



Draft General Comment on the implementation of the rights of the child during adolescence

Submission by Global March Against Child Labour

Global March Against Child Labour (Global March) is a worldwide network of trade unions, teachers and child rights organisations that specifically focuses on child protection and education, i.e., the right of children to be protected from economic exploitation, from performing any work that is likely to be harmful to their physical, mental, spiritual, moral or social development; and the right to receive a free, meaningful and good quality education. Over the recent years, the focus of Global March's work, action and efforts have been on child labour, slavery, trafficking, violence against children at work and education for all. Across these five themes, Global March's work has included adolescents – for they represent that category of children who are often in hazardous, exploitative work, trafficked for forced labour and missing out on education. Based on our work around adolescents, we make the following inputs for consideration by the Committee on the Rights of the Child:

Our first major suggestion with respect to the current draft of the General Comment is to place the rights of adolescents at the core. The text of the General Comment is mixed with respect to “adolescence” and “adolescents”. The General Comment should focus on how to protect and guarantee the rights, development and opportunities for adolescent boys and girls, and on how to provide all of this during this period of change and transition. When the General Comment focuses on adolescence, it can reinforce the idea that States have to deal with a problematic period instead of having to obligation to guarantee rights and create equal opportunities for all adolescents without discrimination. Focussing on adolescents' rights is very important as otherwise States response can reinforce criminalization, revictimisation or persecution for adolescents. Given the above and recognising that adolescents are persons with rights, and persons in a period of time of building their identity, capacities and strengths, we suggest that the Committee considers renaming the General Comment as “General Comment on the Rights of the Adolescents”.

Our other inputs are given below:

1. **Paragraph 1:** While it is correct that no explicit distinction is made under international human rights law between children of different ages, there is an exception to it, under the child labour convention of the International Labour Organization (ILO). ILO Convention 138 on Minimum Age for Admission to Employment, distinguishes between different ages of children to allow light work (i.e. 13- 15 years) and allow entry into work (i.e.. 14 or 15 years).



We request the Committee to kindly consider this.

2. **Paragraph 2:** Many adolescents are also at risk of sexually transmitted diseases (STDs) due to risky sexual behavior. There are also health implications arising from substance abuse in adolescence. Prevalence of substance abuse has particularly been noted amongst street children, especially the older children.

This may also be considered by the Committee.

3. **Paragraphs 1-6:** While the introductory paragraphs of the General Comment rightly captures the characteristics and what it means to be an adolescent, one important aspect is missing. Adolescents is a heterogeneous group with varied needs based on their age, gender, marital status, work status, class, and social context. Accordingly, programming and policies developed by States for adolescents must be cognisant of this diversity which implying diverse needs of adolescents.

4. **Paragraph 19:** In addition to sexual exploitation and trafficking, adolescents are also at risk of being engaged in child labour and/or forced labour. As per recent statistics, 168 million children are in child labour and 5.5 million are in forced labour.

We request the Committee to please take note of this.

5. **Paragraph 28:** In addition to forced marriage, girls are also at risk of child and/or early marriages. Further, adolescent girls in addition to abuse, exploitation and trafficking are also at risk of forced labour. Lastly, cultural norms lead girls not only to undertaken domestic chores for own household, but also for other households, i.e., child labour in domestic work. As per available recent statistics 7.5 million girls are engaged in child labour in domestic work (ILO). Request the Committee to kindly note and include this.

6. **Paragraph 42:** We suggest the Committee also encourages States to define minimum ages for entering into employment relationships, in accordance with the provisions of ILO Conventions Nos. 138 and 182, to support elimination of child labour.

7. **Paragraph 54:** We suggest that the Committee also includes child labour in domestic work and other gender-based labour exploitation under harmful norms and practices, adolescents are particularly vulnerable to.

8. **Paragraph 78:** We suggest that creation of employment opportunities including vocational training for adolescents should be age-appropriate, to ensure that work/training does not harm the health, safety and morals of adolescents.

9. **Paragraph 82:** Adolescents are often also trafficked for the purpose of marriages, for removal of organs and for forced begging. We request the Committee to consider and include this.



10. **Paragraph 83:** Based on our work and experience, we would like the Committee to note that during crises and conflicts, child/adolescents are also at risk of being pushed into child labour and forced labour.

11. **Paragraph 86:** We also suggest that the Committee urges State parties to take measures to address child labour, forced labour and trafficking.

12. **Paragraph 89:** The Committee should also consider urging states to adopt policies for transforming hazardous child labour into decent youth employment for adolescents. Keeping the interests of adolescents in mind, including their right to development and to be protected from exploitation, we suggest rephrasing this sentence “It should be underlined that adolescents as from the national legal minimum age (14, 15 of 16 years depending on the national law) have the right to work under appropriate conditions, as long as it is not a worst form of child labour and does not interfere with compulsory education” as follows:

“It should be underlined that adolescents as from the national legal minimum age (14, 15 of 16 years depending on the national law) **can work** under appropriate conditions, as long as it is not a worst form of child labour and does not interfere with compulsory education.”

13. **Paragraph 90:** We would like to draw the attention of the Committee on these lines “The protection of all children below 18 from hazardous work must be stipulated with a clear list of specific occupations and tasks requiring more maturity, but general bans on work for adolescent who have reached the minimum working age, which must be above compulsory school age, are counterproductive”. Keeping in view the best interests of children/adolescents, we suggest removing these lines “but general bans on work for adolescent who have reached the minimum working age, which must be above compulsory school age, are counterproductive” or modifying them, as the way they are currently worded may be interpreted in a manner that unintentionally contributes to exploitation of adolescents.

14. **Paragraph 93:** We suggest that the Committee considers including responsible accommodation for NGOs aiming to protect, promote and investigate violations of adolescents’ rights.

Any queries/acknowledgment to Global March’s submission may be made to :

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