CHILD LABOR ABUSE: LEGAL ASPECTS

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Abstract: The paper addresses the problem of child labor and ways of protection from child labor abuse. Child labor is a negative social phenomenon that is widespread throughout the world, and also in Republic of Macedonia. International and national institutions and organizations are making serious efforts to eradicate this negative phenomenon, through the adoption of numerous international legal instruments (conventions, recommendations, declarations, etc.).

Child labor as a phenomenon refers to the employment of children in any work that deprives children of their childhood, interferes with their ability of education, and that is socially, mentally, physically, or morally dangerous and harmful. All international organizations define this practice as exploitative and destructive to the development of the whole society. With international legal instruments of the UN, ILO, Council of Europe and the EU child labor is strictly prohibited.

There are some important differences which exist between the many kinds of work that is done by children. Some of them are demanding and difficult, others are hazardous and morally reprehensible. Children are doing a very wide range of activities and tasks when they work.

Key words: *child labor, abuse, exploitation, ILO conventions.*

Introduction

Work worthy for every human is legitimate goal of all people and organizations that advocate for human rights and social justice. Child labor can't be categorized under the concept of work that is worthy for human. Children are often exploited workers, which can be seen from the low wages, long working hours, exclusion in the system of social protection and etc. They often suffer from professional diseases, which leaves permanent consequences to their health and physical development. The

exploitation of children is most prevalent in countries in development. Rare are the countries where child labor does not exist, it is actually represented in a smaller or larger scale. Poverty is stated as one of the main causes of child abuse. In a poor family the income of parents is not usually sufficient so they exploit their children, or the children themselves feel responsibility and believe that by giving help to their parents they will feel safer. Sometimes children are forced to work because they feel they have obligations or debts to their family.

Every day and every minute somewhere in the world a child is subject to a work-related accident, illness or psychological trauma. An enormous number of girls and boys around the world are victims of child labor, putting themselves at risk and dangerous work that deprives them of adequate schooling, leisure, health and basic freedom. The reason for this phenomenon is not their desire or reluctance to enjoy the children's play and carelessness, but these children often feel that they are obliged to provide existence for their family. Also, the situation is not much different with the children who are victims of child labor in agriculture, rural areas, animal husbandry or in households.¹

Child labor is prevalent in our country. Over 18. 000 children in Republic of Macedonia do not go to school and more than 2. 000 children are walking every day on the streets in substandard conditions, under the open sky and without parental

¹ www.megjashi.org.mk

care and without institutional care. These children are usually victims of the worst forms of child labor and child abuse. They are from all ages and nationalities, but most of them are from Roma nationality (Gypsy, Romani people).²

To achieve the elimination of the worst forms of child labor, we need to reduce poverty, improve social protection and involve all children in education.

Concept, definition and occurrence of child labor

Work dignified for human is a legitimate commitment of all employees and is part of all programs and social factors that favor social justice. The modern model of dignified work for human includes several elements (non-salary are against the effort, adequate social protection, vocational training, employee participation in decision-making directly or through freely chosen representatives). As aforementioned, child labor in any case can not fit into the concept of decent work. Children are exploited very often, with low wages, long hours, and they suffer from professional diseases that leave lasting effects on their health and physical development.³ According to the ILO's report⁴, in 2000 the world had 352 million children aged 5-17 years involved in economic activities⁵. Is alarming figure of 8.4 million children which are involved in the worst forms of Child Labor (forced labor, debt work, participation in wars,

prostitution, pornography, etc.),⁶ and a significant number of these children are also involved in trafficking with children.

The occurrence of child labor depends on several factors. Child labor is a complex phenomenon whose supply and demand directly depends on conditions in the labor market, the supply of the educational system, and to some extent dependent on the capital markets. Additional factors affecting the supply and demand of child labor are division of the labor within the family, as well as attitudes, norms and values which members of a particular society tie with child labor.

The number of economically active children in the total population is inversely proportional in terms of gross national income per capita. That means greater value of the gross national income per capita have direct impact on reducing the number of economically active children in the total working population.

