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# **Migration and child labour**

## **Exploring child migrant vulnerabilities and those of children left-behind**

**Working paper**

By Hans van de Glind

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International  
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on the  
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of Child Labour  
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Feedback on this working paper can be sent to: [vandeglind@ilo.org](mailto:vandeglind@ilo.org).

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## **Executive summary**

The working paper attempts to describe the correlation between migration and child labour by reviewing secondary data of migrant children with or without their families, and children left-behind by their migrant parents.

Within a context of migration of close to a billion people - both internally and across national borders - the paper describes how in particular some forms of seasonal family migration and independent child migration create extreme vulnerabilities to child labour. While the findings are not unanimous, it further points at a range of studies that confirm that remittances have contributed to prolonging education and reducing child labour.

The paper observes that governments' migration policies need to be balanced with their obligations under the UN Convention on the Rights of the Child and the ILO Conventions on the Minimum Age for Employment, No's 138 (1973) and the Worst Forms of Child Labour, No. 182 (1999), to ensure that the rights of children, including migrant children, are protected, including the right to be free from child labour.

A range of policy considerations are offered, including in the world of work. The paper recommends amongst others that part of the governance of internal migration be focused on ensuring safe migration for decent work for children above the minimum working age, rather than stopping it. It also recommends measures to improve protection in the workplace, including through expanding youth migrant worker's ability to form self-help groups and access, join or associate with trade unions.

The paper concludes that despite the growing body of evidence with regard to the effects of migration on children, there remain significant knowledge gaps and the correlation between migration and child labour needs further analysis.



## Introduction

An estimated 214 million persons worldwide – or 3.1 percent of the world's population - are *international* migrants.<sup>1</sup> This figure is dwarfed by the number of *internal* migrants which UNDP estimates to be 740 million.<sup>2</sup> Youth make up a disproportionate share of the world's migrants; about a third of the migrant flow from all developing countries is in the age range of 12 to 24.<sup>3</sup>

Also, around the world an estimated 215 million boys and girls are engaged in child labour<sup>4</sup> as defined in ILO Convention No. 138<sup>5</sup> and the UN Convention on the Rights of the Child.<sup>6</sup>

Migration can be an important determinant for child labour. The recently adopted Roadmap for Achieving the Elimination of the Worst Forms of Child Labour<sup>7</sup> recognizes the need to address child vulnerabilities related to migration. In article 5 it states: '*Governments should consider ways to address the potential vulnerability of children to, in particular the worst forms of child labour, in the context of migratory flows*'.

Based on a desk review of literature and consultations with field staff, this working paper explores how migration - both internal and international – can affect children's involvement in child labour. The paper focuses on voluntary migration, excludes child trafficking<sup>8</sup> and distinguishes three categories as follows: 1) children who migrate with their parents (i.e. family migration), 2) independent child migrants, and 3) children left-behind by migrant parents. The link to child labour of each of these categories is explored below, followed by a series of strategic considerations for action. In reviewing evidence related to the three categories, both internal and international migration are covered interchangeably.

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<sup>1</sup> UN, S. Zukang: *International Migration Trends*, Population Division, Geneva, 2009, available at [http://www.unctad.org/en/docs/meditctncl\\_10\\_en.pdf](http://www.unctad.org/en/docs/meditctncl_10_en.pdf).

<sup>2</sup> UNDP: *Human Development Report 2009, Overcoming barriers: Human mobility and development*, New York, 2009.

<sup>3</sup> World Bank: *World Development Report 2007, Development and the Next Generation*, Washington, 2006.

<sup>4</sup> ILO: *Accelerating action against child labour; A Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, Geneva, 2010.

<sup>5</sup> ILO Convention No. 138 defines child labour as comprising regular work undertaken by children under the age of completion of compulsory education which shall not be less than 15, hazardous work undertaken by children under 18 (16 under exceptional situations) and light work undertaken by children under 13 (12 in exceptional situations).

<sup>6</sup> Art. 32 of the UN Convention on the Rights of the Child spells out the right to be free from economic exploitation and further refers to 'relevant international instruments' (i.e. ILO Convention No. 138) for the minimum age for admission to employment.

<sup>7</sup> The Roadmap for achieving the elimination of the worst forms of child labour was adopted at the Global Child Labour Conference 2010, The Hague, The Netherlands (11 May 2010).

<sup>8</sup> Child trafficking is a sub set of migration, where third parties are involved in moving children with the aim of exploiting their vulnerability while away from their protective environments. Under Article 3(c) and (d) of the "Palermo Protocol" to the Transnational Crime Convention, the act of recruitment, transportation, transfer, harbouring or receipt for the purpose of exploitation of a child (under 18) is trafficking in children, even without the use of coercion, deception or any other illicit means.



## **1. Family migration**

Globally, most child migrants move with their families. While migration serves as a common economic coping or survival strategy for households in many parts of the world, and can provide families and their children with new opportunities, it can also make them more vulnerable. However, migration in and of itself does not mean that children will necessarily end up in child labour.

### ***Seasonal migration***

Children of seasonal migrants often migrate with their parents, and they are particularly vulnerable to child labour. Seasonal work sites at destination – often in agriculture but also in for instance brick kilns - are often far away from schools and other services, and school admission on a seasonal basis may be problematic, so children come along with their parents and work. Typically, floods and droughts and lack of work in rural areas of, for instance, India and Cambodia force entire families to migrate for several months every year in search of work. Broad estimates put the number of children involved in seasonal migration in India alone at 4 to 6 million.<sup>9</sup>

The United States has also recognized child labour amongst children of seasonal migrant labourers in agriculture. Recent reports have amongst others covered children working in blueberry picking in North Carolina and the government has stepped up law enforcement in the state by hiring additional labour inspectors.<sup>10</sup>

For many migrant families working in agriculture, the output produced by the children is essential for earning a living wage as a family. For example, a study on tobacco estates in Malawi<sup>11</sup> found that one in five children under the age of 15 worked full-time and a similar number worked part time.<sup>12</sup> Children are usually not employed directly on the estates, but rather work to meet quotas as part of a tenant family: without the use of child labour, the family cannot meet the quota.<sup>13</sup>

An ILO study on commercial agriculture in South Africa observed that children of migrant workers on some farms were actually required to work if they wished to live with their parents.<sup>14</sup> Also, infants, toddlers and young children are often brought along to the fields because there is little accessible, affordable day care in rural areas, exposing them to many of the same workplace hazards as their older siblings and parents.

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<sup>9</sup> Understanding Children's Work Programme: *Joining forces against child labour: interagency report for The Hague Global Child Labour Conference 2010*, Geneva, ILO, 2010.

<sup>10</sup> Human Rights Watch: *Fields of peril: Child labor in US agriculture*, 2010; and International Herald Tribune: *US cracks down on farmers who hire children*, 19 June 2010.

