

THE CENTRE

FOR CHILD RIGHTS AND BUSINESS

DUE DILIGENCE PRINCIPLES FOR CHILD LABOUR REMEDIATION

Every company has the responsibility to both prevent and remediate child labour. The Centre's Due Diligence Principles For Child Labour Remediation provide high-level guidance for businesses to drive practical action covering responsibilities to deliver child labour remediation in supply chains. These principles aim to promote effective child labour due diligence, resulting in sustainable outcomes while prioritising the rights of the child in remediation approaches.

THE RIGHTS OF THE CHILD

- 1 The rights of the child are always prioritised over commercial or other interests.

THE RESPONSIBILITY OF COMPANIES

- 2 Establish a comprehensive child labour policy.
- 3 Establish multi-tiered supply chain monitoring capacity in all sourcing countries.
- 4 Ensure monitoring programmes are adapted to supply chain risks and structures.
- 5 Prevent and mitigate business practices (in particular purchasing practices) that directly or indirectly increase the risk of child labour.
- 6 Establish a remediation mechanism that ensures access to appropriate remedy for victims of child labour.

KEY ELEMENTS OF CHILD LABOUR REMEDIATION MANAGEMENT

- 7 Remediation responds to the needs of the child.
- 8 Remediation responds to the scale and severity of each case.
- 9 Child labour cases are remediated with professional support from independent child rights experts.
- 10 Access to adequate remedy is provided to ensure appropriate support for each case.

LINKS TO GOVERNMENT STRUCTURES

- 11 Where functioning government structures are available, companies shall support and build on these.

THE RIGHTS OF THE CHILD

THE RIGHTS OF THE CHILD ARE ALWAYS PRIORITISED OVER COMMERCIAL OR OTHER INTERESTS

The UN Convention on the Rights of the Child illustrates the basic human rights of children everywhere including the right to non-discrimination; the best interest of the child; the right to life survival and to develop to the fullest; the right to be heard; the right to protection from harmful influences, abuse and exploitation; and the right to participate fully in family, cultural and social life.

THE RESPONSIBILITIES OF COMPANIES

ESTABLISH A COMPREHENSIVE CHILD LABOUR POLICY

Defines a commitment to effectively identify, prevent and remediate all forms of child labour (e.g. hazardous work, underage work etc.), including all direct and indirect suppliers.

ESTABLISH MONITORING CAPACITY IN SOURCING COUNTRIES

Supported by the company's responsible sourcing teams or appropriate partnerships with the capacity to effectively monitor high-risk supply chains. Partnerships may involve sector-led initiatives such as certification initiatives and multi-stakeholder programmes to address child labour.

ENSURE MONITORING PROGRAMMES ARE ADAPTED TO SUPPLY CHAIN RISKS AND STRUCTURES

Supply chains that have complex or informal features require an alternative approach to traditional audit methodologies. In this case, robust local stakeholder engagement is key to establish effective and sustainable approaches to monitoring.

PREVENT AND MITIGATE BUSINESS PRACTICES THAT DIRECTLY OR INDIRECTLY INCREASE THE RISK OF CHILD LABOUR

Examples include assessing buying practices; supporting pricing that allows the payment of a living wage; providing decent work opportunities for youth; supporting the formalisation of informal work settings etc.

ESTABLISH REMEDIATION MECHANISMS THAT ENSURES ACCESS TO REMEDY FOR VICTIMS OF CHILD LABOUR

Mechanisms include sufficient funds, as well as personnel with adequate skills and a mandate to support remediation (see also Principles 7-10). This includes the company's commitment to contribute to or cover the remediation costs.

KEY ELEMENTS OF CHILD LABOUR REMEDIATION MANAGEMENT

REMEDATION RESPONDS TO THE NEEDS OF THE CHILD

Each case is remediated based on a full understanding of the circumstances and needs of the child(ren) concerned. (e.g. informed by comprehensive needs assessments, which allow both children and parents to have a voice, and permit informed consent). This includes economic support (cash transfers, wage substitutes), normally at least until the child reaches the minimum working age; access to education at a minimum until mandatory schooling is completed; and psychosocial support for all instances of child labour; and where relevant access to skills development and/or decent work.

REMEDATION RESPONDS TO THE SCALE AND SEVERITY OF EACH CASE

For example, community programming may be adapted to support large-scale cases with lower individual severity levels, whereas severe cases may require more intensive support.

CHILD LABOUR CASES ARE REMEDIATED WITH THE PROFESSIONAL SUPPORT OF INDEPENDENT CHILD RIGHTS EXPERTS

Independent child rights experts should NOT be linked to the employer who hired the child/children or to any of the employer's business partners.

ACCESS TO ADEQUATE REMEDY IS PROVIDED TO ENSURE APPROPRIATE SUPPORT FOR EACH CASE

The company ensures that there is funding to provide the remediation activities as described above. Ideally, remediation is funded jointly by buyers and supply chain partners to secure sustainable outcomes. Companies do not create situations where suppliers have an incentive to hinder the remediation (e.g. by threatening families) to avoid payment.

LINKS TO GOVERNMENT STRUCTURES

WHERE FUNCTIONING GOVERNMENT STRUCTURES ARE AVAILABLE, COMPANIES SHALL SUPPORT AND BUILD ON THESE

This may include sharing information on cases with government agencies and/or integrating child labour victims into government run structures. These actions should only be taken if the services are accessible, effective, transparent and where the wellbeing of the child is guaranteed.