

The Forbidden Terrain of the Worst Forms of Child Labour: A critical look at the implications of legal tools and definitions used by national surveys in Bangladesh

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Abstract

This paper demonstrates the challenges of defining the worst forms of child labour (WFCL) in legal instruments in Bangladesh – in particular, the consequences of compartmentalizing WFCL and hazardous child labour in policy, legal and institutional responses. The paper presents an overview on the spectrum of WFCL, as reflected in the existing knowledge base, and identifies the barriers in relation to the formal recognition of some sectors under the category of WFCL. It shows how the definitional limitations and institutional boundaries work as barriers in defining the scope of survey and research, which results in some of the critical sectors and manifestations of WFCL being excluded from scrutiny. The paper further questions the appropriateness of placing the issue of WFCL within the scope of labour governance rather than child rights governance. It goes on to argue in favour of a policy and legal regime that considers WFCL both as an area for knowledge building and improved governance.

1. Introduction

The last two National Child Labour Surveys in Bangladesh show significant improvements in the child labour situation in the country – notably the decline in the absolute numbers of ‘working children’ and ‘child labour’. The definitions of these terms are discussed further below.

However, it is also important to note an area that saw little progress between these two surveys: the area of ‘hazardous child labour’.

Over the 10-year period, the number of children engaged in hazardous labour in Bangladesh decreased by just 0.01 million, from 1.29 million to 1.28 million.

The surveys examined data relating to ‘working children’, ‘child labour’ and ‘hazardous child labour’. They made no reference to the term ‘worst forms of child labour’ (WFCL).

This paper takes a fresh look at the available data around child labour in Bangladesh and attempts to explain how existing definitions affect our understanding of the prevalence of WFCL. It also examines how the concepts are reinforced in governance through policy and legal instruments. The paper has three broad objectives:

- to present and analyse the existing data (as presented in national surveys) on hidden child labour and WFCL;
- to analyse the limitations of policy and legal definitions in setting the scope and parameters of planning and knowledge building processes around WFCL; and
- to introduce an alternative conceptual framework to increase understanding of WFCL and enable a more consistent and robust approach to addressing it.

2. The prevalence and characteristics of WFCL in Bangladesh

This section summarizes the data presented in the last National Child Labour Survey of Bangladesh, carried out in 2013 (BBS, 2015), and the previous survey, from 2002/03 (BBS, 2003), to provide an indication of the

prevalence of hazardous child labour in rural and urban settings. It looks at what the data show about the demographic composition of the children engaged in hazardous labour and reveals the main determinants of the hidden and WFCL.

Comparison of the two consecutive surveys reveals that the total number of children recorded as being engaged in hazardous child labour decreased marginally.

Table 1: Distribution of children in hazardous work 2002–2003 and 2013

	2002–2003			2013		
	Male	Female	Total	Male	Female	Total
Children in hazardous work ('000)	1,172	120	1,291	772	508	1,280

Source: Bangladesh Bureau of Statistics (BBS), *National Child Labour Survey 2002–2003*, BBS, Dhaka, 2003; BBS, *National Child Labour Survey 2013*, BBS, Dhaka, 2015.

While the number of boys employed in hazardous work decreased by 34 per cent over the decade, the number of girls increased by over a factor of four.

The survey does not directly reveal the sectors in which the employment of children in hazardous activities has increased (BBS, 2015). However, it does show the settings where hazardous child labour is most commonly found.

- About 0.5 million children were recorded as being engaged in hazardous labour in offices, workshops, factories and shops. This amounts to 42.8 per cent of the total number of children engaged in hazardous labour.
- In the 12–13 age group, 70.3 per cent of children engaged in hazardous labour work in this sector, as do 46.2 per cent of

6–11-year-olds engaged in hazardous labour.

- Of all children engaged in hazardous labour, 18.2 per cent work in agriculture.

However, these findings are determined by the way the survey is compiled and the data are categorized.