<sup>11</sup> ILO: *Migrant families, child labour and child trafficking in agriculture: Factsheet*, Geneva, 2007.

<sup>12</sup> Ibid.

<sup>13</sup> A study of seasonal migration in India describes a common situation, in which the standard work unit in the brick industry includes a child. A childless family may indeed 'borrow' a child in order to obtain work at a kiln. S. Smita: *Distress seasonal migration and its impact on children's education*, Research Monograph, No. 28, Consortium for Educational Access, Transitions and Equity, Brighton, Centre for International Education, 2008.

<sup>14</sup> ILO: *Migrant families, child labour and child trafficking in agriculture: Factsheet*, Geneva, 2007.

In the absence of (quality) educational facilities at destination, or transfer certificates when schooling opportunities do exist, it is extremely difficult for seasonal migrant children to rejoin the formal education system. This potentially jeopardizes individual skills acquisition and human capital formation and increases the risk of child labour.

### ***Migration status and levels of protection***

When families migrate across borders without legal documents, they are referred to as migrants in an irregular situation. Upon arrival at destination, their children are often excluded from basic social services, such as education, and health care, thus increasing the risk of child labour. In those situations, immigration policy is at odds with the United Nations Convention on the Rights of the Child, which spells out that children's rights are not conditional on the legal status of their parents.<sup>15</sup>

This tension between children's rights and immigration policy is addressed in different ways by different countries as national laws and policies differ in the level of accessibility of children of migrants to basic services, and further depends on the status of immigrants (such as asylum-seeker, refugee, regular or irregular migrant). While some migrant groups, for instance asylum-seekers, might be afforded aid in certain countries, such as those in the European Union,<sup>16</sup> this is not true in many other countries where migrants settle down, and children must work to help the family survive. In some cases, undocumented migrants have no access to public health care, even in emergency situations. In other cases, migrants have a right to health care in principal, but do not have any real access to it, are unaware of their rights or are afraid to exercise them for fear of discovery.<sup>17</sup>

Also, some children experience the right to housing, education and health care during the asylum process, but become illegal and lose these rights if their family's case is rejected.<sup>18</sup> The then-undocumented children are pulled out of school and forced into hiding, thus risking involvement in child labour.

There is also the possibility that children who were born<sup>19</sup> and raised in the host country are deported with their undocumented families. This interrupts their

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<sup>15</sup> Several other international agreements also stipulate migrants' rights to social services, irrespective of their legal status, such as the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the 1951 Convention Relating to the Status of Refugees and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

<sup>16</sup> However, a study of the legal rights to health care in the 25 EU countries found that even *documented* children asylum seekers were denied full access to health care in 7 of the countries. Norredam et al: "Access to health care for asylum seekers in the European Union: A comparative study of country policies", in *European Journal of Public Health* (2006), Vol. 2006, 16, No.3, pp285-9.

<sup>17</sup> See for example, A/HRC/4/28/Add.2: *Implementation of General Assembly Resolution 60/251 of 15 March 2006 entitled "Human Rights Council". Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*, Paul Hunt, and Médecins du Monde: *European survey on undocumented migrants' access to health care*, Paris, European Observatory on Access to Healthcare, 2007.

<sup>18</sup> Children's immigration cases are generally not considered independently of their family's if their family also migrated. The rational behind this is that it is in the best interest of children not to separate them from their families. However, this may not always be the case, such as when returning to the home country is not in the best interest of a child and/or the family situation is abusive.

<sup>19</sup> Some States award citizenship to children born within their territory (*ius soli* citizenship), whereas others base it on the citizenship of the child's parents (*ius sanguinis* citizenship). Undocumented immigrants that fear discovery may also not register births, making it more difficult for children to enjoy their rights and leading to stateless children, an especially vulnerable group. Discussed in: UN General Assembly (A/HRC/11/7), *Promotion and*

education and can expose them to additional health risks. As such, a tension exists between the desire to keep families together by detaining children with their parents, and the need to provide special, separate facilities and services for children.

In certain cases, families are given shelter in exchange for their work, including the children's work,<sup>20</sup> while in other cases children's enrolment and school attendance have been used by immigration officials to track and detain their families. The fear of discovery can lead undocumented families to keep their children in hiding, preventing them from accessing education and health care services, and also to employ them in the informal economy. Research in the United States suggests that having one irregular migrant parent increases the chances of a child living in poverty threefold, and having two irregular migrant parents increases it sevenfold.<sup>21</sup>

### **Access to education**

It is crucial that children of migrant workers have access to education irrespective of their legal status. Without such access, they will likely spend time on the street while their parents work, and are at high risk of child labour. In China, for instance, the government has made improving educational enrolment of the estimated 8 million children of migrant workers from rural areas a policy priority. In 2006 revisions were made to the China Education Law, including special provisions making sure that children of migrant workers can get equal access to education. Chen Xiaoya, Vice Minister of Education stated at the time that the main aim of the law is to offer equal education to children, no matter whether they live in the city or in the countryside.<sup>22</sup> Despite the policy level recognition of the importance of providing education to migrant children, challenges remain in its implementation in terms of access, costs, quality of education and resistance to reform in areas of destination.<sup>23</sup>

In summary, it should be reiterated that not all family migration has a detrimental impact on children. However, where family migration is seasonal, there is a high risk of children joining the labour force prematurely. Irregular migration of families across national borders also increases the risk of child labour, though risk levels vary depending upon the services and protection offered at destination. The level of access to quality education of migrant children is another determinant that influences the risk of child labour.

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*protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. Report of the Special Rapporteur on the human rights of migrants, Jorge Bustamante, 14 May 2009.*

<sup>20</sup> IPEC, D. Khoudour-Castéras: *Efectos de la migración sobre el trabajo infantil en Colombia* [Effects of migration on child labour in Colombia]. Bogotá, ILO, 2007.

<sup>21</sup> United Nations Children's Fund/IInnocenti Research Centre: *Making Children Visible, Brussels Global Forum on Migration and Development*, July 2007, available at Global Forum on Migration and Development website: [www.gfmd-fmmd.org](http://www.gfmd-fmmd.org).

<sup>22</sup> Xinhua News Agency: *China Adopts Amendment to Compulsory Education Law*, Beijing, 30 June, 2006.

<sup>23</sup> China Labour Bulletin: *The Children of Migrant Workers in China*, Hong Kong, 2008.

