

# South and Central Asia Convergence of Working Children

25-27 August 2005  
Kathmandu, Nepal



## SUPPORTING ORGANISATIONS



Save the Children



Child Brigade





# South and Central Asia Convergence of Working Children

*25-27 August 2005  
Kathmandu, Nepal*

Save the Children fights for children's rights.  
We deliver immediate and lasting improvements to children's lives worldwide.

Save the Children works for:

- a world which respects and values each child
- a world which listens to children and learns
- a world where all children have hope and opportunity

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## Preface

The South and Central Asia Working Children's Convergence held in Kathmandu from 25 – 27 August 2005 was an historic moment for all who attended. In addition to providing an opportunity to learn about the situations of working children and youth in other countries of the region, a rich sense of inspiration was gained by the presence of country delegates—both boys and girls—representing many different ethnic groups, cultures, languages and professions. At the same time, it was understood that the region as a whole faces similar challenges. During various interactions, it became clear that millions of working children on other continents are better organised because they have been struggling, fighting and claiming their rights for a longer period of time. In such light, it was considered important that the representatives of working children's organisations in different countries meet regularly and achieve common understandings for future collective actions.

The number of children and youth migrating by themselves or with family members in search of work is escalating by the day. Often, they are unaware of their destination, the nature of their future work, nor the working relationships awaiting them. Such situations have only aggravated their vulnerability. It was also recognised that many people in South Asian countries are forced to leave their native villages due to fears of being enlisted in the armed forces by the warring parties within their respective countries.

It was realised that the challenges and problems being faced are extremely complex. If appropriate measures are not initiated in time with the support of stakeholders, including the state machinery, the situation could easily drive working children to further exploitation and abusive work. Therefore, on the concluding day of the Convergence, a committee of working children was formed representing the organisations of working children and youth in South and Central Asia. It was firmly believed that the newly formed committee would help draw attention and support to the causes of working children and youth. In addition, this new committee would be instrumental in mobilising the efforts of all those concerned in the process of realising the action points listed by the participants during the Convergence. Therefore, the children recognised this as one of the landmark achievements in the history of the working children's movement in Asia.

All the working children have returned to their respective countries. They take with them the commitment that they will now further develop their efforts in bringing more children from different work sectors into their organisations. Further, by playing an active role in the local and regional consolidation of their organisations in how





they interact with the International Movement of Working Children's Organisations, the goal of protecting the lives of working children will be enhanced.

The working children who participated in the Convergence, also go back to their home countries with a new enthusiasm to form their own organisations. They have gained from the opportunity to listen and learn from the experiences of their peers and mentors of how children's organisations can bring change, helping to protect the lives of themselves and other working children throughout their countries.

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## Foreword

Encouraging children to participate is a means and an end in itself. When children participate they realise their rights. This makes child participation a means to achieve other rights. At the same time, participation is a human right, which makes it an end itself.

However children's participation goes much beyond encouraging children to freely speak out and articulate their concerns and needs. It first requires adults to acknowledge and accept children's capacities. The next step is for adults to create an enabling environment where children feel safe and encouraged to participate. Above else, children's opinions and views need to be taken seriously on matters that affect their lives. Fulfilling children's right to participate is a gradual process of learning, for which both children and adults need to work together.

When children are able to participate it nurtures their self-respect and their respect for others. For Save the Children, children's participation is integral to ensure that initiatives are able to bring about a qualitative and sustainable change in children's lives. There are many experiences all over the world, which show that when children meaningfully and ethically participate, considerable changes come about in their lives and in the lives of their communities.

Supporting children's participation also means that we are able to ensure participation of all groups of children, from all backgrounds. Working children then form a special group within a homogenous group of children. Over the years, many organisations have encouraged and supported working children to bring forth their insights and experiences to eradicate the worst forms of child labour. In South and Central Asia, we are not only developing the capacities of working children to participate, but also building the capacities of adults to facilitate children's participation in actions to combat child labour.

With this belief, Save the Children has been supporting partners including working children to create a Working Children's Movement in South and Central Asia at the national and regional level. The *South and Central Asia Working Children's Convergence* is a significant step forward by Save the Children that demonstrates its commitment to further working children's participation in the region.

I personally owe a lot of learning to the working children's group in the region. I think the learning never ends, rather each time I am part of such a unique process wetted with rich country processes, I get inspiration to move forward.

**Ravi Karkara**

Regional Programme Manager

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# Acknowledgements

The Child Workers Convergence would not have been possible without the support of a number of organisations working together to create a single voice committed to improving the conditions of working children. To begin with, all the children and their various organisations are to be congratulated for realising their vision to create one strong representation that truly represented the needs and demands of working children.

Secondly, we would like to thank all the supporting organisations from South and Central Asia that facilitated the presence of children at the Convergence, and for taking on the multiple roles of chaperones, translators and friends. Thirdly, we would also like to thank GEFONT, CWIN, CONCERN, International Save the Children Alliance, UPCA and ItaliaNATs for their continuing support for the Convergence.

Further more, we would like to thank Soni Rajbhandari for supporting the documentation process. In addition, we would like to thank Sanam Chitrakar, Chandan Shrestha, Anil Kumar Ray, Anju Pradhan and Macche Maharjan for assisting with the logistics. Likewise, we thank Karna Maharjan for taking photographs of the entire process.

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Finally, we would like to express our gratitude to Ravi Karkara for his guidance throughout the process. His commitment to this work is an inspiration for all of us.

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# Abbreviations & Acronyms

BBC	Butterflies Broadcasting Children
BMU	Bal Mazdoor Union
CDB	Children's Development Bank
CONCERN	Concern for Children and Environment – Nepal
CWC	The Concerned for Working Children – India
CWIN	Child Workers in Nepal
DCRC	Delhi Child Rights Club
GEFONT	General Federation of National Trade Unions
GMCACL	Global March Campaign against Child Labour
GN	Government of Nepal
ILO	International Labour Organisation
IPEC	International Programme on the Elimination of Child Labour
ItaliaNATs	Italy + NATs
IWGCL	International Working Group of Child Labour
MAEJT	Mouvement Africain des Enfants et Jeunes Travailleurs (African Movement of Working Children and Youth)
MANTHOC	Movimento de Adolescentes y Niños Trabajadores Hijos de Obreros Christianos (Movement of Working Children and Adolescents, Sons and Daughters of Christian Workers)
MOLACNATs	Movimento de Latino America y del Caribe de Niños y Adolescentes Trabajadores (Latin American and Caribbean Working Children and Adolescents Movement)
NATs	Niños y Adolescentes Trabajadores (Working Children and Adolescents)
NCC	National Children's Convention
NCJF	National Child Journalists' Forum
NFWC-N	National Forum of Working Children – Nepal
NMWC	National Movement of Working Children
PRONATs	Pro + NATs.
PRSWO	Pakistan Rural Workers Social Welfare Organisation
SAARC	South Asian Association for Regional Cooperation
SACJF	South Asian Child Journalists' Forum
SACT	South Asian Children's Times
TBP	Time Bound Programme
UNCRC	United Nations Convention on the Rights of the Child
UNGASS	United Nation General Assembly Special Session
UPCA	Under-Privileged Children's Association





## *Executive Summary*

Save the Children Sweden, Regional Office for South and Central Asia together with Save the Children Norway supported and facilitated working children for the South Asia Regional Convergence of Representatives of Working Children event. Save the Children believes in true representation and participation of children, and that their voices, issues and concerns should be genuinely represented in all international forums of working children, including the forth-coming meeting in Italy. Hence, Save the Children facilitated the in-country processes in Nepal, Bangladesh and other countries reviewed here in order to ensure that working children from diverse sectors could raise their issues within their own national forum.

Children make up more than 40 per cent of the total population of the globe, with an estimated 350 million children in some form of work. Of these, 60 per cent of the children work in the Asian and Pacific regions (ILO 2002). Specifically, in South and Central Asia, evidence clearly shows that a large number of children are at work. In fact, the statistics of some countries suggest that almost half of the child population is engaged in some kind of labour. Today, this bitter reality is relatively widespread in South Asia, and has recently spread to Central Asia, where survival is an every-day struggle for most children.

The United Nations Convention on the Rights of the Child, under Article 32 has specified that the States Parties shall recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. Furthermore, Articles 12 to 15 point out that children have the right to be fully and meaningfully involved in decisions that affect them, either as individuals or through organisations that represent them. Article 2 further promotes non-discrimination as one of the Convention's core principles, in conjunction with strengthening the accountability of duty bearers to realise child rights as noted in Article 4. Both Articles are paramount to realising the rights of working children through their participation. This is further highlighted in ILO Convention No. 182 on worst forms of child labour and ILO Convention 138 on minimum age of employment.

Working children around the world have been organising themselves and raising their voices for more than three decades. Organised movements in Latin America emerged 30 years ago, while those in Africa began 15 years ago. In South Asia, the most child labour intensive region in the world, working children began to organise themselves in 1996. Save the Children has been an integral part of this process by promoting



working children's participation in all these aforementioned movements. It has also closely observed the development of the Global March Campaign against Child Labour and its consequences on children's lives. As part of this, Save the Children participated in the Second World Congress of Working Children in Berlin in 2004. Since then, Save the Children has focused its efforts with other partners to generate a Working Children's Movement in South and Central Asia.

Save the Children and its partners has made a strong commitment to support the Movement at the country and regional levels in South and Central Asia. The South and Central Asia Working Children's Convergence reflects this commitment.

Hosted by the child-led National Forum of Working Children-Nepal, founded in November 2004, the South Asia Regional Convergence of Representatives of Working Children took place at Kathmandu on 25 – 27 August 2005. The Nepalese children took pride in bringing together 40 children representing national, regional, and local working children's organisations from Bangladesh (National Working Children's Movement), India (Bhima Sangha, Bal Mazdoor Union, National Movement of Working Children in India), Nepal (National Forum for Working Children), Pakistan (Pakistan Rural Workers Social Welfare Organisation), Sri Lanka (National Working Children's Forum), and Tajikistan (Refugee Children and Vulnerable Citizens). However, representatives from the children's movements in Afghanistan and Mongolia were not able to join the meeting.

These working children represented various work sectors, coming from diverse living situations, ages, gender, disabilities and educational backgrounds. The Convergence was made possible through the enthusiasm and participation of the National Forum of Working Children-Nepal (NFWC-N) which took the lead in organising and initiating the process, with technical support from Save the Children, CWIN, CONCERN, GEFONT and UPCA.

One of the most important outcomes of the Convergence was that the working children's movements from Sri Lanka and Tajikistan have joined the Working Children's Movement making it even stronger. As an encouraging result of the three days of discussions and interactions, children strengthened the Asian movement in general, with a special focus on South and Central Asia. The children identified challenges that need to be overcome, and the opportunities that can be used to move forward.

The participating children agreed to confront challenges collectively with the strength of their united efforts, making a commitment to pass this message back to their respective countries, and help create their own national forums to have their issues heard and understood.

The children clearly defined their position on child labour. While stating that they will not accept hazardous and exploitative forms of labour, they also did not agree to the complete elimination of children's work. Instead, they requested that before such work is stopped, their respective governments should get involved in the planning and provision of appropriate alternatives. They also reiterated their desire to work



with dignity as evidenced through a standard wage, reasonable hours of work, educational opportunity, and personal protection.

They recognised that within the South and Central Asian context, working children experience both good and bad treatment in the workplace. They highlighted that in good situations, the work they do gives them self-esteem and the means to meet their basic needs. At the same time, they spoke of the many painful experiences which are part of their working lives, many times being exposed to economic and sexual exploitation, discrimination, physical and mental torture, as well as feelings of insecurity and gender discrimination.

Furthermore, the participating children underlined the fact that though there are well intentioned legislations and policies on children and child labour in many countries, they are not always congenial to every child's life and specific situation. Likewise, they strongly felt that children's participation should be sought out and actively promoted while developing such policies, given the fact that they know their situation best.

Participants welcomed the Campaign's changed strategy and approach to addressing the child labour issues in South and Central Asia. It is hoped that collectively, the mission to fight against the current discriminatory laws and policies will promote the rights of working children in the long run.