The survey includes 38 sectors/tasks that are listed by the government as ‘hazardous for children’. Any child working in these sectors/tasks is considered to be engaging in hazardous child labour. In addition, it uses a series of additional criteria to identify harmful child labour in non-hazardous sectors:

- Where any child aged 5–17 is working more than 42 hours a week, it is considered ‘hazardous child labour’.
- Where any child up to the age of 11 is working, it is considered ‘child labour’.
- Where any child aged 12–17 is working up to 42 hours a week in non-hazardous activities, it is considered ‘child work’, i.e. permissible work.

The findings of the 2013 survey (BBS, 2015) reveal:

- Of the 1.28 million children engaged in hazardous child labour, only 0.26 million work in the listed hazardous sectors.
- As many as 1.1 million children work more than 42 hours each week. This accounts for 64.9 per cent of the total number of children engaged in child labour (1.7 million).
- Of those engaged in hazardous child labour:

- 1.21 million are aged 14–17; 38,766 are aged 12–13; and 32,808 are aged 6–11.
- 88.7 per cent of those in the 14–17 age group work for at least 42 hours each week. The corresponding percentage is 31.7 per cent in the 12–13 age group and 4.2 per cent in the 6–11 age group.
- 77 per cent of those in city corporation areas work for more than 42 hours each week, compared with 64.1 per cent in rural areas and 57.7 per cent in other urban areas. This indicates greater vulnerability of children to hazardous work in the city corporation areas.
- The overwhelming majority are employed full time.

Male and female working children are exposed to different hazards:

- 0.63 million male working children work for more than 42 hours each week, as do 0.47 million female working children.
- 17.9 per cent of male working children are exposed to dust, fumes, noise and vibration, compared with 15.1 per cent

among the girls. The rates of exposure to dust, fumes, noise and vibration across all working children are highest in city corporation areas (31.8 per cent).

- 7.9 per cent of male working children are required to use dangerous tools, compared with 9.7 of female working children. Again, this is substantially higher across all working children in city corporation areas (23.1 per cent) than rural (6.1 per cent) and other urban areas (8.7 per cent).

The fact that only a small proportion of those involved in hazardous child labour are engaged in registered hazardous sectors is a major limitation of current policy and child protection law. Effectively, over a million children identified in the National Child Labour Survey are invisible to the formal authorities.

This is not a problem unique to Bangladesh. According to the International Labour Organization (ILO), hazardous child labour is often hidden (ILO, 2018). The following table includes common examples of child labour that is often hidden behind closed doors, unseen or ignored.

Table 2: Visible and hidden forms of child labour

Spread	Visible child labour	Hidden child labour
Concentrated	Work in street-based workshops; street vending; tourist aides/souvenir selling; restaurant serving; construction; street-based car washing/watching	Agricultural work in plantations; factory work; cleaning; scavenging (at night or from the dump); offshore fishing (platforms and ships); work in tanneries; work in cemeteries; dishwashing in restaurants
Dispersed	Family agricultural work; livestock herding; lake/river fishing; water and wood gathering; work of porter/carrying grocery bags; recycling and rag-picking	Domestic work; artisanal mining; brick kiln work; home-based production; household chores in own home that are hazardous or performed for long hours

As such, there is a clear challenge in identifying, measuring and addressing hazardous child labour, as any studies are influenced by the extent to which these activities are visible (ILO, 2018). There is also a gender dimension to ‘invisibility’: when a girl is married, her identity as a child becomes over-shadowed by her identity as ‘spouse’ and ‘home-maker’.

Equally – or perhaps even more – importantly, the survey did not include the ‘compulsory worst forms of child labour’: commercial sexual exploitation and trafficking, illicit production and trafficking of drugs, bonded labour, and forced marriage. There is therefore no statistical visibility for children in these situations, as the approach/methodology of data collection does not apply to the context in which these children work. Data on trafficking and sexual exploitation are anecdotal. Given the social stigma, the pressure of criminal networks and the secretive nature of these crimes, reporting levels are low, and the data available at public and policy level are almost certainly severe underestimations.