## 2. Independent child migration

Although the majority of child migrants move with their families, significant numbers also move independently. A 2008 World Bank Report<sup>24</sup> based on censuses from 12 destination countries showed that a considerable number of migrant children were living without their parents. Also, girls are slightly more likely to migrate independently compared to boys, and the likelihood that a child will migrate independently increases substantially with age.<sup>25</sup>

### ***International migration of children***

Most international independent child migration is undocumented or irregular, as children of working age tend to have few legal channels through which to migrate. This exposes children to additional dangers in transit and creates a dependency on adults, who may take advantage of children's vulnerability and dependency to abuse and/or exploit them. As an undocumented migrant, a child will also be more vulnerable to exploitation at destination and have even more difficulties accessing social services.

An ILO study of Cambodian villages near the Thai border showed that a quarter of the migrants were between the ages of 10 and 14. About half were 15 to 17 years old.<sup>26</sup> A survey of independent child migrants en route from Nepal to India reflects the same proportions: a quarter were 11 to 15, and half were 16 to 17. The same survey also showed that boys made up 87% of the child migrants, and only 4% carried any form of identity document.<sup>27</sup>

Globally, an estimated 51 million children were not registered at birth in 2009.<sup>28</sup> If children without birth registration migrate across national borders, they by definition do so without a passport, and become undocumented migrants and thus at risk of exploitation. Also, children born abroad, particularly to undocumented migrants, may not have access to birth registration, and therefore may become "stateless",<sup>29</sup> thus reducing their access to basic services and increasing the likelihood they revert to child labour.

In the European Union, significant attention has been paid to the violation of children's rights in detention.<sup>30</sup> Entering a country without authorization and staying without proper documentation is considered a criminal offence in many countries.

<sup>24</sup> D. McKenzie: "Profile of the World's Young Developing Country Migrants", in *Population and Development Review* V34 N1, pp 115-135, 2008.

<sup>25</sup> S. Yaqub: *Independent child migrants in developing countries: Unexplored links in migration and development*, United Nations Children's Fund/Innocenti Research Centre, January 2009, pp27-28.

<sup>26</sup> ILO, *Destination Thailand: Cross-border Labour Migration Survey in Banteay Meanchey Province, Cambodia*, 2005.

<sup>27</sup> R. Adhikari and N.P. Pradhan: *Increasing wave of migration of Nepalese children to India in the context of Nepal's armed conflict* (Kathmandu, Central Child Welfare Board and Save the Children, 2005) cited in Yaqub, January, 2009.

<sup>28</sup> UNICEF: *The State of the World's Children 2009, Maternal and Newborn Health*, New York, 2008.

<sup>29</sup> UNICEF: *A Child-Rights Approach to International Migration: A UNICEF Perspective on Child Trafficking*, New York, 3 July 2002.

<sup>30</sup> See for example: 11 MILLION: *The arrest and detention of children subject to immigration control: A report following the Children's Commissioner for England's visit to Yarl's Wood Immigration Removal Centre, London, 2009; available at: [http://www.childrenscommissioner.gov.uk/content/publications/content\\_361](http://www.childrenscommissioner.gov.uk/content/publications/content_361).*

When undocumented migrant children are detected by enforcement agencies, they are often sent to detention centres to await deportation. While there is no direct link between these detention centres and child labour, the inadequate provision of education and health care in many of the centres, along with the psychological trauma experienced by the children, may make children more vulnerable and reduce their chances of securing decent work in the future.

There are also reports of unaccompanied minors “disappearing” from institutions.<sup>31</sup> A 2008 report by Save the Children stated that 60% of 1,860 children placed in care homes after arriving on Lampedusa (Italy) had disappeared.<sup>32</sup> A 2010 report by Terre des Hommes on unaccompanied minors in reception centres in Belgium, France and Switzerland stated that up to half of them disappear, many in the 48 hours after being admitted.<sup>33</sup> It is uncertain how many of them move on to another destination or into the informal economy, but it is believed that many of the children that disappeared end up exploited.

### ***Internal migration of children***

While there has been considerable focus on unaccompanied minors who enter the European Union or the United States, most independent child migrants, especially younger children, are internal migrants in developing countries. In countries such as Brazil, China, India and Indonesia the number of internal migrants dwarfs that of international migrants. Also, a study in Argentina, Chile and South Africa drew the conclusion that there were 11 times as many inter-province child migrants than international ones.<sup>34</sup> A study of various cities in Mali and Ghana confirms this pattern, as most child migrants were internal migrants living away from their parents. Children in the 15-17 age group were the best represented in the sample, though there were significant numbers of younger independent migrants.<sup>35</sup>

Several studies from African countries highlight differences in child migration patterns based on sex. A study in Benin found that it was mostly boys who had gone abroad and that girls were more likely to migrate internally.<sup>36</sup> A study in Burkina Faso drew similar conclusions, stating that most visible urban child migrants were boys, and most girl migrants had migrated to rural areas closer to home.<sup>37</sup> Another study in Burkina Faso stated that 70% of the migration was internal and girls were twice as likely as boys to migrate from rural areas.<sup>38</sup>

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<sup>31</sup> Vienna Migration Group: *Unaccompanied Minors in the European Union Member States Panel Discussion*, Vienna, June 8, 2009.

<sup>32</sup> ITALY Magazine: *Save the children sounds alarm on unaccompanied minors*, Ispica, 29 April 2009, see: <http://www.italymag.co.uk/italy/immigration/save-children-sounds-alarm-unaccompanied-minors>.

<sup>33</sup> Swissinfo.ch, S. Bradley: *Report spotlights “invisible foreign minors*, Bern, 1 February 2010, see: [http://www.swissinfo.ch/eng/swiss\\_news/Report\\_spotlights\\_invisible\\_foreign\\_minors.html?cid=8207908](http://www.swissinfo.ch/eng/swiss_news/Report_spotlights_invisible_foreign_minors.html?cid=8207908),

<sup>34</sup> S. Yaqub: *Child migrants with and without parents: Census-based estimates of scale and characteristics in Argentina, Chile and South Africa*, UNICEF Innocenti Research Centre, Florence, February 2009.

<sup>35</sup> A. Hatloy and A. Huser: *Identification of street children, characteristics of street children in Bamako and Accra*, Report 474, Oslo, Fafo, 2005; cited in S. Yaqub, *Independent child migrants in developing countries: Unexplored links in migration and development*, UNICEF Innocenti Research Centre, Florence, January 2009.

<sup>36</sup> A. Kielland: “*Child labor migration in Benin: Incentive, constraint, or agency?*” Germany, VDM Verlag, 2008, in S. Yaqub, January 2009.

<sup>37</sup> D. Thorsen: *Child migrants in transit strategies to become adult in rural Burkina Faso*, paper presented to Children and Youth in Emerging and Transforming Societies, 2005. Not published.

<sup>38</sup> A. Kielland and I. Sanogo: *Burkina Faso: Child labour migration from rural areas, The Magnitude and the Determinants*, World Bank; Terre des Hommes, 2002; cited in Yaqub, January, 2009.

