

Regional brief for Europe and Central Asia on child labour

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Disclaimer:

The present draft document has been prepared for the Regional Consultation for Europe and Central Asia. It is intended to inform the discussion, elicit comment and further debate.

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1. Introduction

The 2020 ILO-UNICEF global estimates show that 8.3 million children – 3.2 million girls and 5.1 million boys – are in child labour, accounting for 5.7% of all children in the Europe and Central Asia (ECA) region.¹ Child labour is much more common in rural than in urban areas, and agriculture accounts for the largest share of children in child labour.² An extremely high share of child labour is hazardous in nature: Ninety-five percent of those in child labour in the region are in hazardous work that directly endangers their health, safety, and moral development.

Hazardous child labour is by far the most prevalent of the worst forms of child labour in the region (as in other world regions).³ However, other worst forms of child labour also exist in the region. Due to their often underground or illicit nature, these are often not captured through standardized household surveys. Specifically, children in the ECA region have been found in forced begging (in Albania, Azerbaijan, Georgia, North Macedonia, and Serbia) and commercial sexual exploitation (in Albania, Armenia, Azerbaijan, Kazakhstan, Kyrgyz Republic, Moldova, North Macedonia, Serbia, Turkey, Ukraine, and Uzbekistan), each sometimes as a result of human trafficking.⁴ Moreover, cases of children in illicit activities have been reported in Albania, while there are accounts of children who are recruited by non-state armed groups in Ukraine.⁵ Incidences of forced child labour in cotton picking have been reported in Turkmenistan,⁶ while similar allegations are still being made in Uzbekistan, despite recent progress.⁷ Children and adults are victims of trafficking across the entire region, including the European Union (EU). Even though there are no studies or reliable statistics to provide a comprehensive picture, a report from 2009 noted that a substantial number of children fall victim to trafficking for sexual exploitation or other purposes in the EU.⁸

¹ ILO and UNICEF: “Child Labour: Global estimates 2020, trends and the road forward.” 2021. / The region is comprised of 51 countries divided into four subregions. The Central Asia sub-region is comprised of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. The Eastern Europe sub-region is comprised of Belarus, Bulgaria, Czech Republic, Hungary, Moldova, Poland, Romania, Russia, Slovakia and Ukraine. Northern, Southern and Western Europe is comprised of Albania, Austria, Belgium, Bosnia and Herzegovina, Croatia, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, North Macedonia, Norway, Portugal, San Marino, Serbia, Slovenia, Spain, Sweden, Switzerland and United Kingdom. Western Asia is comprised of Armenia, Azerbaijan, Cyprus, Georgia, Israel and Turkey.

² ILO: “Child labour in Europe and Central Asia: Prevalence and characteristics. Statistical Brief.” October 2021.

³ ILO Convention No.182 (1999), Article 3 lists the following worst forms of child labour: (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 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.

⁴ US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021.

⁵ US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021.

⁶ ILO: “Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22, 23 and 35 of the Constitution). Report III (Part A). General Report and observations concerning particular countries.” 2020.

⁷ ILO: “2020 third-party monitoring of child labour and forced labour during the cotton harvest in Uzbekistan.” 2021.

⁸ European Union Agency for Fundamental Rights: “Child Trafficking in the European Union: Challenges, perspectives and good practices.” 2009. / It is estimated that each year between 5,000 and 7,500 children and adults are victims of human trafficking in the Netherlands, for example. (https://www.alliance87.org/pathfinder_countries/the-netherlands/#tab-2)

In addition, the region is at the receiving end of global supply chains, some of which involve child labour. Thus, an estimated €50.08 billion (2.4%) of the import total to the EU in 2019 involved child labour.⁹

This remainder of this document provides a review of the key regional challenges to progress against child labour within the ECA region (Section 2), as well as current policies to address them (Section 3).

2. Key challenges to progress against child labour in the region

2.1. Poverty

Poverty, one of the main drivers of child labour, remains a real issue in Europe and Central Asia. On the one hand, Europe and Central Asia has the lowest poverty rates and is the most uniform world region, with only 2% of people in the region considered multi-dimensionally poor in 2017.¹⁰ On the other hand, World Bank estimates suggest that the COVID-19 pandemic will likely have pushed an additional 4.3 million people into poverty by the end of 2021 (see Section 2.9).¹¹ This estimate suggests that the recovery is not complete or inclusive, with household incomes continuing to be dampened by job losses and a reduction in working hours, the removal of policy support, and high inflation, particularly for food items.

Even before the pandemic, the region had a higher level of poverty among children than among other age groups: 3% of children were multi-dimensionally poor in 2017, compared to 2% of adults.¹² Poor children also tend to experience more deprivations than poor adults in this region.¹³ Moreover, some children are more likely to be poorer than others, particularly children with disabilities, children from larger families, children of single parents and those in rural areas. Roma children suffer disproportionately from poverty and remain one of the poorest groups: a Roma child is twice as likely to grow up in poverty as a non-Roma child.¹⁴

According to UNICEF, one key challenge is that governments do not always monitor child poverty, and poor children are not given the attention they deserve.¹⁵ As a result, there are few policies or programmes to address this crucial issue.

2.2. Social protection

While most countries in the ECA region have social protection schemes to meet the needs of children, some Governments are cutting their spending on social protection, with benefits for children and

⁹ https://www.alliance87.org/pathfinder_countries/the-netherlands/#tab-2

¹⁰ The global Multidimensional Poverty Index (MPI) is an international measure of acute multidimensional poverty covering over 100 developing countries. It complements traditional monetary poverty measures by capturing the acute deprivations in health, education, and living standards that a person faces simultaneously. (<https://ophi.org.uk/multidimensional-poverty-index/>). / The only outliers in the region were Azerbaijan at 5.3%, and Tajikistan with 13.2% of the population considered MPI poor.

¹¹ World Bank: "Fighting Poverty in Europe and Central Asia." Brief. 21.10.2021. <https://www.worldbank.org/en/region/eca/brief/europe-and-central-asia-poverty>

¹² Oxford Poverty & Human Development Initiative: "Multi-Dimensional Poverty Index." <https://ophi.org.uk/multidimensional-poverty-index>

¹³ For instance, in Serbia, which had the largest difference between age groups, poor children are deprived, on average, of 46% of indicators, while the average percentage of deprivations for all MPI poor adults 18 and over is 38%. (<https://ophi.org.uk/multidimensional-poverty-index>)

¹⁴ UNICEF: "In focus: Ending child poverty". 2018.

¹⁵ UNICEF: "In focus: Ending child poverty". 2018.

families being eroded by austerity measures. On average, approximately 10% of social protection expenditure went to supporting children and families in the region in 2018.¹⁶ Those benefits are usually too small to make any meaningful difference to families, and many people in need are still excluded from them entirely. This may mean that households have to resort to child labour to meet basic needs or to deal with economic uncertainty.

Social services are sometimes limited or unavailable, especially in rural areas. Families who do not receive enough support to keep children with disabilities at home are more likely to place them in institutions. Those who should benefit from social protection face barriers such as bureaucratic processes and lack of information about entitlements and programmes. Moreover, some people who are most vulnerable to poverty – including those who receive social protection – face discrimination. For example, families from Roma communities have described being told they do not qualify for benefits when in fact are eligible.¹⁷ Legal support may be required to help families claim their entitlements.