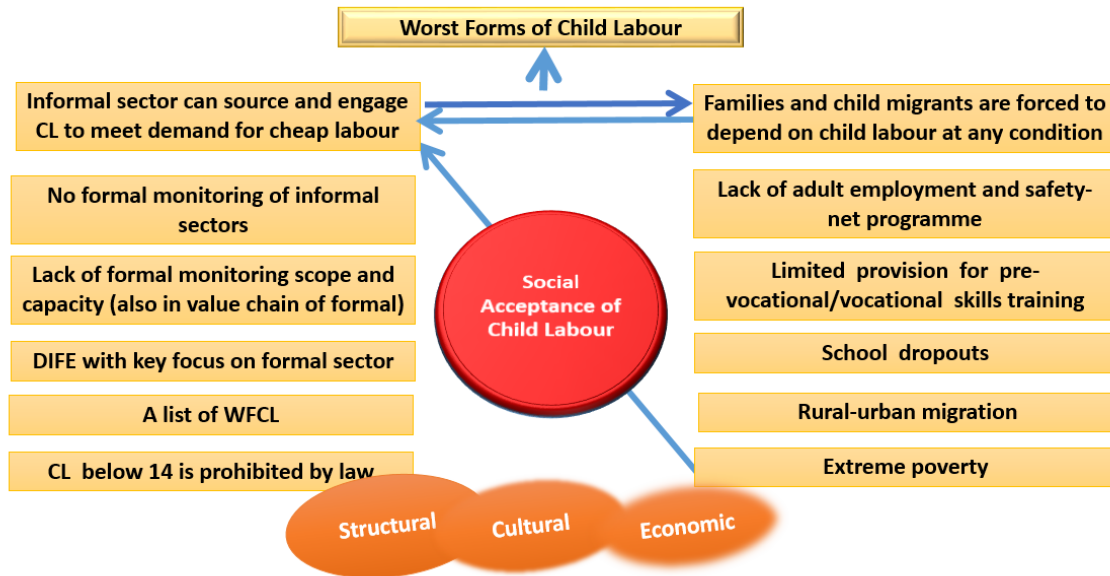
This issue can be better contextualized once we look at the data registered in the National Child Labour Survey (BBS, 2015) regarding abuse experienced by children in workplaces. The survey reports a comparatively low prevalence of physical and other abuses experienced by working children. The most common type of abuse working children are exposed to is ‘constant shouting/insult’ by the employer, which was reported by 17.1 per cent of respondents. Neither physical abuse

nor sexual abuse was recorded at significant levels, although the survey notes that physical abuse takes place on different scales at different ages.

However, these figures should be considered in the context of the limitations of a quantitative survey approach for such topics. Different types of study have found far higher levels of physical and sexual abuse. For instance, a study of 71 domestic workers in Bangladesh found that 25 per cent of the interviewed girls, all employed as domestic workers (average age: 11), considered that they had been sexually abused, with several reporting having been raped (Blanchet, 1996). Other studies have revealed a dimension of ‘silent abuse’, resulting from the discrimination experienced by child workers. One study found that, for many child domestic workers, the experience of discrimination and their isolation in the employer’s household was the most difficult part of the psychological toll they endured, commenting that it was “neither the verbal or physical punishments, nor the possible lack of material goods or even food, that upset [child domestic workers] the most; it was the discrimination, exclusion, disrespect, ingratitude, and other assaults on their emotional needs that truly hurt them” (Baum, 2011).

Although the National Child Labour Surveys do not shed light on the causes of child labour/WFCL, many other studies have looked into this and identified multiple actors and factors (Ali, 2019).

