, sample size - 424 children in 30 brick kilns in 10 districts

## Environmental stress

In 2015, Nepal ranked 42 out of 180 countries in the Global Climate Risk Index and was thus highly affected by extreme weather conditions.<sup>73</sup> In recent years, agricultural production of maize, millet and paddy has been badly affected by drought, untimely rainfall, floods and soil erosion in parts of rural Nepal, which has led to low productivity resulting in food shortages as well as displacement of the affected population. Droughts have also caused a shortage of water forcing villagers to travel long distances on dry and dusty roads to find fresh water, compelling them to buy drinking water, or forcing them to migrate to other places.<sup>74</sup> Environmental degradation and climate change have also led to floods, landslides, droughts, pollution, invasion of various diseases, and changes in the ecosystem which can badly impact the livelihood and health of families. During periods of drought, families are forced to find alternative income opportunities and many of them migrate to brick kilns for six months and return home to cultivate and harvest their crops.<sup>75</sup>

In April 2015, a 7.8 magnitude earthquake in Nepal destroyed approximately 600,000 homes and severely damaged another 280,000. The earthquake caused landslides and flooding, primarily due to deforestation, making the destruction even more devastating. Many who lost their homes and livelihoods were forced to depart leading to the displacement of 2.6 million people<sup>76</sup>. These factors coupled with inadequate protection measures led to an increased risk of child labour.<sup>77</sup> The Government of Nepal expressed concern that, subsequent to the earthquake, children faced a heightened risk of child labour.<sup>78</sup> Another pull factor for child labour might have been implied in the extensive damage to buildings, a high demand for bricks for renovation and rebuilding temporarily increased migration towards the brick kilns. However, this has not been confirmed.

Slow onset events such as changing rainfall patterns and extreme shocks such as the 2015 earthquake threaten those who depend on the agricultural sector forcing children to look for alternative sources of income to assist their families. Seasonal migration to brick kilns may be an adaptation strategy for many families as it reduces reliance on agriculture livelihoods. However, seasonal migration existed prior to the earthquake or climate changes and goes back to agricultural patterns including restrictions of production during or after the monsoon according to Terre des Hommes project staff.

## Working conditions

Work in the kilns is largely manual, low skill technology with small profit margins. Labour brokers offer a form of seasonal debt bondage whereby potential workers are offered an advance at high interest rates in exchange for work at the brick kiln to get through the monsoon season. Entire families arrive at the factories in October and are under enormous pressure to earn as much as possible during brick season.<sup>79</sup> Brokers do not recruit children, but the labour of children may be pledged to repay loans taken by parents<sup>80</sup>. Children are involved in different stages of brick making such as clay moulding, brick flipping, brick piling, brick carrying and chasing donkeys, which carry bricks from one place to another. According to a survey conducted by Urban Environment Management Society in 2016, most child workers in brick kilns were engaged in clay moulding (17%), brick transportation or loading (8%), or chasing donkeys (8%).<sup>81</sup> The remainder of the children were either not working or were doing statistically insignificant tasks. Wages are paid by piece rate at the end of the season and usually children and their parents are paid together as one family. Often families do not earn enough and must take out another loan and return the following season to try again to pay off their debt. As payment is made per piece, there is an incentive for children to work as much as possible.

73 Germanwatch, Global Climate Risk Index, 2016

74 Himalayan News Service, Ramechhap locals reeling under water crisis, 31 January 2016

75 Shyamstha, An Assessment of Drought in Ramechhap District, 2015

76 Internal Displacement Monitoring Centre, Global Report on Internal Displacement, 2016

77 Child Labour in Post Earthquake Nepal: Learning from Haiti & Pakistan, Children and Women in Social Services & Human Rights (CWISH), 2015

78 Nepal Earthquake, Post Disaster Needs Assessment, Executive Summary, Government of Nepal, National Planning Commission, 2015

79 Concern and the Advocacy Project, school rescues children from work in the brick kilns of Nepal, 2016

80 General Federation of Nepalese Trade Unions (GEFONT), Labour under the Chimney: A study on the brick kilns of Nepal, 2007

81 Urban Environment Management Society (UEMS)/Terre des Hommes, Endline Assessment on Socio Economic, WASH, MCH, IYCF & Child Protection Situation of Brick Kilns in Godawari and Bajrabarahi Municipalities, Lalitpur, 2016.





Many children in Nepal work in brick kilns like Binita

### Binita<sup>1</sup>: a seasonal worker

Binita, 17, has been working in the brick factory since she was 8 or 9 years old. Her father, her 13-year old brother and herself are seasonal migrants due to food scarcity in their home town. The farm yields they produce are not enough for the whole year. Thus, all of them work at the brick kiln for six months at a time. Binita explains that “even to eat a full stomach of rice, we had to come to the brick kilns.” Her home was destroyed in the earthquake and her family currently lives in a hut hoping the government will give her family money to rebuild their home.

Binita produces raw brick by moulding the clay, making the bricks and piling them. Binita only attended school through grade 4 as the continuous disruption of six months at home and six months at the kiln caused her to fail examinations and repeat classes. She feels that educational opportunities should be provided for children, programs created for drop-outs and vocational training programs developed to allow children to become self-reliant and decide his or her own fate. She would like to receive training on sewing and then be able to stay in her village.