The COVID-19 crisis has revealed gaps in the existing social security systems. Although the social security systems in seven countries that were reviewed recently¹⁸ responded well to protect the contributing members, mainly consisting of full-time regular employees in formal employment and the self-employed, they did less well for a growing number of workers who were excluded or insufficiently covered by the existing contributory social security systems.¹⁹ Groups of workers not adequately protected by the existing social security systems include workers in the informal economy and those in non-standard forms of employment including those in the platform economy. Migrant workers, including those repatriated from the countries of destination, were also affected, and many of them lost the right to social security benefits they enjoyed while working abroad.

2.3. Education

While almost all countries in the Region had increased their school enrolment rates by early 2020, there are two key challenges remaining: (a) the lack of access to education for the most marginalized children and adolescents, (b) the low quality of education. Each of these challenges can act as a major push factor towards child labour, and both have been exacerbated by the COVID-19 pandemic, which has halted education for millions of children in the region (see Section 2.9).

2.3.1. Equity challenges

Every country in the region has high enrolment rates for primary and lower secondary education, yet millions of children and adolescents are not in school. The biggest gaps in enrolment are seen at these two ends of the education spectrum, with 1.3 million children missing out on one year of pre-primary education, and 2 million missing out on secondary school in 2018.²⁰

Out-of-school children tend to be the most disadvantaged who may also be “invisible” in education data, such as refugee and migrant children, those from ethnic minorities and children with disabilities. These children may sometimes be unwelcome in school as a result of negative social norms. UNICEF

¹⁶ UNICEF: “In focus: Ending child poverty”. 2018.

¹⁷ UNICEF: “In focus: Ending child poverty”. 2018.

¹⁸ Albania, Bosnia and Herzegovina, Moldova, Montenegro, North Macedonia, Serbia and Ukraine.

¹⁹ ILO: “Assessment of the social security responses to COVID-19: Lessons from the Western Balkans and Eastern Europe during the first stage of the pandemic.” 2021.

²⁰ UNICEF: “In focus: Supporting quality and inclusive education”. 2019.

estimates that at least 75% of the roughly 5.1 million children living with disabilities in Eastern and Central Europe and Central Asia are excluded from quality, inclusive education.²¹

Roma children are also far more likely than others to be out of the classroom, especially at pre-primary or secondary-school age, at least in part because of discrimination. Refugee and migrant children face a number of challenges to get any education at all, as schools are unprepared to cope with additional students, to help children catch up on schooling they have missed or provide specialized language classes. As schools reopen after COVID-19, many students from poorer and marginalized communities will not return, as inequality in educational opportunity has been further exacerbated by the pandemic.²²

2.3.2. Quality challenges

There are serious concerns about the quality of education in many countries of the region and whether pupils are learning the skills they need to function and prosper in adult life. Data from 2015 confirm a learning crisis, showing that 40 to 70% of 15-year-olds fail to master the most basic skills in reading, mathematics and science in ten countries and territories in the region (Albania, Bulgaria, Georgia, Kazakhstan, Kosovo²³, North Macedonia, Moldova, Montenegro, Romania and Turkey).²⁴ The data also reveal major equity gaps in learning, with the children from the most marginalized groups most likely to miss out. On average, poor children score almost one year behind wealthier children, and those in rural areas lag around two years behind their peers in the big cities.

There are difficulties in making the shift from curricula that are content-based to those that are competency-based and flexible. Curricular reforms are often ineffective as they are not complemented with adequate reforms in teacher education and learning assessments. While a shift toward child-centred teaching can be seen in many countries, this has not resulted in tangible changes in children's learning. Several countries also face a lack of quality learning materials, insufficient involvement of communities and parents, and the robust measurement of learning outcomes.²⁵

2.4. Decent work deficits and informality

Decent, secure, and properly remunerated work for adults and youth of working age remains the cornerstone of combating family and community poverty, and child labour is most prevalent where adults and youth of working age cannot access their rights to decent work and where social protection fails to fill the poverty gap created by the absence of decent work.²⁶

However, countries in Europe and Central Asia are faced with growing insecurities and inequalities. New jobs have been created, but often of a lower quality in terms of social protection, workers' representation and the ability to provide for people's livelihoods, further contributing to raising

²¹ UNICEF: "In focus: Supporting quality and inclusive education". 2019.

²² UNESCO: "Reimagining our futures together: a new social contract for education." 2021.

²³ All references to Kosovo shall be understood to be in the context of the Security Council Resolution 1244 (1999).

²⁴ UNICEF: "In focus: Supporting quality and inclusive education". 2019.

²⁵ UNICEF: "In focus: Supporting quality and inclusive education". 2019.

²⁶ ILO: "Ending child labour by 2025: A review of policies and programmes." 2017.

inequalities.²⁷ Particularly in the Western Balkans and Central Asia, opportunities for decent work are scarce, and youth are at risk of being marginalized at a time of rapid economic change.²⁸

The informal sector still plays a role in the ECA region, particularly in Eastern Europe, where 31.5% of the employed workforce were engaged in informal work, and in Central and Western Asia, where 43.4% were so in 2017.²⁹ While some of the informal workers have reasonable livelihoods and incomes, most face a high level of vulnerability to basic risks and a wide range of decent work deficits, as they are not covered by a legal and regulatory framework and are excluded from social protection schemes. As a result, the informal economy is a major challenge for the rights of workers, gender equality and inclusive development, and it exacerbates child labour.³⁰

Moreover, international tensions have triggered a large influx of refugees from war-torn countries into the region, putting pressure on national economies to secure decent work for all. For example, there are over 3,7 million Syrians under Temporary Protection in Turkey, out of whom 2,1 million are of working age.³¹

Decent work challenges have been exacerbated by COVID-19. For example, the hours worked by several vulnerable groups in Turkey (informal workers, young people aged 15-24, Syrian migrants and domestic workers) increased between 20 and 40.5% during 2020, while others undoubtedly have fallen into unemployment, fallen out of the labour market, or been pushed further into informality as a result of economic disruption linked to the pandemic.³²

2.5. Gender issues

Boys in the ECA region are more at risk of child labour (5.1 million) than girls (3.2 million). Contrary to other world regions, the inclusion of household chores alters the gender differential only marginally among children aged 5 to 11, while it remains the same among children aged 12 to 14.³³ Gender considerations appear relevant in determining the kind of child labour performed: girls are relatively less likely than boys to work in industry, while the opposite pattern prevails for child labour in services and (to a lesser degree) in agriculture. Girls in child labour are more likely than boys to work for their own families, while the opposite pattern prevails for work as employees.³⁴

Children affected by gender discrimination face serious problems at secondary education level, with boys more likely to be excluded in some countries, and girls in others. Gender discrimination leaves adolescent girls more likely to be out of school and vulnerable to child labour in Tajikistan, Turkey and Roma settlements in the western Balkans, while adolescent boys are more likely to be out of school in the Kyrgyz Republic.³⁵

Even though there are many possible relationships between the phenomenon of child labour and that of child marriage, a recent UNICEF paper highlights the strong links between child marriage and the

²⁷ ILO: "What future for decent work in Europe and Central Asia: Opportunities and challenges. Tenth European Regional Meeting Istanbul, 2–5 October 2017. Report of the Director-General." 2017

²⁸ <https://www.eurasia.undp.org/content/rbec/en/home/about-us/about-the-region.html> / ILO: "Youth Employment: A Systems Analysis for Moldova's Decent Work Country Programme 2021-2024." June 2021.

²⁹ ILO: "Women and men in the informal economy: A statistical picture. Third Edition." 2018.