A report on internal independent child migration in Ghana showed that girls were more likely to migrate internally at a younger age than boys. One suggested explanation for this was that in a patriarchal society girls are easier to move around than boys, since they are less embedded in their home community.<sup>39</sup> Often, young girls migrate for domestic work, which, given its execution in the private sphere, leaves them especially vulnerable to abuse and exploitation.

### **Determinants for independent child migration**

Anecdotal evidence from a range of ILO-IPEC project sites and a recent publication by Save the Children<sup>40</sup> suggest that in many regions children want to migrate due to **lack of youth employment** opportunities in rural areas and the perception of opportunities in cities. Across the globe a staggering 80.7 million youth (aged 15-24) were unemployed in 2009.<sup>41</sup> The youth unemployment motive as driver of migration will likely become stronger in the years to come given **population dynamics** (i.e. with continued high birth rates in many developing countries, and an ever increasing proportion of populations under the age of 25) in combination with the limited labour absorption capacity of local labour markets. The World Development Report of 2007 provides further historic support for the assumption that a larger youth cohort will result in increased out-migration.<sup>42</sup>

Independent child migration may also be part of a **family's survival strategy** as the migration of a child decreases the dependency ratio in the household, even when the child does not earn enough to save (because there is a decrease in household consumption demand). In addition, some children are able to save and send remittances, sometimes contributing to the education of their siblings.

**Education** is another motive for children to migrate. Through migration, many children hope to increase their human capital by obtaining schooling and skills development. However, because independent children must fend for themselves, many children end up working in addition to, or instead of, going to school.<sup>43</sup> The likelihood that child migrants will enrol in school depends also on the characteristics of their destination. A study of child migrants in South Africa found that 65% of unaccompanied minors were not in school, though this masked great variation based on location. Children living in Johannesburg were much more likely to be enrolled (96%) compared to those living in the border zones (6%).<sup>44</sup> Even children not accessing schooling cited education as one of the top benefits of being in South Africa, and expressed a desire for increased access.

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<sup>39</sup> I.M. Hashim: *Research report on children's independent migration from Northeastern to central Ghana*, Development Research Centre on Migration, Globalization & Poverty, Brighton, 2005.

<sup>40</sup> Save the Children UK: *Away from home; protecting and supporting children on the move*, London, 2008.

<sup>41</sup> This is 39% of the world's total of 206.7 million unemployed. See: ILO: *Global employment trends for youth*, Geneva, 2010.

<sup>42</sup> World Bank: *World Development Report 2007, Development and the Next Generation*, Washington, 2006, p197.

<sup>43</sup> However, the Development Research Center on Migration Globalisation & Poverty (2009) argues that independent child migrants usually do not abandon school to migrate for work, and stresses the positive impact that migration can have on education, for example by allowing children to pay for the costs related to their education.

<sup>44</sup> Save the Children UK: *Children Crossing Borders. Report on Unaccompanied Minors to South Africa*, p.5, London, 2007.

**Peer pressure** is another reason why children migrate. A study in Burkina Faso reported that ‘it is *labour* migration that is most particularly admired’. Travel as such does not seem to be enough to raise a boy’s status; to earn respect a boy must have travelled to work, and must have obtained material rewards (such as a bicycle).<sup>45</sup>

Migration can also be a way for children to **improve** their **position** within the family. For example, a non-first-born son from a rural farming family that includes numerous children may not have many opportunities for economic improvement within the family structure, and may find migration a positive alternative.

Migration is also linked to **history and culture**. Several studies<sup>46</sup> have pointed to the fact that child migration is highest in areas of traditional adult out-migration. In these areas, migration may be seen, by both children and parents, as a **learning experience** and part of the transition to adulthood. It may provide children with opportunities to develop their independence and autonomy (a positive side of migration often cited by children), to learn about life in the city, and for adventure.<sup>47</sup> Haiti and the Dominican Republic, for instance, have a history of outmigration of Haitians into the Dominican Republic, given longstanding economic disparities. The migrants include significant numbers of children that end up in domestic work, sexual exploitation, or work in the sugar sector. In West Africa in particular, **child fostering** is a long-standing and widespread cultural tradition through which large numbers of children have been placed with extended families.<sup>48</sup> It is increasingly recognized that these arrangements may result in children working in domestic service.

Children are furthermore pushed to migrate for work as a result of the impact of **HIV/AIDS**. In particular in Sub-Saharan Africa the epidemic has forced many children who were orphaned, HIV-positive, or otherwise affected by HIV/AIDS to enter the labour market prematurely, and many of these children migrate to find employment. In 2008, UNAIDS estimated that there were 15 million AIDS orphaned children, 11.6 million of which in Sub-Saharan Africa.<sup>49</sup>

**Domestic violence** is another push factor for children to leave home and migrate elsewhere in search of a new life. A study on children living in the streets of cities in Bangladesh, for instance, indicates that most of the interviewed boys and girls report domestic violence during the year prior to their migration.<sup>50</sup>

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<sup>45</sup> A. de Lange: “Going to Kompienga”, *A Study on Child Labour Migration and Trafficking in Burkina Faso’s South-Eastern Cotton Sector*, International Research on Working Children (IREWOC), Amsterdam, August 2006. Available at: <http://www.childlabour.net/documents/traffickingproject/albertinedelangetraffickingburkina.pdf>.

<sup>46</sup> Such as: D. McKenzie and H. Rapport: *Can migration reduce educational attainment? Evidence from Mexico*, Policy Research Working Paper 3952, Washington D.C., World Bank, 2006; and A. Whitehead and I. Hashim: *Children and Migration*, Background Paper for DFID Migration Team, 2005, available at: [http://www.childtrafficking.com/Docs/dfid\\_05\\_child\\_mig\\_bac\\_0408.pdf](http://www.childtrafficking.com/Docs/dfid_05_child_mig_bac_0408.pdf).

<sup>47</sup> D. Thorsen: *Looking for money while building new skills & knowledge: Rural children’s independent migration in south-easter Burkina Faso*, p5, Brighton, Development Research Centre on Migration Globalisation & Poverty, 2005.

<sup>48</sup> A. Kielland and M. Tovo: *Children at work in Africa: Child labor practices in Africa*. Lynne Rienner, Boulder, Colorado, 2006.

<sup>49</sup> UNAIDS, *Report of the global AIDS epidemic*, Geneva, 2008.

<sup>50</sup> A. Contini and D. Hulme: *Escaping violence, seeking freedom: Why children in Bangladesh migrate to the street*. Oxford, ESRC / Global Poverty Research Group, September 2006.