<sup>1</sup> Terre des Hommes, India, case study, not her real name, 2017



## Consequences

Traditional brick kilns generate black contaminated smoke containing black carbon and other pollutants, having a high impact on the health of child labourers.<sup>82</sup> Major health issues facing child labourers are respiratory and gastrointestinal problems due to the harmful gases and dust of the brick kiln and skin diseases.<sup>83</sup> Children complain of headaches and respiratory problems “because of the dust and smoke”.<sup>84</sup> Eighty-six percent of children at the project site said that work at the brick kiln is difficult.<sup>85</sup> Due to the seasonable nature of the work, children often move from villages to brick kilns and it is very difficult to change the school every few months. Thus, many of them are unable to attend school and are faced with a lifetime as an unskilled labourer. Government schools would have to seasonally expand their capacities to solve this problem. In the project area, 61% of school aged child labourers attend school. A girl interviewed by Terre des Hommes commented that she attends an informal education centre from 10 am to 3 pm and assists her parents in making bricks outside of school hours.<sup>86</sup> Other children work to assist their parents financially and support the education of their siblings.<sup>87</sup>

82 Ibid

83 International Programme on the Elimination of Child Labour (IPEC), A health approach to child labour – Synthesis report of four country studies on child labour in the brick industry, International Labour Organisation, 2014

84 Terre des Hommes, Nepal, case study, boy, aged 17 years, 2017

85 Urban Environment Management Society (UEMS)/Terre des Hommes, Endline Assessment on Socio Economic, WASH, MCH, IYCF & Child Protection Situation of Brick Kilns in Godawori and Bajrabarahi Municipalities, Lalitpur, 2016

86 Terre des Hommes, Nepal, case study, girl aged 12 years, 2017

87 Terre des Hommes, Nepal, case study, boy aged 17 years, 2017

88 International Labour Organisation, Brooke Hospital for Animals and The Donkey Sanctuary, Brick by Brick: Unveiling the full picture of South Asia’s brick kiln industry and building the blocks for change, 2017

89 PBS Newshour, After Nepal’s earthquake, a push to rebuild without child labour, 8 June 2016

90 Better Brick Nepal Standard, 2015

## Prevention and protection mechanisms

Nepal passed the Child Labour Prohibition and Regulation Act in 2000 prohibiting the employment of children under 14; under 16 in hazardous sectors. Nepal is also a State Party to ILO 138 and ILO 182. Brick kilns are not included as a form of hazardous labour in Nepalese legislation although they are included as such in the National Master Plan on the Elimination of Child Labour (2011–2020) which is still awaiting endorsement by the government of Nepal. Reconstruction of kilns following the 2015 earthquake, created an opportunity to build kilns that were energy efficient with lower emissions, which would expose workers to less pollution. As 98% of brick kilns in the Kathmandu Valley were damaged, the potential for less environmentally damaging kilns was enormous. A practical tool was developed to guide brick entrepreneurs in rebuilding their kilns. The new kilns operate all year round and use trollies to transport bricks, which should ultimately reduce the need for hazardous child labour such as carrying or stacking bricks. Nine improved kilns were being built for the 2016 brick season.<sup>88</sup> In terms of supply chain due diligence, it has been suggested that funding from the international donor community, e.g. for post-earthquake reconstruction, could be leveraged to demand bricks produced from kilns that do not employ children in hazardous sectors<sup>89</sup> and government construction projects could be required to procure bricks from kilns that are certified by Better Brick Nepal as child labour free.<sup>90</sup> If these measures are implemented still is insecure, so effects on child labour cannot be observed or measured right now.

Terre des Hommes has been working to raise awareness amongst brokers, entrepreneurs, workers and children on issues of child protection and child labour and promoting corporate social responsibility through workshops, interaction programmes and group meetings. A Code of Conduct was developed which requires brick kiln entrepreneurs to not employ children below 16, provide clean and safe drinking water and adequate sanitation, coordinate with nearby schools for school aged children, establish child care centres, and calls for the appointment of a focal person to address and oversee child protection, health and other issues. The code has been endorsed by the brick employers association, but is not yet being implemented widely.

## 5.4 Waste-Picking

### Case Study on Nicaragua

In contrast to the other case studies in this report, the case of Nicaragua shows how environmental degradation leads to new forms of work for adults and children alike. As agricultural productivity falls due to climate change and the frequency of extreme weather events, families start migrating, either seasonally or permanently, to urban areas in search of food safety and employment. The huge dumpsites, form one lucrative income opportunity, as this type of work is easy to access. At the same time, waste pickers constitute part of the solution and see their work as a contribution to a more clean and healthy environment.

#### Situation analysis

Nicaragua is the poorest country in Central America, with the least developed economy. An estimated 43% of the population lives in rural areas and agriculture is the main source of income. Due to a lack of employment opportunities, many people rely on dumpsites for food, clothes, plastic and scrap metal. They forage through waste for materials for themselves and to sell. As many cities and towns do not have functional waste management systems, waste-pickers play an important, but usually unrecognised role in recycling materials. Nicaragua has the largest waste-picking population in the region, with an estimated 10,500 waste-pickers.

Waste-pickers are usually very poor. According to certain studies, they are often rural migrants who left for a variety of reasons, such as droughts, floods or losing a spouse. Given their migratory status and their frequent lack of birth certificates or identification, it is hard for them to find regular employment and access services.<sup>91</sup> Waste-picking is easily learnt, can be done with limited equipment and does not require literacy. Furthermore, the export of recycled materials is becoming a growing sector of the economy. In 2014, Nicaragua exported over USD 40 million in recycled materials or scrap plastic and scrap copper<sup>92</sup>, although the waste-pickers themselves receive very little of the profit.<sup>93</sup>

In the city of Jinotega, where the case studies were collected, there has been a growth in population, which has resulted in a significant increase of waste. Over 30 families live at the dumpsite and collect recyclable materials to sell to companies. Children are heavily involved in searching through waste.<sup>94</sup>

Terre des Hommes is working in and around Jinotega to protect children in dangerous and exploitative labour conditions both in rural areas and the city. This case study includes information from partner organisations, namely the *Asociación Infantil Tuktan Sirpi* of Jinotega and *INPRHU Somoto*, which support 760 children (aged 8 to 15) and 400 children (aged 7 to 15) respectively.