³⁰ ILO: "Recommendation No. 204 concerning the Transition from the Informal to the Formal Economy." 2015.

³¹ ILO: "Promoting decent work for Syrians under Temporary Protection and Turkish citizens." 2020.

³² ILO: "The impact of COVID-19 on the Turkish labour market during 2021: Results from a nowcasting model using Google mobility data." August 2021.

³³ ILO: "Child labour in Europe and Central Asia: Prevalence and characteristics. Statistical Brief." October 2021.

³⁴ ILO: "Child labour in Europe and Central Asia: Prevalence and characteristics. Statistical Brief." October 2021.

³⁵ UNICEF: "In focus: Supporting quality and inclusive education". 2019.

worst forms of child labour, particularly forced child labour and sexual exploitation.³⁶ Moreover, there are clear links between the perpetuation of child marriage and school drop-out, with a girl who is married before she is 18 less likely to be in school than her peers, and a girl who drops out of school more likely to be married or co-habiting. The child marriage prevalence rate ranges from 3 to 15% across the region, but national averages often hide high rates of child marriage among adolescent girls in marginalized communities. In Serbia, 43% of Roma girls aged 15 to 19 were found to be married or living with a partner in 2018, which is twice as high as the global prevalence rate. Child marriage is also a concern in parts of the Caucasus and Central Asia, where it is linked to the intersection between gender and social exclusion and migration, barriers to secondary education for girls, and lack of access to youth-friendly health services.³⁷

2.6. Humanitarian crises

Children in Europe and Central Asia are exposed to multiple risks: natural hazards, displacement, civil unrest, armed conflict, climate-induced disasters and disease outbreaks.³⁸ Earthquakes are a common and dominant threat. Much of the region is in an active seismic zone: Kyrgyzstan, Tajikistan and Uzbekistan are among the 10 countries with the highest levels of earthquake risk globally, and earthquakes have recently impacted Albania (2019) and Turkey (2020).

The region is also prone to flooding, landslides and mudslides, all of which are exacerbated by climate change and environmental degradation. In 2020, Uzbekistan faced a major flood triggered by a catastrophic dam collapse, while Romania and Ukraine were impacted by torrential flooding, and the Kyrgyz Republic experienced severe mudflows.

Protracted conflict in eastern Ukraine is affecting 500,000 children. The escalation of conflict between Azerbaijan and Armenia has resulted in civilian casualties, including children. Over 130,000 people have been displaced. Turkey hosts the world's largest refugee population, including 1.6 million children. Southeast Europe remains a transit route for migrants and refugees. The unresolved status of some disputed territories in the region limits humanitarian access. The conflict in Afghanistan may lead to new refugee flows into the three bordering countries in Central Asia, while border clashes in undemarcated territories put people in the Kyrgyz Republic and Tajikistan at risk of displacement and service disruption.³⁹

In addition to increasingly facing poor health care, inadequate nutrition, school dropout, violence, exploitation and abuse, these populations are at heightened likelihood of resorting to child labour as a coping mechanism.

2.7. Data collection and statistics on child labour

The timely collection of child labour data remains an important challenge in the region. Representative data for the period from 2016 to 2020 is available for only about one-half of the total child population in the ECA region, the second lowest level of child labour data coverage of the five world regions.⁴⁰ Data coverage, however, varies considerably across the four sub-regions, from 82% in Northern,

³⁶ Boender, Carol: "The relationship between child labour and child marriage: A discourse analysis." UNICEF, 2021.

³⁷ UNICEF: "In focus: Striving for gender equity". 2018.

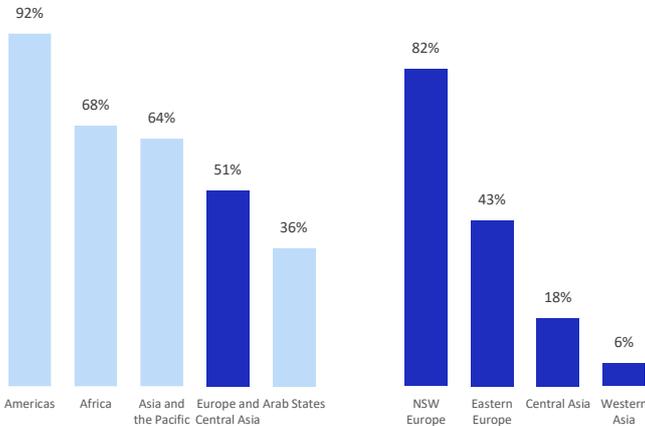
³⁸ <https://www.unicef.org/appeals/eca#download>

³⁹ <https://www.unicef.org/appeals/eca#download>

⁴⁰ ILO: "Child labour in Europe and Central Asia: Prevalence and characteristics. Statistical Brief." October 2021.

Southern and Western (NSW) Europe and 43% in Eastern Europe to just 18% in Central Asia and 6% in Western Asia (Figure 1).

Figure 1: Percentage of child population for which representative child labour data are available for the 2016 to 2020 period, by sub-region



Limited data on child labour in the region hampers the development and targeting of child labour policies and constitutes a major obstacle to monitoring progress against child labour.

2.8. Child labour legislation and enforcement mechanisms

Overall, the legal framework against child labour is solid in the ECA region, as all countries have ratified ILO Conventions Nos. 138 and 182, and many countries have adopted hazardous work lists, among other aspects (see Section 3.1.2); however, some challenges continue to persist, particularly with regards to protections granted to children in informal work (for example, in Georgia, the Kyrgyz Republic, North Macedonia, and Tajikistan).⁴¹ These limitations are significant, especially when considering the high prevalence of child labour in family-based agriculture in the region.⁴²

Moreover, there is sometimes limited authorization for labour inspectorates to conduct unannounced inspections or impose penalties. In Kazakhstan and Moldova, labour inspections of small enterprises are permitted only in cases that pose a mass threat to life and health, law and social order, or national security. Likewise, unannounced inspections remain severely restricted in Armenia and Ukraine.⁴³ In addition, there is a general limited reach of labour inspectorates into the informal economy where child labour is concentrated, which is relevant particularly in Eastern Europe and Central and Western Asia (see Section 2.4).

In some countries, there is either a maintained or an imposed moratorium on labour inspections. In Albania, the labour inspectorate lacks resources to conduct inspections in all sectors in which child labour is known to occur. Likewise, in Kosovo, the labour inspectorate also faces financial and human

⁴¹ US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021. / ILO: “Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22, 23 and 35 of the Constitution). Report III (Part A). General Report and observations concerning particular countries.” 2020.
⁴² ILO and UNICEF: “Child Labour: Global estimates 2020, trends and the road forward.” 2021.
⁴³ US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021.

resource constraints, which impedes their ability to adequately address child labour. In Azerbaijan and the Kyrgyz Republic, the governments have extended moratoriums on labour inspections until 2022.⁴⁴

2.9. The COVID-19 pandemic

The ECA region is at the epicentre of the COVID-19 pandemic, which affects every single country in the region. In October 2021, Europe and Central Asia accounted for 59% of all cases globally and 48% of reported deaths. Cumulatively, there are 78 million reported cases (as of October 2021) in the region, more than in South-East Asia, the Eastern Mediterranean, the Western Pacific and Africa combined, with the more transmissible Delta variant continuing to dominate transmission.⁴⁵ WHO has recently warned that hundreds of thousands more people in the region could die in connection with the virus during the winter of 2021/2022. Based on current trends, the total number of reported corona deaths is estimated to rise from 1.5 million in mid-November 2021 to more than 2.2 million by the spring of 2022.⁴⁶

Countries of Europe and Central Asia are at various stages of vaccination roll-out. On average, only 47% of people had completed a full vaccination series by October 2021. Vaccine uptake is particularly low in many countries in the Baltics, Central and Eastern Europe, and the Balkans; in these countries, hospital admission rates are particularly high.⁴⁷

Restrictions on free movement and the socio-economic fallout of the crisis put children at heightened risk of abuse, neglect and violence.⁴⁸ The pandemic has also clearly heightened the risk of child labour, above all through a sharp rise in poverty that may increase families' reliance on child labour, and through school closures that deny families the logical alternative to sending children to work.⁴⁹ Moreover, the pandemic has aggravated other challenges to progress against child labour outlined above, by stretching national social protection systems, eroding decent work gains and fuelling informality of work, increasing children and women's vulnerability to gender-based violence, and exacerbating existing humanitarian crises.

