



International
Labour
Organization

► E-learning Programme on Child Labour Pack

Module 6. Withdrawal and remedies for worst forms of child labour cases

This module will give you a basic understanding of how to address worst forms of child labour (WFCL) cases and provide remedial services in a safe manner that respects children's rights.





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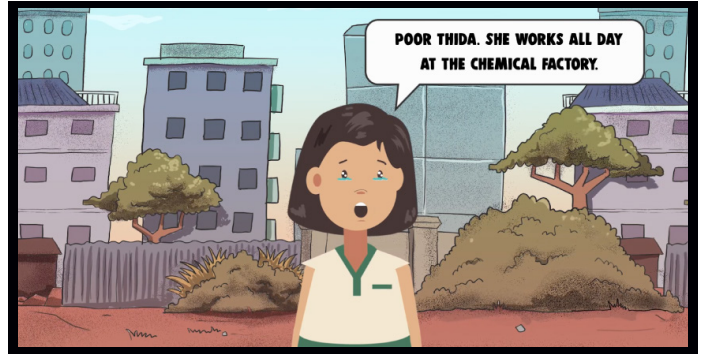
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► Adults need to listen to us

What are our fundamental rights?

Phoe Wah, Noe Noe and Mohammed have come to know about their rights.

Read the story below to learn them.





How would you respond to Phoe Wah, Noe Noe and Mohammed?

Lesson 2 of 7

▶ Learning objectives



Working with worst forms of child labour (WFCL) cases requires special considerations. Keeping the fundamental principle of the United Nations Convention on the Rights of the Child (UNCRC) in mind is useful. This module will help you:

- ▶ Understand the significance of UNCRC Articles 3 and 12.
- ▶ Understand alternatives to WFCLs.
- ▶ List the functions of a **Child Labour Monitoring System (CLMS)** in Myanmar.
- ▶ Understand the steps needed to begin the withdrawal of a child from a WFCL situation.

Ready to begin learning?

► Fundamental principles of international Conventions

Do you know?

What does the abbreviation “WFCL” stand for, as per ILO Convention No. 182?

Select the appropriate option below. You can view the correct answer at the back of this booklet, in the Answers Annex.

☐**A**

Which forms of child labour

☐**B**

Worst forms of child labour

☐**C**

Worst forms of cheap labour

UNCRC, Article 3

THE CHILD'S INTEREST FIRST.



The **UNCRC** is a legally binding comprehensive international agreement to protect children's rights. Under the UNCRC, a “child” means any human being below the age of 18 years.

Article 3 of the UNCRC states: "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be a primary consideration."

This is a fundamental principle behind the **withdrawal** of and **remedy** for children found in WFCL situations.

In practice, this fundamental principle means that anyone who is in a position to remove a child from a WFCL situation and provide services to that child must always put the **child's best interest first**, above the interests of all other people, including parents, institutions and community leaders.

Note: The concept of the “best interests of the child” means that no one can claim to be making decisions, or doing anything else, in the child's best interests unless the child's fundamental rights are being recognized and respected at the same time. On 23 July 2019, the President of Myanmar enacted the Child Rights Law. Under article 3(d) of the Law, a child is anyone under the age of 18.

UNCRC, Article 12

THE CHILD VOICES THEIR OPINION FIRST.



Article 12 of the UNCRC stipulates that children have the right to form and express their own opinions, especially when it comes to participating in decision-making affecting their own lives, and these opinions of the child are to be given due weight in accordance with the age and maturity of the child.

This means, in the context of withdrawal and remediation, that decisions about alternatives to child labour should be made with the child – not for the child. In practice, this means, for example, that withdrawn children should be supported to make a choice about the education or training they would like to pursue. This is not a decision to be made solely by parents, social workers or others for the child.

UNCRC ARTICLES 3 AND 12



Learning milestone

Rather than going to school and hanging out with friends like a normal 7-year-old, War War dropped out of school when she was in Grade 2 to work. She didn't have much of a choice, as she has ill parents who were unable to work and one younger brother to feed and send to school. War War was the only one in the family capable of securing work to sustain the family.