#### Environmental stress

Nicaragua is particularly vulnerable to climate change and the depletion of natural resources. In the Global Climate Risk Index 2015, Nicaragua ranks 24 out of 180 and was thus extremely prone to extreme weather events.<sup>95</sup> Extreme temperatures, erratic rainfall, the increase in sea level and the intensity and frequency of extreme events (e.g. storms, hurricanes, floods and droughts) are leading to water shortages, increasing coastal flooding, fires, decreasing agricultural productivity and are negatively affecting ecosystems. These environmental factors pose a threat to the environment as well as the livelihoods and health of the population. As agricultural productivity falls, including for export (e.g. coffee) and local consumption (e.g. basic grains), rural populations look for alternatives, including by migrating, either seasonally or permanently, to urban areas in search of food safety and employment.<sup>96</sup> The poorest, especially those who do not own land, are particularly likely to leave rural areas. Yet cities are ill-equipped to accommodate the

91 International Labour Organisation, Addressing the Exploitation of Children in Scavenging (Waste Picking): a Thematic Evaluation of Action on Child Labour, 2004

92 Observatory of Economic Complexity, Nicaragua, 2017

93 The Working World, From Waste-Pickers to Worker-Owners: Recycling Coops Offer Alternatives for Nicaragua's Most Marginalized, 2014

94 Terre des Hommes, Nicaragua, case study, boy aged 15 years, Description of project, 2017

95 Germanwatch, Global Climate Risk Index, 2016

96 United Nations Development Programme, Mainstreaming Climate Change in Nicaragua: Screening for risks and opportunities, 2010



Nicaragua:  
workplace dumpsite

new arrivals, due to insufficient infrastructure, services, drinking water or food.

Children who migrate to urban areas have limited options and are at risk of being exploited and/or end up in some of the worst forms of child labour. As waste is easy to access and has value, waste-picking is a viable option for recent migrants.

### Working conditions

Waste-picking is one of the worst forms of child labour. Many waste-pickers operate in small-scale and often family-run enterprises. Children are involved in different stages of the picking process, from picking on dumpsites or in the streets, either with their families or in groups with a leader, or sorting the waste at home to sell it. Children working at dumpsites face considerable risks and health hazards, such as exposure to environmental contaminants, toxic chemicals (e.g. lead, mercury, and cadmium), pollutants and dioxin compounds due to the

uncontrolled burning of waste, and the environmental conditions in which they work.<sup>97</sup> They are also likely to injure themselves (e.g. cutting hands or feet with glass or metal) as well as get in contact with unclean or rotten material (including dead animals). All of these are detrimental to their health, development and life expectancy. Furthermore, they work long days, carry heavy loads and repeat the same movements, which can all have an impact on their physical development.<sup>98</sup>

The recycling and waste sorting activities are primarily carried out with limited or no equipment and no protection against dust and fumes. Meanwhile, those who collect waste in the street face the risk of traffic accidents and stigmatisation in the form of negative,

<sup>97</sup> Ibid, page 12

<sup>98</sup> Eric Binion, Jutta Gutberlet, In Review: The effects of handling solid waste on the wellbeing of informal and organized recyclers: a review of the literature, 2012, p. 5.



sometimes aggressive reaction, of people. Girls have additional work, as they not only collect or sort materials, but they have responsibilities at home, such as cooking and looking after younger siblings.

### Consequences

There are considerable health consequences of working as a waste-picker. These include chronic coughs, wheezing and shortness of breath, which can be symptoms of serious respiratory diseases such as tuberculosis, pneumonia, asthma and bronchitis. According to a study in Managua, waste-picking children had decreased lung capacity and wheezing as a result of their high exposure to particulates.<sup>99</sup> Exposure to environmental contaminants and hazardous chemicals also have an impact

<sup>99</sup> Eric Binion, Jutta Gutberlet, In Review: The effects of handling solid waste on the wellbeing of informal and organized recyclers: a review of the literature, 2012

### Children's network of eco clubs in Jinotega

The *Red Eco Club*, which consists of children and adolescents who work in the municipality where there is the rubbish dump, aim to protect the environment by collecting waste (e.g. glass, paper, cardboard, metal and plastic), but in decent work conditions. This is done through the collection of clean and already separated materials, which come from partners of the network. These partners are members of the local population and businesses who separate recyclable materials. Clean materials are more valuable and they prevent children from working in risky and hazardous conditions.<sup>1</sup> In addition, the children were able to combine this with education.

Amongst the children interviewed who took part in the Eco Clubs of Jinotega, they felt that they had better working conditions, as they were no longer exposed to the dangers and hazards of working in a dumpsite and were contributing to protecting the environment through their recycling work.

<sup>1</sup> Terre des Hommes, Nicaragua, case study, boy aged 15 years, not his real name, 2017, Description of project

### Juan: Recycling clean materials

Juan<sup>1</sup> is fifteen and lives with his mum, stepfather and 3 siblings in Los Pinos, a rubbish dump in a makeshift house made of plastic and branches. The living conditions are very precarious. Juan collects recyclable materials in the city, such as plastic, cardboard, paper, glass, aluminium and scraps. He works 32 hours a week to help his family and pay for the things he needs. He combines this with school.

**“My work contributes to improving the environment by recycling different materials. I am reducing the rubbish and the bad environmental practices of the population of Jinotega.”** Juan, 15 years old

<sup>1</sup> Terre des Hommes, Nicaragua, case study, boy aged 15 years, not his real name, 2017

on the development of the central nervous system, the function of the kidneys and the liver, cognitive development and can be the cause of chromosomal damage. Carrying out heavy manual work can also lead to stunted growth.<sup>100</sup> Children also get ill from food consumed from the dumpsite.

**“The smoke from the burning could contaminate. Everything was burned, including the trees. The smoke passed over the houses all day. Some became sick, with a cough. The air gets contaminated by garbage.”** Girl, 15 years old <sup>101</sup>

The toxicological effect of the mixture of toxicants (e.g. lead and organochlorine pesticides) which children are exposed to on dumpsites is not fully known due to a lack of studies. Meanwhile, injuries constitute a considerable threat to child waste-pickers. According to a survey conducted in Nicaragua, 48 % of children working at waste disposal sites reported injuries over the previous 12 months, while the average for child workers in the country is 14 percent.<sup>102</sup> Children often have no protective equipment, including no shoes or gloves. Children often complain of upper- and lower-extremity pain resulting from jumping onto trucks as they arrive at the landfill in order to get the best materials. There are also accidents related to collecting and classifying the materials. The children interviewed talked of headaches, fever, coughs and injuries (especially cutting themselves) resulting from working in the dumpsite.<sup>103</sup>