Internal displacement disproportionately affects children as half of the world's 27 million internally displaced persons are children.<sup>51</sup> **Internal displacement resulting from conflict and natural disaster**, in particular amongst separated and unaccompanied children, often forces children to migrate in search of safety, work and opportunities. Anecdotal evidence in the aftermath of the devastating floods in Pakistan (in 2010) suggests that many children are forced to migrate for survival as a result of loss of arable land of their families. Turkey, which is home to about 1 million internally displaced persons, offers another example where an estimated 30 percent of internally displaced households use child labour as survival strategy, a percentage that is much higher than the 4 percent of the general children's population aged 6 to 14 that is working.<sup>52</sup>

Natural disasters may furthermore increase in frequency and impact due to the effects of climate change. The 2010 World Development Report estimates that a minimum of 200 million people will be at risk of migration as a survival strategy in response to **climate change**, and argues that such migration will likely be predominantly from rural areas in developing countries to cities.<sup>53</sup> A review of evidence from Sub-Saharan Africa draws similar conclusions and further indicates that the most vulnerable may be the least able to migrate, and when they do migrate, it is usually over short distances.<sup>54</sup>

### **Possible results of independent child migration**

Children who migrate without their parents are especially vulnerable to exploitation, coercion, deception, and violence – particularly if they are below the minimum age of employment, cross a border illegally and do not speak the language of their destination.<sup>55</sup> The level of preparedness and information (on work and destination) prior to departure also has an impact on the level of vulnerability. Risks exist both in transit and at the destination. Also, what starts as voluntary migration may turn into trafficking in the process of movement. Child migrants have a double vulnerability, as both underage persons and migrants. Girls are also especially susceptible to sexual abuse during the migration process.<sup>56</sup> At destination, most unaccompanied minors work in the informal economy where they are more likely to be exploited.

Because children often access jobs through the help of adults, they remain in some form dependant on adults with whom they have an unequal power relationship. It is particularly difficult for children to access housing and services (including financial ones) without the mediation of a trusted adult. Without adult guardians, children must rely on informal avenues and often end up in the informal economy where monitoring

<sup>51</sup> Internal Displacement Monitoring Centre: *Global overview of trends and developments in 2009*, Norwegian Refugee Council, Geneva, 2010.

<sup>52</sup> Internal Displacement Monitoring Centre: *Principles versus practice - Poverty and discrimination as barriers to the enjoyment of the right to education for internally displaced children. Case study on education and displacement in Turkey*, Geneva, 2010.

<sup>53</sup> World Bank, *World Development Report 2010: Development and Climate Change*, Washington, 2009.

<sup>54</sup> Development Research Center on Migration Globalisation & Poverty: *Making migration work for development*, Brighton, 2009, p.7.

<sup>55</sup> Rao (2009) also noted that migrants generally had a better experience if they migrated with the support of kin than if they pursued migration through agents or brokers. N. Rao: *Gender differences in Migration Opportunities, educational choices and wellbeing outcomes*, Brighton, Development Research Center on Migration, Globalisation and Poverty, 2009.

<sup>56</sup> Ibid.

of working conditions may be absent, exploitation common place, and social protection weak or fragmented.

The May 2009 report of the Special Rapporteur on the human rights of migrants declares that “*States should recognize that migrant children, especially those unaccompanied, are most exposed to the worst forms of child labour.*”<sup>57</sup> Most child migrants work in agriculture, domestic work, and the urban informal economy, often in hazardous conditions and exposed to great risk of exploitation and abuse.

A study of Argentina, Chile, and South Africa showed that independent migrant children over the age of 15 were more likely to be working than dependant migrant children, and also more likely to be working than independent non-migrant children.<sup>58</sup> Similar results were found in Addis Ababa, Ethiopia, but with an added gender dimension: migrant boys were twice as likely to be working as non-migrant boys, and migrant girls were six times more likely to be working than non-migrant girls. Migrant children were also paid less.<sup>59</sup> A study in Benin, for instance, found that among children not in school, independent children work 50% longer than children living with their parents.<sup>60</sup>

An ILO study of child labour in the urban informal economy of Uganda revealed that 63% of working children were migrants. Most of them had relied on kinship ties or friends to facilitate their migration. The study also found that children living in households other than their parents’ were much more likely to be child labourers.<sup>61</sup>

Domestic work is an occupation with a high proportion of migrant children, girls in particular. In Uganda for instance, an analysis of data from a national household survey revealed that 46% of child domestic workers were migrants.<sup>62</sup>

In summary, independent child migrants are particularly vulnerable to exploitation. Despite context specific differences and variations in migration profiles by region and country, there are a number of commonalities that may help to describe independent child migration. Of the independent child migrants, the majority stays within country borders and various reports suggest that girls predominate among internal migrants, and that many end up in domestic work. Where independent child migrants cross national borders, they as a rule do so undocumented, increasing their vulnerability further. Even when apprehended by the authorities, unaccompanied minor migrants often appear to be unsafe, given the high number of unaccompanied minors that have gone missing.

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<sup>57</sup> UN General Assembly (A/HRC/11/7) p22.

<sup>58</sup> S. Yaqub: *Child migrants with and without parents: Census-based estimates of scale and characteristics in Argentina, Chile and South Africa*, IDP No. 2009-02, UNICEF / Innocenti Research Center, Florence, February 2009.

<sup>59</sup> A. Erulkar et al. “Migration and vulnerability among adolescents in slum areas of Addis Ababa, Ethiopia”, in *Journal of Youth Studies*, 2007, Vol.9, No.3, p.361-374, cited in Yaqub, January 2009.

<sup>60</sup> A. Kielland: “Child labor migration in Benin: Incentive, constraint, or agency?” Germany, VDM Verlag, 2008, in S. Yaqub, January 2009.

<sup>61</sup> ILO: *Child labour and the urban informal sector in Uganda*, Geneva, 2004.

<sup>62</sup> Understanding Children’s Work Programme: *Joining forces against child labour: interagency report for The Hague Global Child Labour Conference 2010*, Geneva, ILO, 2010.

### 3. Children left-behind by migrant parents

In 2009, a total of USD 316 billion was sent in remittances to developing countries.<sup>63</sup> If we assume that poverty drives migration from developing countries and is the root cause of child labour, then the massive financial resources generated through labour migration may contribute to keeping children in school longer, thus increasing children's prospects for decent work in the future, and reducing child labour. Remittances can also serve as a form of insurance in times of crisis, making families less vulnerable to economic shocks, and less likely to resort to child labour.

Recent World Bank studies<sup>64</sup> confirm this view and point to several positive impacts of remittances from migrant household members: they help close the gender gap in education, putting girls in school and lowering their dropout rate; they improve child health - particularly of girls; and they contribute to reducing child labour. A study by IOM<sup>65</sup> similarly concludes that remittances have a positive impact, improving children's education and reducing child labour. Studies in the Philippines, Ecuador and Pakistan also suggest that remittances have a positive effect on school enrolment.<sup>66</sup> The evidence from Ecuador and Pakistan further suggests a positive impact on child labour, particularly among girls in rural areas.