The leading role of several of the labour movements in South and Central Asian countries have played an integral part in developing the working children's own movement throughout the region. Their much appreciated actions have been effective in influencing the formulation of laws and policies in their respective countries. The children revisited the history and paid homage to the solidarity of the International Labour Movement that they are a part of. This included the noting of the background and processes that began in Kundapur, and the milestone that was made in Berlin in 2004.

Impressively, the Convergence successfully resulted in the creation of the *Katmandu Declaration on South and Central Asian Working Children*, which will be presented to the SAARC Secretariat with concrete recommendations, developing new strategies for protecting child rights in the workplace. Among the most important strategies planned were:

1. Initiate community-based campaigns to promote the rights of working children and focus an awareness on child rights amongst children.
2. Establish a Secretariat in South and Central Asia with child representatives from each country that would include both a monitoring mechanism and ombudsperson.
3. Engage and influence the process of NGOs, INGOs and UN agencies to assure that their views on child labour issues are expressed freely, reflecting their individual situations in their true contexts; thus providing a sustainable and holistic approach to the creation of new programmes and policies.





## Background

Children make up over 40 per cent of the total population of the world. There are an estimated 350 million working children worldwide, with 60 per cent of these children working in the Asian and Pacific regions (ILO 2002). In South Asia, evidence shows a large number of the child population is working. In some countries, statistics suggest that almost half of the child population are engaged in some kind of work. The bitter reality is relatively widespread where survival is an every day struggle for children.

It is recognised that children's work is not a uniform activity. While some forms of work violate children's rights; other forms of work do not. However, most forms of work have both good and bad elements, and for this reason, can be both harmful and beneficial to children's development and well-being. Therefore, the interests of working children lie neither in the blanket bans of all child work, nor in the approach that unequivocally promotes child labour.

It is important to ensure that governments, corporate sectors, multinational companies, families and other 'duty bearers' fulfil their obligations to address children's rights. At the same time, it is important to ensure that working boys and girls fully and meaningfully participate in decisions which affect them. Such engagement of the working children has to be seen through the 'lens' of non-discrimination. The United Nations Convention on the Rights of the Child (UNCRC) requires that working children be seen as children deserving the same entitlement of rights as other children enjoy. They should be enabled to claim their rights, and the opportunities to access their rights must be facilitated.

The types of work that children do, and the levels of harm that they face, vary greatly with such factors as gender, age, physical capacity and their work experience. Much of the work that children do also exists outside the formal sector, with many of those living in urban areas working as self-employed labourers, rickshaw pullers, petty traders, or producing and mending goods in small workshops. Work situations which are intrinsically harmful to children require immediate action.

UNCRC Article 32 has specified that the States Parties shall recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. In the same way, Articles 12 to 15 explain the rights of children to be fully and meaningfully involved in decisions that affect them, either as individuals or through organisations that represent them.



## ***Rationale for the Regional Gathering***

The South Asia Regional Convergence of Representatives of Working Children is a first of its kind in the history of child rights in Nepal. It was conceived along the following backdrop.

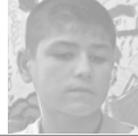
In Nepal, working children have formed their own National Forum of Working Children-Nepal aiming to address their common interest through uniting their voices against exploitation. As a result, working children from 20 work sectors from different parts of the country comprising various ethnic backgrounds and educational levels were represented in this forum. Working children in Bangladesh, India and other countries in Asia have taken similar initiatives. These children planned to meet other working children from South and Central Asia to consolidate and highlight their concerns, demonstrating that children have realised that working children in Asia need to have their own forum in the region in order to fully access and claim their rights.

In particular, the Nepali working children have been giving close attention to and representing themselves at various regional and global events involving children in the workplace, such as the Second World Meeting of Working Children in Berlin in 2004. Together with their Asian Regional friends, they made a strong commitment towards strengthening the regional movement of working children in Asia. The declaration prepared by the children in Berlin was then translated and shared in one of the regional meetings of working children of Nepal. In continuation of that commitment, the children organised several regional forums of working children in different parts of the country. This led to the creation of the National Forum. As part of the strengthening process, the National Forum of Working Children-Nepal also took part in the working children's meeting that was held in Bangladesh in 2004.

It has been the children's common understanding that the formation of the National Forum of Working Children at the country level was essential to the forming of a South Asian Regional Level Forum. The children firmly believed that such a South Asian Forum would become a principal event for the working children's movement in the Asian continent.

Similar movements of working children have been organised in Latin America and Africa. The African and Latin American Forums have successfully led to negotiations with their respective governments and UN agencies in claiming the rights of working children by identifying relevant and contextual policies that would guarantee a child's right to live in dignity and respect.

The working children of Nepal were resolute that the time was right for them to take the lead steps in South Asia in providing examples of practices that are in the best interests of working children. These children highlighted their understanding that there is a clear need to base the regional movement on strong national movements. The regional forum might then be used as a platform to share ideas, strategies, tools, frustrations and solutions for furthering their rights and collective advocacy within national, regional and international arenas.



There is a long history of cultural value and respect for the work and workers of South Asian society. However, certain sections of society have decided that working children should not be recognised as part of normal society, as they are perceived to belong to a 'lower' class of families, reserved for indecent or dirty jobs. Such ongoing negative beliefs have intolerably deteriorated the respect of the roles that children play in coping with their families and neighbourhoods in the fight against poverty, exploitation and injustice. Such attitudes have also contributed to and intensified the discrimination against working children. The age-old cultural values of honest work and capable workers are being challenged, further deteriorating the basic beliefs that workers are the essential and life-giving backbone of families, communities as well as nations.

It is important to ensure that children are not discriminated against on the bases of age, gender, disability, ethnicity, and area of origin or any other status. This also means ensuring that working children are not discriminated because they work. Similarly, it is important that we involve children in decisions and actions that affect them. This means listening to children and taking their observations and suggestions seriously. At the same time, governments have the responsibility to adopt and apply appropriate legislation and take appropriate measures to ensure that girls and boys are protected from any form of harmful child labour. Legislation should include national laws and international conventions, such as the ILO Conventions of Worst Forms of child labour (182) and the ILO Convention on Minimum Ages for Employment (138).

Practical experiences have repeatedly confirmed that working children know their situations best and can inform national-level plans and policy reforms. Finally, the time had come to create an environment and opportunities upon a platform where working children could carry out their advocacy and speak on behalf of themselves and other working children.

Hence, Save the Children and its partners recognised the necessity of holding such a regional children's forum, providing the means for working children to access and claim their rights. In doing so, eight organisations came together to support and facilitate NFWC-N, formed in November 2004.

### ***Roles of Different Members of the Organising Committee***

The representatives of the National Forum of Working Children selected staff members from the Save the Children organisations and National Facilitators-Nepal to comprise the main organising committee.

The regional meeting in Nepal had its utmost importance in ensuring that the issues and concerns raised by the working children in their national meetings would be raised and shared at the regional meeting. These issues represented the needs of working children in each of the respective countries and work sectors. Furthermore, the main organising committee would facilitate the sessions, provide technical support whenever required and partial financial support to cover the costs for the event. Finally, the committee would take any necessary measures for follow up in the programme countries and link with appropriate mainstream activities.



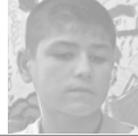
As part of this organising process, the National Forum of Working Children-Nepal recognised the representatives of the GEFONT, CWIN, CONCERN and Save the Children Sweden and Save the Children Norway as National Facilitators. The National Facilitators would help the NFWC-N to get more deeply established and develop. Furthermore, the facilitators would mobilise the infrastructures of their respective organisations and contacts and perform the roles as prescribed by the Organising Committee. Their expertise would be invited for facilitation of the plenary, group works, the building of solidarity among the participants, logistical arrangement, documentation, the keeping of accounts and so forth. In addition, the national supporting organisers would provide technical resources throughout the Convergence.

The National Forum of Working Children-Nepal was the principal organiser of the Convergence event with the rest of the actors taking supporting roles. However, the roles of these other actors were considered vitally important to the successful outcome of the event.

The Forum would ensure that Nepali delegates and observers would be democratically and logically nominated for this event. In addition, the Forum would take an active part in all of the preparatory activities and decision-making representing the working children's interest not only of Nepal but also of the region. The Forum would openly share their experiences on how they have established themselves and functioned. Most importantly, the Forum members would try their best to inject a sense of 'movement spirit' and the feeling of a united presence among all the child delegates who attended. In particular, the Forum pledged to be alert so that all participants would feel comfortable in knowing they have the space, the opportunity and the encouragement to express their concerns and reservations.

Save the Children, in its role, has been facilitating the ongoing process to gain recognition of children as social actors. This process aims for the children themselves to realise and claim their own rights. Save the Children has been facilitating and supporting development agencies to move from a needs-based approach to a child-rights-based approach for advancing the rights of children. This process demands a shift in the conventional ways of dealing with programming. The practice of the rights-based approach to development is the language of claim, the language of law and of legitimacy and accountability. When a rights-based approach is adopted, it alters how children are perceived in the development arena. The resulting changes in the perception of children and childhood itself have contributed to the advancement of children's rights.

Along this backdrop, Save the Children Sweden and Save the Children Norway have been consistently facilitating the working children in the preparatory work for this regional event. Save the Children believes in the true representation of children and that their voices, issues and concerns should be genuinely represented in all international forums of working children, including the forthcoming meeting in Italy, scheduled to be held in 2006. Hence, Save the Children has facilitated the in-country processes in Nepal, Bangladesh and other countries in order to ensure that working children from diverse work sectors are empowered to raise their issues at their own national forum.



The participants and countries of origin were as follows:

Bangladesh:	2
India:	3
Nepal:	6 (with an additional 8 taking part as observers)
Pakistan:	4
Sri-Lanka:	2
Tajikistan:	1

### ***Selection Criteria***

The National Forum of Working Children-Nepal along with the Organising Committee prepared the criteria for the selection of the participants for the Convergence. The criteria for the selection of the representatives of working children were as follows:

1. The age of the child or young person would be below eighteen years. However, the participation of younger children was especially encouraged.
2. Organisations sending more than one child were requested to ensure equal participation of girls and boys, representing different geographical regions, ethnic backgrounds and sectors of work.
3. It was requested that the children sent would be able to represent the genuine views and policies of the working children's organisation they would be representing.
4. Representation of diverse work backgrounds was encouraged.
5. Children who had not previously received an opportunity to participate in such a regional or international forum would be given priority.
6. Finally, it was requested and expected that the participating child or young person would follow up on the decisions made at the Convergence at the country level upon their return, while the adult activists from the respective organisations would continue to support him or her to do so.

Most of the country groups went through some form of selection exercise in their respective countries that lead to participation at the Convergence. In India, for example, the National Gathering of Working Children nominated their participants in Karnataka. Sri Lanka formed the National Forum of Working Children in preparation of the regional event. In Bangladesh, the children made the criteria that the delegate for this regional event should be among those who had actively participated in the National Working Children's Movement held in Dhaka last year.

In the case of Nepal, working children representing the National Forum as well as the children from Regional Forums within the country were selected as participants; some were selected as observers. A group of children not belonging to the National Forum was also invited to attend as observers.





# 1

## *Introductions and Expectations*

On the evening of 24 August 2005, an informal session was opened to introduce the participants to each other. It was hoped that this would not only save time for the next three days, but also set a level of familiarity for the participants to ease the transition of their engagement throughout the Convergence.

The evening began with Mr Bikesh Shrestha, Coordinator for the NFWC-N, who welcomed all participants and thanked all for accepting the invitation to the Convergence. He also welcomed the participants on behalf of NFWC-N, Save the Children Alliance in Nepal, CONCERN-Nepal, CWIN, UPCA-Nepal and GEFONT.

Following this, the facilitators initiated a game that enabled the participants to introduce themselves by name, country, organisation and interest.

Next, preparatory sessions were begun by enacting a drama by the Nepali participants. The main theme of the drama was to convey the importance of ground rules for the next three days of the Convergence. After the drama, the ground rules were shared with all the participants.