While an estimated 47 % of children between the ages of 10 and 14 work in Nicaragua, 88.3 % of children in this age group attend school, of which 40.3 % combine work and education.<sup>104</sup> Yet, while they have access to school, they sometimes face stigmatisation and discrimination from their classmates who do not work, which can lead to school dropout. A 12 year old boy interviewed at the Jinotega dumpsite said that he goes “to school every day” and “is in 5<sup>th</sup> grade”.<sup>105</sup> He is part of the Eco Club project, which supports children working in the dumpsite. The dumpsites are also an important source of pollution through the smoke, gases and leachate, which go into the surrounding environment. This leads to ground-water pollution, air pollution as well as an impact on the climate due to methane emissions. One of the children explained that the waste, such as dead animals, contaminates the air. He also noted that the fires dry things out and there is less water.<sup>106</sup>

**The dumpsite “damages the environment. Because the wind blows pollution from the garbage. People come in and cover their noses, because sometimes they throw dead dogs” in the garbage.** Girl, 12 years old <sup>107</sup>

### Prevention and protection mechanisms

Nicaragua has ratified ILO Conventions 182 and 138, the CRC and ICESCR. According to the Labour Code, the Childhood and Adolescence Code and the Constitution the minimum age of employment is 14 and 18 for hazardous work. Hazardous occupations and activities, forced labour and trafficking are prohibited.<sup>108</sup> The Ministry of Labour conducts labour inspections and has a Child Labour Inspections Unit. It also provides trainings on child labour issues together with public and private agencies. The other enforcement body is the national police, although it focuses more on trafficking and other forms of exploitation. The Ministry of Labour has the third-lowest budget of all the ministries and in 2015 it only had 98 labour inspectors whose responsibilities included investigating child labour violations. Given the extent of child labour in Nicaragua, these resources are inadequate to enforce the laws. In accordance with ILO’s recommendation regarding the ratio of inspectors and workers, Nicaragua would need at least 199 inspectors to enforce the labour laws.<sup>109</sup> Of the reported 539 infractions of child labour laws, a mere 86 children were found to be working in hazardous conditions and removed from this work and referred to services.

100 Ibid, page 6.

101 Terre des Hommes, Nicaragua, case study, girl aged 15 years, 2017

102 Steven Cuadra, Child Labour and Health Hazards: Chemical Exposure and Occupational Injuries in Nicaraguan Children Working in a Waste Disposal Site, 2005, p. 43.

103 Terre des Hommes, Nicaragua, case study, girl aged 15 years and boy aged 12 years

104 United States Department of Labour, Child Labor and Forced Labor Reports: Nicaragua, 2015

105 Terre des Hommes, Nicaragua, case study, boy aged 12 years, 2017

106 Ibid

107 Terre des Hommes, Nicaragua, case study, girl aged 12 years, 2017

108 United States Department of Labour, Child Labor and Forced Labor Reports: Nicaragua, 2015

109 Ibid

There are a number of social programmes to combat the worst forms of child labour, including educational ones, awareness raising, birth registration and alternative sources of income for families. Educational programmes, include Program Love which provides education to children and vocational training to parents; First I Learn; Educational Bridges and the Integral School Meal Program. Amongst the many programmes, there are ones to improve birth registration, as children in remote areas do not have the necessary documentation to access basic services. Nicaragua's new Family Code, which came into effect in 2015, provides free birth registration up to the age of seven. However, the scope of the programmes are insufficient given the scale of the problem. There are also many projects addressing climate change and environmental degradation, but based on the information available, there appears to be limited overlap with those focusing on child labour.

In addition, waste pickers themselves unite in cooperatives and networks to strengthen their influence on market prices, to maximize utilisation of waste, to share knowledge and build capacity and to improve their working conditions. In 2010, the network Red de Emprendedores Nicaraguenses del Reciclaje (REDNICA) has been established which has now members in departments of Matagalpa, Jinotega, Esteli, Tipitapa, Leon, Ciudad Sandino, Bluefields and Managua. The members understand themselves as part of the solution – their recycling activities contribute to a sustainable development.<sup>110</sup>



Nicaragua: many children have to work on garbage dumps

## 5.5 From Agricultural Work to Brick Making

### Case Study on Peru

Peru is an example that illustrates the effects of climate change on the agricultural sector. Local subsistence farmers are not equipped to react to the climate change induced income losses and turn to coping mechanisms such as migration to urban areas and sending their children to work, e.g. in brick kilns, to ensure the family's survival.

#### Situation analysis

Despite only being responsible for 0.1% of global CO<sub>2</sub> emissions, Peru is one of the countries most vulnerable to climate change. The Special Report on Emissions Scenarios predicts that Peru will see some of the highest increases in temperature by 2050 (estimated between 1 and 4 degrees centigrade during the dry season). Peru has many disadvantages, including its warm climate, droughts and extreme weather (e.g. El Niño). The floods, which took place in March 2017, illustrate how extreme and unpredictable weather can go from droughts and record wildfires to floods affecting an estimated 625,000 people.<sup>111</sup> Such climate-related disasters and environmental degradation exacerbate pre-existing socio-economic vulnerabilities, contributing to child labour and important flows of migration.

<sup>111</sup> The United Nations Special Representative of the Secretary-General for Disaster Risk Reduction, News Archive: Peru floods highlight challenge of a warming planet, 21 March 2017, United Nations Office for Disaster Risk Reduction.

<sup>112</sup> United States Department of Labor's Bureau of International Labor Affairs, Findings on the Worst Forms of Child Labor: Peru, 2015

<sup>113</sup> Ibid



These migrants, who are increasingly considered environmentally displaced persons, move to areas where they believe they can secure more reliable sources of income, including large urban areas and gold mines or brick kilns. This increases the social and environmental pressure on destination areas which further fuels the vicious circle of environmental degradation, migration and poverty. An estimated 68% of working children are in the agricultural sector. They primarily produce cotton, rice, coffee, cacao and sugarcane. Amongst the worst forms of child labour, children produce bricks and fireworks, sell in the streets, scavenge in dumpsites or work in mines.<sup>112</sup> An estimated 50% of adolescents (14-17) work, with 80% in rural areas and 32% in urban areas. In rural areas 68% of them are agricultural workers (especially in the Amazon and Andes).<sup>113</sup> Agriculture is part of the local culture and all the family is involved. Children traditionally work from a young age in rural areas (e.g. looking after animals) to help their parents. Child labour in the Andes is strongly linked to poverty and fulfilling subsistence needs. There are also limited alternatives for many children, including educational ones.