Also, the amount of family income negatively affect the share of child labor in the total working population, i.e. with bigger family income, there is less need of child labor or hiring children to work in the family and family property.⁷

Child labor abuse means work of children under the legal age. We must mention that child labor is not just physical work, but also commercial and sexual exploitation (child pornography and prostitution and), child trafficking and child warriors. According to the *ILO's Convention no. 29 about forced labor*

² www.megjashi.org.mk

³ Bilic, A&Buklijas, B, Medjunarodno radon pravo, Split, 2006, p. 86;

⁴ bib.irb.hr

⁵ The term 'economic activities' means work which, according to ILO conventions, is defined as admissible and that work which does not fall into that category, rather the concept of 'economic activities' is more acceptable term 'child labor' as a narrower term covering activities of children aged 12 years and older who work several hours a week at your convenience, and children aged 15 years and older, whose work is not considered harmful to their physical, mental and moral integrity.

⁶ Ibid, page. 88.

⁷ According to the World Bank Report of 1998, the share of children aged 10-14 years in the total workforce is 30-60 in the countries where gross national income per capita is \$ 500 or less, while the rate of decline rapidly 10-30 in the countries where gross national income is between \$ 500 and \$ 1,000. See: World Bank, 1998, Child Labor: Issues and directions for the World Bank. Washington: Social Protection, Human Development Network.

from 1930, "forced labor means work which is exacted from any person under the threat of punishment and for which that person has not offered himself voluntarily."⁸ The application of forced and compulsory work is determined by the competent authorities⁹, providing that such work should not be for the benefit of individuals, groups or private entities.

There is no universally accepted definition on child labor. International organizations, non-governmental organizations, trade unions and other interest groups use varying definitions. Writers and researchers don't always specify what definition they are using, and that often makes confusion. Not all works are bad for children. Some social scientists point out that some works may be completely unobjectionable, except if the work refers to the child exploiting.¹⁰

According to UNICEF's 1997 State of the World's Children Report¹¹, "Children's work needs to be seen as happening along a continuum, with destructive or exploitative work at one end and beneficial work - promoting or enhancing children's development without interfering with their schooling, recreation and rest - at the other. And between these two poles are many areas of work that did not negatively affect a child's development." Some social scientists have different ways of drawing the line between acceptable and unacceptable work that children do.¹²

According to "RESET", **"Child labor is, work by children that harms them or exploits them in some way (physically,**

morally, mentally, or by blocking their access to education)."¹³

There are some important differences which exist between the many kinds of work that is done by children. Some of them are demanding and difficult, others are hazardous and morally reprehensible. Children are doing a very wide range of activities and tasks when they work. Not all work done by children¹⁴ means child labor abuse, and they should not be targeted for elimination.

Children's participation in work that does not affect their personal development and health or interfere with their schooling, is generally regarded as being something positive. This includes activities and tasks such as helping to their parents around the home, assisting in a family activities in business or earning some pocket money when they are not in school and during school holidays. These kinds of activities are good for children's development and for the welfare of their families; they provide the children with experience and skills, and help to prepare them to be productive members of society during their life.¹⁵

ILO's definition on child labor:

According to ILO **"The term "child labor" is often defined as work that deprives children of their potential, their childhood, and their dignity, and that is harmful for their physical and mental development.** It refers to work that:

- is mentally, socially, physically, or morally harmful and dangerous to children; and
- interferes with their schooling by:

⁸ Article 2 of the Convention no. 29 on forced labor.

⁹ The term 'competent authority' under the Convention means central government (Art. 3).

¹⁰ www.freepedia.in

¹¹ What is Child Labour, UNICEF's report, The state of the world's children, 1997, <http://www.unicef.org/sowc97/report/>, 20.06.2015

¹² www.associatedcontent.com

¹³ Child Labour, Definition on Child Labor, RESET, <https://en.reset.org/knowledge/child-labour>, 20.06.2015

¹⁴ www.ilo.org

¹⁵ en.wikipedia.org

- depriving the children of the opportunity to attend school;
- obliging them prematurely to leave school; or
- requiring them to try to combine attendance in school with excessively long and hard work."¹⁶

In its most extreme forms, child labor involves children who are enslaved, separated from their families, exposed to serious illnesses and hazards and/or left to fend for themselves on the streets of the cities – often at a very early age. Whether or not some forms of “work” can be called “child labor” depends on age of the child, the type and hours of work performed, the conditions under which the work is performed and the objectives pursued by individual countries. The answer varies from country to country, and among sectors within countries.¹⁷

"Child labor involves at least one of this characteristics:"¹⁸

- Violates a nation's law for minimum age
- Threatens children's mental, physical, or emotional well-being
- Involves intolerable abuse, such as child trafficking, child slavery, forced labor, debt bondage, or illicit activities
- Prevents children from education
- Uses children to break labor standards.