3. Current policies against child labour

Governments in the ECA region have made some progress against child labour in recent years (Section 3.1), most notably in the following areas:

- Safeguarding children's rights
- Strengthening child labour protections through laws and policies
- Enhancing the capacity for law enforcement and child labour monitoring
- Improving data collection
- Expanding education and social programmes
- Improving coordination mechanisms

⁴⁴ US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

⁴⁵ WHO: "Update on COVID-19: Europe and Central Asia again at the epicentre of the pandemic." Statement by Dr Hans Henri P. Kluge, WHO Regional Director for Europe, 4.11.2021. <https://www.euro.who.int/en/media-centre/sections/statements/2021/statement-update-on-covid-19-europe-and-central-asia-again-at-the-epicentre-of-the-pandemic>

⁴⁶ <https://www.boersen-zeitung.de/dpa-afx/af3797f9-0257-4383-83b7-361e734d59de>

⁴⁷ WHO: "Update on COVID-19: Europe and Central Asia again at the epicentre of the pandemic." Statement by Dr Hans Henri P. Kluge, WHO Regional Director for Europe, 4.11.2021.

⁴⁸ UNICEF: "COVID-19: Children at heightened risk of abuse, neglect, exploitation and violence amidst intensifying containment measures." 2020.

⁴⁹ ILO and UNICEF: "Child Labour: Global estimates 2020, trends and the road forward." 2021.

- Tackling child labour in global supply chains

Four countries in the region are Alliance 8.7 Pathfinder Countries, which have committed to going further and faster to achieve SDG Target 8.7, namely Albania, France, Germany, and the Netherlands. In addition, Uzbekistan is a partner country of Alliance 8.7.

Notwithstanding, important policy gaps that affect countries in the region collectively remain (Section 3.2), most notably:

- Limited availability of data on child labour
- Inadequate social protection
- Inequity in education
- Inadequate supply chain legislation

In addition, other specific policy gaps have been identified in some countries (Section 3.3), including the following aspects:

- Limited protections for children working in the informal sector
- Restrictions on labour inspection
- Incomplete legal frameworks against the worst forms of child labour
- Limited social services for children involved in or at risk of child labour

3.1. Main achievements

3.1.1. Safeguarding children's rights

In 2021, the European Union (EU) launched a comprehensive new Strategy on the Rights of the Child.⁵⁰ Two thematic areas of the strategy are particularly relevant to child labour in the region: “Socio-economic inclusion, health and education” (Thematic Area 2) and “Combatting violence against children and ensuring child protection” (Thematic Area 3). Among other aspects, the strategy commits to:

- propose a new initiative “Pathways to School Success”, that will also contribute to decouple educational attainment and achievement from social, economic and cultural status
- set up an expert group for creating supportive learning environments for groups at risk of underachievement and supporting well-being at school
- promote the toolkit for inclusion in early childhood education and care
- present an initiative aimed at supporting the development and strengthening of integrated child protection systems, which will encourage all relevant authorities and services to better work together, in a system that puts the child at the centre

In addition, as part of its global dimension (Thematic Area 6), the EU Strategy on the Rights of the Child makes concrete commitments to work towards freeing supply chains of EU companies of child labour (see Section 3.1.7), as well as strengthening labour inspection systems for monitoring and enforcement of child labour laws, which may include some countries in the ECA region.

Furthermore, the EU launched the European Child Guarantee, which aims to ensure that children in need and facing disadvantages in the EU have access to healthcare, education, early childhood

⁵⁰ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/eu-strategy-rights-child-and-european-child-guarantee_en

education and care, adequate housing and healthy nutrition, ultimately aiming to ensure progressive realisation of children’s rights in Europe. To test how the European Child Guarantee could work in practice, the European Commission has partnered with UNICEF to run pilot projects in seven Member States: Bulgaria, Croatia, Germany, Greece, Italy, Lithuania and Spain. The pilot will inform the implementation of the European Child Guarantee at the EU level as well as showcase innovative approaches and develop European Child Guarantee national action plans for children in the seven Member states.⁵¹

The EU also launched a new Strategy on Combatting Trafficking in human beings 2021-2025.⁵² The strategy builds on EU's legal and policy framework in place to address trafficking in human beings, rooted in the Anti-trafficking Directive. The Strategy focuses on:

- reducing demand that fosters trafficking
- breaking the business model of traffickers through effective operational means against the criminal business model, tackling the culture of impunity by building capacity for a robust criminal justice response, as well as the digital business model of traffickers
- protecting, supporting and empowering the victims with a specific focus on women and children
- promoting international cooperation

Case study: National Acceleration Strategy in France

France became a Pathfinder country of Alliance 8.7 in April 2021. Building on existing laws and policies, the country has since then developed a “National Acceleration Strategy to eliminate child labour, forced labour, trafficking in human beings and contemporary slavery by 2030” through an extensive collaborative process, involving business networks, social partners, international and European organisations, NGOs and civil society, and government institutions.⁵³

The aim of the National Acceleration Strategy is to increase and accelerate the existing French efforts to achieve Target 8.7. It is structured around three priority areas:

- Increase prevention by strengthening stakeholders' capacity to act: Preventing the exploitation of vulnerable populations (Axis 1)
- Better protect victims by making progress in detection, care and reparation: Detecting victims and supporting them (Axis 2)
- Give the action an ambitious and demanding European and international impetus (Axis 3)

Concrete actions to be carried out are proposed for each axis, whose implementation and effects will be evaluated at regular intervals according to the terms of reference determined by the Global Coordinating Group of Alliance 8.7.

The National Acceleration Strategy will thus lay the foundations for renewed mobilisation by providing a framework for action for public authorities and stakeholders in France, in the government’s European

⁵¹ UNICEF: “The European Child Guarantee. Phase III of the preparatory action: Testing the European Child Guarantee in the EU member states.” Update, June 2021.

⁵² https://ec.europa.eu/anti-trafficking/eu-strategy-combatting-trafficking-human-beings-2021-2025_en

⁵³ Gouvernement de France: “Stratégie nationale d’accélération pour éliminer le travail des enfants, le travail forcé, la traite des êtres humains et l’esclavage contemporain à l’horizon 2030: Unir nos forces pour accélérer la lutte contre l’exploitation des populations vulnérables en France et dans le monde.” 2021.

policies and international cooperation for inclusive development, and along the supply chains of French multinational companies (see Section 3.1.7).