Peru: child labour  
in a brickyard

Terre des Hommes works to protect children in dangerous and exploitative labour conditions in Peru. This case study includes information from a project run by the *Asociación Civil Inti Runakunaq Wasin* in Cusco and its surrounding rural areas, which supports 350 children between the ages of 10 and 17.

### Environmental stress

The Global Climate Risk Index shows Peru on rank 42 as one of the countries highly affected by climate change.<sup>114</sup> In the Andes, changes in the climate and rising temperatures are generating multiple droughts, forest fires, new pestilence associated with warmer climates, as well as irregular rains (including shorter rainy season and increased off-season rains) and extreme hot and cold weather variations. Furthermore, with 71% of the world's tropical glaciers in Peru, the diminishing glacial melt together with irregular rainfall is reducing the drinking water and water for agriculture. The climatic changes are particularly problematic for the agricultural

sector, which makes up an important proportion of its domestic and export economy.<sup>115</sup> In the Andes, the poorest and most remote communities can no longer rely on farming to meet their basic needs. Not only are they particularly susceptible to climatic changes, but they are also ill-equipped to adapt to them.<sup>116</sup> These environmental factors have an impact on children at many levels, including with regards to work.

In the mountainous areas around Cusco, subsistence farming is reliant on the climate. Agriculture in this region relies 80% on the seasonal rainfall to grow their crops. The significant reduction in rainfall and increase in temperature modified the calendars for cultivation, led to the appearance of new pestilence and reduced the yields. In attempts to grow different crops and increase

<sup>114</sup> Germanwatch, Global Climate Risk Index, 2016

<sup>115</sup> Peru Support Group: Introduction, 2013

<sup>116</sup> Peru Support Group: Impact on indigenous Peoples, 2013

yields, more fertilisers and pesticides were used. However, together with the climatic changes, it resulted in soil degradation, leading to families becoming unable to live off the land.<sup>117</sup> Subsistence farmers receive limited support to adapt to environmental changes. One of the few options is, therefore, migration. It takes many forms: sometimes one or both parents, the whole family or adolescents on their own. With migration comes the need to look for a place to live and means of survival, regardless of the guarantees or the quality of the work. As parents often end up in low skilled, low paid jobs in the informal sector, their children are particularly likely to work to contribute to the family's income.

Rural to urban migration is an important phenomenon in Peru. Between 2002 and 2007 alone, 3 million people migrated (approximately 10 % of the country's population). When children arrive in urban areas, they are more likely to work in harsher and more exploitative conditions than in the countryside. They often take the first opportunities, which present themselves, regardless of the conditions.<sup>118</sup> This creates a vicious circle of environmental degradation leading to migration, which in turn leads to further degradation.

### Working conditions

Children in Peru who migrated from rural areas often end up in worse jobs than those in their home village. These children are more likely to speak Quechua rather than Spanish and are not as experienced in the urban surrounding and linked to groups or networks than their urban counterparts. The kind of jobs available to migrant children include vendors (selling in streets, bars, buses,

etc.), carriers in the market, working in mines such as gold mines, producing bricks, waste-picking or working as domestic servants. According to the ILO, work in brick kilns is among the most dangerous and hazardous types of work for children.<sup>119</sup> Working hours are long and conditions are harsh and degrading. For instance, the loads they carry weigh between 30 and 100 kilos, there are no defined working hours and they are paid less for their work than adults. Brick-makers work up to 10 hours a day (depending on the daylight), without access to health care or social security. They are in constant contact with water, which may be close to freezing early in the morning, as well as being exposed to fumes of burning matter (including tyres), in the furnaces where they cook the bricks. They also carry heavy loads, as they transfer the bricks.

### Consequences

The working conditions have considerable health consequences for the children, such as damage to their spines, stunting their growth and exhaustion. For those working in cities, they are exposed to pollution, and in the case of brick kilns, the gases from the furnaces. While children in urban areas have more opportunities to access education, the longer working hours often prevent them from doing it during the day and/or week. While they can study at night or on weekends, the education available is often not of good quality.<sup>120</sup> An estimated 40.5 % of children aged 6–14 combine work and school.<sup>121</sup>

### Prevention and protection mechanisms

Peru has ratified ILO Conventions 138 and 182 as well as the CRC and ICESCR. It has a vast range of laws and regulations with regard to child labour as well as the Code for Children and Adolescents. According to the Code, the minimum age for work is 14; 15 for nonindustrial agriculture; 16 for industrial, commercial and surface mining; 17 for fishing; while it is 18 for hazardous work.<sup>122</sup> The Government has a List of Hazardous Occupations for Children, which covers 29 types of work, including fishing, mining, street work, scavenging and domestic work. This list can be adapted according to need. The Constitution and Penal Code also prohibit forced labour, debt bondage, servitude. The Penal Code and other laws also prohibit child prostitution, pornography, trafficking and forced recruitment into the armed services.<sup>123</sup>

There are also a number of mechanisms to ensure coordination and enforcement as well as policies on the

117 Terre des Hommes, case study, boy aged 15 years, 2017

118 Ibid

119 International Programme on the Elimination of Child Labour (IPEC), Children in Hazardous Work: What we know, what we need to know, International Labour Organisation, 2011

120 Interview with Luz Marina Figueroa Arias, Asociación Civil Inti Runakunaq Wasin, 2017

121 United States Department of Labor's Bureau of International Labor Affairs, Findings on the Worst Forms of Child Labor: Peru, 2015

122 Ibid

123 Ibid



Nohemi (16 years old):  
she works in a brickyard

There are also many programmes ran by NGOs, including projects of the *Asociación Civil Inti Runakunaq Wasin*, which was interviewed for this case study. They reconnect children with their cultural knowledge of nature, diversifying culture and recuperating biodiversity. They also promote places to protect children's rights, and cultural centres with educational programmes also teach them to develop social skills and how to protect the environment. In these programmes, they promote child participation in advocating for their rights in different public spaces.

worst forms of child labour. There is a range of National Commissions, including on the Prevention and Eradication of Child Labour, Against Forced Labour, as well as a Committee Against Trafficking in Persons. Members of these Commissions or Committees not only include ministries, but also businesses, unions and NGOs. However, there is a lack of coordination between them. Meanwhile, there are labour inspectors, but they often lack the necessary resources to conduct inspections. While employers are sanctioned, with 52 businesses being fined around USD 97,000 in 2012, there is limited data on whether the fines were paid and the number of children involved.