### ***1.1 Expectations of Participants***

Each child was requested to fill out a card listing their expectations of the Convergence. The participants stated that they had come to the Convergence with the following expectations:

- Share good and bad experiences, including learning about the situations of child labour in different countries; organisations and the people helping these children; problems that working children are facing and possible remedies from the countries they come from
- Solve problems together through equal participation
- Create a safe environment to enable the opinions of street children
- Meet people from different cultures and make good friends
- Get to know more about child rights
- City tour
- Committee formation
- Be disciplined
- Motivate working children to raise their voice against exploitation
- Respect each other's view



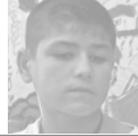


- Discussion on the various ways to support and benefit working children
- Create a sense of empathy among each other
- Increase a sense of confidence and leadership
- Help each other cope with the new environment as experienced at the event
- Learn about National Movements and strengthen the Asian Movement
- Try to fulfil all the objectives of the programme
- Share the activities of this programme within their respective organisations
- Develop a sense of 'WE' amongst all participants
- Learn about the situation of Dalit children (untouchable caste)

These Convergence expectations were shared with the group at large, and it was concluded that the participants' expectations and the Convergence expectations and objectives were similar.

## ***1.2 Objectives of the Convergence***

1. Highlight the challenges and concerns of working children in South Asia and draw the attention of governments, the UN, and other national and international institutions and forums that are related to children-at-large and working children specifically.
2. Prepare and agree upon a position paper regarding the working children of South Asia incorporating the views and concerns of children involved in different work sectors, challenges, hopes and geographical spread within the region from the context of change and benefit. This included the following:
  - Help form and develop the separate organisations and forums of working children to encourage the initiatives of working children in representing themselves
  - Share and document the strengths that working children have gained as a result of their own organisations representing the working children involved in different work sectors having various life experiences
  - Appreciate the efforts of states for the enactment of laws that prohibit the employment of children in hazardous work sectors
  - Demand changes in the legal provisions that are not in conformity with the best interests of working children as well as those that undermine the opportunities and elements of empowerment inherent in their work
  - Encourage states to consult working children before laws and policies are enacted
3. Establish a South Asian Working Children's Forum with representatives from participating countries, and identify a common strategy to link up the regional movement with the International Movement of Working Children's Organisations.
4. Establish an ongoing perspective of working children within the policies and programme approaches of the various NGOs, INGOs and UN structures working on the issues of child labour, and their contribution to the lives of working children, as well as look at the areas where these organisations might need to improve in the future.



In addition to the objectives listed above, the working children believed that such events would be a unique opportunity for them to build a thriving community among the working children throughout the region that would facilitate regular contacts, allowing them to share the joy and pain of their day-to-day lives.

### ***1.3 Adult Chaperones cum Translators***

Separate sessions were arranged for the adult chaperones and/or translators. These sessions aimed to build a common and child-friendly understanding concerning the proper role of translators and adult companions. This would help to ensure that the delegates felt they were well protected during their stay in Nepal, as well as during their transit back to their home countries. Additionally, these sessions were informative in enhancing the chaperones' knowledge as to the many useful methods of encouraging and creating supportive environments that would enable children to actively participate and express their concerns. As part of this effort, these meetings identified the best qualities of child-friendly chaperones as opposed to those qualities that are not considered child-friendly.

### ***1.4 Inauguration***

All the participants were welcomed by the Facilitators and told that the Convergence was taking place as a platform for the voices of all working children.

Ms Rojita Buddacharya, NFWC-N member, said in her welcoming speech that 60 per cent of the children that live in Asia and the Pacific Region are child workers, with a majority of them living in South Asia. Many are working in hardship, and daily existence is often a struggle. In order to combat the exploitation of child labour, working children must come together to form organisations that raise their voices. She gave an example of NFWC-N which was formed in November 2004, to claim children's rights. She said that their purpose was not to eliminate child labour completely, but rather to reduce its ingrained habit of exploitation, and specifically to eliminate hazardous child labour. She stated that this can only be done through the formation of South Asian alliances designed to share problems and ideas as well as enlarge the scope of working children working together for their own benefit. Hence this event was a monumental opportunity to work together to raise the voices of all working children.

Speakers for the inauguration were then invited to take their seats on the dais. These included the chief guest, Mr Dinesh Hari Adhikar, Acting Secretary for the Ministry of Labour and Transportation Management of the Government of Nepal; Mr Ravi Karkara, Regional Programme Manager for Save the Children Sweden, Regional Office for South and Central Asia; Mr Eiichi Sadamatsu, Resident Representative, Save the Children Japan on behalf of Save the Children Alliance; Ms P Ayyamma, India, Child Representative from South Asia; and Mr Bijay Sainju, CONCERN-Nepal, representing the local national organisations on the Organising Committee.



The Convergence was formally inaugurated by the chief guest, Mr Adhikari, who lit the panos (lamp), symbolising the opening of the Convergence. After this, two participants from each country were called to the front and invited to place their national flags next to their respective county map.

Mr Ravi Karkara, Regional Programme Manager for Save the Children Sweden, Regional Office for South and Central Asia, gave the keynote speech. He shared his journey of how he started working on children's rights, stressing that if there was to be a positive change and justice for all children in the efforts to access and claim their rights, it would only be by directly working with the children involved.

Many children have been able to access and realise their rights due to the ongoing work of child workers, but ironically the issues and rights of child workers themselves have been forgotten or sidelined. In the Asian and Pacific regions, 60 per cent of all children are child workers with the majority of them working in South Asia. Mr Karkara reiterated that Save the Children Sweden is mandated to supporting the working children's movement. He added that he is often questioned why Save the Children Sweden is not working towards the complete elimination of all forms of child labour, to which he asks whether children have been consulted on what they want for themselves, as evidence seems to indicate otherwise.

Mr Karkara went further in saying that child participation has two components: children's participation in decisions they make; and participation of all children in decisions being made on their behalf. For children to be able to realise their rights, they also need adult support. He emphasised that Save the Children is committed to working for children's rights all over the world and reassured that it would support the outcomes of the Convergence.

Mr Karkara finished by thanking all adults and children present, especially Mr Dinesh Hari Adhikari for giving due recognition to the programme, pointing out the importance of his presence to the child workers movement. He further thanked CONCERN Nepal, Butterflies, Concerned for Working Children, Child Brigade, ItaliaNATs and others for participating in the programme, and for their support in making the Convergence an actuality.

Mr Eiichi Sadamatsu, welcomed all the participants on behalf of Save the Children Alliance in Nepal. He began by saying there were three things he hoped would be achieved at the Convergence. First, he emphasised that since this was a convergence of working children, he requested the children to truly speak from their hearts regarding their experiences, sorrow, pride and happiness. Second, he suggested that during the discussions to follow, though it might seem there are many differences, the participants should try to define the one common issue or theme that all working children are important. This will help policy makers in creating effective and realistic policies and laws. Thirdly, he shared that this is a rare opportunity for the young children present, and requested participants to find at least one good friend from another country. He said this would be a lifelong memory that could not be bought with money.



Ms P Ayyamma, speaking on behalf of the children gave a brief history of the working children's movement. She began by saying that the very first working children's organisation was formed in Latin America. The movement in Asia started in India with the formation of Bhima Sangha, which has been functioning for the last 16 years. In India, the country level movement started only six years ago. The present international movement comprises work on three continents. Ms Ayyamma said she was happy to see the establishment of the National Forum for Working Children of Nepal, adding that she felt that many such organisations are needed everywhere at the local, national and global level.

Much has been achieved, she said; but sadly, not enough. Ms Ayyamma said that we need to work together so that our dreams for the welfare of children will become a reality. We should not just help each other to share our achievements today, though this is important, but should also remember there is still a lot more that needs to be done. She further commented that the organisations and guests that were present at the Convergence have provided much needed support which has given the working children a true sense of pride, and felt reassured that the support would continue in the future. In closing, Ms Ayyamma thanked all concerned for making the Convergence a reality on behalf of all the child workers.

Mr Bijaya Sainju, CONCERN-Nepal, wishing the Convergence every success, reiterated that there are more than 350 million child labourers in the world and 80 per cent of them are from South Asia. He said that CONCERN-Nepal has been organising and supporting child clubs at the local and national levels. NFWC-N was formed in November 2004. He thanked Save the Children Sweden for all the technical support provided in holding the Convergence. Mr Sainju said further that only as other interested countries create more child workers' organisations will the great achievement in accessing the rights of child workers be truly accomplished. He added that though right now, children's voices are barely heard, this demands the development of organisations that will ensure that the voices of children will be heard in the future. To further this great effort, he suggested that all national-level trade unions should raise their voices and claim their rights as adult leaders.

The Chief Guest, the Honourable Acting Secretary for the Ministry of Labour and Transport Management of the Government of Nepal, Mr Dinesh Hari Adhikari, wished the Convergence every success and hoped that all its objectives would be achieved. He said that there are 260,000 working children in Nepal out of which 137,000 children are involved in hazardous work. Nepal has identified 18 types of hazardous work, but is currently only working in seven areas. On a positive note, he mentioned that there was recent data showing the number of child workers has been reduced mainly because poverty in Nepal had decreased by 10 per cent and that the literacy rate had been steadily increasing. He noted that within Nepal's 10th National Plan of Action, one of the stated objectives was the elimination of child labour by the year 2015.



Mr Adhikari also said that there was another compulsion to end child labour. ILO 182 which Nepal has ratified makes it obligatory to eliminate hazardous work. He further emphasised that besides his own ministry, other ministries are involved in working on child rights. He elaborated by saying that ideas about child labour had been mainstreamed, and that slowly, the old attitudes were changing in Nepal. Whereas before, for example, people used to employ children for doing domestic labour only, now they are also being sent to school.

Mr Adhikari pointed out that one of the main problems was that most child labourers are involved in informal sectors, where no reliable data had been collected to reflect the true nature of the problem. He stated that though the responsibility in reducing child labour from the most hazardous work lay with government, this needs to be addressed by all interested parties. He stressed that the Government of Nepal is always ready to support programmes that would assist child labourers in gaining their rights. He further stressed that in the region, we share many similarities, and hoped that positive solutions would be found. Mr Adhikari closed by saying that the importance of this sector was reflected by the coming together of seven major organisations to work on the problem.

The inauguration was then closed by Mr Bikesh Shrestha, coordinator of NFWC-N. He thanked all the guests for partaking in the Convergence, especially all the prominent speakers, and in particular, the Chief Guest for his informative remarks. He mentioned that it had taken over two months to organise the Convergence, and saw that in the next three days, based on the input of all the participants, a declaration would be developed and written, that would be sent to the Governments of the respective countries. He ended by wishing the success of the Convergence, and hoped that the programme would be of lasting benefit for all children. Stressing the importance of creating child workers' organisations in all countries, Mr Shrestha was sure that the ongoing discussion would greatly help child workers to further their programmes and gain success in accessing their rights.



# 2

## *Sharing Experiences: Country Presentations*

### **2.1 Views of Working Children on Child Labour Acts**

Child Labour Acts are emerging in every country in South and Central Asia. This is directly due to the achievement of the working children's and other concerned organisation's lobbying and movement. However, not all the provisions stipulated are in the best interests of working children. Moreover, some of the provisions aim for the complete removal of children from work without offering any alternatives. Therefore, this was seen to be the proper time that children should bring forward their collective views and lobby the governments and other agencies for amendments to the applicable laws and policies. This in turn, would alert and educate the appropriate authorities to begin successful implementation of those laws and policies

#### **2.1.1 National Forum of Working Children-Nepal on the Child Labour Act 2000**

In Nepal, there are more than 80 different sectors of work, for which many different policies have been created to protect the well-being of working children. Though these policies have been developed with good intentions, they also have various negative impacts on working children. In 2000, the Government of Nepal introduced the Child Labour (Prohibition and Regulation) Act to keep children from working in hazardous sectors.

According to the NFWC-N, if the government wants to stop children from working in hazardous sectors, they should first ensure that children have access to education, health, nutrition and other benefits. Furthermore, NFWC-N felt that the parents of working children should be provided with skills training to improve their own economic opportunities and thus better provide for their children. Children, suggested that short courses in vocational training, life skills and other such trainings should be arranged for working children.

According to the Child Labour Act, children below 14 years are not allowed to work. However, it is clear that for the most disenfranchised or economically marginalised families, children have no option but to work. Children above 14 years are allowed to work by law, but the government has stated there are some sectors that children should not work in. However, the Government has failed to clearly identify what these sectors are.