3.1.2. Strengthening child labour protections through national laws and policies

In recent years, several countries in the region have enacted legal protections for children's rights, including Albania, Georgia, Kosovo, Montenegro, and Serbia.⁵⁴ In Ukraine, the government adopted the Resolution on the Social Protection of Children and Urgent Measures to Protect the Rights of the Child, which includes a provision to address the participation of children in armed conflict.⁵⁵

Several countries in the region have enacted new national action plans to strengthen governments' responses to child labour, including Kazakhstan, Kosovo,⁵⁶ North Macedonia, Serbia, Turkey (see case study below), Ukraine, and Uzbekistan.⁵⁷ Furthermore, several countries have enacted new national action plans to strengthen governments' responses to child trafficking, including Armenia, Azerbaijan, Georgia, Kazakhstan, North Macedonia and Uzbekistan.⁵⁸

Case study: Eliminating child labour in seasonal agricultural work in Turkey through a comprehensive national programme

Turkey has adopted a National Programme on the Elimination of Child Labour (2017-2023) as well as an Action Plan. The Programme aims to eliminate child labour, especially the worst forms, with comprehensive measures such as alleviating poverty, increasing the quality and accessibility of education, effective enforcement of legislation, expanding social protection, and increasing social awareness and sensitivity. The review and monitoring of the Programme implementation is conducted through contributions from more than 30 institutions including government, social partners, NGOs, universities and international organizations.⁵⁹

Under the Programme in 2019, new inter-ministerial Child Labour Units were established in all 81 provinces of Turkey within the provincial directorates of Ministry of Labour and Social Security with more than 500 dedicated staff in total. These units involve officials from Ministry of Labour, Ministry of Family and Social Services, Ministry of National Education, Turkish Employment Agency and Social Security Institution. Their main duties are the identification and monitoring of child labour; withdrawal/prevention of children from work; and ensuring that children and their families have access to the public services they need.

Furthermore, a "Seasonal Agricultural Worker Information System (E-METİP System)" was developed for improving the working and living conditions of seasonal migrant agricultural workers in Turkey. It is a newly developed system to gather all the data relating to the status of seasonal agricultural worker families and their children in one single repository, in order to monitor the access of seasonal

⁵⁴ US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018. / US Department of Labor ILAB: "2019 Findings on the worst forms of child labor." 2020. / "2020 Findings on the worst forms of child labor." 2021.

⁵⁵ US Department of Labor ILAB: "2019 Findings on the worst forms of child labor." 2020.

⁵⁶ In Kosovo, the Committee for Prevention and Elimination of Hazardous Forms of Child Labour drafted an action plan for central- and local-level institutions and civil society organizations on how to coordinate efforts to prevent hazardous child labour.

⁵⁷ US Department of Labor ILAB: "2016 Findings on the worst forms of child labor." 2017. / US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018. / US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

⁵⁸ US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018. / US Department of Labor ILAB: "2019 Findings on the worst forms of child labor." 2020.

⁵⁹ Information provided by the ILO Office for Turkey, on 1 December 2021.

agricultural workers to services and to track the school attendance and performance of children withdrawn or prevented from child labour.

Meanwhile, a hazardous work list in conformity with ILO Convention No. 182 (1999) was recently adopted in Albania (as part of the Regulation on Protection of Children at Work) and Turkmenistan.⁶⁰ In Serbia, a new decree on hazardous child labour is currently being developed (the previous decree was adopted in 2017 as the first hazardous child labour regulation in the country).⁶¹

In addition, other pieces of legislation to protect children from child labour were enacted, including the following examples:⁶²

- Moldova passed a law increasing penalties for involving children in the worst forms of child labour, including for forced labour, illicit activities, and the production of pornography.
- The Federation of Bosnia and Herzegovina criminalized all forms of human trafficking, including child trafficking for forced labour and sexual exploitation, within its jurisdiction.
- Armenia also passed legislation that requires the Government to provide financial restitution to victims of human trafficking, including child trafficking victims.
- Kosovo drafted multiple regulations for the implementation of the Law on Child Protection to address child labour in the informal sector.
- North Macedonia amended the Labour Relations Act to prohibit children under the age of 15 or those who have not completed compulsory education from working, except under limited circumstances. Parliament also amended the Law on Labour Relations to increase fines on employers that fail to provide adequate protections to workers under age 18.
- Serbia implemented the Law on Simplified Hiring of Seasonal Labour in Certain Economic Areas to regulate seasonal work, including in agriculture where child labour occurs.

Case study: Tackling the worst forms of child labour in Albania

In recent years, the Government of Albania has significantly stepped up efforts to curb child labour and trafficking. In 2016, the Identification and Protection of Children in Street Situation Action Plan was released, which aims to protect street children from abuse, exploitation, and neglect. In the same year, the Government also released the Action Plan for the Social-Economic Reintegration of Women and Girl Victims by providing education and social services to such victims of forced labour and human trafficking. In 2017, the Regulation on Protection of Children at Work was passed, which provides a list of hazardous occupations for children under 18 years old. The Office of the National Coordinator for the Fight Against Trafficking in Human Beings conducted an awareness-raising campaign. The government also passed the Albanian National Agenda for Children's Rights, which aims to support the development and social inclusion of children.

In 2018, the government enacted the Decision of the Council of Ministers No. 91, which establishes rules and procedures to follow when a child's rights have been violated and strengthens the role of the State Agency for Rights and Protection of Children. Moreover, it adopted the Decision of the Council of Ministers No. 353 to regulate the functioning of the cross-sectorial technical group to adequately address child protection needs. The government also increased the number of child protection units, trained police officers on countering child trafficking, and volunteered to be a Pathfinder Country for

⁶⁰ US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018.

⁶¹ Information provided by the ILO Country Office for Central and Eastern Europe, on 30 November 2021.

⁶² US Department of Labor ILAB: "2016 Findings on the worst forms of child labor." 2017. / US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018. / US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

Alliance 8.7, in order to expedite the implementation of the Sustainable Development Goals related to eliminating child labour and human trafficking by 2025.

In 2019, The National Council for the Rights and Protection of the Child approved Decision of the Council of Ministers No. 704, which provides guidance to institutions responsible for identifying children working in violation of the law and referring cases to social protection services, and enacted the National Action Plan for the Protection of Children from Economic Exploitation, including those in street situations, 2019-2021. Furthermore, the General Prosecutor ordered the creation of the Development Centre of Criminal Justice for Minors, which employs four part-time prosecutors and one judicial police officer to oversee cases related to the Justice Criminal Code for Minors.

In 2020, the Ministry of Justice launched the Integrated System of Data on Justice for Children, which will allow parties throughout the national justice system to coordinate on cases related to children in conflict with the law, including child labour. The government also adopted a new National Cybersecurity Plan to address the online exploitation of children, and the State Agency for the Protections and Rights of Children engaged extensively with private sector stakeholders to raise awareness of child labour and promote coordination with local government authorities.