Figure 1: Actors and drivers of the worst forms of child labour in Bangladesh



It is important to note that poverty alone does not lead to engagement in the WFCL. Studies have revealed that child labour can be high even in areas where poverty is low;¹ this serves to demonstrate that child labour is a complex/multidimensional phenomenon (ILO, 2019). Other relevant factors appear to include: a culture of acceptance of child labour; rural–urban migration; technological choices; the inability of formal structures to monitor informal employment; insufficient access to education; and global demand for cheap labour. All of these can be considered part of the complex processes that lead to child labour, and the WFCL in particular. The existence and status of criminal networks (such as human trafficking chains) also have a role in the process of forming WFCL. However, studies do not adequately explain

how/why individuals are differently affected by the same set of conditions.

3. Limitations of the policy and legal regime regarding WFCL

This section looks at the implications of the global and national policy and legal regime in addressing the hidden and WFCL.

The WFCL are defined according to international standards under ILO Convention No. 182 (ILO, 1999a, 2011). This has been ratified by Bangladesh. It defines ‘hazardous work’ as one of the four WFCL and prohibits children from being engaged in the following types of work (ILO, 1999: Article 3):

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory

¹ The percentage of child labour is highest in the Dhaka and Chittagong divisions, while the incidence

of poverty is highest in the Rangpur, Barisal and Rajshahi divisions (ILO, 2019).

labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) 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.

The countries ratifying the Convention No. 182, are obligated to prepare a “hazardous work list”. However, a study (ILO, 2018) reflects, some lists cover too little, with focus on those trades and types of work that present safety issues (e.g. risk of injury), leaving those without immediate or visible symptoms (e.g. chronic illnesses or psychological problems). This happens as, the Convention itself does not define what this element includes, instead leaving it to individual countries to develop their own “hazardous work list”.² However, the ILO’s Worst Forms of Child Labour

Recommendation No. 190 (ILO, 1999b) and the non-binding guidelines that accompany Convention No. 182 (ILO, 1999a) urge member states to consider a set of characteristics in developing the list.

In Bangladesh, the Ministry of Labour and Employment (MoLE) has adopted a list of 38 work sectors and processes defined as ‘hazardous for children’.

Bangladesh has *not* ratified ILO Convention No. 138 (ILO, 1973), which sets the general minimum age for (non-hazardous) work and prohibits hazardous work for all children under the age of 18. This minimum age is based on the legal age for the end of compulsory education and the legal age for starting employment or work of different types. It also gave countries the option of legislating to permit children to participate in ‘light work’ that does not interfere with education (from 13 in a country with a general minimum age of 15, and from 12 if the general minimum age was provisionally set at 14) (ILO, 2018). These areas of flexibility have an impact on the legal instruments that define minimum age, giving countries the option of setting it below 18.

Reflecting this, Bangladesh’s Labour Act 2006 (amended 2013) set a minimum age of

² Article 4 of Convention No. 182 (ILO, 1999) says: “1. The types of work referred to under Article 3(d) [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] shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of

Child Labour Recommendation, 1999. 2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist. 3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.”

employment at 14 years. This Act allows children aged 14–17 to engage in light work, as long as they have a health certificate from the appropriate authority, and various other specific conditions are met.

Overall, it therefore appears that the global agenda on child labour (in terms of UN instruments) may be biased towards labour rights and labour governance. While ratification of the ILO instruments would and does offer greater protection and improved legislation, these tools to protect the rights of children in labour situations are not adequate in holistically addressing the rights of children (as proclaimed in the United Nations Convention on the Rights of the Child, UNCRC).

The origin of the definitions used in Bangladesh’s National Child Labour Survey can be seen in the Labour Act 2006 (amended 2013). This prohibits employment for ‘children’ – under the age of 14 – and hazardous work for ‘adolescents’, defined as under the age of 18. The hazardous work in this regard refers to a list prepared by the government on hazardous work for adolescents. The Labour Act differs from UNCRC, and Bangladesh’s own Children Act 2013 and National Children Policy 2011, which define ‘children’ as those under 18. The Labour Act is also focused primarily on the formal sector of the economy. However, the majority of children engaged in hazardous work are employed in the informal sector. Further, at younger age groups, the proportion of children in the informal sector is higher. As such, the Labour Act offers no

protection to the largest proportion of working children, and also to many of the youngest children engaged in child labour.