At 14, War War's neighbor got her and Moe Moe, another 14-year-old, to work at a mine. This meant long, 10-hour work days and injuries from lifting stones. Neither of them had completed their schooling.

A social worker realizes that War War and Moe Moe need to be withdrawn from this WFCL situation and offers them choices.

Which of these choices take UNCRC Articles 3 and 12 into consideration?

Select the appropriate options below. You can view the correct answers at the back of this booklet, in the Answers Annex.

☐**A**

The social worker talks to War War and Moe Moe to understand what they think they can do considering their abilities and interests, their family situation, locally available options, and so on.

☐**B**

Both War War and Moe Moe are sent to a nearby school for remedial classes.

☐**C**

War War and Moe Moe's parents are called and they are educated about child labour.

What alternatives to WFCL can be offered to a child?

► Beyond WFCL



Smoky mountain

Phoe Wah narrates a story about Hlaing Htun Oo, who is 15 years old. He works on the smoky mountain near Mawlamyine, collecting waste from a dumpsite with mountains of rubbish. This includes hospital waste, which illustrates how hazardous the work is.

Sometimes when you think you're finding a treasure, you may be causing yourself the worst kind of harm. Imagine working in mountains of rubbish, looking for needles, getting lung disease, and having no parents. There has to be an alternative to this life.

Take a look at the case study below about Hlaing Htun Oo.

Case study

Smoky mountain (A story by Mauk Kham Wah)

"Thirty people from 8 different families work in this dump near Moulmein," said Hlaing Tun Oo, a 15-year-old boy who has been working here for a year already. "There are two 13-year-old girls who came here on their own to work. Other kids are here with their families. We all have the same goal – to find treasure.

"There are two kinds of trucks that come to the dump, municipal and private ones. First one to climb onto a non-municipal truck owns its garbage. We don't fight. We share as friends.

"I'm okay with the smell and the smoke. I've suffered from lung disease before, but I bought medicine that cured it. Oh... This is one of the trucks from Zay Cho market. We call it the snack truck because it always has leftover snacks. This one is a dump truck from the hotels.

"I left school when I was in Grade 7. I needed to work to take care of my younger sister. I made these speakers by myself using only dump parts. I earn about one and a half lakh [150,000 kyats] per month. I give it all to my grandparents, and only ask for pocket money for M150 drinks. Hypodermic needles can be sold for 1,000 kyat for 1 viss [1.6 kg], plastic for 300 kyats, bronze for 6,000 kyats.

"My father was killed by his cousin when he was drunk. I think it was because of debts. My mother is in Thailand now. I don't know why she left. I am the man of the family. I pay for my little sister's boarding school."

Another life

Yes! There can be another life for Hlaing Htun Oo. Take a look at the lists below for some of the alternatives.

- Going back to formal school.
- Getting a non-formal education.
- Getting vocational training in a school/training centre.
- Doing apprenticeships.

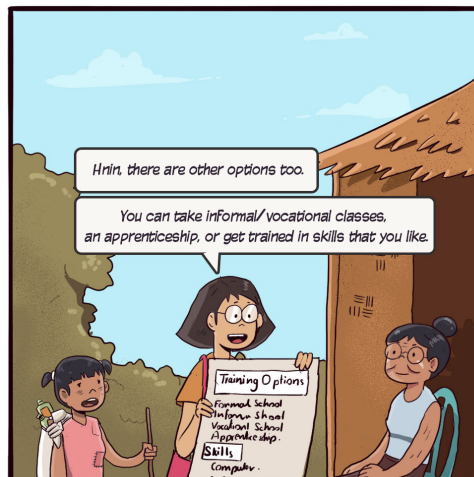
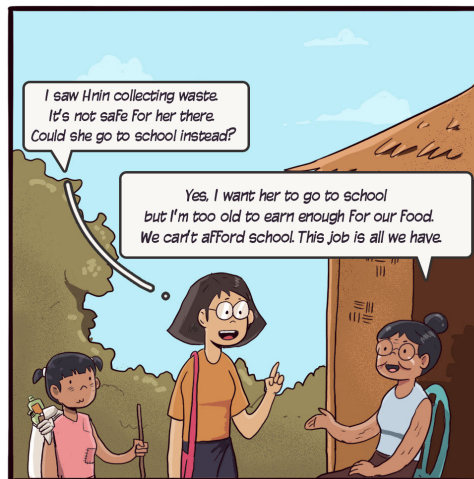
It is important to keep in mind that learning new skills takes dedication; so the alternative option must fit the child's interests