3.1.3. Enhancing the capacity for law enforcement and child labour monitoring

Countries in the region have also improved their capacity to enforce laws related to child labour in recent years. In particular, significant efforts have been made to tackle human trafficking. For example, several countries in the region (Albania, Armenia, Bosnia and Herzegovina, Georgia, Kosovo, Montenegro, Serbia, Turkey, and Ukraine) have trained criminal investigators and other law enforcement personnel on enforcing laws against it. In addition, labour inspectors in Azerbaijan, Bosnia and Herzegovina, Kazakhstan, and Moldova received training on identifying victims of human trafficking, including children, while in Montenegro and Turkey, special units were established and trained to combat crimes against woman and children, including child trafficking. In Montenegro, labour inspectors also received trainings on forced child labour and informal work from the Ministry of Interior's Office for the Fight Against Trafficking in Persons and the ILO, and standard operating procedures for the treatment of unaccompanied children were launched, particularly for the identification of trafficking victims among this population.⁶³

Other improvements regarding law enforcement of child labour laws in the region include the following:⁶⁴

- Labour inspectors in Azerbaijan, Montenegro, Turkey, and Ukraine received training on enforcing laws against child labour.
- Albania, Kosovo, Montenegro, and Serbia increased funding to their labour inspectorates.
- In Kosovo, a child labour inspection checklist for identification and reporting on child labour cases was developed and endorsed for official use.⁶⁵

⁶³ US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018. / US Department of Labor ILAB: "2018 Findings on the worst forms of child labor." 2019. / US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

⁶⁴ US Department of Labor ILAB: "2016 Findings on the worst forms of child labor." 2017. / US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018. / US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

⁶⁵ Information provided by the ILO Country Office for Central and Eastern Europe, 1 December 2021.

- Ukraine officially ended the moratorium on labour inspections in 2018. In addition, Ukraine doubled the number of labour inspectors.
- In Armenia, the Health and Labour Inspection Body has been empowered to monitor, inspect, and enforce child labour laws, including a mechanism with the authority to conduct unannounced inspections, since Article 33 of the Labour Code entered into force in 2021.
- In Georgia, a new law grants labour inspectors the ability to enter any business for occupational health and safety reasons without prior notification. In addition, law enforcement agencies increased their efforts to combat child begging by investigating, prosecuting, and convicting individuals who force children to beg and providing services to child victims of forced begging.
- Ukraine’s Cabinet of Ministers adopted a resolution implementing a risk-based approach to conducting planned inspections, including the use of child labour as one of the criteria for assessing risk.
- In Kosovo, criminal investigators were provided with training on legislation related to the commercial sexual exploitation of children and the use of children in the production of pornography.
- In Kazakhstan, the Ministry of Labour and Social Protection added forced labour indicators to labour inspection checklists, and updated labour inspectors' job descriptions to include detection and referral of potential forced labour cases to law enforcement.

Complementing law enforcement, the capacity for monitoring child labour was also enhanced in several countries. For example, teachers in Prizren Municipality in Kosovo were trained on identifying children at risk of being trafficked, and the Kosovo Forest Agency included a clause on prohibition of hazardous child labour in forestry in the standard text of all contracts issued by this agency with private and formal contractors. Training for education inspectors on child labour was provided, including the identification of key issues that should be covered by education inspectors during their monitoring and inspection visits to promote the proactive action of schools in addressing non-enrolment, prevention of school dropout and reintegration of children that drop out. Kosovo also reauthorized the Committee for Prevention and Elimination of Child Labour to monitor child labour issues.⁶⁶

In North Macedonia, the National Commission for Trafficking in Persons and Illegal Migration established several local commissions and assisted in the development of an action plan. The Government also trained first responders on the Standard Operating Procedures on Unaccompanied and Separated Children and Vulnerable Persons and screened migrants and refugees, including children, for human trafficking. In addition, the government opened a new hotline to register complaints of child labour, street children, and child abuse.⁶⁷

In Uzbekistan, the government has been cooperating with civil society activists to detect labour exploitation in the annual cotton harvest, and is expanding efforts to raise awareness during the cotton cultivation season about child and forced labour prohibitions (see case study below).

Case study: Eliminating child labour in cotton production in Uzbekistan

In Uzbekistan, children were systematically mobilized for the cotton harvest, constituting a form of forced labour. However, in 2017, President Shavkat Mirziyoyev expressed the government’s

⁶⁶ Information provided by the ILO Country Office for Central and Eastern Europe, 1 December 2021.

⁶⁷ US Department of Labor ILAB: “2016 Findings on the worst forms of child labor.” 2017. / US Department of Labor ILAB: “2017 Findings on the worst forms of child labor.” 2018.

commitment to eradicating all forms of forced labour in cooperation with the international community. The Prime Minister subsequently issued an order removing the requirement that teachers and certain other employees must work in cotton fields during the 2017 harvest. ILO and government monitoring identified cases of child labour in the cotton harvest but found no evidence of forced child labour. Independent human rights activists and private citizens reported only a small number of cases of forced child labour, at least some of which the Ministry of Employment and Labour Relations publicly acknowledged, investigated, and remediated. In addition, the government established a Parliamentary Commission to monitor implementation of prohibitions on both child labour and forced labour, and adopted two new national policies that incorporated the goal of eliminating child labour.⁶⁸

The government followed up on these initiatives in the following year, issuing temporary regulations for labour conditions in organized cotton picking, reiterating the legal bans on using forced labour or child labour, raising the price paid to farmers for cotton and the wages paid to pickers, and sanctioning various officials for using forced labour. In 2019, the government introduced criminal penalties for repeat violations of hazardous work prohibitions, doubled the number of labour inspectors, and conducted extensive awareness raising on child labour laws and penalties for violations. The government also established a new National Commission on Combating Trafficking in Persons and Forced Labour and adopted a new roadmap to combat trafficking in persons and forced labour.⁶⁹

In 2020, harvest quotas, which were historically a root cause of child and forced labour in Uzbekistan, were eliminated. The government also cooperated with civil society activists to detect labour exploitation in the annual cotton harvest, created an action plan to implement international recommendations on eliminating the worst forms of child labour, and expanded efforts to raise awareness during the cotton cultivation season about child and forced labour prohibitions. In addition, lawmakers adopted a new law on trafficking in persons that strengthened protection for human trafficking victims, including child trafficking victims.⁷⁰

The ILO continues to find that systematic child labour is no longer used during the cotton harvest in Uzbekistan. Schoolchildren and students were not mobilized for cotton picking in 2020; however, isolated cases of child labour still occurred.⁷¹

3.1.4. Improving data collection

Several countries in the region have collected and published data to improve understanding of the prevalence and nature of child labour, including hazardous work. Azerbaijan conducted sectoral research on child labour in high-risk sectors of the service industry, and Armenia and Georgia published national child labour surveys. The Government of Moldova committed to strengthening statistics on child labour through the adoption of a Decent Work Country Programme, while Serbia published a labour force survey with data on children working between the ages of 15 and 18.⁷²

⁶⁸ US Department of Labor ILAB: “2017 Findings on the worst forms of child labor.” 2018.

⁶⁹ US Department of Labor ILAB: “2019 Findings on the worst forms of child labor.” 2020.

⁷⁰ US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021.

⁷¹ ILO: “2020 third-party monitoring of child labour and forced labour during the cotton harvest in Uzbekistan.” 2021.

⁷² US Department of Labor ILAB: “2016 Findings on the worst forms of child labor.” 2017. / US Department of Labor ILAB: “2018 Findings on the worst forms of child labor.” 2019. / US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021.

In Kosovo, the government published a report on the results of the National Strategy and Action Plan for the Prevention and Elimination of Child Labour, including on the improvement of the child labour knowledge base. The Ministry of Labour and Social Welfare also conducted a survey on children engaged in hazardous work. Furthermore, the child labour module in the data base of social services in Kosovo is being redesigned to enable the digital processing of child labour cases and child labour statistics.⁷³

3.1.5. Expanding education and social programmes

Governments in the region also expanded educational access and social programmes for children vulnerable to child labour.