Informal and formal sectors of employment of children

As many as 89.3 per cent of respondents to the National Child Labour Survey stated that their work was on an informal basis. While the proportions were high in all age groups, they were highest among younger groups. For example, 100 per cent of five-year-olds were employed informally, compared with 86.9 per cent in the 14–17 age group. Informal workers are far more vulnerable to losing their job: employers are not obliged to provide any explanation or follow specific rules when terminating informal employment. Informal workers have no rights to protect their employment, meaning the risk of exploitation may be higher.

Source: BBS, National Child Labour Survey 2013, BBS, Dhaka, 2015.

The Labour Act also does not include any provisions for addressing the compulsory worst forms of child labour. Instead, this is addressed by the Prevention and Suppression of Human Trafficking (PSHT) Act 2012, which criminalizes human trafficking (inclusive of child trafficking) and the economic exploitation, forced labour and sexual exploitation of children. The law also addresses child trafficking (section 3).

These two critical acts for child protection are the responsibility of two separate government

departments. MoLE is responsible for the Labour Act, while the Ministry of Home Affairs (MoHA) has responsibility for the PSHT Act. This means that there is a split in the legal mandate in relation to WFCL, and there is a need for inter-ministerial coordination to address WFCL holistically.

Definitional ambiguities, especially around the minimum age of employment and administrative listing (of hazardous child labour), contribute to the statistical invisibility of a substantial number of the children engaged in hazardous child labour. This weakens the policy efforts and limits the scope of legal enforcement. For example, 'child sexual exploitation' is not viewed by MoLE as a child labour-related issue. The Children Act 2013 defines children as individuals under 18 years and identifies a set of entitlements beyond work – which is different from the Labour Act 2006 (under 14). It also leads to segmented, uncoordinated and ambiguous actions across different ministries.

Within this context, the legal responsibility for addressing child labour remains with MoLE, while the responsibility for implementing the Labour Act sits with the Labour Court and the Department of Inspection for Factories and Establishments (DIFE). Each of these institutions partially addresses the concerns of child labour, but none has any jurisdiction over the compulsory worst forms of child labour. This further reveals that the labour governance-based approach is inadequate in addressing child labour. The broader spectrum of child rights and child protection

is yet to be integrated into the strategies addressing child labour.

In the absence of a cohesive and holistic understanding on WFCL, and while the labour governance angle remains the primary means of identifying child labour, the national survey and research initiatives do not holistically address the concerns of WFCL. Within the current institutional arrangements, the National Child Labour Survey focuses on hazardous child labour under MoLE, while the data on child trafficking are expected to be provided by MoHA.

Apart from legal instruments, there are several policies and national action plans that address child labour (U.S. Department of Labor, 2017).

- The *Child Labour National Plan of Action (2012–2021)* identifies strategies for developing institutional capacity, increasing access to education and health services, raising social awareness, strengthening law enforcement, and creating prevention and reintegration programmes. In 2017, the plan was extended through to 2021.
- The *Domestic Workers Protection and Welfare Policy* sets the minimum age for domestic work at 14 years; however, children aged 12 and 13 can work as domestic workers with parental permission. The policy is not at present legally enforceable.
- The *National Plan of Action for Combating Human Trafficking (2018–2022)* addresses child trafficking and

forced labour within the broader framework of tackling human trafficking.