In addition to the National Action Plan for Children and Adolescents, there is a National Strategy for the Prevention and Eradication of Child Labor covering the period of 2012–2021. The strategy's goal is to eliminate the most hazardous forms of child labour, including through awareness raising, improving the conditions of work of adolescents, providing better education opportunities, improving family livelihoods and sanctioning those who violate labour laws. Other strategies include the Sector Strategy on the Prevention and Eradication of Child Labor, which was developed together with the ILO. Finally, there are a number of social programmes, such as the Seed Project which focuses on rural child labour by providing education and better livelihood. Given the scope of child labour in Peru, these programmes are insufficient.<sup>124</sup>

### José: a migrant working child

José,<sup>1</sup> aged 15, migrated to San Jeronimo, a district of Cusco, with his family. His parents are primarily involved in recycling, so he goes to work to contribute to the family income. He works as a bricklayer during the dry season and recycling during the rainy season. They live near the dumpsite. He works from sunrise to sunset making bricks and transporting them. José stopped school due to a lack of time and tiredness as a result of his work. However, as part of the association's efforts, he hopes to be able to follow a technical course.

**“The brick kilns produce a lot of smoke which covers the sky with a thick black cloud. It stings my eyes and the heavy lifting causes back pain, so I take “chumpi” [pain killers] for the pain.”** José, aged 15

<sup>1</sup> Terre des Hommes, Peru, case study, boy aged 15 years, not his real name, 2017

## 6. Key Aspects identified in the Case Studies

Many of the environmental effects or climate phenomena identified in the five case studies are indirectly linked to child labour because they exacerbate direct root causes, which lead children to start working, to working in worse conditions, migrating for work or ending up in the worst forms of child labour. While natural disasters,

climate change and environmental degradation were often identified with regards to increased poverty, vulnerability, food insecurity and migration, the direct link to child labour was rarely explicitly made. The table below summarizes key aspects from the case studies:



Key Aspect	Case Studies Results
Environmental degradation/ climate change as <b>additional push factor</b> for child labour	<p>In the following cases, environmental degradation / climate change were identified as indirect push factor for child labour:</p> <ul style="list-style-type: none"> <li>• Drought, extreme weather events, heavy rains diminish or destroy farm yields and <b>increase poverty</b> (Burkina Faso / Nepal / Peru / Nicaragua),</li> <li>• Unpredictable weather patterns lead to soil depletion and <b>force families to migrate</b> to more lucrative areas (Burkina Faso),</li> <li>• Due to climate change, the duration of seasonal migration extends which <b>denies</b> the children <b>access to quality education</b> and pushes them to work (India).</li> </ul>
Identified <b>pull factors for child labour</b>	<p>The following pull factors for child labour have been identified in the analysis. Some of them are linked to environmental degradation and/or climate change, others are not related to these topics:</p> <ul style="list-style-type: none"> <li>• <b>Gold digging</b> in Burkina Faso has emerged as a way to earn money quickly so that the recent gold rush can be seen as pull factor,</li> <li>• The <b>rapidly growing construction industry</b> in India (including brick making, cement factories, stone quarries) attracts many migrant families that aim to alleviate poverty and are forced to send their children to work,</li> <li>• The case of Nepal indicates that natural disasters such as the earthquake in Nepal might result in the emergence of new (temporary) pull factors, such as the extensive damage of houses and the <b>related high demand for bricks</b> for renovation and rebuilding,</li> <li>• The <b>emergence of dumpsites</b> in Nicaragua as a result of environmental pollution forms a new lucrative and easy-to-access income opportunity that pulls children into labour.</li> </ul>
<b>Consequences for working children</b>	<p>All types of work identified in this report are among the worst forms of child labour with severe consequences for the physical, psychological and moral development of the children. These are, for instance,:</p> <ul style="list-style-type: none"> <li>• <b>Health hazards, such as:</b> inhalation of dust and toxic gases leading to respiratory problems or lifelong consequences on the central nervous, immune, and digestive systems as well as skin diseases (Burkina Faso, Nepal, Peru, Nicaragua), exposure to toxic waste (Nicaragua), risk of death from explosions, rock falls and tunnel collapses or falling down shafts (Burkina Faso), injuries resulting from carrying heavy material, upper- and lower extremity pain, headaches, fever, coughs and all sorts of illnesses resulting from bad food,</li> <li>• <b>Intolerable working conditions</b>, including hot and cramped work sites, (Burkina Faso), exposure to dust, toxic waste, smoke and chemicals (Burkina Faso, Nepal, Peru, Nicaragua, India),</li> <li>• <b>Lack of access to education</b> due to seasonal or permanent migration to other areas (with different languages) leading to a lifetime as unskilled labourer (Burkina Faso, India, Nepal, Peru) as well as lack of access to school due to the high poverty level and need for generating income (Nicaragua).</li> </ul>
Identified <b>environmental consequences</b>	<p>The following consequences for the environment have been identified in the analysis. Most of them refer to unregulated business activities that are characterized by a lack of environmental and social standards.</p> <ul style="list-style-type: none"> <li>• <b>Air pollution</b> through brick kilns in Nepal,</li> <li>• <b>Contamination of soil and water</b> through the use of chemicals, pesticides, mercury etc. for example in gold mines, brick kilns etc. in Burkina Faso, Nepal and Peru,</li> <li>• Further <b>environmental degradation</b> through waste disposal (Nicaragua).</li> </ul> <p>Environmental degradation that is worsened through child labour activates in many cases a vicious circle leading to increased poverty, which pushes even more children to work.</p>

