Ratification of Child labour conventions

Why in news?

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- India ratified two key global conventions on combating child labour on June 13th.
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- This is a "great step forward" in bringing all the world's children under the ambit of the legislations.
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What is the background of the issue?

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- All children have the right to be protected from child labour. Yet, around the world, there are still 168 million children in child labour,Eighty-five million of them are engaged in hazardous work.
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- The government of India had in March this year approved ratification of two fundamental conventions of the ILO to address concerns related to child labour.
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- With the ratification, India would join majority of countries that have adopted the legislation to prohibit and place severe restrictions on the employment and work of children.
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- The ILO treaties are about the minimum age at which a person may begin work and the hazardous industries where she may not.
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- Crucially, conventions 138 and 182 of the United Nations body leave it to the member-states to determine what constitutes acceptable or unacceptable work for children at different ages.
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- Such flexibility has given the Indian government wiggle room in adopting the international standards in question, even though the 2016 legislation falls

several notches below a comprehensive prohibition of child labour.
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What are the provisions of the act?

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- The Act contains the controversial provision that condones the employment of children below 14 years under the rubric of family enterprises and the declassification of several industries as hazardous occupations.
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- The detrimental effects on the ground from these dilutions of the original 1986 Act could be widespread.
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- With roughly 90% of the workforce continuing to remain outside the ambit of the organised sector, protecting vulnerable children from exploitation is difficult.
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- The rules notified by the Ministry of Labour and Employment for the enforcement of the 2016 amendment include some small concessions.
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- Under these stipulations, children may work in domestic enterprises only for three hours after school, and not between 7 p.m. and 8 a.m. These restrictions are intended to ensure attendance at school.
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- But given the sensitivities involved in monitoring activities within traditional households, effective enforcement will pose a challenge, and the rescue of vulnerable children will remain an uncertain proposition.
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What is the way forward?

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- India’s ratification of the two conventions, after more than 165 countries have legally bound themselves to their obligations, is itself a sad commentary on the priorities of successive governments, cutting across party lines.
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- The ILO’s Minimum Age Convention of 1973 entered into force in 1976 and the instrument pertaining to the elimination of the worst forms of child labour in 2000.

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- While policymakers are no doubt alert to the inequities that perennially plague Indian society, the practical realities are too painful for the millions who languish on the margins.
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- Any genuine enforcement of a minimum age at work will elude governments so long as a universal minimum wage of subsistence for the adult workforce is not implemented scrupulously.
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- On this score, the record of different States is at best patchy.
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- This scenario is unlikely to improve in the absence of a vibrant mechanism of collective bargaining among stakeholders.
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- Together with the near universal ratification of the convention on the Rights of the Child, that sends a resounding message about our common cause and our common standards that protect children's human rights.
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- Without this, the total elimination of child labour will remain a difficult task.
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Source: The Hindu

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