Turkey has provided cash transfers and other social services and enrolled more than 300,000 Syrian refugee children in school, many of whom were involved in child labour.⁷⁴ Kosovo, North Macedonia and Serbia took various steps to improve the inclusion of vulnerable populations in the education system.⁷⁵ In the Kyrgyz Republic, the government has been offering evening classes for secondary school students in districts with high numbers of children involved in child labour, as well as a cash transfer programme for families living in difficult situations.⁷⁶

In terms of social programmes, North Macedonia nearly doubled funding for programmes dedicated to combating human trafficking, including child trafficking, and Albania significantly increased the amount of cash transfers its social assistance programme provides to vulnerable families.⁷⁷ Georgia has initiated a number of programmes to provide increased support to vulnerable populations, while in Kazakhstan, the government approved additional funding for increasing the number of shelters for victims of human trafficking, including child victims, and improved the bidding process through which shelter providers apply for government funding.⁷⁸

Specific attention has been given to the Roma community, whose children are particularly vulnerable to child labour, in several countries. Kosovo approved a new policy to improve education access for Roma, Ashkali, and Egyptian children. The government also passed the Kosovo Education Strategic Plan, which emphasizes the inclusion of preschool children from the Roma, Ashkali, and Egyptian communities. Moldova passed the Action Plan to Support the Roma People, which includes the goals of inclusive education and combating discrimination of the Roma. In Montenegro, the government approved the Strategy for the Social Inclusion of Roma and Egyptians, which aims to prevent child begging and trafficking through increased school attendance and birth registration. In North Macedonia, the Ministry of Education and Science continued to hire additional educational mediators with the goal of removing barriers to education for the most vulnerable populations, including Roma children. In addition, the Ministry of Education and Science implemented a new law that requires the hiring of educational mediators with the goal of removing barriers to education for Roma children.⁷⁹

⁷³ Information provided by the ILO Country Office for Central and Eastern Europe, 1 December 2021.

⁷⁴ US Department of Labor ILAB: "2016 Findings on the worst forms of child labor." 2017.

⁷⁵ US Department of Labor ILAB: "2017 Findings on the worst forms of child labor." 2018. / US Department of Labor ILAB: "2018 Findings on the worst forms of child labor." 2019. / US Department of Labor ILAB: "2019 Findings on the worst forms of child labor." 2020.

⁷⁶ US Department of Labor ILAB: "2018 Findings on the worst forms of child labor." 2019.

⁷⁷ US Department of Labor ILAB: "2016 Findings on the worst forms of child labor." 2017.

⁷⁸ US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

⁷⁹ US Department of Labor ILAB: "2018 Findings on the worst forms of child labor." 2019. / US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

In Azerbaijan and Kosovo, the respective governments have implemented a number of measures to improve access to education for disabled students, including upgrading school infrastructure, raising awareness for parents on inclusive services, and training school directors and teachers in inclusive methods. In Montenegro, the government passed the Strategy for Inclusive Education, which aims to provide education to all children in the country, including children with disabilities.⁸⁰

Turkey adopted a regulation to improve provision of education and other services to children of mobile seasonal agricultural workers, while a new Ukrainian law strengthened social services and access to education for children living in regions beyond central government control.⁸¹

3.1.6. Improving coordination mechanisms

Several countries undertook efforts to enhance and improve the function of coordination mechanisms to address child labour. In North Macedonia, the National Coordination Body for the Protection of Children from Abuse and Neglect was reconstituted, and Turkey created new bodies to coordinate government policy on child labour and oversee implementation of the new action plan. In Kosovo, the action plan for central- and local-level institutions and civil society organizations focuses on how to coordinate efforts to prevent hazardous child labour.⁸² Also in Kosovo, the Standard Operating Procedures (SOPs) for children in hazardous child labour and the Guide for the implementation of the SOPs were finalized and validated for official use; they define and clarify the roles and operating procedures of institutions for the prevention, identification, data collection, referral and treatment of children in hazardous child labour, thereby strengthening inter-institutional and multidisciplinary cooperation around this issue.⁸³

Ukraine established an Inter-Ministerial Counter-Trafficking Coordination Council, while Serbia created a Ministry of Family Welfare and Demography, which allows children's issues to be addressed by a single ministry rather than being split among multiple government ministries.⁸⁴

3.1.7. Tackling child labour in global supply chains

Europe has large food processing companies who rely on agricultural inputs, such as wheat, coffee, tomatoes, hazelnuts and others. These companies have the ability to influence and pressure their supply chains, including a responsibility for ensuring that the working conditions and wages provided in the sector are fair and decent and are not contributing to exploitative practices, including child labour, within rural families.⁸⁵

Hence, in March 2021, the European Parliament made a call to “urgently adopt binding requirements” in the EU to prevent and address adverse impacts on human rights, the environment, and good governance in companies’ supply chains.⁸⁶ Moreover, the new EU Strategy on the Rights of the Child (see Section 3.1.1.) commits to “work towards making supply chains of EU companies free of child labour, notably through a legislative initiative on sustainable corporate governance.”⁸⁷ If these efforts

⁸⁰ US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021.

⁸¹ US Department of Labor ILAB: “2018 Findings on the worst forms of child labor.” 2019.

⁸² US Department of Labor ILAB: “2019 Findings on the worst forms of child labor.” 2020.

⁸³ Information provided by the ILO Country Office for Central and Eastern Europe, 1 December 2021.

⁸⁴ US Department of Labor ILAB: “2020 Findings on the worst forms of child labor.” 2021.

⁸⁵ <https://www.hrw.org/news/2021/04/22/corporate-human-rights-responsibility-why-strong-supply-chain-act-important-0>

⁸⁶ <https://www.hrw.org/news/2021/04/22/corporate-human-rights-responsibility-why-strong-supply-chain-act-important-0>

⁸⁷ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/global-dimension_en

come to fruition, new laws will put in place clear rules for what companies and their investors will have to do to respect human rights, including children’s right to be protected from child labour.⁸⁸

Recently, several countries in Europe have stepped up their efforts to better protect human rights and curb child labour in supply chains, among them the Pathfinder countries The Netherlands (see box below), France and Germany.⁸⁹ In France, the social partners are helping to promote respect for the social rights of employees in French multinational companies. Since the adoption of the “Law on the duty of vigilance of parent companies and ordering companies”, large companies are required to map and prevent serious risks resulting from their activities, those of their subsidiaries and main companies’ subcontractors or suppliers.⁹⁰

In Germany, a new law on human rights in supply chains was adopted by the German Parliament in June 2021, which ushers in a shift to mandatory company compliance rules. The law will require large companies to regularly and systematically identify and address human rights and environmental risks in their direct supply chains. Companies will have to publish a report annually outlining the steps they have taken to identify and avert human rights risks, including child labour, and national authorities will be empowered to initiate administrative action or impose fines on companies that fail to carry out their obligations.⁹¹

Case study: Setting human rights standards for businesses and supply chains in The Netherlands

The Netherlands is a Pathfinder Country of Alliance 8.7 and has taken various steps to ensure the observation of human rights, including the prevention of child labour, in businesses and supply chains.⁹²

In 2013, The Netherlands adopted the first National Action Plan (NAP) Business and Human Rights focussing on the implementation of the UN Guiding Principles on Business and Human Rights. Five main points came out of the consultations with stakeholders: active role of government; policy coherence; clarifying due diligence; transparency and reporting; and scope for remedy. The NAP describes concrete actions that will be taken on these topics.