A study on the impact of migration on human capital investment in Nepal found that, when controlling for absenteeism of household members, remittances had a positive effect on education of younger children (aged 5 to 10), but the effect was insignificant for older children (aged 11 to 16). Boys benefited more than girls from the receipt of remittances.

Despite a range of studies that demonstrate the inverse relationship between remittances and child labour (i.e. the more remittances, the lower the rate of child labour)<sup>67</sup> other studies question the benefits to children of migration of parents. A study by McKenzie and Rapoport<sup>68</sup> argues that parents who migrate for work often do so as a survival strategy and may not be able to send remittances. Their research in Mexico also shows that parent migration negatively affects school attendance among 16 to 18 year old girls, and they interpret this as pointing to a substitution effect between housework and schooling.

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<sup>63</sup> World Bank: "Outlook for Remittance Flows 2010-2011" in *Migration and development Brief*, 23 April, 2010.

<sup>64</sup> See for example: World Bank: *Migration strongly benefits girls in home countries and Migration Closes Gender Gap, Brings Other Social, Health Gains*; and G. Mansuri: *Migration, school attainment, and child labor: evidence from rural Pakistan*, World Bank Policy Research Working Paper Series, No. 3945. Washington, 2006. Available at: <http://www.worldbank.org>.

<sup>65</sup> IOM: *Migrants' Remittances and Development: Myths, Rhetoric and Realities*, Geneva, 2006.

<sup>66</sup> D. Yang: *International migration, human capital and entrepreneurship: Evidence from Philippine migrants' exchange rate shocks*, World Bank Policy Research Working Paper Series, No 3578, Washington, 2005; C. Calero, A.S. Bedi and R. Sparrow: *Remittances, liquidity constraints and human capital investments in Ecuador*, IZA discussion paper series, No. 3358, Bonn, 2008; or G. Mansuri: *Migration, school attainment and child labour: Evidence from rural Pakistan*, World Bank Policy Research Working Paper Series, No 3945, Washington, 2006.

<sup>67</sup> See G. Mansuri: *Migration, school attainment, and child labour: Evidence from rural Pakistan*, 2006; or C.H. Ebeke: "The Effects of Remittances on Child Labor, Cross Country Evidence", in *Economics Bulletin*. 28 January, 2010.

<sup>68</sup> D. McKenzie and H. Rapoport: "Migration and education inequality in rural Mexico", in *Working paper 23*, IADB, 2006.

Parental migration may also impact the well-being of children in other ways. For example, research in Trinidad found that left-behind children were twice as likely to have emotional problems.<sup>69</sup> Another report suggests that left-behind children are more likely to abandon school, have problems with authority and abuse drugs.<sup>70</sup> In some cases, teenage pregnancy has increased.<sup>71</sup>

In some cases where parents have migrated, children must take over the domestic chores to the detriment of their education. They may be left in the care of grandparents who find it difficult to care for them.<sup>72</sup>

Families that have taken on debt to finance migration may also be subject to exploitation by moneylenders<sup>73</sup> and children may have to work to help pay off the debt. Remittances may be used furthermore to invest in small family businesses that use child labour.<sup>74</sup>

In Haiti, the effect of remittances on education varied depending on the community. In a community with access to schools that was surveyed in 2000 (before the 2000-2001 economic and political crisis) remittances increased school attendance. In communities with poorer access to education and that were surveyed in 2002, school attendance only improved when there was no out-migration from the household (implying a negative effect of having a household member migrate).<sup>75</sup>

### ***The global financial crisis, migration, remittances and child labour:***

The impact of remittances at the household and the larger macroeconomic levels is a field of extensive study that has received much attention since the onset of the global financial crisis in 2007.<sup>76</sup>

According to an April 2010 World Bank Report, unlike private capital flows which declined sharply during the crisis, remittance flows have remained resilient overall, and have become even more important as a source of external financing in many developing countries.<sup>77</sup> Furthermore, remittance flows to developing countries are projected to grow by 6.2 percent in 2010 and 7.1 percent in 2011.

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<sup>69</sup> A. Jones, J. Sharpe and M. Segren: "Children's Experiences of Separation from Parents as a Consequence of Migration", in *Caribbean Journal of Social Work*, 3, 2004, pp.89-109.

<sup>70</sup> AESCO, 2007, cited in Khoudour-Castérás: "International migration and development: the socioeconomic impact of remittances in Colombia", in *Cepal review* 92, 2007.

<sup>71</sup> UN General Assembly (A/HRC/11/7): *Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. Report of the Special Rapporteur on the human rights of migrants*", Jorge Bustamante, 14 May 2009.

<sup>72</sup> HelpAge International in Moldova: *Grandparents and grandchildren: Impact of migration in Moldova*, HAI/UNICEF project – findings and recommendations, Chisinau, 2008.

<sup>73</sup> Ibid.

<sup>74</sup> Khoudour-Castérás: "International migration and development: the socioeconomic impact of remittances in Colombia", in *Cepal review* 92, 2007, p147.

<sup>75</sup> C. Amuedo-Dorantes, A. Georges and S. Pozo: *Migration, Remittances and Children's Schooling in Haiti*, IZA DP No.3657, Bonn, Institute for the Study of Labor, 2008.

<sup>76</sup> See for example: IOM: *Migrants Remittances and Development; Myths, Rhetoric and Realities*, Geneva, 2006; or L.E. Anderson and B.J. Christensen: *The Static and dynamic benefits of migration and remittances in Nicaragua*. Development Research Working Paper Series No. 05/2009, Institute for Advances Development Studies, La Paz, 2009.

<sup>77</sup> World Bank: "Outlook for Remittance Flows 2010-2011", in *Migration and development Brief*, 23 April, 2010.

It is important to note, however, that these estimates are based on the assumption that migrant stocks remain relatively stable, which could be wrong if the crisis turns out to be deeper and longer than anticipated and migrants start to return home.<sup>78</sup> If remittance flows indeed decrease, this may have far-reaching effects on child labour, as poor families would face even more pressure to remove their children from school in order for them to work and help contribute to the family income.

When analyzing remittances, regional variation should be taken into account. According to the IOM, remittances to Latin America in particular have been falling (due to a decrease in construction activity in the United States, a sector in which many Latin American migrant workers are/were employed).<sup>79</sup> However, remittances to South Asia and East Asia have remained strong, and have even grown in some countries.

