

CAMPAIGN AGAINST CHILD LABOUR (CACL)

CACL ADVISORY BOARD MEETING a report

SCM House, Bangalore 6th March, 2002 Report of CACL Advisory Meeting held at SCM House, Bangalore on 6th February, 2002.

Organised By
CAMPAIGN AGAINST CHILD LABOUR

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THE MEETING of the Advisory Board held on 6th March 2002 was outstanding for two reasons namely, it was held after a gap of three years and at a very critical juncture of CACL. Four Advisory Board members Ms.Jaya Jaitley, Dr.Armaity Desai, Mr.Vijay Tendulkar and Mr.S.R.lyer attended the meeting.

Welcome Address

Mr.Joy Maliekal, National Convenor of CACL welcomed the Advisory Board members and explained the resolutions that were taken in the National Coordination Committee Meeting of CACL concluded on the previous day. Stressing on the recent development of the Campaign to be visible, he said the Campaign has to go much further into the grassroots. It is in a way very crucial for the Campaign, as of now. Therefore, the meet of the Advisory Board is very important, Mr.Maliekal concluded.

The participants, who were the State Convenors and Executive Committee members of CACL, introduced themselves.

CACL Advisory Board Meet-2002 Report Ms.Audrey Ferreira, EC member was chosen as the moderator. The discussion was preceded by the Campaign song in Hindi 'Hame apai zindagi thud banane do..." led by Ms. Archana Srivastav, an EC member. Everyone joined in the song, which broke the ice in the meeting.



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Agenda and show notation

The tentative agenda was circulated and the suggestions of the advisors were asked. The Draft schedule was adopted by the House.

- 1. Welcome and Introduction
- 2. Ratification of Agenda
- 3. State Presentations
- 4. Review of Developments
- 5. Future Plans and strategy
- 6. Word of guidance from the advisors
- 7. Vote of thanks

Introduction on CACL

Ms.Audrey narrated the growth of CACL towards a people's campaign at the national level. Since its inception in 1992, the focus of CACL has broadened to include child rights and not limit itself to child labour. It has been CACL's constant endeavour to broadbase the campaign to include various other groups and individuals and make it a people's movement.

The major strategies adopted by CACL are direct interventions, legal action, community awareness, networking, lobbying and advocacy. Direct interventions involve fact finding, filing of complaints, rescue and rehabilitation in cases of abuse and harassment of child labourers. Legal action involves filing of Public Interest Litigation, filing of specific cases of child rights violations in the law courts. Awareness building in-



cludes orientation workshops for the media, government officials, parents, etc.; rallies and dhamas, jathas on specific issues, posters and pamphlets, etc.

Lobbying and Advocacy is one of the main strategies of CACL and we have lobbied with political leaders, MLAs & MPs both at the national and state levels on various issues. Signature campaigns, submitting memorandum, recommendations and comments on proposed legislations and policies to various ministries, commissions, etc are methodologies adopted for lobbying and advocacy.

Networking is considered very essential for the growth of CACL. At present, CACL has well established chapters in 12 states and networking initiatives are at various stages in four other states. A nationwide presence builds up the strength of the campaign.



Ms. Audrey Ferreira, EC member of CACL chaired the morning session. Sitting to her left is Mr Joy Maliekal, National Convenor of CACL, and to right are Dr. Armaity Desai, Mr Vijay Tendulkar, Ms Jaya Jaitly, advisory members of CACL.

State Reporting

Ms. Audrey Fereira invited the State Convenors to share their state reports. Mr. Tendulkar said that while reporting, the focus should be on the problems and achievements. Mr. Iyer suggested looking into the strategies and evaluating the existing ones and then developing future strategy.

Subsequently, all the state convenors reported their state unit's activities, problems and challenges.

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CACL Advisory Board Meet-2002 Report Bihar

Mr. Arun Das, Convenor CACL Bihar presented the state report. He said CACL Bihar was aiming at tak-



ing the campaign to the grassroots level. It was also actively involved in the campaign on 93rd Constitution Amendment Bill, 2001 and a PIL was filed in the High Court of Bihar reiterating that the Bill was a retrogressive step and changes were needed to ensure justice. The Bill was however returned on the grounds that it had not yet become law.

Andhra Pradesh

Mr. Nimmaiah, Convenor, CACL Andhra Pradesh said that they were concentrating on the Education Campaign for the past three years. The drop out rate in schools was more than 64%. There is campaigning for 100% enrolment in rural schools. Another serious issue was child trafficking. The incidence of children being trafficked and sold for adoption purposed was unearthed. Trafficking for sexual exploitation is also rampant.

