



## **Eliminating child labour: an urgent, and shared responsibility**

*A comment by Dan Rees, ETI Director*

The recent Observer article *Child sweatshop shame threatens Gap's ethical image* (28 October 2007), which reported that children have been found producing clothes for GapKids, was one of the most distressing stories that we have come across in recent years.

As an ETI member company, Gap Inc. has made serious commitments to ethical trade and we are satisfied that it has fulfilled its membership obligations by launching an immediate investigation into the newspaper's allegations and convening a meeting of its Indian suppliers, where it will reinforce its prohibition of child labour.

The story highlighted that all companies must become more effective at monitoring conditions further down the supply chain, and at controlling their suppliers' use of subcontractors, where workers are more vulnerable and where labour abuses, including the use of child labour, are more likely to occur.

ETI corporate, trade union and NGO members have already made great progress in developing best practice guidance and tools for improving the conditions of some of the most vulnerable workers in the supply chain, including migrant workers in the UK, smallholders, homeworkers, and children. Our corporate members are starting to use these tools in their own supply chains, and every year more and more workers' lives are touched by their ethical trade activities.

Retailers cannot rid the world of the scourge of child labour on their own. Their suppliers also have a responsibility for making sure they do not use unscrupulous sub-contractors, and for closely monitoring the subcontractors they do use. Governments are responsible for enacting and enforcing legislation that protects children, and for providing an education system that presents a viable alternative to work.

The solution lies in collective action.

## **Frequently asked questions about child labour**

### **What does the ETI Base Code say about child labour?**

The ETI Base Code contains the following provisions:

#### **4. CHILD LABOUR SHALL NOT BE USED**

- 4.1 There shall be no new recruitment of child labour.
- 4.2 Companies shall develop or participate in and contribute to policies and programmes which provide for the transition of any child found to be performing child labour to enable her or him to attend and remain in quality education until no longer a child; "child" and "child labour" being defined in the appendices.
- 4.3 Children and young persons under 18 shall not be employed at night or in hazardous conditions.
- 4.4 These policies and procedures shall conform to the provisions of the relevant ILO standards.

### **How does ETI define child labour?**

ETI uses the following definitions, which are derived from the standards of the International Labour Organisation (ILO):

#### **Child**

Any person less than 15 years of age unless local minimum age law stipulates a higher age for work or mandatory schooling, in which case the higher age shall apply. If, however, local minimum age law is set at 14 years of age in accordance with developing country exceptions under ILO Convention No.138, the lower will apply.

#### **Young person**

Any worker over the age of a child as defined above and under the age of 18.

#### **Child labour**

Any work by a child or young person younger than the age(s) specified in the above definitions, which does not comply with the provisions of the relevant ILO standards, and any work that is likely to be hazardous or to interfere with the child's or young person's education, or to be harmful to the child's or young person's health or physical, mental, spiritual, moral or social development.

### **What are the challenges companies face in detecting child labour?**

A major challenge for retailers is how to actually detect whether or not child labour exists in the first place. The reasons for this include:

- Where child labour does exist, it tends to be in sub-contracted facilities or further down the supply chain, where it is harder for retailers to detect and where their commercial influence to improve conditions is weaker;
- In many societies, people may not know their exact age – birth dates are not always officially recorded;

- As employers are often aware that company auditors will be looking for child labour, they are often adept at concealing the issue – for example, asking children to go home when they know auditors are coming; and
- Child workers themselves may also want to protect their jobs – practices such as using fake identify cards or those belonging to elder siblings are not uncommon.

Some of the strategies employed by our members to detect child labour when carrying out workplace inspections include looking out for empty workplaces during site visits, checking production records against official numbers of workers, as well as combining on-and off-site inspections.

### **How should companies respond if they find children making their products?**

If a company discovers that children are involved in making its products we expect them to take swift action to protect the interests of the children and secure their urgent transition from work into good quality education. The challenges in achieving this can be significant. For example, simply demanding that the children are sent home could mean the loss of the only source of income of an entire family. Local educational provision may be poor or unaffordable – indeed, this may be one of the reasons why children are not attending school.

The company should also seek the commitment from the supplier concerned that it will end the recruitment of children and work towards full compliance with the ETI Base Code. We recognise that some issues will take time to resolve. If a supplier fails to make adequate progress against agreed corrective action plans, or reintroduces serious worker welfare issues, the company should consider terminating business with that supplier. Conversely, where suppliers have employed children but are taking the necessary steps to address the issue, the company should continue to do business with them.

### **Are ETI members making any progress on reducing child labour?**

In late 2006, last year we published the findings of a major assessment of the impact of ETI members' ethical trade activities. It revealed that nearly ten years after ETI's creation, far fewer children are now employed by the manufacturers and growers that supply our members with finished product. ETI members are also making progress on helping make workplaces safer, increasing wages and reducing the amount of excessive overtime people have to work. However, we have yet to see substantive progress on some critical areas, including protecting workers' rights to organise themselves and bargain collectively with management.

### **What does it mean for a company to be a member of ETI?**

When companies join ETI, they commit to adopting the ETI Base Code on a progressive basis throughout their supply chains. That doesn't mean they are perfect, or that their suppliers are perfect - few companies who are really committed to ethical trade would claim they have perfect working conditions in their supply chain. But it does mean they have to demonstrate improvements over time, and they report annually to the ETI Board on their progress.

### **What can consumers do to promote ethical trade?**

We could probably all do more to remind retailers of their responsibilities. As consumers we can:

- buy from ETI members – they have made serious commitments to ethical trading
- ask searching questions – write to CEOs; ask store staff if they know where their products come from
- learn more about the issues – see our Factsheet for consumers at: [www.ethicaltrade.org/d/factsheets](http://www.ethicaltrade.org/d/factsheets)
- join a campaign for better conditions in supply chains – our Factsheet has some examples.