In summary, remittances have assumed massive proportions globally, and though evidence is not unanimous, a range of studies confirm that remittances have been instrumental in prolonging education of in particular younger children, while studies of the impact on older children are less conclusive. Some reports further point at the negative side-effects of parental migration on the psychological well-being of left-behind children, including feelings of abandonment and depression, and reduced school attendance. This in turn suggests that if the negative side-effects of parental migration were addressed, and if remittances were better managed at family level, parental migration and the remittances they generate, could potentially play a larger role in achieving education for all and reducing child labour.

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<sup>78</sup> IOM: *The Impact of the Global Economic Crisis on Migrants and Migration*, Geneva, 2009.

<sup>79</sup> Ibid.

## **4. Policy implications and the way forward**

Migration has become a massive global phenomenon that directly affects the lives of close to a billion people (if including internal migrants). Annual remittances of over USD 300 billion have offered development opportunities to many. Youth make up a significant percentage of all migrants, and in large numbers come from rural areas.

Migration can be a win-win situation for sending and receiving countries (and areas), including migrant families and their children. However, sketchy and context specific evidence suggests that where children migrate alone, unprepared, and without proper protection, or as part of undocumented migrant families, they are at high risk of child labour.

Governance of migration - and the development opportunities it provides - is a key policy challenge. **Governments' migration policies need to be balanced with their obligations under the UN Convention on the Rights of the Child and the ILO Conventions on the Minimum Age for Employment, No's 138 (1973) and the Worst Forms of Child Labour, No. 182 (1999).** When dealing with children - whatever their migration status – it has to be recalled that States are obliged to ensure the protection of all children, including migrant children. Article 2.1 of the UN Convention on the Rights of the Child states: "*Every child without discrimination of any kind, irrespective of the child's or his/her parents or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status is born with the same rights*", including the right to be free from child labour. Governments should thus ensure that migration does not harm children regardless of the legal status of their parents, and does not contribute to child labour, and instead paves the way for productive employment for youth of working age.

### ***Generic policy considerations regarding independent child migrants and those migrating with families***

While recognizing that context specific factors will have to be taken into account, this review of independent child migration and family migration offered some common perspectives, and there are a number of considerations - in a child labour context - for future action for both groups:

In further developing effective migration and child labour policies it is crucial to maintain conceptual clarity: Voluntary migration of children with or without parents should be distinguished from trafficking in children, even though the former may at times result in the latter. While efforts to stop child trafficking are crucial and should include a law enforcement component, broader migration and children's rights policies should recognize that **it is legitimate for children of working age to seek employment opportunities.**<sup>80</sup> If decent work is not available at their places of origin, those young people are likely to look for opportunities elsewhere. These children - and the ones below the minimum working age on the move - should be recognized

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<sup>80</sup> According to ILO Convention No. 138 and national law in many countries, children can work (performing non-hazardous tasks in non-hazardous conditions) starting from the age of 15 (14 in some countries).

as especially vulnerable to exploitation and child labour, in particular when they migrate across national borders. Programmatic responses - beyond those that focus on child trafficking - need to reach out to this group.

Currently, migration laws in most countries do not incorporate a children's rights perspective, and even policies to protect the rights of children have, in many countries, not yet taken into account the specific conditions and needs of migrant children.<sup>81</sup> Therefore, **laws and policies in the fields of migration, children's rights and child labour should pay specific attention to both internal and international child migrants.**

As most migrants end up in the informal economy, exploitation could be more easily countered if efforts were made to **regularize the informal economy, in particular in agriculture and domestic work.** Other measures to improve protection in the workplace include **expanding migrant worker's ability - including that of youth migrants - to form self-help and place name associations.**<sup>82</sup> **Accessing, joining or associating with trade unions,** is another important tool in ensuring protection and guaranteeing labour rights of workers, including the labour rights of migrant workers. Article 2 of ILO Convention No. 87 stipulates: "*Workers (and employers), without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.*" Accordingly, migrants, including child migrants who are of the legal employment age, have a right to join a trade union, or at least associate with one, and benefit from the protection services it may offer.

As stated, millions of people are migrating and the number of youth migrants is likely to increase in most developing countries due to the population build up in combination with limited local development and employment opportunities. Given this projection, in combination with the right to decent work for children above the minimum age of employment (often the largest proportion among independent child migrants),<sup>83</sup> **part of the governance of migration should focus on ensuring safe - where possible internal - migration for decent work for this group, rather than stopping it.** This should include affordable, fast and transparent job placement and migration services and the licensing, registration and monitoring of agencies involved in the recruitment or facilitation of labour migration. Also, governance of labour migration should include attention to children: **Systems to monitor recruitment agencies and labour inspection mechanisms should be sensitised** on child migrants and issues concerning child labour, especially at destination in types of work where migrants predominate. Furthermore, **clarity regarding law enforcement roles and responsibilities** in the informal economy should be enhanced, along with clarity on the **complementary roles** that the police, labour inspectorates, social workers and civil society can play in protecting young workers. Where migration is across national borders it is furthermore crucial that **sending and receiving countries coordinate** their joint governance of migration.

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<sup>81</sup> UN General Assembly (A/HRC/11/7).

<sup>82</sup> These are groups of migrants at destination formed on the basis of having a common place of origin.

<sup>83</sup> McKenzie, 2008. Also in ILO: *Child labour and the urban informal sector in Uganda*, Geneva, 2004; Thorsen, 2005; and S. Yaqub: *Child migrant with and without parents: Census-based estimates of scale and characteristics in Argentina, Chile and South Africa*, IDP No. 2009-02, UNICEF / Innocenti Research Center, Florence, February 2009 – for their respective countries studied. No studies were found suggesting younger children to be better represented.

While investing in improved governance of migration it is crucial to also advance **youth employment** for boys and girls of working age – in particular in **rural areas** – and address gender inequalities by providing skills development and employment opportunities to girls of working age.

**Businesses** can also be involved in addressing child labour among migrants: Their **corporate social responsibility** policies should ensure that migrant children do not feature as child labourers in their supply chains. Businesses can set and communicate clear policies against child labour within their supply chain and track performance in implementing the policy, paying specific attention to the particular risk of child labour among migrant communities, and ensure effective remediation if child labour is detected. They can integrate their child labour policy across their operations and concentrate production in the formal economy. Companies that rely on labour recruitment agencies can choose to work with those that have strong protections against the use of child migrant labour in place, or assist these agencies to develop such protections. They can provide training on child labour and child migrants, within their businesses and with business partners, and support national efforts against child labour in the countries where they operate.

Many child migrants have limited education and skills when they depart, leading them into low-skilled and insecure jobs in the informal economy. State support, in the form of stipends or scholarships, could enable children to take advantage of educational opportunities, postponing migration and obtaining better work when they eventually migrate.<sup>84</sup> Ultimately, child labourers in all sectors would benefit from the development and improvement of educational programmes, in particular in rural areas.<sup>85</sup> **Access to free, quality education**, with curriculums that take into consideration the changing needs of the labour market, would provide children with appealing alternate opportunities to migration.