In addition, many children when asked, said that law enforcement officials, who should be ensuring that law and order is maintained, were also found to be exploiting children, especially street children.

The Act also states that all children should have access to free education. However, this again was found to be unregulated in practice and has had little or no impact on the lives of working children. Many children felt that the Government should monitor whether children truly have access to free education, saying that if the Government truly believed in free education for all children, monitors should check to see if school principals and teachers are in fact following the regulations. More often, unfortunately, it has been the various children's organisations that have gone to the schools to determine if children have been receiving free education, and requesting for placements where it has been denied. When approaching schools for free education, children have often found the principals saying that the Government does not give enough money for water, electricity, stationary, logistics and other maintenance costs, and so the children are told they must pay certain fees. The children felt strongly that the principals should speak directly to the Government regarding these matters and not to the children who only wish to be students.

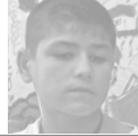
Furthermore, children stated that there was often a conflict between school schedules and working hours. For example, if they went to school, they would be forced to sleep on empty stomachs. Yet, if they only worked, they were deprived of education. The children therefore thought that school schedules should be adjusted to suit the schedules of working children. In particular they added, if the Government is serious about having working children attend school, they should look to providing such opportunities either in the morning or evening, thus allowing a child to work and still attend school.

Overall, though, it was emphasised by the children that 'labour,' in itself, was not bad. From working, they gain a sense of personal independence and well-being. However, it is the exploitation and abuse which often accompanies their work that is bad and needs to be eliminated. From such a point of view, rather than abolish their opportunity to work, the children felt it was far more important that the Government should address child labour and make policies that secure and promote their livelihoods as well as their chance to be educated.

Creating laws, regulations and policies is essential to ensuring the rights of working children, but these policies and regulations should be reflective of working children's situations and context. The children reflected that this was pointed out earlier in the inauguration session, when the Chief Guest mentioned that though there are well intentioned regulations for children, they do not go far enough to truly benefit the children.

Specifically, the children stated that their voices need to be heard and their participation sought out and accepted before policies are made. Unfortunately though, children's participation has not been sought out in Nepal. Their hopes and wishes for a better life have not been reflected by the Government's actions. Clearly, if the Government truly wishes to make regulations and take actions that are of benefit to working children, the responsible agencies and institutions of government must first listen to the feelings,





thoughts and experiences of the working children. This should be given the highest priority. Only by understanding their feelings, thoughts and the context of their lives can policies be accurately created that are truly beneficial in reflecting the children's real-life situation.

The activities that have been undertaken by the NFWC-N are as follows:

- Organised the Convergence of Working Children from different parts of the country and formed the National Forum of Working Children
- Prepared the Working Children's Declaration at the end of the National Convergence of Working Children
- Prepared the position of the National Forum of Working Children on Children and Work
- Established and initiated the secretariat of the National Forum of Working Children-Nepal
- Took the lead position as the main organiser of the South Asia Working Children's Convergence
- Participated in the gathering of the working children of Bangladesh
- Participated in the Labour Conference organised by the Ministry of Transport Management and Labour that discussed the Child Labour Act and its implications
- Took part in the consultation meeting on the Child Labour laws in South Asia organised by ILO
- Organised the Working Children's Convergence for child workers of the Eastern Development Region. The Convergence formed the Eastern Nepal Regional Forum of Working Children representing 34 sectors of work
- Organised leadership training for the Eastern Nepal Working Children's Forum
- Formed district-level Working Children's Forums in two districts of eastern Nepal
- Wrote and published a press release highlighting the incidents of physical and economical exploitation of working children in different parts of the country

NFWC-N has 14 members and three coordinators. Save the Children Norway, CONCERN, CWIN, GEFONT and UPCA facilitated its establishment. Working Children's child-membership clubs from five development regions are involved in this committee. The National Forum represents 20 sectors of work. The Eastern Regional Forum represents 34 work sectors, some of which include: stone quarry work, roads, machinery, electrical, pottery, circus, carpet making, domestic work, restaurant work, brick-kiln work, street sales, and construction.

One of the main difficulties faced by NFWC-N has been the lack of government support. Though children have the right to participate in decisions affecting them, the government does not recognise them, believing they are too young to speak for themselves. In addition, the social status of working children has not been deemed worthy of respect. NFWC-N has felt that once the South Asia National Forum for Working Children was established, their position would be strengthened. At that time, the various governments of the region would have no choice but to hear and respect the voices of working children.





## GROUP WORK

Following the presentation by NFWC-N, the plenary was divided into the various country groups for preparation of the country presentations. It was suggested that countries prepare their presentation according to the following guidelines:

1. What are the benefits and opportunities that work brings to the lives of working children?
2. What are the threats and limitations that work imposes on the lives of working children?
3. What are children's feelings regarding the existing laws on child labour?

## 2.2 Country Presentations

### 2.2.1 India Country Presentation

#### Positive Aspects of Work

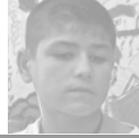
The working children of India highlighted many of the positive benefits of work for their daily livelihood. For instance, children without parents can still work so they that they won't go hungry. In other situations, they can gain the respect of their families and society; be able to help themselves and their parents should they become sick; join trainings for their development; and learn how to deal with the difficulties of work and advance themselves. They added that they have and should have the freedom to choose whether to work or not, choose the type of work they wish, and so forth. These children felt that if a child earns, the child can help him or herself and their family in many ways.

#### Negative Aspects of Work

On the other hand, working children also encounter many difficulties and problems related to work. For example and most often, children are directly paid their monthly salary, which may get misused for intoxicants or gambling. This behaviour is learned by watching adults and other children in their environment.

Another problem is that children are sometimes exposed to sexual harassment by adult workers, employers or by staff. At other times, adult employees are jealous or fear children's capability and create problems for working children. Likewise, children were well aware that many times when employers were bored, they would instigate fights between the children or go so far as to pay some children to fight others, all for the employers' entertainment. The participants also stated that once they start working at an early age, they lose the opportunity for other important development, especially education.

Most often, working children face a great deal of harassment from police, especially if working in jobs considered to be in the lowest social strata, such as rag pickers. Because the police threaten or beat these children, they usually end up paying bribes to the police to leave them alone. At other times, working children have had their tools or other belongings stolen by the police.



Many times, when children become ill, employers won't pay for their treatment. In other cases, children are not paid their salaries, are shouted at, and often times are forced to do even more work. Worse still, children are forced to work with hazardous machines, risking amputation or death.

There are also environmental factors which create problems for the children. For example, children who work on the streets work long hours and come home late. At times, there are stray dogs that chase and bite them. Many child workers sleep on the pavements and neighbourhood people throw garbage on them.

### **Views of Working Children on the Child Labour Law**

When two children of different age get into a fight, if the younger child makes a complaint with the police, he or she is rarely taken seriously. Child labourers may be aware of the existing law, but police and lay people rarely give child labourers their due recognition. Many times the government will simply come and raid areas where children are working without any thought as to why they are working.

When laws are made, children are not consulted. Currently, children have been trying to have their views heard through the National Children's Convention (NCC). But many times, police use children for their own purposes. For example, the juvenile justice police have a quota to fill each month, and so they bring children to Government Homes where child welfare committees, formed under the Juvenile Justice (Care and Protection) Act 2000, are expected to take care of neglected children. But such care is rarely provided.

Sometimes, police have even taken children to the government homes who are still living with their parents or grandparents. This happens especially at night when children are returning home from their work. In other instances, young children brought to the juvenile homes are so small, they are not able to give their home address or other relevant information. Overall and by law, the police have the duty to help children, but most times, their actions are just the opposite.

Sometimes, when small children are brought to a child welfare committee, especially if the children have families, the organisation tries to help return them to their homes. Members of these committees have also complained to the senior police officers when their juniors have brought children simply to fulfil their individual quotas. In situations where a child has no family, the committee gets in touch with various adult organisations which help to provide trainings for the child's benefit.

When committee members meet children who are gambling or misusing their money for drugs or alcohol, the members try to counsel the children. They provide helpful information on the side effects and encourage the children to give up such behaviour. These infusions of adults honestly caring for children have many times resulted positively in these children giving up their bad habits after receiving the information. The child welfare committees through the Jagriti Sangha, has also been reaching out to the community at large, by focusing heavily on HIV/AIDS and the issues related to it, such as alcohol and other intoxicant abuse, and child marriage. Their work has identified 28 reasons why children become alcoholics.



### **2.2.2 Bangladesh Country Presentation**

Two personal case studies were presented. One was of a rag picker and the other of a domestic worker.

#### **Positive Aspects of Work**

Most of the time, children get money immediately upon completing their task for the day, which they can use to buy items they need to support themselves.

#### **Negative Aspects of Work**

In Bangladesh, however, there is more money to be made doing hazardous work. Even when the risks of having accidents are very high, children continue to choose work in this sector. But there have been times, even if accidents occurred, the children were not paid. In other instances, adults have misled children into smuggling illegal drugs for which they are highly paid. In most circumstances, the children said that they work till late at night, and hence have no time to study after a hard day's work, even if they had the chance to attend school. Likewise, there are times when children get paid only after 3 or 4 months of work.

#### **Views of Working Children on the Child Labour Law**

In Bangladesh, most people do not support nor obey child labour laws. According to law, children below 12 years of age cannot work, and children below 15 years of age cannot work in factories, especially those which include hazardous work. Nonetheless, children are still working in welding factories, soap factories and garment factories. But the problem continues that if children were to follow the laws and not work, they would not be able to support themselves or their families.

The Government has been attempting to create laws that are rights-based. It is the Government's responsibility and obligation to fulfil the basic needs of children. But this has not been happening. Presently, the Ministry of Children Affairs has begun to adopt a child-participatory approach to children in the workplace. There are currently ten acts related to children, but these laws usually apply only to the formal paid sectors of child labour, i.e. outside the home or family business. Children working in informal sectors such as welding, automobile repair, garbage collection, and domestic labour continue to be exploited due to poor policy and implementation by the Government.

The Government is currently creating a child labour policy which is now available in draft form. This is a positive policy involving the creation of skills development, rehabilitation, education and health benefits for working children. If this draft policy becomes law, hazardous work would be eliminated. However, if the Government attempts to stop all child labour, working children and their families will suffer as the Government does not have the ability at present to provide sufficient support to working children and their families.

#### **FILM ON WORKING CHILDREN'S VIEWS IN BANGLADESH**

A film, based on discussions in May – August 2002, with four groups of working children from different locations in Bangladesh was shown. The children in the film spoke about their work sectors, working situations, their problems, and offered recommendations.



### **2.2.3 Sri Lanka Country Presentation**

In Sri Lanka, child work goes on behind closed doors and mostly consists of domestic work. Other sectors include begging, factory work, electrical repair, singing and collecting money on trains, going abroad as domestic workers, laundry work, hotel work, garbage collection, child soldiering, sex work, construction work, and work in the gems industry, among others.

#### **Positive Aspects of Work**

With the money earned, children help support other family members, put siblings through school, provide for special celebrations, set aside for savings and medical needs, and generally maintain a useful livelihood.

#### **Negative Aspects of Work**

The children shared that the greatest problem was that they had learned how to cheat, steal and develop other bad habits at an early age. Many children had used their money for activities that were not supportive, thus affecting their development and schooling. These habits have also kept them from being able to develop to their full potential mentally and physically, as well as set a bad example for other children.

In addition, they are physically and mentally abused at their workplace, many times becoming so used to their work that they do not look for better opportunities. The children also mentioned that it seemed that work had become a contributory factor to early marriage, thinking that now that they were earning a salary, they felt ready for marriage. Likewise, they expressed that they had not been enjoying their childhood and felt they had become adults at a far too early age. This resulted in an ongoing vicious cycle as these young parents were not able to provide education and other opportunities for their own children, and usually found their own children also working at an early age.

#### **Views of Working Children on the Child Labour Law**

The applicable laws in Sri Lanka are the Children and Young Peoples Act and the Domestic Workers Act. Currently, these are not properly implemented and the laws are conflicting regarding children's rights and protection. Furthermore, the laws are usually geared towards the middle and higher classes, and are not reflective of those children who are poor and impoverished and living on the streets. Likewise, many illegal activities involving children continue to happen, but the Government has been rarely responsive.