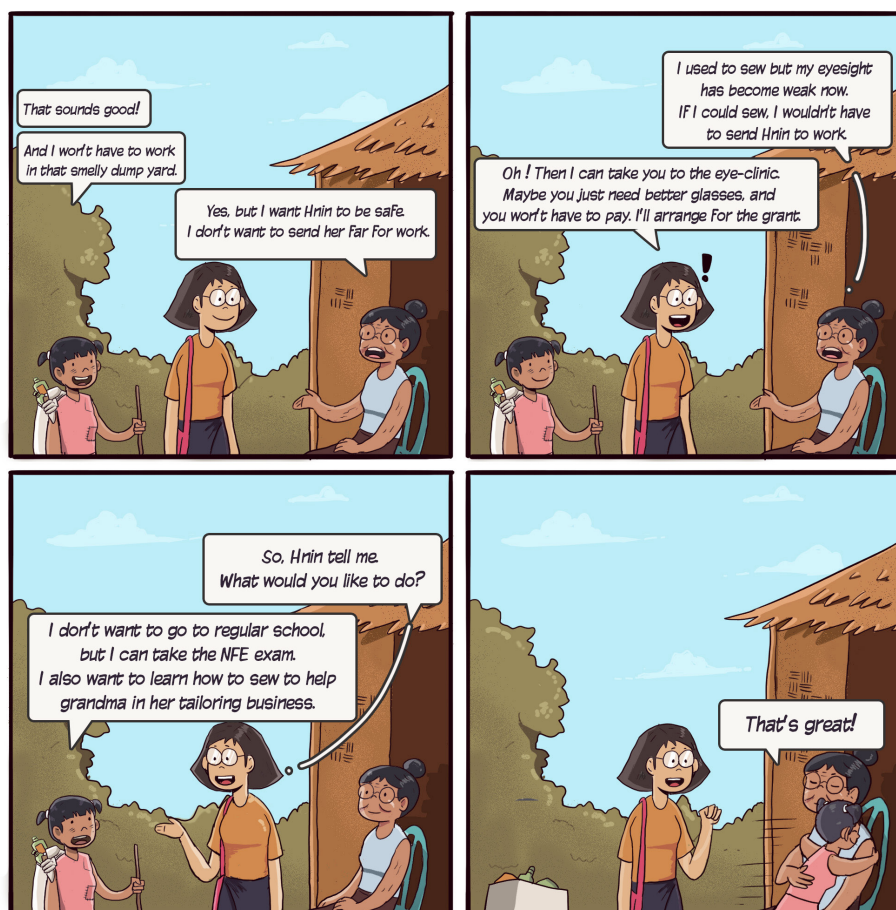
Note: These alternatives come with a price, such as potential financial issues due to a reduced/no income. And there may be additional challenges, such as the child's hesitation to go to school after a gap, parents not valuing education, school being too far away, or it not being safe to go to school.

Presenting alternatives

Meet Hnin, a 12-year-old who is also working on the smoky mountain alongside Hlaing Htun Oo. Hnin's story below presents an example of how a child like Hlaing Htun Oo might be successfully withdrawn from a child labour situation and provided an alternative path.







Key actors

What would be the roles of the key actors involved in the withdrawal and remediation of children such as Hnin and Hlaing Htun Oo?

Read the following to learn more about the key actors.