Orissa

Mr.Ranjan Mohanty, Convenor, CACL Orissa presented the Orissa state report. More than 500 organisations are involved in the State campaign. There has been a conscious attempt to take the campaign to the grassroots level. A round table with 32 MLAs was held. A resolution that no government employee will employ child labour was passed. A lot of children are also migrating and being trafficked. Orissa also reeled under floods, which caused widespread damage to life and property.



West Bengal

Mr. Prabir Basu, Convenor, CACL West Bengal began with the mention that the state unit was initiated very recently. The state is unique for the reason that it is in the 25th year of Left rule. The state holds the view that there are no child labourers. But child labour is rampant in agriculture sector, brick kilns, hotel & domestic sectors. Trafficking of children for sexual exploitation is also on the increase. With the intention of broadbasing the campaign, CACL West Bengal has drawn into its fold varied groups like the Hawkers' Sangram Samiti and Pharmaceuticals Workers Union.

Karnataka

Mr. Vishwasagar, Convenor, CACL Karnataka presented the state report. The child labour situation in Karnataka is quite grim with an estimated 35 lakh children working in hazardous and non-hazardous sectors. The Education Department says there are 10.5 lakh children who are out of school. There are 49,000 elementary schools and 70% do not have basic facilities. There are 10000 Government hostels and 90% of them do not have the basic minimum facilities. The focus of activities of CACL Karnataka has been sensitization, legal action and alliance building. CACL Karnataka is striving to take the campaign to the grassroots and has planned massive cycle rally to cover all the villages in the State and spread awareness on the issue of child labour.



Tamil Nadu

Mr. Thomas Jayaraj, Convenor, CACL Tamil Nadu began with the observation that Tamil Nadu was the state to host the first Convention of child labourers. He mentioned that the main problem faced was the national apathy towards the issue of child labour. Increase in the magnitude of child labour is because of state inaction. Child labour has to be diverted to adult labour. CACL Tamil Nadu decided to make use of the opportunity of elections, and presented to all the electoral candidates a Children's Manifesto demanding inclusion of the issue of children in their election manifesto. This created wide publicity and helped in bringing the issue of child labour to the fore.

Kerala

Mr. Baby Paul, Convenor CACL Kerala said that the major problem faced was the official stand of the Kerala Government that there is no child labour in the State. Though Kerala has 100% school enrolment, children from other states are trafficked and employed in various sectors. Domestic child labourers are found in large numbers. Working against child labour in this scenario was a challenge.

Maharashtra

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CACL Advisory Board Meet-2002 Report Mr. Hemant Bhamre, Convenor, CACL Maharashtra presented the state report of Maharashtra. He said that the State Government had recently launched the Mahatma Phule Shikshan Yojana, which proposed to



A Partial view of the participants

conduct classes for two hours for child labourers. CACL Maharashtra opposed this demanding full time formal education for all children. They were also documenting cases of domestic girl child labour. Workshops on JJ Act, CRC Conventions and CLPRA were conducted.

Ms. Archana Srivastava explained that the convenors of Gujarat and Jharkhand were not present. Gujarat representatives could not leave the state because of the communal riots and the consequent grim situation in the state. Gujarat CACL activities during the past year have focused on post - quake relief work. The Jharkhand state unit is also a recently established unit after the bifurcation of Jharkhand state from Bihar.

Mr.S.R. Iyer suggested that if there is innovative value and pressure point of value, it will hit the media.

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Dr.Armaity Desai suggested getting in touch with childline. It is operating in 34 districts now and will be opened in 16 more districts. A collaborative work will yield more effective results. She also suggested



watching / monitor the IAS officers' houses where children are employed. In the University quarters, domestic child labourers may be common. There are many schemes that are available with the ministries, especially in Bihar that would be helpful for the poor. She suggested looking for such schemes and accessing them for the poor. She also suggested that the pressure campaign on 93rd Amendment Bill should continue. Also, she said that registration of CACL should take place at the earliest. The participants said that this advice / suggestion should be put up before the National Coordination Committee for the final decision.

Ms. Jaya Jaitley said that CACL is still a campaigning body, a federative body. Regarding foreign funds, she asked why CPM and Congress are accusing NGOs. In fact, they invite more foreign investment. The participants clarified that CACL has no permanent funding from any source. The funds are raised on the basis of events that are organized from time to time. Some of the agencies that support CACL were mentioned in the meeting such as PLAN International, Oxfam, ILO IPEC, UNICEF, Christian Aid, CWS, SKN, Actionaid, IGSSS and Central Ministries.

Mr. Tendulkar said that when there is effective work, vested interests come up and try to block the work. It can be overcome by convincing people with your integrity and accountability. How do we spend money and what is the result? People are the best judges. Role of media should not be forgotten in this context. Mr. Iyer said that language journalists are willing to listen, unlike the English Press.



Post Lunch Session

Review of developments

The post lunch session was chaired by Mr.George Chira, South Asia Coordinator of Terres des Hommes and EC member of CACL. This session focused on the review of developments in the campaign.