Besides these push and pull factors as well as consequences for children and the environment, the report at hand identified some **key patterns illustrating the relationship between the environment and child labour** that are summarized below:

### Climate change and environmental degradation exacerbate poverty

Rural areas where families' livelihoods depend on the land are heavily impacted by environmental degradation and climate change. Rural households rely on fertile soil, the availability of water supplies and wood for fuel. As weather patterns become more erratic and there are more droughts, extreme temperatures and other environmental changes, harvests no longer cover the nutritional needs of families for subsistence farmers. In many case studies, environmental degradation was the result of both macro changes (e.g. climate change) and micro changes related to the type of agriculture practiced and the overuse of pesticides and fertilizers as a coping strategy to increase yields. Together they contributed to further environmental degradation, which led to soil degradation and even stronger poverty. In the absence of any social security measures, families have to rely on whatever coping mechanisms is available to them: Migration to better off areas is one of them, child labour another.

### A consequence of the absence of social security measures: environmental migration

Up until today, attempts to cope with environmental degradation, including from climate and ecosystem changes, are insufficient or inappropriate. Often, families are left with no other option than migration in search of alternative sources of income. Already now, children suffer most from climate change induced migration.<sup>125</sup> Although children may migrate alone, environmental migration often takes place with the immediate or extended family. **Rural to urban migration is the most**

**common form** of migration, but families often migrate to where there is work, which may not be in an urban area but for example a mining area. Depending on the type of environmental factor, which pushes children to migrate, they may be seasonal or permanent migrants. For instance, in India and Nepal, both the agricultural work and brick kilns depended on the climate. The monsoon was important for agriculture, while the brick kilns could not operate during the monsoon season. The seasonal migration was dictated by the climate and in the case of India, the more erratic climate was leading to a massive increase in seasonal migrants and for longer periods of time (i.e. increase from 3 to 6 months). This has an impact both on the living conditions of seasonal migrants, the type of labour they engage in (sometimes also debt bondage) and limiting access to education (e.g. India and Nepal). Meanwhile, in Peru, an estimated 10 % of the population migrated from rural to urban areas on a permanent basis over a five-year period.<sup>126</sup> While children often worked with their families in the agriculture sector before migrating, the type of work and conditions got worse. **As migrants, they are more likely to work in harsher and more exploitative conditions.**

### Limited access to education due to migration

Migration, be it permanent or seasonal, was a key factor in preventing children from attending school and increasing the risk of child labour. In certain case studies, children combined work and education. In some cases, children had long days, as they combined both in the same day, while in others, they studied or worked on weekends or worked during school holidays (e.g. Nicaragua). However, for most of the children, limited educational opportunities or the inability to combine education and work led to school dropout:

- In many cases, the lack of good quality school facilities for migrant children meant that children discontinued school. In other cases, migrant children dropped out of school in order to take care of the household and younger siblings during the worktime of their parents.
- High poverty levels and no access to social security measures result in dependency on children's income to secure basic needs.
- In the case of Peru and India, the children moved to areas where other languages were predominantly used so that it was particularly hard for them to go to school and follow the lessons, as schools did not respond to the situation.

<sup>125</sup> The Guardian, Children will bear brunt of climate change impact, new study says, 23 September 2013

<sup>126</sup> Interview with Luz Marina Figueroa Arias, Asociación Civil Inti Runakunaq Wasin, 2017



Nicaragua: for many children the garbage dump is work place and living space

- Seasonal migrants are unable to follow the – different – curricula, neither at their place of origin nor their new destination because they move back and forth every 3–6 months, which makes a regular school attendance impossible (e.g. India).
- Changing climate and resulting changes in the harvest seasons also had a detrimental effect on children attending school. For instance, in Nicaragua, children previously worked primarily on weekends or during school holidays, which coincided with the harvest period. This allowed them to go to school and work to support their families. However, the harvest season is less predictable and children increasingly miss school to harvest crops.
- In certain cases, parents were not supportive for their children to go to school, even as part of projects ran by NGOs. Reasons might be fear of discrimination from majorities, higher casts or receiving communities, discrimination against girls or disorders of the family, e.g. through alcoholism or violence (e.g. Nicaragua).
- Another important hurdle for accessing education was the lack of legal status of migrants: Either due to a lack of birth certificates and/or lack of access to registration with local authorities families and children were not entitled to access public services such as health and education (e.g. Nicaragua).

The findings of the report at hand can only function as a first illustration of the link between environment and child labour. They show that it is worth and necessary to conduct more research to understand the relationship between child labour and environmental degradation as well as climate change to address the multidimensional character of child labour and prevent children from being drawn into hazardous forms of child labour.

## 7. Recommendations

Environmental degradation and climate change dramatically affect the living conditions and life perspectives of millions of children especially in poor communities already today. Sustaining the environment and scaling up measures to adapt to climate change is thus crucial to alleviate poverty globally.

- Practical tools should be developed to raise awareness and guide responsible authorities and the business sector to integrate a child rights approach in environmental policies and impact assessments and to strengthen their capacity to develop and implement policies and programmes on child labour and the environment.

### 7.1 General Recommendations

- Research should be conducted and data collected in each country on the link between child labour and the environment. The information should be analysed to develop and endorse policies adapted to the local context and in line with international standards.
- Awareness amongst those working on child labour and environmental issues should be raised to take key aspects into account in strategies, policies and operations (including the implementation of the SDGs, the Paris Agreement and recommendations of UN treaty bodies).
- The importance of identifying adaption strategies to climate change especially for subsistence farmers should be addressed by all stakeholders. Relevant measures should be integrated into existing strategies, programmes and operations.
- Adequate and age-appropriate information on environmental and labour issues needs to be developed and made accessible to children. Children should be provided with the space and modalities to contribute to discussions on the environment and its impact on their rights.
- Multi-stakeholder strategies and action on child labour and the environment, including public/private partnerships and those to implement the SDGs, needs to be expanded at both the policy and local levels.