Trade unions:

- Conduct workplace visits and outreach with workers (young workers, parents, and so on).
- Identify underage workers and alert the Labour Inspectorate to conduct a labour inspection, advise employers, and so on.
- Support social welfare departments (or similar) in the assessment of and delivery of support to children.

Employers' organizations:

- Institute measures to protect young workers in compliance with legislation.
- Have awareness-raising campaigns on child labour with members' workforces.
- Conduct due diligence on their supply chains (subcontractors and suppliers) to ensure that they do not engage in child labour practices.

Non-governmental organizations (NGOs):

- Provide services (NFE, economic empowerment support, vocational training, and so on) to children and families.
- Conduct awareness-raising campaigns and social mobilization on child labour.
- Hold governments accountable for the implementation of policies and legislation to protect children and eliminate child labour, for example, on budgets for implementing Child Labour Monitoring Systems (CLMS).



Learning milestone

Si Si met with parents in the village community and presented the possible alternatives for WFCL cases. The parents responded that feel there are some roadblocks to sending their children to school.

How can Si Si help these children?

How can we improve the situation when presenting alternatives for WFCL cases?

Select the appropriate option(s) below. You can view the correct answers at the back of this booklet, in the Answers Annex.

☐

A

Support schools to train teachers and buy new learning materials.

☐

B

Support families to access better income-generating activities (decent work).

☐

C

Support school transportation.

☐

D

Improve literacy skills for both adult caregivers and children caught in WFCL situations.

Aren't adults supposed to provide unsafe children with alternatives?

Lesson 5 of 7

► Managing a WFCL case

The purpose of Child Labour Monitoring Systems (CLMS)

What is the purpose of a CLMS?



Collect information about children at risk of child labour or already in child labour.



Organize and facilitate the identification of children in WFCL situations.



Organize the referral of children to appropriate services.



Enable relevant duty bearers to take action to prevent children from entering child labour.



Remove children from labour where needed and support their families with alternatives to protect the children from hazardous work and WFCLs.



Collect feedback information on the progress and challenges of supported children so as to take further actions, as appropriate.

Case workers and CLMS

In Myanmar, the CLMS is integrated into the wider child protection system under case workers. This system is known as the Case Management System (CMS).

Under the CMS, both case workers and case managers in different states and regions are trained on case management and child labour fundamentals.

A good starting point for withdrawing children from WFCL situations is, therefore, township-level case managers and/or case workers, as well as civil society organizations (CSOs) such as community-based organizations, non-governmental organizations (NGOs), and international organizations.

Alternatively, you may also contact the Labour Department to request a labour inspection visit to the workplace, or contact the Police if you think a child is the victim of a criminal offense in connection with a WFCL. Regardless, a case manager should be involved in the assessment of the child's needs and their referral to services.

How do case managers help?

Case managers make sure the situation of vulnerable children is assessed. These children are then referred to appropriate services, such as:

- education services;
- healthcare; and
- psychosocial support.

Information is stored in a CMS database, so that children can receive support even as they grow older or move.

A typical case

While each case is different, there is a common sequence of steps that are followed.

Take a moment to recall the story of Hnin and Si Si helping her. The steps that Si Si needs to take would typically be as follows:

Step 1 - Concern

Report Hnin's case and the type of work she is doing to case workers or a law enforcement agency.

Step 2 - Initial identification

Contact Hnin, and if she is in immediate danger, remove her from the situation.

Step 3 - Assessment

Assess the situation, needs, options and Hnin's aspirations.

Step 4 - Referral to services

Provide education support, healthcare, psychosocial support, access to justice, alternative income options, and other services as appropriate to Hnin.

Step 5 - Monitoring and follow-up

Adjust the support provided to Hnin, if needed.

Learning milestone

Can you recall the typical steps that Si Si took to manage a WFCL case like Hnin's?

Select the appropriate option(s) below. You can view the correct answers at the back of this booklet, in the Answers Annex.

<input type="checkbox"/>	A	Concern
<input type="checkbox"/>	B	Initial identification
<input type="checkbox"/>	C	Evaluation
<input type="checkbox"/>	D	Referral to services



We hope the case managers manage WFCL!

