

## AN OPEN LETTER TO THE DIRECTOR OF ILO-IPEC FROM CONCERNED RESEARCHERS

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Dear Ms. Thomas:

We are academic and practitioner experts who have been long engaged in research into child work, and who have published widely on the topic, including in some of the ILO's own publications. Our main interest as researchers is in how children's work, and interventions in their work, affects the children involved. From a practical standpoint, we most want to know what is consistent with children's well-being and development, and what undermines them. We presume that a policy or program claiming to be successful must demonstrate that its effects are good for children, and that a policy or program that harms them must be considered a failure. Policies governing child work should be justified according to whether they actually improve children's lives.

From that children-centered point of view, we have for some time been concerned about certain contradictions between international policies intended to protect children against abuse and what social science research reveals about what benefits children. Policies and programs promoted as successful have not always been shown by research to be good for children, and some policies that field evidence suggests may harm children have not been politically recognized as failures. That will not be a surprise to you since discrepancies between what policy politics promote and what empirical evidence demonstrates have been noted and discussed in the literatures of child labor, child protection, and child rights for well over a decade.

What leads us to address you at this point in time is our observation that the ILO seems not to recognize and take seriously a marked and growing disparity between the findings of social science research and the formulation and promotion of international policy. That lack of attention comes out strongly in the plans for this month's Hague conference on child labor and the draft program for future international action that the ILO will present there. The meeting agenda and list of invited participants denotes a primarily political event intended to promote a package of policies and actions. What it is not is a technical forum to weigh empirical evidence and debate what the future directions ought to be. We think that a technical forum to discuss the big issues is needed, even if it were but a part of the

conference. We are aware of the technical report to be presented in the Hague conference, but we worry that it will follow the route of ILO and UCW studies in the past, taking an unduly narrow perspective on the issues and consulting an extremely restricted number and variety of sources in analyzing them. It is a formula for never really getting into the real issues at hand. As researchers covering the field more broadly, we think the issues of “child labor” should be opened up to a more comprehensive view of “children’s work” and focused more specifically on outcomes in children’s lives. Adequate analysis should encompass the full interdisciplinary sweep of the large literature to reflect the variety of experience and research on child work, and it should ultimately focus information and attention on the question of what are the outcomes of work, and interventions in work, in the well-being, and development of children. We do not anticipate that the conference report will meet so demanding a requirement or confront any of the most compelling issues that ought to be addressed by the ILO and its partners. Consequently we do not expect it to be very useful for planning future action to effectively benefit children.

It seems to us that the way the Hague conference is shaping up represents a tragic loss of opportunity, since it would have been a timely occasion to face and discuss important practical issues increasingly raised by the extensive and accumulating evidence from anthropology, child development, economics, psychology, sociology and other fields, as well as evaluation of policy and program impacts on children. Missing this opportunity to engage the fundamental issues means that the ILO, as the international community more generally, is bound to project into the next several years not only actions able to benefit children, but also various assumptions, ideas, goals, policies and activities that the evidence suggests fail to protect children and are, in at least some circumstances, actually harmful to them. It also means that some very interesting findings about what actually does work for children are not picked up on and utilized. In the end, it is the children who end up paying the highest price when unaccountable institutions are content merely to promote what they already think and do and ignore the opportunity to avidly search out new facts and fearlessly explore the practical implications of them.

While there are many issues that would benefit from examination in the light of research and systematically evaluated experience, we would like here to mention three that are especially prominent and important in terms of their implications for the well-being of children, and that therefore merit serious discussion at an early date.

1. The continued promotion of ILO Convention 138. While we appreciate the historic centrality of the notion of a universal minimum legal age of work to the ILO and its mandate to combat child labor, and therefore the institutional pain involved in abandoning it, we also must insist that the ILO open its eyes to recognize the large and growing evidence that this approach as now conceived and implemented is sometimes (maybe often) harmful to children. We find little or no countervailing evidence that a general ban on work below a given minimum age is protective or helpful to them. There may be valid debate over why the evidence looks that way and what it actually means, but if the ILO is not to be justly accused of imposing harmful policies on children just to stay in its comfort zone, it simply has to address the issue and engage in

that debate. It should do so with an open mind, willingness to change, and the resources needed to revisit the issue thoroughly. To do otherwise would be irresponsible.