In particular, the Sri Lankan participants proposed that the Government should stop children's participation in hazardous and dangerous work. At the same time, the Government should create opportunities for alternative education for working children that are designed to support them in improving their work as well as their life skills. Furthermore, as most working children come from rural and marginalised sections of the society, the Government should launch effective poverty alleviation programmes in these areas.



In some areas, the enacted laws have had a positive impact, stopping some children from going to work, and supporting others to go to school. In Sri Lanka, education from primary to university level is free.

### **2.2.4 Pakistan Country Presentation**

The total population of Pakistan is approximately 140 million, which includes about 4 million children in the 5 to 14 year-old age groups. 3.3 million of these children are in some form of labour, out of which boys comprise 73 per cent and girls 27 per cent of the respective workforces. In addition, nearly 70 per cent of these children are working in unpaid family labour; 6 per cent of these children are working more than 35 hours in a week; and 35 per cent are working up to 56 hours per week.

Currently, a National Forum of Working Children in Pakistan does not exist. However, a few NGOs have established child rights clubs. For example, with the help and assistance of various NGOs, the Pakistan Rural Workers Social Welfare Organisation (PRWSWO) has established four child rights clubs of trafficked children; seven working children's clubs; and 13 non-working children's clubs in formal education schools.

Pakistan ratified the ILO Convention 182 in 2002, and identified 29 hazardous occupations after carrying out a series of consultations with tripartite partners and stakeholders from all of the provinces. Though a children's national working forum does not currently exist in Pakistan, a plan to establish one is in process.

#### **Views of Working Children on the Child Labour Law**

Pakistan announced a National Policy and Action Plan for Combating Child Labour in 2000. However, the policy has yet to be implemented. The ILO/IPEC's Time Bound Programme (TBP) has been launched in Pakistan to provide technical assistance to the Government of Pakistan in helping it fulfil its international commitment under ILO Convention 182. The TBP is expected to eliminate the worst forms of child labour within a 5 to 10 year time frame.

After the country presentation, a drama was enacted entitled 'Salt in the Wound'.

#### **SALT IN THE WOUND**

The play portrayed the issue of child workers serving long hours from early morning to late evening. The child is repeatedly scolded and beaten for being late or for any excuse and frustration of the employer. In addition, the child is deprived of food and health care. The play depicts how children are abused physically, sexually and mentally in hazardous work sectors every single day of their lives.

In addition, the play depicts the law officers, here represented as the labour officer, as being corrupt and willing to turn away from enforcing the law for a bribe. Even when the child finally runs away and seeks protection from his own brother, he is returned to the employer and is again beaten and scolded.

The child is left wondering why he is beaten at all times of the day. In total isolation and rejection, trying to consider what this life is all about, he ends up thinking of killing himself.



### ***2.2.5 Tajikistan Country Presentation***

#### **Positive Aspects of Work**

Children in Tajikistan earn money to support themselves and their family. With the earnings, the child is further able to acquire basic necessities such as clothes, shoes, food, medicine and utilities such as cooking gas, electricity and water for the home. Work also enables children by increasing their awareness on the marketing and selling of goods. Likewise, they are able to make friends and build a sense of unity among themselves. Moreover, the working child secures respect from members of the family because she or he is helping to support his relations.

#### **Negative Aspects of Work**

Some of the problems in working were harassment by police, not being paid for their work and gangs stealing the money they earned. In addition, many times it has been hard for children to find any kind of work as there are so many looking to be employed. When they do, working children have often been forced to pay a non-formal type of tax, figured according to their earnings, that ensures their continued employment. Even worse, adults often shout and beat the children for small reason.

#### **Views of Working Children on the Child Labour Law**

There is currently an article in the Tajikistan legislation that states that children can work only up to four hours a day. However, this has yet to be enforced.

### ***2.2.6 Nepal Country Presentation<sup>1</sup>***

#### **Positive Aspects of Work**

The child participants of Nepal shared that the positive aspects of work were that they could get access to education and were more financially secure and independent. In addition, they appreciated that work had given them a sense of life-skills development that included better speaking; useful experiences and practical knowledge.

#### **Negative Aspects of Work**

On the other hand, they said the negative aspects of work too often included discrimination and insufficient wages. Furthermore, many forms of exploitation, their separation from family and a lack of proper accommodation were often experienced. Likewise, some sectors of work had not provided time for education due to long hours of work. Furthermore, children were often physically, sexually and mentally tortured by employers, prone to accident and sold to other employers as if they were common property.

The children also said that they were discriminated against based on their race, religion and/or disability. Oftentimes, due to long working hours, children were not allowed to eat at regular times and were deprived of any time for their own recreation activities and play. In such cases, it has been easy for the children to lose their own sense of self respect and feel lonely. In addition, in most situations, they were not given enough time to learn their work properly which had lead to injury. Compounding this, the children were denied proper access to adequate medical care.

Consequently, most children were living with the ongoing fears of getting into accidents, being looted by elders, scolded or beaten, or harassed by police, to name a few.

<sup>1</sup> The Working Children of Nepal had already expressed their views on the child labour law under Section 2.1.1 of this report, above.





# 3

## Sharing the History of the Working Children's Movement

### GROUP WORK

Each of the National Forums or Movements were requested to go into their country groups and create presentations on the following points:

1. What were the reasons that the children formed their separate forums and movements of working children in their countries? When were they formed?
2. Who are the members of the forum or movement and how many work sectors and working children's organisations are represented?
3. What are the main achievements so far and what are the plans for the future?

### 3.1 National Movement of Working Children — India

#### 3.1.1 Bhima Sangha

Ms P Ayamma, Vice Chair of Bhima Sangha and member of the National Movement of Working Children spoke for the group who met in Bangalore from 7 to 9 August 2004. She was chosen based on her qualifications and experience.

Bhima Sangha was established on 30 April 1990. Its members are usually between 6 to 18 years of age and come from both urban and rural areas. Within the urban areas, sectors of work include domestic work, hotel, waste material collection, construction, garage, steel work and so forth. In the rural areas, agricultural work includes fishing, dairy work, and farming. In addition to these, there is domestic work, construction of roads, and other such activities. Altogether, 14,000 children are members of Bhima Sangha, and represent 5 districts from Karnataka State.

Bhima Sangha was formed so that the voices of working children might be heard and recognised, providing them access to claiming their rights. In addition, the organisation was developed to focus on identifying solutions for the children's specific problems. The group believes that all civic policy decisions involving working children should first seek their participation, assuring that they are appropriately represented.

Bhima Sangha has created materials and symbols to identify members both within and outside the organisation. Headbands have been designed and are worn to show membership so that others may identify them, as well as creating a sense of unity among members of the organisation. Identity cards with photos, the number of



years with the organisation and status has also been developed. The card is used for identification and protection from police harassment when arrested without reason. The flag of the organisation is hoisted at the start of every meeting.

Bhima Sangha was the first of its kind to be formed in Asia. They have published a booklet that identifies and outlines the kinds of work that can be safely engaged in by children, and the kinds of work that should not be undertaken by children. They have been clear that a distinction should be made between good versus terrible or dangerous work for children. Presently, five rural areas have been freed of child labour. In addition, Bhima Sangha has prepared an alternative report for its working children to the UNCRC Committee for the first time. They identified Child Labour Day as April 30. The founding members of the national movement of working children are also involved in the international movement.

### ***3.1.2 National Movement of Working Children***

National Movement of Working Children (NMWC) was formed on 29 November 1999. The organisation's focus was to discuss issues concerning working children and to take such issues into other arenas. Some of the children's issues are discussed in groups to find solutions. They have completed 13 meetings to date, and meet once every six months. As of now, there are 10 grass-root organisations who are members, while others are present as observers. It was mentioned that organising and coordinating national meetings has not been easy because India is such a large country.

To become a member of NMWC, a local group should have been a children's organisation of their own for the previous six months at least. In addition, they should have their own identifying symbols and songs. The process of membership to NMWC begins when a local group first submits a form for membership and is invited to be present as observers at a national meeting. The local group's request for membership is then discussed within the organisation, and once ratified, the local group becomes a full member. It was highlighted that not every group that goes through the steps of membership is accepted.

Though the organisation's meetings may be supported by adults, the meetings are run by children. These are not 'little' children's meetings filled with 'fun and games' as some might think, but rather proper and responsible meetings of children, where information is shared and discussed with all who are present.

The presenter said that NMWC members had been present for meetings in the United States in 2002, and at other forums. Two NMWC children were present during a UNCRC Committee meeting. A remarkable point to note is that NMWC work and meetings are visually illustrated as 'life lines' made from combinations of words and pictures, so that people who have difficulty reading might also understand.

### ***3.1.3 Bal Mazdoor Union***

The Bal Mazdoor Union (BMU) is a collective of street and working children which was formed in 1991. BMU not only voices the concerns of street and working



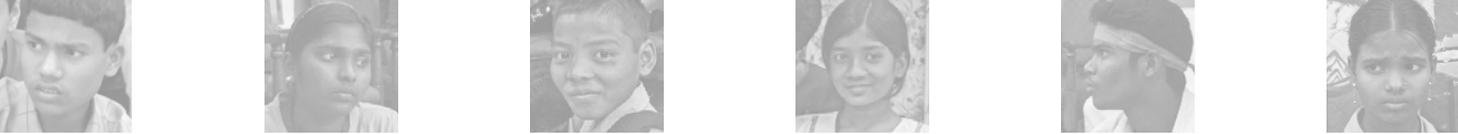
children, but also fights for the rights of each and every child whose inherent rights has been violated. BMU keeps abreast on the situation of children's rights not only in Delhi, but throughout the whole of India and the world. In doing so, it holds discussions on these situations and if required, takes appropriate actions. BMU's goal is to initiate, support and strengthen the movement of working children at the national and international levels so that the exploitation of each and every child in all situations can be stopped, providing working children with opportunities for development and the right to be consulted and participate in decisions concerning their lives.

BMU, not only raises its voice for children's rights, but also for the rights of children as workers. BMU's aim and commitment is not only to negotiate for better wages and working conditions for working children, but to mobilise public opinion to redress the conditions and pressures that force children to work in the first place, including the realities of poverty and unemployment as experienced by their families.

BMU has been an active member of the World Movement of Working Children and Adolescents since its inception. BMU has identified like-minded children's organisations and initiatives in Asia so that these groups and programmes may also be associated with the movement to expand and strengthen the movement for working children in Asia.

To achieve its objectives, BMU has organised street and working children and facilitated the formation of various needs-based collectives of children so that today, these collectives are working independently on various agendas affecting the lives of children. The work of these collectives includes the following:

- *National Child Journalists Forum (NCJF), National Children's Times and South Asian Children's Times, South Asian Child Journalists Forum* – BMU has organised national and regional workshops on journalism and print media for children from different parts of India and other South Asian countries. The South Asian Child Journalist Forum has started publication of *The South Asian Children's Times (SACT)*. SACT is published once every four months in six regional languages (Hindi, Bangla, Sinhala, Nepali, Pushto and Urdu), and in English.
- *Health Co-operative* – Uniting children on health issues through health education training and health services. A group of members are regularly being trained as Child Health Educators.
- *Bal Vikas Bank or Children's Development Bank (CDB)* – The bank was started in 2001 for street and working children. The bank works on co-operative banking principles and is run and managed by children with support from adult facilitators. Based on its success in New Delhi, the bank has been expanded to other cities in India as well as to five South Asian countries, i.e. Afghanistan, Bangladesh, Nepal, Sri Lanka and Pakistan. CDB is a school for learning life skills such as management, democracy, leadership and accountability.
- *Delhi Child Rights Club (DCRC)* - It was formed in 1998 to protect the rights of children in Delhi and to make the capital city a safe and child-friendly place for children. Nearly 6000 children from 12 NGO's, working with street and working children in Delhi, are the members of the DCRC. The Club seeks recognition as a forum that should be consulted whenever city policies or decisions are to be made that affect children.