Child Labour in Hotel & Domestic Sector, NCLP, 93rd Constitution Amendment Bill, Convention on the Rights of the Child (CRC), Commission on Labour, ILO & Tenth Five Year Plan, Grassrootisation of Campaign and future plans of CACL were reported and discussed in this session.



Dr Armaity Desai, Mr Vijay Tendulkar and Ms Jaya Jaitly keenly listening to the presentations of the state convenors



Ms.Archana Srivastav described how child labour in hotel and domestic sectors were focused in the previous year. It was taken up in the context of our decision two years ago that certain sectors, which are not covered by CLPRA, should be focused. There were 3 regional consultations involving groups and individuals working and concerned on this issue. The memorandum based on the consultation is getting ready for submission to the concerned ministries.

CACL had conducted a study on National Child Labour Project (NCLP) in Andhra Pradesh, Karnataka and Tamil Nadu. The Project aimed at removing children from work and providing the parents some relief in the form of poverty alleviation. A society has to be set up through which it should operate. Misappropriation of funds is rampant. Implementation of the project and the basis of it are questionable. NGOs which do not know anything regarding this jump into it overnight and start running the project.

93rd Constitution Amendment Bill, 2001: Mr. Thomas Jayaraj said that there are some loopholes in the Bill. Since Education is the main alternative for child labourers, CACL has taken up the campaign on the Bill very seriously. CACL with other networks came up with some recommendations that have not been taken by the concerned ministry. Now, the strategy is to stall the Bill in the Rajya Sabha. A national consultation on strategy and future action plan was held in Delhi where the possibility of a PIL in Supreme Court on this issue was discussed and explored. It is necessary to set a legal standard.

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Responding on this issue, Dr.Armaity Desai said that no norm could work when school is far away. If there is a river in between and the school is on the other side, norms cannot work. Infrastructure of the school, readiness of teachers and training of teachers are not taken care of. There is no quality education in schools. Joyful learning is important for a child. Regarding the 0-6 age group that is out of the purview of the Bill, it is the responsibility of the ministries of health, education and women. To keep the issue alive, something or the other should always appear here and there in the media.

In this connection, Ms. Jaya Jaitley said that the media is getting commercialized. It is run by corporate houses against their corporate rivals. Therefore, how much can we achieve through this kind of media? We will be able to sustain our campaign through trade unions, students, teachers, etc.

Trade unions have now come to the streets, but do not work. Since many industries have closed down, trade unions are now diversifying their strategies. They are moving towards other campaigns for support and collaboration. She suggested that more opportunities of employment for adults would reduce the number of children being employed. Now, the parents are forced to send their children to work as the question of food security is prevalent.

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She mooted an idea of involving children through email, e-groups and websites in cities to create consciousness at homes. Such a measure would help in identifying domestic child labourers. If children be-



come aware, they could also influence their parents not to employ children as domestic workers.

Mr.Mathew Philip, Convenor of Advocacy Unit of CACL Karnataka, reacted to Ms.Jaya Jaitly's observation and said that in Kerala, parents send their children to school whether the parents are employed or not.

CRC Process

Mr. Mathews Philip explained the Convention on the Rights of the Child and the process involved in submission of alternate report to the UN Child Rights Committee. According to sources, the ministry has already prepared the country report. We have to know the contents of the report to make a critique of it. After the submission of the country report, the NGO's have one year's time to submit the alternate report.

The advisors responded to it saying that the NHRC is very responsive. Pointing out the statement made by the former NHRC Chairman on the relation between low nutrition and children with low IQ, Dr.Armaity said that NHRC takes things very seriously. We should be able to make them aware of the issues. A recent meeting with them was very fruitful. Justice Sujatha Manohar, member of NHRC is very keen on child rights issues.

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Mr. Tendulkar observed that the basic problem is human sensitization on the child labour issue. People in general know about the issues concerning the child.



The Judiciary also needs sensitization. The systems do not want to function the way we want. He expressed that CACL should have commitment to stay in the field even with adverse propaganda.

Mr. Tendulkar expressed shock and pain regarding the separation of different campaigns on the issue. A common platform is most necessary which unfortunately does not exist. Why can't we have a common minimum programme on which we can work together?

Mr.George explained that there were efforts to fight together on various issues. But NAFRE quit suo moto without even informing us.

National Commission on Labour

Mr.Arun Das spoke about the National Commission on Labour. He explained the issues addressed by the Commission during the Chairman Mr. Ravindra Verma's visit all over the country. The main issues addressed by the Commission were

- Minimum wages to the adults
- Social Security
- · Amendment in CLPRA
- Marginalisation of unorganized sector
- ◆ Reforms in Labour laws
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The chairman also suggested that the children could both work and study. The national average income of a child labourer is Rs. 10/- per day.