### 7.2 Recommendations for the International Community

- The normative and institutional framework to protect environmental children's rights should be strengthened through the examination of links between the CRC and the SDGs. Children should be placed at the centre of international and national climate strategies, including in the framework of international financial support. International policies to eradicate the worst forms of child labour should address environmental factors as potential root causes.

### 7.3 Recommendations for Governments

- Existing international and national environmental and labour legislation, including ILO Conventions on child labour, and policies must be implemented, monitored and enforced. National policies on the protection of the environment, including those on climate change and disaster risk management, should be better integrated with those on child protection including child labour and based on the principles of the Convention on the Rights of the Child. The best interests of the child should be the primary consideration when designing, implementing and monitoring environmental and labour policies and developing mitigation and adaption strategies.
- Access to education should be improved for seasonal and permanent migrant children to address the irregular school attendance. Educational policies should recognize onsite schools, informal education or vocational training located at a reasonable distance from migrant camps or places of work as key to addressing child labour. Language barriers of migrant children, registration problems and different curricula across the country should be taken into account.
- Humanitarian factors such as migrations from climate change affected areas and the related plight of children should be taken into account when developing disaster response programmes. The creation of alternative employment opportunities for adults should form an integral relief component.
- The multidimensional problem of child labour should be addressed by a holistic approach that includes poverty oriented measures, social protection for families, decent work opportunities for adults and that tackles underlying root causes of child labour and labour migration due to the environment.
- Responsibility of businesses in line with the Guiding Principles on Business and Human Rights should be explicitly established, corporate social responsibility should be included in business registration processes, and child rights due diligence should be mandatory.



India: migrated young boy working at a brick kiln



- Implementation of environmental and social standards should be enforced by governments for all kinds of businesses including the informal sector that is characterized by a high prevalence of child labour and a high risk for environmental degradation.

## 7.4 Recommendations for Business Actors

- Human rights due diligence, in line with the UN Guiding Principles on Business and Human Rights, and risk assessments across supply chains, including subsidiaries, subcontractors and suppliers, should be conducted by national and international businesses to address the impact on children.
- In cooperation with local partners, codes of conduct should be developed, implemented and monitored and production techniques and business practices modernized to address environmental issues in the workplace and protect children from environmental harm.

## 7.5 Recommendations for Environmental Actors

- National policies on the protection of the environment should be integrated with those on child protection. Children should be explicitly identified

as a vulnerable group in practice and research and be actively involved in policy implementation.

- Awareness raising activities and risk assessment tools directed at children and their families living in areas impacted by the environment should be developed. Children should be supported to advocate for environmental issues and the impact of their rights and to contribute actively in all stages of the project cycle.

## 7.6 Recommendations for Civil Society

- The link between child labour and the environment should be explored through research and data collection, including the areas of migration and education, and strategies, programmes and risk assessment tools developed to address the issues on the local, national and international levels, including ways to maximise opportunities for rural communities to protect nature and live in a sustainable way.
- Collaboration and understanding of children's rights between and within the human rights, environmental and labour communities should be increased. Community and organizational partnerships should identify areas of duplication and gaps and a regular line of dialogue should be expanded to understand interlinkages.
- Practical tools should be developed in order to allow children, especially working children's associations and other organised groups, to engage effectively on environmental and labour issues.

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## Case Studies

Burkina Faso – 12 case studies  
 2 – Dori – 1 Boy (14), 1 Girl (17)  
 2 – Sourou – 1 Boy (15–16), 1 Girl (13)  
 2 – Zorgho – 1 Boy (13), 1 Girl (16)  
 6 – Piltem 4 Boys (15, 11, 17, 17), 2 Girls (12, 15)

India – 9 case studies  
 6 Girls – 14, 15, 15, 15, 16, 17  
 3 Boys – 13, 15, 16

Nepal – 6 case studies  
 3 Boys – 17, 16, 12  
 3 Girls – 17, 16.5, 12

Nicaragua – 6 case studies  
 4 Girls – 12, 14, 14, 15  
 2 Boys – 12, 15

Peru – 1 case study  
 1 Boy – 15

## Interviews

- Frédérique Boursin, Child Protection Program Coordinator, Terre des Hommes, Burkina Faso, interviewed 2 March 2017
- Father Balashowry, Executive Director, Navajeevan Bala Bhavan, India, interviewed 24 March 2017
- Joseph Donald, Programme Manager, Navajeevan Bala Bhavan, India, interviewed 24 March 2017
- Jiyam Shrestha, Child Protection Program Coordinator, Terre des Hommes, Nepal, interviewed 1 March 2017
- Kamal Lama, Terre des Hommes, External Relations & Communications Manager, Nepal, interviewed 1 March 2017
- Fatima Jeaneth Hernandez Marin, INPRHU Somoto, Nicaragua, interviewed 8 March 2017
- Lydia Palacios Chiong, Asociación Infantil “Tuktan Sirpi” (Club Infantil) Jinotega, Nicaragua, interviewed 3 April 2017
- Luz Marina Figueroa Arias, Asociación Civil Inti Runakunaq Wasin, Peru, interviewed 3 March 2017
- Richard Carothers, Retired, interviewed, 22 February 2017
- William Myers, Department of Human Ecology, University of California, Davis, interviewed, 23 February 2017
- James Morrissey, Researcher Energy, Poverty and Climate, Oxfam America, interviewed 8 March 2017

## List of Abbreviations

CRC	Convention on the Rights of the Child
HRC	Human Rights Council
NGO	non-governmental organisation
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organisation
IPEC	International Programme on the Elimination of Child Labour
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
REDNICA	Red de Emprendedores Nicaraguenses del Reciclaje
SDG	Sustainable Development Goals
RJC	Responsible Jewellery Council
UN	United Nations
USD	US-Dollar
WHO	World Health Organisation



Children have the right  
to a sound environment

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