- The *National Education Policy* specifies the government’s education policy, including pre-primary, primary, secondary, vocational and technical, higher, and non-formal education policies. It sets the minimum age for compulsory (free) education through to eighth grade (age 14).
- The *Seventh Five Year Plan (2016–2020)* includes actions designed to accelerate the elimination of WFCL, with a focus on child domestic workers and other vulnerable groups. It sets out actions to be taken by the government, including:
 - forming a policy for children working in the formal sector;
 - providing assistance to street children to protect them from exploitation;
 - coordinating the government and other stakeholders for effective rehabilitation;
 - increasing working children’s access to formal and non-formal learning; and
 - the provision of livelihood support to poor households with children.

However, few data are available to show whether any activities were undertaken in relation to these given goals and objectives.

4. Barriers in promoting effective research and interventions

This section identifies some of the critical challenges and gaps in research on understanding the hidden and WFCL. It also

presents a way forward for addressing these challenges.

As discussed in the preceding sections, the review of some of the existing data on child labour reveals:

- The National Child Labour Survey defines the minimum acceptable age of employment as 14, in line with the Labour Act, instead of 18 (as in the Children Act 2013). This leads to an underestimation of the prevalence of child labour from the perspective of a children’s rights-based approach.
- Only a small proportion of the children engaged in hazardous work are working in the listed hazardous sectors/activities. Many more are exposed to hazardous work in terms of the number of hours they work each week. To this end, the National Child Labour Survey has adopted a definition of hazardous child labour based on both the amount of time they work and other potential harms. This reflects the fact that, in most cases, the informal sector exploits hazardous child labour. However, the legal tools and monitoring mechanisms are unable to recognize and address hazardous child labour with such diversity (and largely exclude the informal sectors). This reveals a critical gap in converting the existing statistical visibilities of WFCL in these sectors, into formal listing within the scope of the existing legal framework.
- The quantitative or survey approach is not suitable for recording the incidence

of physical and sexual abuse experienced by children at work. Consideration should be given to introducing qualitative research or a mixed-method approach, in which sensitive issues can be considered within national surveys.

- There is a gender dimension to the trends in hazardous child labour. While the number of boys under this category decreased by 34 per cent between 2003 and 2013, the number of girls increased by over a factor of four. However, there is no research available regarding this.
- Child domestic workers are currently excluded from the official list of hazardous sectors/activities. This ignores the long working hours and harmful working conditions of child domestic workers (including risks of physical abuse, sexual abuse and psychological harm). Once again, it reveals the limitations of a labour lens for assessing and understanding child labour, specially WFCL.
- The informal sector is difficult to monitor and study because it is very difficult to access the children involved in this sector. These children (such as child domestic workers and those involved in home-based craft sectors) are often not visible to authorities. Moreover, family-based employment of children (unpaid labour) is often not included in the studies as 'child labour'. This has led to the statistical invisibility of these children within the scope of a 'child labour

survey'. Work in home-based industries is often seen as a way of acquiring useful skills for the future and being beneficial for the marriage credentials of girls (IREWOC, 2010). This social acceptance often leads to these sectors being excluded from the scope of studies and surveys – in turn resulting in the continued statistical invisibility of a section of WFCL.

- There are also geographical and ethnographic aspects of child labour that remain invisible to national surveys. For example, the National Child Labour Survey did not mention the use of child labour in tea gardens (in the Sylhet division of Bangladesh). The ethnic communities working in these tea plantations – known as 'gardens' – remain hidden in the aggregated database or excluded from the sample. Either way, the existing national database does not reveal the existence of these children and sectors as hosts of child labour. To address the gaps, micro-level studies are carried out. Often, sector-specific studies are conducted in isolation. Although these studies provide partial views on context, they provide invaluable insights.

Child labour in tea gardens

A survey revealed that 47.1 per cent of workers acknowledged the existence of child labour in tea gardens in Sylhet. Workers in the tea gardens take their children to work to meet targets and secure more

income. Children also work on vacation days, and both after and before school hours. In the survey, it was found that 42 per cent of workers had three to four children, which could drive child labour. Tea garden authorities also welcome children to help their parent workers in plucking. The main causes of child labour in tea gardens are: substitute for parents, reluctance to engage in schooling, complementing family income (poverty), workers bring children to meet targets, and secure residence. Male children do work such as digging canals, repairing roads, and taking care of tea plants, whereas female children pluck the tea leaves, and put tea in sacks. Children are also deployed to spread pesticides, as well as make drugs for the tea garden workers.