### **3.2 National Working Children Movement – Bangladesh**

In Bangladesh, the *Milon Mela* (Children's Fair) was held on December 2004, in Dhaka. There were 22 children's organisations present that worked together as a whole. Overall, there were 200 to 300 children present working in the *mela*. Children who normally sell goods around the *mela* areas also joined in. At the *mela*, in addition to playing, singing and painting, the children as a group discussed the problems they faced in their daily work sectors and possible solutions.

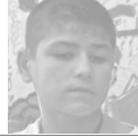
The two children representing Bangladeshi working children at the Convergence came from different urban slum areas and 'normally' would never get an opportunity to travel. The facilitators from the organisation chose these two representatives from the *mela*. The children shared several highly descriptive paintings, illustrating their hardships and difficult lives with the participants of the Convergence. They said that decisions made in the Bangladeshi National Working Children's Movement are based on group discussions.

### **3.3 Rural Workers' Social Welfare Organisation – Pakistan**

In Pakistan so far, a national committee in the working children's movement does not exist. The Pakistan Rural Social Welfare Organisation (PRWSWO) has been operating on working children's issues since 2003, with the participation of working children. They have established seven clubs for working children, each having 10 to 15 members. The members of the clubs meet and make decisions by themselves. They are planning on starting clubs in other areas to increase membership.

This year, PRWSWO established a 'Children's Development Bank' with the support of Butterflies Broadcasting Children (BBC). In addition, they organised sports and other events for children. They also plan to establish a school for working street children, providing the opportunity for going to school. The PRWSWO has already established two non-formal schools for trafficked and repatriated children, such as those who had been employed as camel jockeys in the Gulf States. They celebrate the Working Children's Day on 30 April every year.

In addition to working for children in the agricultural, domestic, shops, hotels and garbage collection sectors, PRWSWO also aids the children who work in the transport industry, as well as other works areas. In the future, they hope to expand their membership to include the maximum number of children in their efforts to access their rights. In cases of the abuse of working children, they have provided aid with the support of other like-minded organisations in voicing their concerns to the Government. Another plan is to establish and regularly publish a children's newspaper in the coming year.



### **3.4 National Committee on Working Children – Sri Lanka**

The representatives came from the National Committee on Working Children, which is a wing under the 'National Network of Children's Organisations'. The Network started in 1998, with the main objective of working with the socially discarded children of society. Originally, the name of the organisation was National Network of Socially Discarded Children. In 2000, the organisation and members decided to change the name of the organisation and its structure to reflect the inclusion of all children. From that time, they have opened their membership to all children as well as other children's clubs that are functioning in the country.

For them, the process of coming to the Convergence started on 13 August 2005. First, information about the Convergence was passed through the Network. This resulted in 30 children attending a meeting, out of which two representatives of working children were chosen.

In Sri Lanka, there are different children's organisations in different areas, but all are working on children's issues. All children, whether from street, domestic or slum situations, are included. Each month, a meeting is conducted where decisions are taken through participation and consensus. In their first national meeting, they discussed street children and their problems. In 2002, they discussed the issues and problems experienced by child domestic workers. This year, the topic for the national summit is to be on child participation.





# 4 *Progress of International Working Children's Movement*

## **4.1 International Working Children's Movement**

The movement to ensure the rights of working children has a very long history. Working children's organisations and movements have been in existence since 1976 in Latin America, while the movements in Asia and Africa began a few years later. Overall, working children in Asia have been organising themselves at the local, national, regional and international levels since 1996.

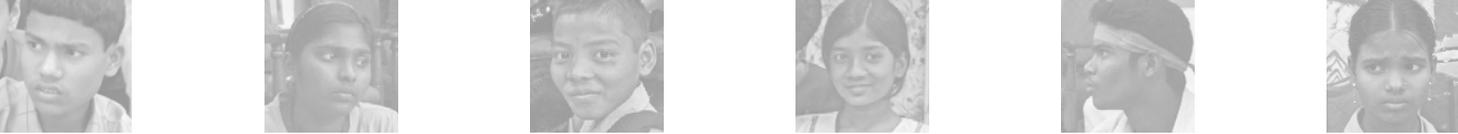
### **4.1.1 Latin America**

Movimiento de Latino America y del Caribe de Niños y Adolescentes Trabajadores (MOLACNATs), the Latin American and Caribbean Working Children and Adolescents Movement, developed out of the experience of MANTHOC (The Movement of Working Children and Adolescents, Sons and Daughters of Christian Workers), the very first organisation of working children, founded in Peru in 1976.

The birth of this process began during the early 1970s, when a large group of young people, members of JOC (Christian Young Workers Association), lost their jobs due to a downturn in the economic situation of Peru. At that time, the children decided to organise themselves so that they would not have to experience a similar situation in the future.

MOLACNATs is made up of organisations and movements of working children and adolescents, such as NATs (Niños y Adolescentes Trabajadores) from Peru, Paraguay, Colombia, Bolivia, Venezuela, Chile, Argentina and Guatemala. It was founded in 1988, in Lima, Peru, when the Working Children of MANTHOC celebrated their 12th anniversary, sharing their experiences as an ongoing movement with the working children of other Latin America countries.

The working children of MOLACNATs fight for the right to have dignified work, believing that labour is not bad in and of itself, except for the conditions of exploitation and abuse that occur too often. These conditions should be eliminated both for children as well as for adults. Furthermore, the working children of MOLACNATs believe that access to quality education and healthcare should be free of charge, without exception or discrimination. They raise their voices so that all human rights are guaranteed with justice and equality. They firmly believe that all child and adolescent organisations and movements, not only those of working children, should be recognised and respected.



#### **4.1.2 Asia**

Bhima Sangha was the very first working children's organisation in Asia, formed in 1990, in India. Also in India, the Bal Mazdoor Union, formed in 1991, was the second working children's organisation to be established in Asia.

#### **4.1.3 Africa**

Mouvement Africain des Enfants et Jeunes Travailleurs (MAEJT), the African Movement of Working Children and Youth (AMWCY) was established in 1994. In May 1994, working children and youth (EJT) of Dakar, Ziguinchor, Cotonou and Bamako, first celebrated the International Working Day. In July 1994, representatives of working children and youth (EJT) of five African countries held a meeting in Boukè, Ivory Coast. This was the starting point that led to the creation of the African Working Children and Youth Movement (MAEJT). After having examined their daily experiences and their primary needs, they established 12 rights to promote and pursue their requirements by means of a common programme.

MAEJT was organised from hundreds of grassroot-level groups of working children, that came together to form associations in towns and villages. MAEJT is now present in 24 countries of Western, Central, Indian Ocean and Eastern Africa. The Movement itself is the principal African voice of children and youth who find themselves in difficult circumstances, not having access to basic social services, such as education and health care.

#### **4.1.4 Actions Leading to an International Movement**

Up to the mid 1990s, there were not many interactions among the movements around the world, though their presence was becoming increasingly noted due to the success of their own individual achievements. When the International Working Group of Child Labour (IWGCL) was set up in early 1992, it was recognised for the first time that a great deal of significant work had been accomplished by the various movements around the world. At that time, the IWGCL raised resources and support in an attempt to bring together the working children's movements from three continents.

This led to two planning meetings where the representatives of the movements – West African Movement from Africa, MANTHOC from Peru, Movimento from Brazil and Bhima Sangha from India – met to plan the first international meeting. These planning sessions took place in Brazil and Senegal, which resulted in the first ever international meeting of working children's organisations, held in 1996 in Kundapur, India. 29 delegates representing 33 countries later took part in that historic meeting; and the event was documented in the film, 'Time to Listen'. It was here that the International Movement of Working Children was formed, out of which the historic 'Kundapur Declaration' was written.

At the Kundapur meeting, the representatives of the working children's movements challenged the processes by which the ILO had been initiating their discussions around ILO Convention 182. Through these important consultations, the representatives of



the International Movement were able to work through some of the disagreement regarding ILO 182. However, although this was a good beginning, it was acknowledged that more needed to be done on this issue.

The child worker representatives of the Movements, supported by their corresponding adult organisations, were actively present at ILO's Amsterdam Consultation and the Oslo Consultation. Though at the Amsterdam Consultation, it appeared as if their opportunities were opening up, at Oslo, it became very clear that a strong resistance to the presence of working children's movements and their views was also building. In an effort to find a solution, Save the Children simultaneously organised a forum with the movements and organisations, but this also had little effect in changing the ILO position. As a result, the political posture of the Working Children Movements was not accepted.

Meanwhile, back in India, Bhima Sangha and two other working children's organisations, Harsiru Sangha and Ele Nakshatra, took the lead in initiating the National Movement of Working Children (NMWC) India, in 1999. The date, November 20, 1999, coincided with the tenth anniversary of the UN Convention on the Rights of the Child.

After the strong resistance to the participation of working children's movements and their positions had built up in Oslo, international actions were conducted only at the regional levels. This created few possibilities for interaction and solidarity between the Movements. Working children continued to strongly demand that their needs be heard, but space for their participation on the international level was too often denied.

#### 4.1.4.1 ItaliaNATs

In March 2000, two ItaliaNATs founders visited MANTHOC in Peru, and had the opportunity to attend the National Assembly of Working Children. During the Assembly, children spoke about the political situation of their country, and other problems they faced as child workers. One major issue was that they were not listened to. Children told that for the past 20 years, working children had been trying to discuss their rights with their respective governments and others concerned, with little or no success. At the end of the Assembly, the children gave a letter to the Italian observers, requesting that their voices be heard in Europe, which might lead to gaining support and respect for their movement at the international level.

ItaliaNATs was founded in November 2000, a few months after the meeting with MANTHOC, where 14 different associations and fair trade organisations got together to respond to the request of the South American children. At the European level, there was an immediate response by ProNATs, a German organisation that was linked with several working children movements, especially in Latin America. This led to a very fruitful cooperation between ProNATs and ItaliaNATs in support of working children.

ItaliaNATs is now working to ensure a real participation of children by working *with* children and not *for* children. ItaliaNATs is convinced that the conditions of exploitation against which working children are fighting are the result of a single



economic model that continues to cause damage in both the developing and developed countries. Everyone is directly involved. This is why ItaliaNATs considers the problems of working children as their own problems, and are working together to unite children and adults from the north and south to find a solution.

#### **4.1.4.2 ProNATs – (Pro niñas, niños y adolescentes trabajadores)**

*“Empowerment of Children’s Rights Instead of Enforcing Prohibition!”*

Under this slogan, members of worker’s unions, children’s rights organisations, third-world solidarity groups, educational centres and universities gathered in November 1997, to create a Europe wide project group, with members from Austria, France, Luxembourg and Switzerland. This group has worked against the exploitation of children and for the empowerment of working children, standing up against the common prejudice that wishes to eliminate children’s work by means of legislated prohibition. Since August 2005, ProNATs has become an official organisation.

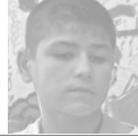
ProNATs is an association in support of the children, adolescents and their organisations. ProNATs is in direct contact with the movements of working children and adolescents in Africa, Asia and Latin America and promotes their experiences, ideas and demands to the European public. ProNATs organised the Second World Meeting of Movements of Working Children and Adolescents in Berlin, Germany together with their partner organisation, ItaliaNATs in April and May 2004.

By creating an international lobby and its corresponding publicity, ProNATs created a platform that emphasised the following points:

- It called for a differentiated valuation of child work, taking the specific social and cultural background of the children into consideration
- It is strongly against all global prohibitions and sanctions concerning child work
- It demanded the children’s right of participation in defining their own living conditions and employment alternatives
- ProNATs is strongly against exploitation, exclusion and maltreatment of working children
- It called for the recognition of working children as social subjects, and for putting into question all archaic concepts of childhood that exclude or limit contact to the working world
- It is strongly against the stigmatisation of children as victims

Based on the information ItaliaNATs and ProNATs had gained about the various child worker movements, it was evident that a gap in communication, solidarity, confrontation and unity still existed among the movements. At that time, Global March was still growing, and the voices of other movements remained unheard.