1. United Nation (UN) acts

UN devoted significant attention to the protection of child labor by adopting a more international legal acts. The most important international acts of the United Nations relating to child protection are Universal Declaration of Human Rights (1948), Declaration on the Rights of the

Child (1959), the International Covenant on Economic, Social and Cultural Rights (1966), Convention on the Rights of the Child (1989).¹⁹

Universal Declaration of Human Rights

- Is adopted and proclaimed by General Assembly resolution 217A (III) of December 10, 1948. The Declaration contains articles that fully or partially address the abuse or the protection of child labor. The declaration does not contain provisions that explicitly refer to the abuse or the protection of child labor, but the implication protects the rights of the mother, child and family.

Declaration assumes that "all human beings are born free and equal in dignity and rights"²⁰, "that everyone has the right to life, liberty and security of person"²¹. Also the Declaration strictly prohibits 'someone to be held in slavery or servitude; slavery and the slave trade in all forms'²². Mothers and children are entitled to special care and assistance²³.

International Covenant on Economic, Social and Cultural Rights - (ICESCR)

is a multilateral treaty adopted by the General Assembly of the United Nations on December 16, 1966 and is effective from January 3, 1976. It commits its members to work on guaranteeing economic, social and cultural rights (ESCR) of not independent territories and individuals, including labor rights and right to education, right to health and the right to an adequate standard of living. The Convent of the United Nations imposes an obligation to all states to promote universal and actual respect for human rights and freedoms.

¹⁶ bdmunc.org

¹⁷ bdmunc.org

¹⁸ www.saskdebate.com

¹⁹ www.africaontheblog.com

²⁰ Article 1, paragraph 1 of the Universal Declaration of Human Rights.

²¹ Ibid, Article 3.

²² www.ilo.org

²³ Ibid, Article 25 paragraph 2.

The states who has implemented the present Covenant are obligated to take special measures of protection and assistance to all children without any discrimination due to origin or other reasons, children should be protected from economic and social exploitation and child abuse²⁴. Also, the Pact stipulates that 'the employment of children in jobs that jeopardize their lives or can hinder their normal development, will be sanctioned according to the law²⁵.' States also need to determine the age under which the employment of child will be prohibited and punishable by law.

International convent on civil and political rights - is adopted by the UN General assembly in 1966 and melts at force on 03.23.1976. Covenant recognize the right of protection of the child, regardless of race, sex, color, language, national or social origin, the way the protection measures to be adapted to his age, while taking into foresight his family, society and the state.

Declaration on the Rights of the Child - Adopted and proclaimed by resolution no.1386 (XIV) of the General Assembly of the United Nations of 20 November 1959. This was the basis of the basics of the Convention of the Rights of the Child utilized by the UN General Assembly, 30 years later on November 20, 1989, Convention of the Rights of the Child stocks force on September 2, 1990. Every child because of his physical and mental immaturity needs special protection and care, including appropriate legal protection before and after birth. Because the need for such special protection was included in the Geneva Declaration on the Rights of the Child of 1924, and was recognized in the Universal Declaration of Human Rights and in the statutes of specialized agencies and international organizations

concerned for the health of children. Because mankind owes to the child the best it can be provided.²⁶

Convention on the Rights of the Child - Was adopted at the General Assembly of the United Nations with resolution 44/25 of 20 November 1989. Entered into force on September 2, 1990, in accordance with Article 49.²⁷ Original title: Convention of the Rights of the Child". According to the Convention, "child" is any human being below the age of 18 years of life, if, based on the law applicable to the child, majority is attained earlier²⁸. "Recalling that the United Nations Universal Declaration of Human Rights proclaimed that childhood is entitled to special care and assistance," "Convinced that the family, as the basic unit of society and the natural environment for the growth and well-being of all its members, especially children, should be provided with the necessary protection and assistance to enable a whole to take responsibility in the community," Recognizing that every child to achieve harmonious development of personality need to grow up in a family environment in an atmosphere of happiness, love and understanding.²⁹

This Convention recognize certain rights on children: the right to education, right to rest and leisure, and freedom of participation in cultural life and the arts. Regarding child labor, the Convention seeks to protect children from economic exploitation, employment in jobs that are detrimental to their health, their mental, physical, social and spiritual development³⁰.

Under the provisions of the Convention, States Parties in UN are obliged to take

²⁴ Article 10, paragraph 3 of the International Covenant on Economic, Social and Cultural Rights.

²⁵ Ibid, Article. 10 paragraph 3.