2. The relationship between children's work and their education. The ILO asserts that children's work threatens school attendance and achievement, by which it justifies the universal minimum age policy of C. 138. However, that globalized argument depends on a selective and incomplete reading of available evidence. A broader view from social science research strongly suggests that this argument is fallacious. Many claimed incompatibilities between children's work and their education turn out on closer look to be illusory, situational, oversimplification, or mis-attributions of causality. Under a careful reading of the full evidence, it seems to us, the case for a globally generalized negative relationship between children's work and their educational development tends to disappear, and with it the case for banning children from work as a way to support their education. But that issue is open to technical debate, a debate the ILO should conduct in open forum before it continues to justify its policies with evidence and arguments that are spurious. From a cross cultural view, a stronger argument can be made for children's work as a vehicle of their education and development, a perspective that opens interesting and productive possibilities for reorienting oversight and intervention in children's work. We are slightly puzzled that the ILO so adamantly maintains its defense of an increasingly flimsy case for separating work and education in children's lives when it has unique capacity and resources to lead the field in finding innovative ways to link the two productively for both children and society. This ought to be a prime subject for discussion in the Hague conference.
3. Participation and organization of working children. While the issue of working children's participation in their own protection has in recent years been raised primarily in terms of child rights (especially citing Article 12 of the UNCRC), and while some of us are on record with statements and publications in that line of discourse, in this letter we wish to focus on it as a means of improving policies and programs to better promote the well-being and development of children. In recent decades, social scientists have found that including the observations and views of children in their studies is essential to making accurate observations and drawing meaningful conclusions. It has become methodologically common not only to hear from children, but even to open space for them as co-researchers. In fact, in both developing and industrialized countries, some of the most interesting and insightful research into children's life situations is today conducted by children and youth specially trained for the purpose. With knowledge gained from their research, they are then empowered to make valued inputs into the formulation of more helpful and effective policies and programs. Some working children's organizations and programs serving working children have been doing this youth-led research and advocacy in their home areas for years. ILO policies

and programs could and should benefit from such input by working children. By modern standards of practice, the resistance of the ILO to the participation of working children, as witnessed in the exclusion of representatives of working children's organizations from the Hague conference, seems a self-defeating anachronism. This may be an area in which the methods of child-centered research could be of practical use to the ILO. They certainly would suggest looking more kindly at the participation of working children's organizations in the Hague and other meetings sponsored by the ILO.

We suggest that systematic dialog on at least the above child work issues be pursued between ILO-IPEC and pertinent researchers from the various social science disciplines. The Hague conference might have been an opportunity to start such a dialog, had more researchers of wider background been admitted as participants. We recognize that the ILO, to its credit, tried a few years ago to establish a forum for such dialog through the Child Labour Research Network. We readily admit that we researchers may not have responded as we should have to make that link function as hoped. But maybe that kind of mechanism was not the best way to proceed. The fact that this particular Internet-based tool may not have worked as hoped does not obviate the need for something that will, and from both sides of the policy-research divide we should keep trying. We would be happy to enter into a discussion of how that might occur.

We send our congratulations for your recent appointment to the directorship of IPEC, and our best wishes for your success in furthering the protection, well-being and development of working children.

Sincerely,

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Dr. Rachel Burr, Faculty of Education and English, the Open University, U.K.

Dr. Karl Hanson, Associate Professor, Children's Rights Unit, University Institute Kurt Bosch, Sion, Switzerland.

Dr. Beatrice Hungerland, Professor of Childhood Studies, University of Applied Sciences, Magdeburg-Stendal, Germany.

Dr. Antonella Invernizzi, Research Consultant, France, and Honorary Research Fellow, Swansea University, UK

Dr. Dieter Kirchhöfer, educationalist, independent researcher and consultant, guest professor at the University of Potsdam, Germany.

Dr. Madeleine Leonard, Professor, Queen's University, Belfast, Northern Ireland

Dr. Deborah Levison, Professor, Humphrey Institute of Public Affairs, University of Minnesota, USA

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