In light of this, ItaliaNATs got in contact with the movements of Latin America, Africa and Asia, which lead to regional meetings in Latin America and in Africa. ItaliaNATs also visited the Bal Mazdoor Union and Bhima Sangha in India, which were the only groups known to exist in Asia at that time. During the visits and meetings, ItaliaNATs proposed a larger gathering to be held in Italy, with the intention of improving communication and uniting the working children’s movements around the globe.



#### 4.1.4.3 The Milan Pre-Planning Meeting

The response was favourable, and in November 2002, three working children from India, two from Latin America and one from Africa came to a planning meeting in Milan. The objectives of the planning meeting were:

- To evaluate the reality of the movements on different continents
- To achieve agreements on their relationships
- To articulate a set of united activities that would promote the ongoing organised efforts of the working children at the global level

The participants in the planning meeting described the working children's situations in their respective countries. This included giving a history of their movements as well as sharing their experiences regarding the ILO Conventions on child labour and IPEC programmes, United Nations General Assembly Special Session (UNGASS) and the World Social Forum. After six days of hard work, the children had rebuilt the links among themselves. They began planning for a larger meeting that would create a working children's organisation on the international level. In doing so, they decided to build a strong solidarity among themselves using concrete action plans and a powerful declaration of intent. This declaration, asking for due recognition of their rights and the positive benefits of their movements, ended with the sentence, *"We, the working children of the world, are not part of the problem, but are part of the solution!"*

#### 4.1.4.4 Berlin Meeting

The children planned the next meeting in Berlin (Germany), in April 2004, asking ProNATs to host it. The working children prepared themselves for over a year and a half, meeting at local, national and regional levels. During this time, the working children in India took on the important role of bringing different working children's groups together from other countries of Asia. About ten working children from each continent: Africa, Asia and Latin America, met for two weeks. During the meeting, participants spoke of their situations at the national and regional levels, analysed the activities to be carried out after the meeting in Kundapur (1996) and discussed their difficulties and achievements up to that time.

## 4.2 Progress of the International Movement of Working Children

### Achievements after Kundapur

- Creation of solidarity nets.
- Organisation of the first working children's meeting.
- Social acknowledgement of the working children's movements.
- Participation at conferences and forums on the regional and international levels regarding children-related topics.
- Organisation of the Pre-planning Meeting in Milan.
- Increased capability of the working children to raise their voices in various meetings and forums regarding their issues.
- Participation in the elaboration of follow-up strategies for the UNGASS.
- Dialogue with governments and institutions at national, regional and international levels.



#### **Difficulties after Kundapur**

- Lack of communication between the movements.
- Lack of follow-up.
- Destabilisation of some movements because of international legislation (Latin America's experience with the ILO/IPEC).
- Lack of an ongoing plan of action for the International Movement.

#### **Actions carried out**

The movements have organised marches, issued critical statements, held public and private debates with various authorities, met with UN agencies, and have written letters to the organisations of Global March. In addition, they were able to discuss issues regarding UNGASS, the World Social Forum and globalisation for the very first time.

### **4.3 ILO/IPEC**

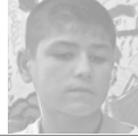
The Working Children Movements from Africa, Asia and Latin America consider that Article 3 of the ILO 182 Convention confuses crime and work. Africa often collaborates with the implementation of IPEC programmes trying to assure the best interests of working children, and in order to change their view which aims to abolish child work. In Latin America, some organisations have left the movement because of the IPEC programme, while the Working Children's Movements from Peru, Colombia and Paraguay were defined as being 'dangerous' by their governments. The working children from Asia stress that children removed from the worst forms of work have not been rehabilitated within the IPEC programme. It was stressed that before children are removed from their jobs, IPEC programmes should ensure that the working children's families are compensated for the loss of earnings and their relatives be provided with fair jobs.

### **4.4 The UNGASS Process**

Though children's participation is beginning to be recognised and given importance, it remains simply a matter of appearance. Furthermore, the selection of children for this process is not correct. Except for MAEJT, the other movements have not been considered. However MAEJT, in all likelihood, could lobby effectively on the issue of child labour with great achievement.

### **4.5 World Social Forum**

Working Children's Movements participated at the World Social Forum in Porto Alegre, Brazil without any links to other NGOs or groups. Unfortunately, their participation was not given serious consideration. In India, children managed to make contact with other groups, and some attended workshops, but with low impact.



## **4.6 Globalisation**

Working children also analysed the effects of globalisation on their countries, societies and personal lives. ATTAC, a European NGO active in this field, helped them in understanding many of the mechanisms of the financial system and how these affect 80 per cent of the world's population by increasing poverty instead of reducing it.

## **4.7 Plan of Action and Secretariat**

The goals brought out in Milan were discussed and accepted. They included:

1. To be part of the social movements that work for a just world and a dignified humanity.
2. To work against all forms of discrimination and exclusion according to race, caste, ethnic group, religion, nationality, sex; and that people's rights should be respected, especially the rights of children and adolescents.
3. To set up a representative world movement of working children within a strong social and protagonist context.

In the Berlin Meeting, children began discussing the possible structure of the secretariat of the international or world movement by proposing various solutions. They then identified several strategies for the plan of action.

## **4.8 Projects for Asian Working Children Movement**

During the Berlin Meeting, the Asian delegates discussed how to further strengthen and expand the Movement of Working Children in Asia. It was suggested that a meeting of the Asia-wide movement had to be organised as soon as possible. The organisations present in Berlin were from Afghanistan, Bangladesh, India, Mongolia and Nepal. Pakistan could not participate because of visa problems. They also agreed that each initiative would identify like-minded children's organisations in their own and neighbouring countries, and invite them to be part of the movement before calling this meeting. Hence, the Asian Movement of Working Children was first announced immediately following the Berlin meeting in 2004.

### **Coop Central Italy and the Plan for a Meeting in Italy**

In 2003, ItaliaNATs was contacted by Coop Central Italy, a large corporation engaged in distribution. They expressed interest in supporting the working children's movements, offering to finance a meeting that would allow the voices of working children to be heard in Italy. Two members of Coop Central Italy went to Berlin to meet the children and proposed such a meeting to them, which was happily accepted. The meeting would take place in October 2005, but has since been postponed to October 2006.



### **Kundapur Pre-Planning Meeting 2005**

In June 2005, working children from Asia, Africa and Latin America met in Kundapur and finalised their agenda for the upcoming meeting in Siena, Italy. CWC hosted the meeting, while Coop Central Italy supported much of the financial costs; sending two of its members to be present at the meeting.

In addition, adults met and discussed the creation of a forum sponsoring the solidarity of working children with the multiple aims of strengthening their position at the national and international levels; supporting children in discovering useful strategies in their relations with institutions; create documentation that would explore and analyse the various children's rights conventions; and demonstrate the various linkages between different issues and the personal lives of working children.

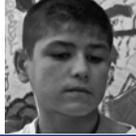
### **Global March and the Working Children Movements**

Clearly, there is a major ideological difference between the Global March and the working children's movements. The working children's movement is child-led and takes into consideration all aspects of a child's life including his or her work. It looks to work within the particular context of the working child; the root causes of child labour; and to develop supportive strategies.

Within the movement, some children say that they do not want to work but, because of their particular situation, their work allows them to go to school and help support their families at the same time. Other children talk of the right to work in dignified conditions, with respect and recognition for the work they do. In either case, children ask that their work be respected while, at the same time, demand changes for better quality education, access to basic services, and clear policies against exploitation and abuse.

Thus, the foremost difference between the Global March and the Movements of Working Children is that the Movements are specifically led by children and for children. Another major difference is that working children's movements are against the complete prohibition of child labour.

Global March, on the other hand, was created by adults in response to their view of supporting the lives of children by banning the practice of child labour. However, Global March is now beginning to take account of children as being workers in their own right and, to some extent, are changing their strategy. This has come about due to the Global March's recognition of importance of children's participation, and what they have accomplished.



# 5

## Developing Strategies for Future Action

### 5.1 Commonalities in Country Presentations

POSITIVE ASPECTS	NEGATIVE	LAWS & ACTS
<ul style="list-style-type: none"> <li>• Livelihoods met</li> <li>• Survival</li> <li>• Health support for self and family</li> <li>• Skills and training</li> <li>• Develop skills to face life challenges</li> <li>• Self dignity</li> <li>• Cooperation with others</li> <li>• Freedom</li> <li>• Child helps to resolve family difficulties (loan repayment, etc.)</li> <li>• Children earn more in hazardous work, despite the risks involved</li> <li>• Technical knowledge gained</li> <li>• Working with family members</li> </ul>	<ul style="list-style-type: none"> <li>• More likely to misuse money for drugs, gambling, etc</li> <li>• Exposure to sexual and other forms of abuse</li> <li>• Police harassment</li> <li>• Employers harassing children simply for entertainment</li> <li>• Economic exploitation: forced to work longer for less money</li> <li>• Street children face typical street hazards such as sleeping on the streets in garbage</li> <li>• Constraints on normal development</li> <li>• Risk of amputation or death from hazardous work</li> <li>• False accusation of theft</li> <li>• Employers never look at the reasons why children have to work</li> <li>• By glamorising unlawful work, bad people engage children in criminal activities</li> <li>• Cheating</li> <li>• Economic exploitation and discrimination in all its many forms</li> <li>• Physical and mental torture</li> <li>• Insecurity</li> </ul>	<ul style="list-style-type: none"> <li>• Younger children's complaints not registered</li> <li>• Employers do not pay as agreed</li> <li>• Before a law is made child is never consulted</li> <li>• Children are slowly trying to get their views heard regarding national acts on child labour</li> <li>• Children are detained without any reason</li> <li>• Juvenile justice systems are not child-supportive</li> <li>• Police abuse their power in harassing children</li> <li>• Some children's organisations (Bhima Sangha) help children who are in conflict with the law</li> <li>• An Act in Bangladesh, states children under 15 cannot work, leading to loss of basic necessities</li> <li>• Laws do not respect the views of working children</li> <li>• Lay people and junior police staff are not aware of relevant laws</li> </ul>

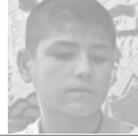


## 5.2 Strategising and Prioritising: Recommendations

### Group Work

Based on the commonalities presented, participants were divided into groups by country, and asked to find solutions in dealing with problems. They needed to sort out five priorities and present them to the group at large.

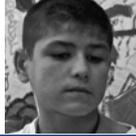
COUNTRY	NATIONAL LEVEL	REGIONAL LEVEL	INTERNATIONAL LEVEL
<b>Bangladesh</b>	<ul style="list-style-type: none"> <li>• Inform everyone about child labour through theatre, rallies, etc</li> <li>• Talk to community people about child labour, with help from adults</li> <li>• Consult children while creating laws</li> <li>• Train police on child rights</li> </ul>		
<b>India</b>	<ul style="list-style-type: none"> <li>• Join country movements in all countries to raise voice</li> <li>• Develop lobby so that children's views are included in any policy, bill or law that is being made for children</li> <li>• All those involved in the children's movements should be trained about non-discrimination</li> <li>• Trainings and workshops where caste, gender, race, economic level and all other forms of discrimination can be discussed openly</li> </ul>	<ul style="list-style-type: none"> <li>• Create an Asia-level Secretariat which would consist of two representatives from each country, to bring issues and problems of respective countries for discussion at the Asia level. These leaders would meet once every two years. Being organised as one strong voice can lead to taking beneficial actions for all, and allow linkages to movements among other countries and continents</li> </ul>	<ul style="list-style-type: none"> <li>• Consultation with governments regarding the rights of working children</li> </ul>
<b>Nepal</b>	<ul style="list-style-type: none"> <li>• Bring awareness of child rights by children, using tools such as drama, rally, art, etc</li> <li>• Include concerned parties and share ideas and experiences through networks</li> <li>• Manage work time with flexible education</li> <li>• Child participation in making policies</li> <li>• Pressurise government to reform laws</li> </ul>	<ul style="list-style-type: none"> <li>• Children themselves should receive skills-development training</li> </ul>	



COUNTRY	NATIONAL LEVEL	REGIONAL LEVEL	INTERNATIONAL LEVEL
<b>Pakistan</b>	<ul style="list-style-type: none"> <li>• Create more clubs and national and local forums</li> <li>• Establish separate schools for working children that work afternoons, and provide standard and skills education</li> <li>• Wages should be according to the work</li> <li>• A common contract agreement to be used and signed between employer and employee</li> <li>• NGOs begin parent-awareness campaign</li> <li>• Provide financial support to poor children for education</li> <li>• Create laws establishing working hours and wages</li> </ul>	<ul style="list-style-type: none"> <li>• Hold duplicate meetings in each country to share the experiences and progress of each country</li> </ul>	
<b>Sri Lanka</b>	<ul style="list-style-type: none"> <li>• Build linkages between working children and education; protection; society and working children; and family and working children's law</li> <li>• Special education suitable for working children</li> <li>• Create laws that apply to working children in hazardous work</li> <li>• Introduce laws to assist victims of child abuse</li> <li>• Government moved to establish separate units for working children</li> <li>• Provide opportunities to join National Forum</li> <li>• Provide skills training to working children</li> <li>• Establish Children's Courts</li> <li>• National Committee and national summit to include an appeal for 'Children's Court'</li> </ul>	<ul style="list-style-type: none"> <li>• Define problems of the Committee after its formation</li> <li>• Plan to meet once a year, as an opportunity similar to the present convergence</li> </ul>	

After these country recommendations were made, the group at large came together to finalise an agreed set of suggestions for further action. (See Annex for details)





# 6

## South and Central Asia Working Children's Movement

After the final recommendations were accepted, the children strongly felt the importance of immediately developing a Secretariat for the South and Central Asia Working Children's Movement. They expressed that it had been a long process, and that many difficult hurdles had been overcome to make this Convergence a success. Feeling that they might not get another chance to meet in the short run, and in order not to lose the solidarity they felt, and to keep the momentum moving, the children insisted on choosing secretariat representatives from amongst the members present at the Convergence itself.