²⁶ www.ohchr.org

²⁷ www.cwc.gov.ph

²⁸ Art. 1 of the Convention on the Rights of the Child (1989);

²⁹ www.ohchr.org

³⁰ Article 32, Convention on the Rights of the Child (1989);

"appropriate administrative, legislative, social and educational measures to protect the children from all forms of mental or physical violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse while they are in the care of their parents, legal guardians or any other person who has the care of the child."³¹

For protection against abuse of children in the sphere of labor (work) there is based Committee on the Rights of the Child, which is composed of 10 experts.

2. ILO's acts - International Labor Organization (ILO) - is a specialized agency of the UN that deals with issues related to labor. Its headquarters is in Geneva. It is established in 1919 and in the period before the Second World War is an agency of the League of Nations. In 1946 the ILO became the first specialized agency of the UN. Since 2012, the ILO members are 185 countries.

The ILO is committed to strengthen workers' rights, to improve working and living conditions of workers, creating new jobs and providing access to information and training. One of the primary functions of the ILO is to establish international standards on the protection of workers' rights. The most important international legal instruments of the ILO relating to the protection of children's rights in the field of labor are: Philadelphia Declaration (1944), the Convention no. 138 on minimum age for employment (1973), the Convention no. 182 on the Worst Forms of Child Labor (1999) and others.

Philadelphia Declaration (1944) - reaffirms closer determines the goals and objectives of the ILO Constitution of 1919, thereby forming new goals and tasks, among which one of them relating to the protection of children. Thus, in Chapter

III, paragraph h), as a new order, the ILO sets the protection of children and motherhood³².

ILO Convention No. 138 on the minimum age for admission to employment and work - The General Conference of the International Labor Organization convened in Geneva by the Governing Body of the International Labor Office, had its 58th session on June 6, 1973 and had decided to adopt certain proposals concerning the minimum age for entry in employment. To work in jobs that are detrimental to health, safety or morals of young workers, the age limit for employment is 18 years³³.

ILO Convention No. 182 on the worst forms of child labor - The General Conference of the ILO, convened in Geneva by the Governing Body of the International Labor Office, met its 87th session on 1 June 1999, taking the consideration for the need to adopt new instruments for the prohibition and elimination of the worst forms of child labor, as the main priority for international and national action, including international cooperation and assistance, to complement the Recommendation and Convention relating to the minimum age for employment 1973, which remain fundamental instruments³⁴ in the field of child labor, considering that the effective elimination of the worst forms of child labor requires immediate and comprehensive action, taking the importance of free basic education and the need to remove the children from such types of work and providing them with rehabilitation and social integration while addressing the needs of their families.

ILO's Declaration on Fundamental Principles and Rights at Work - notes

³¹ Article 19, Convention on the Rights of the Child (1989);

³² Chapter 3, paragraph h, Philadelphia Declaration;

³³ Article 3, paragraph 1 of the Convention on minimum age for employment

³⁴ www.ipu.org

that Member States, regardless of whether they still have not ratified the conventions that as members of the ILO have an obligation to respect, promote and implement, in good faith and in accordance with the Constitution, the principles concerning fundamental rights which are the subject of Conventions, which among other things: "the abolition of all forms of forced and compulsory labor³⁵" and "effective abolition of child labor."³⁶

3. Acts of Council of Europe

Council of Europe is the oldest European international political organization. The main task of the Council of Europe is to create a united Europe whose foundations lie in the principles of freedom, democracy, human rights and the rule of law. The organization's headquarters is in Strasbourg, France. One of the most important achievements of the Council of Europe is the preparation and signing of the European Convention for the Protection of Human Rights and Fundamental Freedoms. In the key objectives of the Council of Europe are included the protection of human rights and the eradication of violence against children. Acts of the Council of Europe regulating the problem of child labor are the *European Convention on Human Rights* (Rome, November 4, 1950) and the *European Social Charter* (Turin, 10/18/1961).

European Convention on Human Rights

- European Convention on Human Rights does not explicitly talk about protection of child labor, but this right is implicitly derived from "Article 4 of the ECHR" which explicitly prohibits slavery and forced labor, i.e. "no one shall be held in

slavery or servitude"³⁷ and "no one shall be required to perform forced or compulsory labor³⁸." From the content of the said provision can be concluded that there is no direct mention of child labor, but indirectly refers to it. Also, art. 14 prohibits the discrimination in all bases (sex, race, skin tongue, faith, persuasion, politician, national and social ancestry, national affiliation, financial situation, birth or any other status). The content of the provision may indirectly conclude that a child as an adult category is not mentioned, but the prohibition of discrimination derives from the words or any other status.