Lesson 6 of 7

► Self-evaluation

Well done!

You've almost completed **Module 6. Withdrawal and remedies for WFCL cases.**

Here is a self-evaluation with questions specially designed to help you identify any learning gaps. This is not a test, because while you will receive a score, there is no passing score. Use your score to identify what you may need to go back and re-view.

You can attempt this self-evaluation as many times as you like!

You can view the correct answers at the back of this booklet, in the Answers Annex.

All the best.

Question 1 of 2

Phyo is 11 years old. She works in the fields with her parents. She is helping them to repay a debt they have taken on. Phyo's mother does not want her child to work, as she gets no rest, and instead wants her to get basic schooling.

What steps do you think Phyo's mother can take as an alternative so she can protect her daughter?

Select the appropriate option(s) below.

☐
A

Sending Phyo to work in a shop, so she will not be as tired but will still earn an income.

☐
B

Going to the social welfare office and seeking assistance.

☐
C

Asking her own employer to give Phyo a job at his place so that Phyo could work and get good food to eat.

Question 2 of 2

Myat is 12 years old. She works as forced labour manufacturing bricks. She is not happy and cries at night. She wants to go to school and wants her parents to understand what she is going through. Myat wants someone to investigate cases in which children like her need protection. She wants to know how she can get help so that she can stop doing such hazardous work.

What are some of the Conventions that provide a framework for duty bearers that can help Myat escape from a WFCL situation?

Select the appropriate option(s) below.

☐
A

ILO Convention No. 182

☐
B

UNCRC, Article 3

☐
C

Myanmar National Committee on Child Labour Eradication

☐
D

UNCRC, Article 12

Lesson 7 of 7

Summary

Before you close this module, here's a recap of key learnings.

UNCRC, Article 3, states, "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be a primary consideration."

UNCRC, Article 12, states, "Parties shall assure to the child who is capable of forming his or her views the right to express those views freely in all matters affecting the child, the views of the child being given due weight by the age and maturity of the child."

The alternative options that should be utilized after withdrawing a child from a WFCL situation include the child:

- ▶ going back to formal school, especially when the child is young;
- ▶ getting a non-formal education;
- ▶ getting vocational training in a training school/centre;
- ▶ doing an apprenticeship.

Learning a skill takes dedication, so the alternative option selected must fit the child's interests and abilities.

Some functions of a CLMS in Myanmar include:

- ▶ Organizing and facilitating the identification of children in WFCL.
- ▶ Organizing the referral of children to appropriate services.
- ▶ Collecting information about children at risk of child labour.
- ▶ Enabling relevant duty bearers to take action to prevent children from entering child labour.
- ▶ Removing children from child labour situations where needed, and supporting their families with alternatives to protect the children from hazardous work.

Some means of addressing WFCL situations include:

- ▶ Reporting the situation to a case worker or law enforcement agency.
- ▶ Contacting the child and seeing if they are in immediate danger, and then removing them from the situation if necessary.
- ▶ Assessing the situation, needs and aspirations of the child, as well as the options to address them.
- ▶ Provide education support, healthcare, psychosocial support, access to justice, and alternatives income options to the child.
- ▶ Adjust support over time, if needed.

References and resources

- ▶ UN Convention on the Rights of the Child (1989)
- ▶ ILO Minimum Age Convention, 1973 (No. 138)
- ▶ ILO Worst Forms of Child Labour Convention, 1999 (No. 182)
- ▶ ILO Worst Forms of Child Labour Recommendation, 1999 (No. 190)
- ▶ ILO. 2018. *“Combating Child Labour in Myanmar: A Course for Civil Society Organization (CSOs)”*.
- ▶ ILO. 2019. *Assessment of Options for Establishing a Child Labour Monitoring System (CLMS) in Myanmar*.
- ▶ ILO. 2020. *Assessment of Vulnerable Youth Economic Integration Opportunities in Myanmar*.
- ▶ ILO. n.d. “Child Labour Monitoring (CLM)”, available at: <https://www.ilo.org/ipec/Action/Childlabourmonitoring/lang--en/index.htm>.