To reduce social exclusion and thus improve access to basic services it is important to **address the lack of birth registration** of the estimated 51 million children who are by default vulnerable to exploitation, in particular if they migrate. This is in line with Art. 7 of the UN Convention on the Rights of the Child, under which every child has the right from birth to a name, and the right to acquire a nationality. Besides helping prevent exploitation, birth registration is important in that it makes it easier to trace a child's origins and to confirm a child's nationality when conducting case assessments and arranging for the return home of migrant children.

Additionally, responses should include **targeted advocacy initiatives** for prospective migrant children and families, at times of the year when many migrants are on the move (e.g. between crop seasons), and possibly at the time of International Migrants Day (18 December).

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<sup>84</sup> In Bangladesh, state-sponsored stipends and scholarships allowed children to postpone their decision to migrate, especially in poor rural areas. Development Research Center on Migration Globalisation & Poverty, 2009.

<sup>85</sup> See ILO: *Rural Skills Training: A Generic Manual on Training for Rural Economic Empowerment (TREE)*, Geneva, 2009.

To address child labour resulting from natural disaster and conflict, for instance among internally displaced children, **child migration and child labour should be included in disaster response plans.**

Despite the growing body of evidence with regard to the effects of migration on children, there remain significant knowledge gaps and the **correlation between migration and child labour** needs further analysis. There is a need for a **coordinated research agenda**, based on **research standards** that incorporate attention to child participation and methods that make migrant children (disaggregated by age and sex) and the potential exploitation of boys and girls more visible in data gathering exercises.

In **labour force and child labour surveys**, child migrants often disappear in aggregate statistics. Efforts should be made to determine the number of child labourers per sector that migrated from elsewhere, and child labour rates among child migrant workers. Where possible, follow up research should be conducted to determine the motives for migration along with the vulnerabilities children are exposed to in the process of migration.

While recognizing that migration modalities and government responses are context specific, it would benefit the quality of protection services offered if **country policies were reviewed systematically** on the extent to which they address child labour among migrants, and their impact. Policy makers across the globe and at various levels could benefit furthermore from increased sharing of learning, perhaps through an **information clearing house** to which policy makers, academics and practitioners contribute.

### ***Specific policy considerations regarding children migrating with parents***

To reduce the risk that children migrating with their parents end up in child labour, it is crucial that they have **access to basic social services including education**, regardless of the immigration status of their parents. This is in line with international laws which stipulate that all children have the right to an education.<sup>86</sup>

It is especially important for migrant children to attend school to help them assimilate, learn the local language, and gain knowledge and skills that will help them attain better jobs and escape the trap of child labour and poverty. Where it concerns seasonal migrants, it is crucial that basic **education** facilities of good quality are offered **near the worksites** of migrant families.

Whilst efforts to invest in the education of migrant children are crucial, it should be recognized that even in the scenario where the child is a legal citizen by birthright<sup>87</sup> (although his or her parents may be undocumented), he or she may **face barriers** from actually accessing that education. These include fears of parents being

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<sup>86</sup> For examples of international law, see Convention on the Rights of the Child, Article 28, and the UN International Convention for the Protection of the Right of all Migrant Workers and Members of their Families, Article 30.

<sup>87</sup> J. Preston: "Citizenship From Birth is Challenged on the Right", in *New York Times*, August 6, 2010.

deported, lack of money to pay for school, lack of identity cards, or language barriers.<sup>88</sup>

### ***Specific policy considerations regarding independent child migrants***

As important as it is to protect migrant children, it is equally necessary to better **enable them to protect themselves**, especially where States fail in their protection duties. This is particularly relevant in situations where State structures are weak. Governments, international agencies and others should provide children with information and resources on what dangers exist and what to look out for. Children should also be informed of their basic rights, such as the right to be protected from child labour (including the notion of minimum working age), the right to education, decent work, and freedom from forced labour. It is also important that children be given life skills training including self-protection skills and confidence building, and vocational training and education. Brochures such as “*Aware and Prepared*” produced by an ILO-IPEC project in China, are an example of providing children with advice and context specific information, and may contribute to improving self-protection.<sup>89</sup>

To ensure proper preparation and relevant training, **employers** at destination should, where possible, be **involved** in preparatory training of migrants of working age.

With regard to unaccompanied minors, an example of a way forward is the Action Plan of the European Commission, adopted on 6 May 2010, which calls for increased protection of unaccompanied minors entering the European Union.<sup>90</sup> The four-year Action Plan for 2010-2014 states that the EU must adopt more solid standards for protecting children that travel to Europe alone. According to Cecilia Malmström, EU Commissioner for Home Affairs: “*Europe must take immediate action to look after unaccompanied minors, who are the most exposed and vulnerable victims of migration. This Action Plan aims at setting up a common and coordinated approach to meet a challenge that is to increase over the coming years. It is paramount that all Member States commit to grant high standards of reception, protection and integration for unaccompanied minors.*”<sup>91</sup>

### ***Children left-behind by migrant parents and management of remittances***

Migration of parents and the remittances they send home could reduce the need for child labour, and though a range of studies confirm that remittances have been instrumental in prolonging education of in particular younger children, studies of the impact on older children are less conclusive. Further research is needed to determine under which conditions parental migration can be beneficial to children and reduce their involvement in child labour. Such research needs to include an age and gender

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<sup>88</sup> Platform for International Cooperation on Undocumented Migrants (PICUM): *Report of the Second Workshop on “Fighting Discrimination-Based Violence Against Undocumented Children”*, Brussels, 2008.

<sup>89</sup> IPEC: *Aware and be prepared (16-24)*. For girls aged 16-24. Beijing, ILO, 2006.

<sup>90</sup> European Commission: *Action Plan on Unaccompanied Minors*. 6 May, Brussels, 2010.

<sup>91</sup> European Commission: *European Commission calls for increased protection of unaccompanied minors entering the EU*. Brussels, 6 May, 2010

dimension, and the latter should in particular review the impact of paternal versus maternal migration.

Exploratory research is furthermore needed to determine ways to mitigate the negative side effects of parental absence, perhaps by exploring organized child welfare assistance for left-behind children, expansion of child care facilities, and coaching of extended family members and other guardians.

Training/coaching services with regards to use of remittances and a savings plan for guardians of left-behind children may furthermore help to increase the benefit of remittances to left-behind children, in particular if the remittances are used to prolong quality education.

In conclusion, States need to balance migration policies with their obligations under the UN Convention on the Rights of the Child and ILO child labour conventions. This paper offers a range of policy considerations for ways forward, including in the world of work. Despite the growing body of evidence with regard to the effects of migration on children, there remain significant knowledge gaps and the correlation between migration and child labour needs further analysis.