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Subject: Council Conclusions on Child Labour
– Council conclusions (20 June 2016)

Delegations will find in the annex the Council Conclusions on Child Labour, adopted by the Council at its 3477th meeting held on 20 June 2016.

COUNCIL CONCLUSIONS ON CHILD LABOUR

Foreign Affairs Council, 20 June 2016

Introduction

1. On the occasion of World Day against Child Labour, June 12, the Council reaffirms its strong commitment to the elimination of child labour, recalling the Charter of Fundamental Rights of the EU, the EU Action Plan on Human Rights and Democracy 2015 - 2019¹, the Council Conclusions on Child Labour (2010), the EU Guidelines on the Promotion and Protection of the Rights of the Child and the EU Guidelines on Children and Armed Conflict.
2. The Council welcomes the near-universal ratification of the UN Convention on the Rights of the Child, ILO Conventions No 138 on Minimum Age and No 182 on the Worst Forms of Child Labour, and continues to strive for universal ratification and implementation, including through dialogue with third countries.
3. 2016 marks the deadline by which the worst forms of child labour should have been eliminated according to the Roadmap adopted in The Hague in 2010² and reaffirmed in the Brasília Declaration on Child Labour³ adopted in 2013. The Council expresses its deep concern that this target will not be met despite positive downward estimates in recent years and calls for renewed action, particularly focusing on children belonging to vulnerable groups or in particularly difficult situations.

¹ <http://www.consilium.europa.eu/en/press/press-releases/2015/07/20-fac-human-rights/>

² <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=13453>

³ <http://www.ilo.org/ipecinfo/product/download.do?type=document&id=23480>

4. The Council reaffirms the urgency to eliminate the worst forms of child labour and underlines the importance of a child-rights based approach⁴ to inform and guide all actions to eliminate child labour. Action is most effective and sustainable when it is embedded within comprehensive action plans and programmes to eliminate all forms of child labour, including through integrated area-based, sector-based programmes and value chain approaches. In this respect, the Council encourages the Commission to ensure coherence and complementarity between its education and child labour-oriented development programmes and to ensure mainstreaming in other sectors such as decent work, responsible business, vocational training and education, agriculture, manufacturing and mining as well as facilitating school-to-work transition and decent work for youth. Delivering on social protection floors and quality education are key factors contributing to a decline in child labour. In addition, it is relevant to recognize that child labour and forced labour are closely linked and frequently occur in similar contexts and sectors.
5. The Council welcomes the 2014-2020 Global Public Goods and Challenges (GPGC) programme⁵ of the Development Cooperation Instrument (DCI)⁶. In particular under the Human Development objectives, the programme aims at tackling child labour, in particular its worst forms, in a comprehensive and integrated manner.

⁴ A child rights based approach furthers the realisation of the rights of the child as set out in the UN CRC by developing the capacity of duty bearers to meet their obligations and the capacity of rights holders to claim their rights, guided by the General Principles of the UNCRC, namely, non-discrimination, best interests of the child, child survival and development and child participation.

⁵ Annex II - ‘Global Public Goods and Challenges’ programme of the Development Cooperation Instrument (DCI) EU Regulation 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0233&from=EN>

⁶ https://ec.europa.eu/europeaid/how/finance/dci_en.htm_en

The Impact of Conflicts and Crises

6. Conflicts and humanitarian crises have increased the number of children at risk of exploitation, including in the labour market. The Council encourages the High Representative and the Commission to propose additional measures to address this urgent issue, including as part of the comprehensive approach to conflicts and crises and their root causes. Furthermore, the Council is particularly concerned about the increasing number of children, many of them unaccompanied, engaged in large scale migratory flows and the current refugee crisis, including as a result of forced displacement. These children are even more vulnerable to trafficking, all kinds of exploitation, including labour exploitation and other child rights violations.

The 2030 Agenda for Sustainable Development

7. The Council reaffirms its commitment to the 2030 Agenda for Sustainable Development. The Council encourages the High Representative and the Commission to explore how the EU can step up its contribution to the realisation of SDG target 8.7 which calls for measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour and by 2025 end child labour in all its forms. In line with this, the Council reaffirms its commitment to end the recruitment and use of children in armed conflict, including child soldiers.

Trade and Global Value Chains

8. The Council encourages the Commission, in line with its ‘Trade for All: Towards a more responsible trade and investment policy’⁷ strategy, to continue exploring ways to use more effectively the trade instruments of the European Union, including the Generalised Scheme of Preferences and Free Trade Agreements to combat child labour.

⁷ 14688/15. http://trade.ec.europa.eu/doclib/docs/2015/october/tradoc_153846.pdf

9. The Council acknowledges the important role of workers' and employers' organisations and civil society, and welcomes the various new and ongoing public-private partnerships to address child labour and respect for the rights of the child in global value chains, and the various initiatives to improve responsible business conduct. The Council recognises that the private sector has a significant role to play in protecting children from exploitation and harm and recalls the importance of the Council Conclusions on Business and Human Rights (adoption date). The Council also recalls its Conclusions of 12 May 2016 on “The EU and Responsible Global Value Chains”, and affirms the importance of multi-stakeholder cooperation in combating child labour. The Council welcomes the various tools that can inform corporate due diligence to combat child labour such as the ‘ILO-IOE Child Labour Guidance Tool for Business’ and the UNICEF ‘Children’s Rights and Business Principles’. The Council encourages all businesses to engage with platforms focusing on eliminating child labour from global value chains, such as the ILO’s Child Labour Platform.
10. The Council encourages the Commission to explore the possibility of integrating child labour due diligence into its procurement policies and to consider the usefulness of providing guidance to Member States on such due diligence.

External Policy

11. The Council invites the High Representative, the Commission and Member States to encourage and support partner countries to adopt and implement National Action Plans to tackle child labour in its multi-dimensions. Combatting child labour should be mainstreamed in National Action Plans on all relevant policies and sectors. In addition, the adoption and review of Hazardous Work Lists and implementation of corrective measures in accordance with Article 4 of ILO Convention No 182 and the establishment of regional strategies to tackle trans-border forms of child labour, which is of particular importance to the protection of vulnerable migrant children, should be encouraged and supported.

12. The Council encourages the Commission to support partner countries to develop and strengthen the collection and dissemination of more and better national statistics and information on children in employment, both in the formal and informal economies, with data disaggregated preferably by occupation and industry, gender, age, origin and income so as to enhance their visibility and help better design and implement public policies to prevent and eradicate child labour and to raise awareness among stakeholders on the consequences of child labour. There is also a need to further support policy-oriented research to better understand which policies contribute to a reduction in child labour.

International Cooperation

13. The Council stresses the need for strengthened partnerships between the United Nations agencies, in particular UNICEF and the ILO, and among regional organisations, based on complementarity of and within their respective mandates, to mount a sustained effort to decrease rates of child labour across sectors and regions and to support governments in taking appropriate measures to meet target 8.7 of the SDGs.
14. The Council welcomes the attention given by the 105th International Labour conference to decent work in Global supply chains and employment and decent work for peace, security and resilience. It supports the outcome of these discussions which are of particular relevance to the prevention of child labour, including in crisis situations.
15. The Council encourages active preparation for and participation in 4th Global Conference on Child Labour to take place in Argentina in 2017.