The children went back into their country groups and chose their representatives as follows:

Afghanistan:	<i>(to be announced).</i>
Bangladesh:	Rajan and Shireen
India:	Babloo and P Ayamma
Nepal:	Shymawati Choudhary and Parvan Rai
Pakistan:	Dina Ram and Gulzar Ahmed
Sri Lanka:	Hohamad Arshan and Erannage Nayana
Tajikistan:	Farangis and Khaamzaali

Ravi Karkara, Regional Programme Manager, Save the Children Sweden, Regional Office for South and Central Asia, informed those at the Convergence that Save the Children Sweden would support the Secretariat of the Working Children's Forum for South and Central Asia in establishing its offices in Nepal.





# 7

## *Declaration of the South and Central Asia Convergence of Working Children*

The children spent three days sharing the positive and negative aspects of their work. This included a review of the national legal provisions, acts and policies regarding child labour as these related to the actual conditions in each of the countries, as well as an exploration of their own experiences of being involved in their organisations, which in some cases included the starting of their own movements in different forms.

Upon completion of the three days for experience-sharing and learning, the children were very keen to begin the process of creating a Declaration for the South Asia Regional Convergence of Working Children. This document would not only recognise the present Convergence, but more importantly, would push the momentum for realising the rights of all working children throughout the world to work in dignity. The Declaration would also call for the rights of children to education and recreation, and for their voices to be heard through their full participation in all forums without discrimination.

The working children at the Convergence worked closely with the adult translators and facilitators in drawing up the Declaration, actively participating in the development of each and every sentence. After spending much time on clarification, and all agreed on its content, the Declaration was ratified by all the working children present. (See Annex for the complete Kathmandu Declaration and recommendations from the participating children for future action).





## ANNEX

# *Kathmandu Declaration and Recommendations from the Participating Children for Future Action*

Over 40 per cent of the world's population are children. Amongst them an estimated 350 million are working children, with 60 per cent of these children working in the Asia and Pacific Region and still a majority of them are living in South Asia. The situation of working children in South Asia is thus even worse. The conditions of working children are more or less common in all countries in South Asia and Central Asia.

We recognise that 2004 is a remarkable year for the working children's movement in South and Central Asia, as well as strengthening the international movement of working children. We are increasingly taking the lead through series of meetings and discussions at national and international levels to promote our participation in tackling the issue of child labour.

It is our pride that we, 40 children, representing national, regional, and local working children's organisations from Bangladesh, India, Nepal, Pakistan, Sri Lanka and Tajikistan are now represented in this meeting. Though our friends from the movements in Afghanistan and Mongolia could not join the meeting.

One of the most important outcomes of this meeting is that representatives of the working children's movement from Sri Lanka and Tajikistan have joined our Asian Movement making us even stronger.

As a result of three days discussions and interactions, we have strengthened our Asian movement, with a special focus on South and Central Asia.

We have identified challenges that form our hurdles, and the opportunities that can be used to move forward. We have also discussed ways to overcome our difficulties.

We believe we can face our challenges collectively with the strength of our past experiences and our united efforts. This has brought an enormous opportunity for us to share and learn how to confront the issues.

We, the representatives of working children's organisations, who have gathered in the Working Children's Regional Convergence in Kathmandu 25 - 27 August 2005 declare the following resolutions that is agreed upon by the undersigned children's representatives.

We think it is bad to eliminate child labour without appropriate alternatives. Governments have to ensure that appropriate alternatives are available and accessible before passing legislation eliminating child labour completely. At the same time children involved in



hazardous work like drug dealing, trafficking, pornography, prostitution, smuggling and children in armed conflict should be rescued and rehabilitated with proper alternative options as soon as possible. There should be defined laws and Governments should also determine the timeframe for work, which should be protected by law.

We believe that we need to come out of hazardous working situations by means of appropriate alternatives like respectful, paid work with minimum wage; and standard and equal opportunity of quality education without discrimination. However, we should not accept the most hazardous forms of work which is detrimental to our survival and development. We recognise that not only poverty but low quality education, violence and humiliation at schools can also lead us to drop out of school and get involved in hazardous work.

We recognised that the South and Central Asian children face common problems in our working and living conditions and that working children in this region have both good and bad experiences in our lives.

Amongst the good things that work brings for us is that we work to meet our livelihood and survival needs; and meet health support for self and family. Sometimes the work we do gives us the skills and training. By working we learn to cope with the challenges and hostility. Work also gives us self dignity, feelings of solidarity, pride in resolving some of our family problems, for example, repayment of loans taken by our parents.

At the same time we found many painful experiences which are part of our working lives and which are common to all working children in South and Central Asia. Our friends here shared some of those experiences. Many of us are involved in hazardous work, many of us are at risk of meeting serious accidents and amputations. We are compelled to be engaged in hazardous work because sometimes it brings more money to meet our extreme poverty and other times because no other options are available. Working children all over South and Central Asia are more exposed to be misled to drugs, gambling, exposed to sexual abuse and abuse by adult employers. Street children face typical street hazards like being at the risk of false accusation of theft. Employers never look at the cause why children have to work. On top of this, economic exploitation; discrimination including gender discrimination; physical, sexual and mental torture and exploitation; and feelings of insecurity are common in South and Central Asia.

Although there are laws and acts on children and child labour existing in many countries in South and Central Asia, these are not always congenial towards children. We are never consulted while formulating laws and policies although we know best about the problems we face. In particular, children from the so called 'untouchable' caste and 'indigenous' groups who comprise the majority of the working children, face extreme discrimination.

The laws are also not accessible to the uneducated community and some members of the law enforcing agencies are not aware of the law.

However, in the given scenario we also have the history of the movement and getting organised by ourselves in South and Central Asia. Some of the movements in South



and Central Asian countries have been integral to the process of developing the working children's own movement throughout the world. Movements like Bhima Sangha, Bal Mazdoor Union, National Movement of Working Children in India, National Forum of Working Children in Nepal, National Forum of Working Children in Bangladesh, PRWSWO in Pakistan, and National Working Children's Forum in Sri Lanka have been effectively influencing the formulation of laws and policies. They have influenced and contributed effectively towards generating like minded movements in other countries. Working children are increasingly getting organised in the regions.

We, revisiting the history of the International Movements, that we are a part of, have also learnt about the background and processes that began in Kundapur which has brought us here to Kathmandu. We pay our solidarity to that long journey. We also share the values and principles of Working Children's Movements in which working children themselves are taking the lead and are committed to continue to be a part of them.

We make our commitment to pass this message to our other friends in our countries when we are back and we will help other children to form their organisations and we will make our national movements even stronger.

### SIGNED BY

Children from National Working Children's Movements:

National Working Children's Movement BANGLADESH



National Movement of Working Children INDIA



National Forum of Working Children NEPAL



National Committee on Working Children SRI LANKA

Children Coming from Other Organisations:



Bhima Sangha INDIA



Bal Mazdoor Union INDIA



Pakistan Rural Workers Social Welfare Organisation, PAKISTAN



Refugee Children and Vulnerable Citizens TAJIKISTAN

Kathmandu, 28 August, 2005.

Note: Not all children's movement have developed their organisational logo.



## ***Recommendations for Future Action***

### ***At the National Level***

- At country level we should involve the community in solving our problems.
- The government must listen and incorporate children's views while formulating laws and policy.
- In each and every police station there should be a separate cell to deal with children's issues and the police should be trained on child rights.
- Should promote awareness programme for child rights and against rights violation by organising street drama, rally, etc. INGOs and NGOs and international organisations should support us.
- To enforce the good aspects and remove the bad aspects of the laws.
- Promote skill development training.
- Promote awareness on child rights amongst children.

### ***At the Regional/International Level***

- We need a very strong movement at the Asia level. Those organisations who are involved in the movement should fight discrimination against working children as well as against all other forms of discrimination. At the country level, a strong movement and voice can protest collectively against laws that may be brought against the interest of working children.
- We should also have a Secretariat in South Asia, with child representatives from each country that would meet at regular intervals. We would also develop a monitoring mechanism to insure that the child leaders are working properly. As we become stronger, there is less chance that we will be discriminated against in the future. With this new strength, we will be able to spread the movement to other countries.
- At the country level, a minimum but uniform wage standard for both formal and informal sectors should be decided at the national level.
- We will lobby with the SAARC Secretariat to formally address the issues and agendas of working children.
- A written agreement should be created between the working child and an employer that would follow a uniform format approved by the Ministries of Labour of each country. A copy of that legal document should be submitted to the Labour Department of the Ministry of Justice for proper monitoring.
- We need more opportunities of such 'Convergences', where we can express our views freely and find solutions together.

### ***At the International Level***

- We should connect ourselves with working children's movements of other countries and solve our problems collectively. We are more likely to be stronger and effective when we are concentrating our efforts collectively as a single voice and platform.
- We will also draw adult support in fighting our problems.
- The discussions taken at the local level should be disseminated onto the national level.
- There should be campaigns to rescue children in hazardous working conditions.
- We need a strong forum in South and Central Asia through which we can confront our problems.
- We should lobby for the information of an international child court or an ombudsperson for working children.
- We must continue to be involved with the processes of NGOs, INGOs and UN agencies so that our views on child labour issues are expressed freely and reflect the true sense of our situations and contexts. This will help to ensure that supportive programmes will be effective.



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# Agenda

	Session #1	Session #2		Session #3	Session #4
<b>Day-1</b>	Introduction. Logistics. Expectations. Briefing of three day's programme.	Country presentations on their work experiences and how they feel about child labour laws.	<i>Lunch Break</i>	Country presentations on their work, continued.	Country presentations on their work, continued.
<b>Day-2</b>	Presentation of the crux of the programmes related to child labour in South Asian countries, and their approach and impact in the lives of working children.	Sharing of the history of the working children's movement and current status of the movement.	<i>Lunch Break</i>	Sharing on the working children's movement in South Asia, continued.	Why working children need to have separate organisations and forums on the national level.  Why such a forum is required on the South Asia Regional Level. (Group Work)
<b>Day-3</b>	Plenary discussion on the conclusions of the group works on why it is important to have national and regional forums of working children and supportive structures.	Identify a list of strategic priorities and actions to be performed by the South Asian Working Children's Committee.	<i>Lunch Break</i>	Create Secretariat for the South Asia Working Children's Forum, made up of at least two representatives of working children from each country.	Representatives of South Asian Committee of Working Children meet the press and disseminate the press release.
<b>Day-4</b>	First formal meeting of Working Children's Committee.	Site-seeing visit to the Central Zoo.			





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