**Thank you! We hope you found this
learning module useful.**

**This module can also be accessed online at
<https://ecampus.ilo yangon.org/>**

Answers annex

Lesson 3, Page 4

What does the abbreviation “WFCL” stand for, as per ILO Convention No. 182?

If you chose option (B), your answer was correct. Well done!

ILO Convention No. 182 identifies certain forms of child labour as the “worst forms of child labour”, which we have abbreviated here as “WFCL”. WFCLs are prohibited for anyone below 18 years of age, and their immediate elimination is a global priority.

WFCLs include hazardous work that is inappropriate for children as well as forms of work that are criminal offenses or human rights violations that are also prohibited against adults. To maximize your learning from this module, you are encouraged to complete **Module 1. How Important Is It? and Module 2. Enabling evidence-based action.**

Lesson 3, Page 6

Learning milestone

Which of these choices take UNCRC Articles 3 and 12 into consideration?

If you chose option (A), your answer was correct. Well done!

The social worker speaks with War War and Moe Moe to understand what they think they can do considering their abilities and interests, their family situation, locally available options, and so on.

Lesson 4, Page 11

Learning milestone

How can we improve the situation when presenting alternatives for WFCL cases?

If you chose all of the options – (A), (B), (C) and (D) – your answer was correct. Well done!

Solutions that help to improve the situation when presenting alternatives for WFCL cases include: (i) supporting schools to train teachers and buy new learning materials; (ii) supporting families to access better income-generating activities; and (iii) supporting school transportation. Improving literacy skills for both adult caregivers and children caught in WFCL situations is also an effective strategy to prevent and mitigate WFCL, as it will hopefully improve the chances of parents and working-age children to access decent work.

Lesson 5, Page 13

Can you recall the typical steps that Si Si took to manage a WFCL case like Hnin's?

If you chose options (A), (B) and (D), your answer was correct. Well done!

Typical steps involved in managing a WFCL case are Concern, Initial identification, Assessment, Referral to services, and Monitoring and follow-up.

Question 1 of 2

What steps do you think Phyto's mother can take as an alternative so she can protect her daughter?

If you chose option (B), your answer was correct. Well done!

Phyto's mother should protect her daughter by going to the social welfare office and seeking assistance. Doing so can help her to understand the different options available to replace Phyto's income. For example, a social worker can help Phyto and her mother set up a vegetable garden and show them how to make jams and pickles to sell.

Question 2 of 2

What are some of the Conventions that provide a framework for duty bearers that can help Myat from a WFCL situation?

If you chose options (A), (B) and (D) your answer was correct. Well done!

If properly applied, the principles and actions called for in ILO Convention No. 182 and Articles 3 and 12 of the UNCRC can help children like Myat escape from doing hazardous work.

E-learning Programme on Child Labour Pack Booklet

Empowering Stakeholders and Community for Understanding and Combating Child Labour

In a world where millions of children are still deprived of their basic rights, education, and childhood, it's imperative to take a stand against child labour. The "Myanmar E-Learning Programme on Child Labour" offers a comprehensive e-learning course designed to shed light on the pervasive issue of child labour and equip learners with the knowledge and tools to combat it effectively.

Through engaging multimedia content, interactive modules, and real-life case studies, participants will explore the various forms of child labour, its root causes, and the profound impacts on children's lives, families, and societies. Delve into the complexities of supply chains, legislation, conflict and global initiatives aimed at eradicating child labour, and discover practical strategies for prevention and intervention.

Whether you're a concerned citizen, educator, inspector, teacher, policymaker, or industry professional, this course empowers you to make a difference. Join us in our mission to empower all stakeholders and community members to stop child labour, abuse, exploitation and ensure every child enjoys their fundamental right to a safe, nurturing childhood.

Together with us, become a champion for change in the fight against child labour.

In the current state of affairs in Myanmar, you are the most important individual fighting child labour.

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