In 2016, the Dutch tripartite Social-Economic Council (SER) recommended concluding multistakeholder sector agreements promoting international responsible business conduct (IRBC agreements) in so called high-RBC risk sectors. The first one to be concluded was the Dutch Agreement on Sustainable Garments and Textiles. In 2021, 11 sectors have concluded and started implementing international RBC agreements.

In 2019, the Child Labour Duty of Care Act was adopted as a draft, which provides for the introduction of a duty of care to prevent the supply of goods and services that have been created with the help of child labour. The Act asks companies to declare that they perform due diligence and do what is necessary to prevent child labour. The law has not yet entered into force, awaiting further (EU or national) legislation on due diligence.

⁸⁸ <https://www.hrw.org/news/2021/04/22/corporate-human-rights-responsibility-why-strong-supply-chain-act-important-0>

⁸⁹ <https://bernstein-group.com/en/2021/09/28/das-eu-lieferkettengesetz/>

⁹⁰ Gouvernement de France: “Stratégie nationale d’accélération pour éliminer le travail des enfants, le travail forcé, la traite des êtres humains et l’esclavage contemporain à l’horizon 2030: Unir nos forces pour accélérer la lutte contre l’exploitation des populations vulnérables en France et dans le monde.” 2021.

⁹¹ <https://www.hrw.org/news/2021/06/11/germany-new-supply-chain-law-step-right-direction>

⁹² https://www.alliance87.org/pathfinder_countries/the-netherlands/

Currently, The Netherlands has begun a process to develop an updated NAP. As part of this process, a national baseline assessment was published in August 2020. Also, the government has evaluated its RBC policy and proposes a revised RBC policy consisting of a mix of mutually reinforcing measures for an effective change. A key element of the new smart mix is a general due diligence obligation.

3.2. Major gaps in the region

3.2.1. Limited availability of data on child labour

There is limited data on child labour in the region, which hampers the development and targeting of child labour policies and constitutes a major obstacle to monitoring progress against child labour (see Section 2.7).⁹³ This encompasses quantitative as well as qualitative data. On the quantitative side, representative data for the period from 2016 to 2020 is available for only about one-half of the total child population in the ECA region, the second lowest level of child labour data coverage of the five world regions.⁹⁴

3.2.2. Inadequate social protection coverage

The COVID-19 crisis has highlighted the limitations of social security systems in many countries to respond quickly and effectively to shocks when they emerge. In particular, social security coverage is often not extended to workers in the informal economy, where child labour is concentrated (see Section 2.2.). This is particularly relevant in Eastern Europe and Central and Western Asia, where the share of informal work is high. Migrant workers are also at risk of insufficient social protection, whose children are at the same time at risk of exclusion from education.

3.2.3. Inequity in education

Inequality in educational opportunity has been further exacerbated by the COVID-19 pandemic, with many children from marginalized backgrounds, who are also at high risk of child labour, likely not to return to school, or to lag farther behind their peers in learning, which may lead to subsequent dropout and a push towards child labour (see Section 2.3).

3.2.4. Inadequate supply chain legislation

Although several countries in Europe, as well as the European Commission, have recently taken measures to tackle human rights violations, including child labour, in global supply chains (see Section 3.1.7), there is still controversy within the EU on this issue.⁹⁵ In Germany, the largest economy in Europe, the new supply chain law only applies to companies with more than 3,000 employees beginning in 2023, and to companies with more than 1,000 employees from 2024. Moreover, companies are not directly responsible for all supplier companies in their supply chain, but only for the immediate ones. This means that the first stages of the supply chains, where child labour typically occurs, do not have to be actively monitored by German companies. Their due diligence obligations only apply to indirect suppliers on an ad hoc basis, i.e. if there is a complaint or damage has already

⁹³ILO: "Child labour in Europe and Central Asia: Prevalence and characteristics. Statistical Brief." October 2021.

⁹⁴ Data coverage, however, varies considerably across the four sub-regions, from 82% in NSW Europe and 43% in Eastern Europe to just 18% in Central Asia and 6% in Western Asia. / ILO: "Child labour in Europe and Central Asia: Prevalence and characteristics. Statistical Brief." October 2021.

⁹⁵ <https://bernstein-group.com/en/2021/09/28/das-eu-lieferkettengesetz/>

occurred. In addition, there is a danger that child rights violations will be shifted to earlier stages of the supply chain so that they do not have to be tracked by German companies.⁹⁶

3.3. Gaps affecting child labour in individual countries

3.3.1. Limited protections for children working in the informal sector

The legal framework in some countries contains only limited protections against child labour in the informal sector, for example, in Georgia, the Kyrgyz Republic, North Macedonia, and Tajikistan.⁹⁷ These limitations are significant, especially when considering the high prevalence of child labour in family-based agriculture in the region (see Section 2.8).⁹⁸

3.3.2. Restrictions on labour inspection

In some countries of the region, there is inadequate manpower and capacity for effective labour inspection, as well as difficulties in reaching the informal economy where child labour is concentrated. Moreover, there is limited authorization for labour inspectorates to conduct unannounced inspections or impose penalties (for example, in Armenia, Kosovo, Moldova, Serbia, and Ukraine) (see Section 2.8). Some countries even maintain moratoriums on labour inspection altogether (for example, Albania, Azerbaijan, Kosovo, and Kyrgyz Republic). This hampers the enforcement of child labour laws and puts children at risk.

3.3.3. Incomplete legal frameworks against the worst forms of child labour

There are also legal and policy gaps related to some of the worst forms of child labour. For example, in Albania and Georgia, the law does not explicitly prohibit the procurement and use of children for illicit activities.⁹⁹ Meanwhile, Serbia's laws currently do not treat forced child beggars as victims of child labour.¹⁰⁰ In Uzbekistan, the laws prohibiting the commercial sexual exploitation of children in Uzbekistan do not meet international standards.¹⁰¹ In Azerbaijan, police typically treat children begging or engaging in street work as a family issue, rather than screening for indicators of forced begging. As a result, cases may not be properly referred for criminal investigation and prosecution.¹⁰²

3.3.4. Limited social services for children involved in or at risk of child labour

The provision of services to vulnerable groups, including victims of child labour, is insufficient in some countries (see Section 2.2). For example, in Kosovo, despite the transfer of responsibilities to the municipalities to provide social services, through Centres for Social Work (CSWs), these have not been supported with adequate resources, which has resulted in a poor provision of social services. Few central-level guidelines and instructions exist for municipalities regarding budget preparation and

⁹⁶<https://www.gemeinsam-fuer-afrika.de/neues-lieferkettengesetz-wirksam-gegen-kinderarbeit/>

⁹⁷ US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021. / ILO: "Report of the Committee of Experts on the Application of Conventions and Recommendations (articles 19, 22, 23 and 35 of the Constitution). Report III (Part A). General Report and observations concerning particular countries." 2020.

⁹⁸ ILO and UNICEF: "Child Labour: Global estimates 2020, trends and the road forward." 2021.

⁹⁹ US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

¹⁰⁰ However, the issue is being addressed in Serbia, according to the ILO Country Office for Central and Eastern Europe, on 30 November 2021.

¹⁰¹ US Department of Labor ILAB: "2020 Findings on the worst forms of child labor." 2021.

¹⁰² US Department of Labor ILAB: "2019 Findings on the worst forms of child labor." 2020.

planning. There is no evidence-based planning among municipalities with regard to managing cases of child labour.¹⁰³

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¹⁰³ ILO: “Analysis of costs for managing cases of child labour in Kosovo.” October 2020.

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