Source: Ahmmmed and Hossain, 2016.

Child domestic workers

A study by Bangladesh Shishu Adhikar Forum (BSAF, 2014) notes that, since 2006, there has been no survey on the number of child domestic workers in Bangladesh. In 2006, an ILO baseline survey (ILO, 2006) found about 3.2 million child labourers in Bangladesh. Among them, 421,000 (13.16 per cent) were employed as domestic aides. Of these, 75 per cent were girls, who were particularly vulnerable as they worked behind closed doors and it was difficult to reach them and talk to them. In another study on child domestic workers in Dhaka City, BASF found that 78 per cent of the total child domestic workers were girls, compared with 83 per cent on average in 10 other city locations.

Source: BSAF, 2014; ILO, 2006.

- A simple demonstration of the difficulty of studying the hidden groups of hazardous child labour is to look at different estimates of prevalence. The small sample-based qualitative studies (as mentioned above) are effective in revealing details on these hidden groups. But these small studies are unable to establish robust estimations on prevalence. This has led to disputed figures and misrepresentation of vulnerable groups.
- The girls and boys employed in formal work sectors are often “well-guarded secrets” (ICFTU, 1994). Children employed in informal sectors are often out of the public domain (and institutional monitoring) as they work in someone’s home (such as child domestic workers) or are viewed as participants of ‘family-based activities’ (such as agriculture). The victims of trafficking (for fishing, sexual exploitation and pornography etc.) are often invisible in the public domain and kept in captivity by criminal networks. It is extremely

difficult for researchers or monitoring authorities to reach these children to access information.

- Out-of-date data also work as a barrier to developing a proper understanding on the current context. The last National Child Labour Survey was conducted in 2013. There is a dependency on a very slow-moving process of data generation at the national level. For broader acceptance and ownership, the National Child Labour Surveys are carried out by BBS (government) in collaboration with UN agencies (ILO/UNICEF). The institutional set-up of these surveys is often bureaucratic and restricts the involvement of citizens (researchers, activists, academia and children) in data collection and analysis process.

5. Towards an inclusive conceptual framework on WFCL

To address the existing research gaps on child labour – specifically regarding WFCL – alternative approaches should be considered.

Potential methods include:

- holistically studying all four of the categories of WFCL listed by the ILO Convention No. 182 (including hazardous and compulsory WFCL) within an inclusive conceptual framework – with the need to conduct national surveys and micro (qualitative) studies to ensure statistical visibility of WFCL;
- engaging with business, non-governmental organizations and trade union networks (e.g. BEA, ATSEC, NACG,

SKOP and BILS) – with the potential to overcome the barriers put in place by employers to gathering information and to address the apparent invisibility of WFCL in some sectors; it would require effective engagement and collaboration between research agencies, development actors and universities and these business groups;

- securing institutional alliance between research initiatives and child labour/WFCL-related authorities (such as MoLE, MoHA, National Child Labour Welfare Council etc.) – helping findings to inform and influence political and legal reforms; and
- specifically focusing on ways to address the relative invisibility of girls and ethnic minorities in surveys and studies.

It is clear that policy and legal documents and plans have played a strong role in shaping the mindset of institutions and policy actors. As such, there is a need to review these documents and identify the limitations of a labour governance-based approach as opposed to a children’s rights-based approach. Work should be undertaken on definitions of children, child labour and WFCL – and the implications of those definitions – to help build an inclusive framework on WFCL. In particular, the segregation of hazardous child labour and the compulsory worst forms of child labour in legislative and administrative arrangements need to be questioned, as does the predominance of a labour governance lens in policy regarding child labour.

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