The Approach Paper to the Tenth Five Ye



Mr S R Iyer, Advisory member of CACL (second from right) presenting his point of view. Right to him is Mr Raghavendra, Coordinator of CACL.

ILO & Tenth Five Year Plan

Ms. Pallavi Mansingh of CACL Advocacy Unit briefed about the International Labour Organisation and Tenth Five Year Plan. The International Labour Organisation organizes an International Labour Conference every year and brings out a convention. The ILO is a tripartite body consisting of employers unions, employees unions and the Governments. CACL can participate as part of trade union delegations in the ILC as this would provide a relevant global platform to highlight the issue of child labour and gain visibility to the campaign. A colloaborative social audit on fifteen years of interventions on child labour was hold in New Delhi. The report of the social audit will be submitted to the ILO to be included in the Director General's Global report on child labour.

The Approach Paper to the Tenth Five Year Plan was

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released by the Planning Commission. Mr.John, Convenor of CACL Advocacy Unit was a member of the subcommittee on vulnerable children and education. Two consultations were held in Bangalore and New Delhi and the recommendations evolved were submitted to the Planning Commission.

Grassrootisation of the Campaign

Mr. Vishwasagar, Convenor - CACL Karnataka spoke about the grassrootisation of the campaign. He narrated that the campaign was aiming at grassrootisation and broad basing and making it a people's movement. He cited the example of Karnataka where a cycle rally with 4000 cyclists is planned. Nearly 45,000 schools will be covered in 39,000 villages of Karnataka involving various kinds of groups and movements to create awareness on the issue of child labour and CACL. The rallyists will go house to house in each village to spread awareness. Around 1,00,000 people will converge at Bangalore and stage a dharna in front of the Vidhana Soudha to present their demands.

Increasingly, other groups like the Raitha Sanghas (Farmers organizations) women's groups, citizens forums, professional associations, etc are being involved in CACL programmes.

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Dr.Armaity Desai suggested the inclusion of a survey on the profile of the child labourers during the rally since the cyclists visit every house in the villages.

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Future plans & Strategy

Subsequently, Mr.George explained the future plan of CACL. He said that CACL stands for total elimination of child labour. It addressed the linked issues ranging from poverty to discrimination of caste / gender, unemployment, underemployment, etc. CACL gets involved with direct action, devises strategies of influencing, sensitizing, building alliances with others. Child labour eradication is viewed as a process of social change. There are organizations that are working on similar issues. The claim of CACL is that it is one more link in favour of the poor.

The single cause of child labour is the demand factor in the society. Sending the children for labour is the easy alternative. We have to do away with this demand factor.

In this context, CACL has outlined the future plans, such as

- Memorandum for banning Domestic Child Labour to the concerned Ministry within 3 months
- Lobbying on the 93rd Amendment Bill for positive changes
- Campaign for the Right to Education -Interventions for new state legislations/ amendments
- Sub Campaign on child labour in hotel sector
- 30th April event on Fundamental Right to Education in all states

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- CACL participation in UN Special Session on Children at New York in May, with the status report on children in India
- Continuous intervention in the Planning process; Capacity building workshop on Planning Process for CACL members at the national level
- Il Alternative Report on CRC
- Social Audit on child labour at the regional level
- Interventions in the ILO process
- Pursuing and reacting to all new policies / proposals by the Government (National Policy Charter on children, National Commission on Children, Code Bill, etc)
- One-day consultation with lawyers on CLPRA in order to strengthen the law for effective enforcement
- National event on Girl Child Labour
- Initiation of new state units in Uttar Pradesh,
 Rajasthan and Madhya Pradesh

Words of Guidance from the Advisors

18 CACL Advisory Board Meet-2002 Report After the presentation of the future plans, the advisory members were asked to give their advice to carry forward the campaign struggles. All the members expressed their appreciation for the work being done on the issue.



Ms. Jaya Jaitly said that CACL has been doing a tremendous job. She expressed the hope that there would be more interaction with the Advisory Board members and it would be better if the Board met at least once a year.

Mr.S.R.Iyer said that a proper action plan and work plan should be formulated and we should work within a time frame.

Dr. Armaity Desai expressed her appreciation for the high degree of motivation and commitment of CACL activists, inspite of the pressures of working on shoestring budgets. She was also looking forward to interesting developments.

Mr. Vijay Tendulkar suggested that we should have some more advisors on the Board, who want to genuinely help and advise CACL. Since many advisory Board members were not present, the minutes of the meeting should also be circulated to members not present.

A Partial view of the participants





Vote of Thanks

Mr.Baby Paul, Convenor, CACL - Kerala proposed the formal vote of thanks. On behalf of CACL Executive Committee, he expressed gratitude to all Advisory members for making time to attend the meeting and their valuable interaction and advice.

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