European Social Charter - devoted appropriate attention to the protection of children and young laborers. Art. 7 of the Charter, entitled "The right of children and youth in care" member states of the Council of Europe commits: to provide the minimum age for employment at 15 years of age, with the exception of children who are employees of the lighter work which is detrimental to their health, morality and education age may be lower.

Article 17 of the Convention, entitled "The right of children and young people to social, legal and economic protection" states that the Contracting States need to take appropriate measures aimed 'to protect children and youth employment, violence and exploitation'³⁹.

4. Acts in Republic of Macedonia

Constitution of Republic of Macedonia, 8 September, 1991 - Constitution is the highest general legal act in the country as a fundamental value of the constitutional order of the Republic of Macedonia are the basic rights and freedoms of man and

³⁵ ILO Declaration on Fundamental Principles and Rights of Work, paragraph 2 (b);

³⁶ ILO Declaration on Fundamental Principles and Rights of Work, paragraph 2 (c) ;.

³⁷ See Art. 4 paragraph 1 of the European Convention on Human Rights, Council of Europe (1950)

³⁸ Ibid, Art. 4 paragraph 2

³⁹ European Social Charter, Art. 17, paragraph 1 (b).

citizen recognized in international law and set down in the Constitution, and humanism, social justice and solidarity.⁴⁰

Chapter II concerning the "*basic rights and liberties of the citizen*," or the civil and political freedoms and rights, in Art. 11 states that 'physical and moral integrity of man are inviolable or forced labor is prohibited.'

In the same chapter concerning the 'Economic, social and cultural freedoms' in Article 42 of the Constitution is regulated the special protection of mothers, children and minors. A person under 15 years of age can't be employed. Minors and mothers have the right to special protection at work. Minors may not be employed in jobs that are detrimental to their health or morality.⁴¹

Labor Law - art. 5 paragraph 1 ... define the term 'employment' which means a 'contractual relationship between the employee and employer that the employee voluntarily engage in the organized process of the employer, for salary and other income, personally and continuously perform the work under guidance and under the supervision of the employer.'

From the definition we can conclude that the employment relationship is voluntary and not based on coercion. The principle of voluntary employment also applies to the employment of children who are under 18 years of age.

In the Labor Law Code in Chapter XIII entitled 'Protection of workers who have not yet attained the age of 18' in Articles 172-176 regulates special protection of this category of workers.

To the employees who do not turned 18 years of age the employer does not require them to perform hard physical works, which are performed underwater or

underground, work with sources of ionizing radiation and other work that can adversely affect the health of the employee or health development considering their young age.

Law on Child Protection;

This law governs the system, organization and manner of providing child care. This law provide that the protection of children is an organized activity based on children's rights, and responsibilities of parents for family planning and the state and local government units to conduct humane population policy. The protection of children is achieved by providing conditions and living standard level corresponding to the mental, physical, emotional, moral and social development of children. State and local government care about providing adequate financial assistance to parents to support, care and protection of children and organizing and ensuring the development of institutions and services for child protection.⁴²

"Art. 12 of the Act" prohibits any form of discrimination based on color, sex, race, language, religion, or other status of the child or his parent or legal guardian. Also, the law prohibits all forms of sexual exploitation and sexual abuse, forcible procuring, selling or trafficking in children, psychological or physical violence and harassment, punishment or other inhuman treatment, all kinds of exploitation, commercial exploitation and abuse of children that violate basic human rights and freedoms and rights of the child⁴³.

Therefore, the state and institutions take measures to protect children from abuse and illegal use of child labor in the illicit production and trafficking of psychotropic substances and narcotic drugs.⁴⁴

⁴⁰ Art. 8 lines 1 and 8 of the Constitution.

⁴¹ Labor Law, art. 173 paragraph 1

⁴² www.ecoi.net

⁴³ www.ecoi.net

⁴⁴ www.ecoi.net.

Macedonia has ratified all major international conventions regulating child labor, and they are:⁴⁵

- Convention 138 on minimum age for employment (ILO)
- Convention 182 on the Worst Forms of Child Labor (ILO)
- Convention on the Rights of the Child (UN)
- Optional Protocol on armed conflict (from the Convention on the Rights of the Child UN)
- Optional Protocol on the sale of children, child prostitution and child pornography (from the Convention on the Rights of the Child UN)
- Palermo Protocol on human trafficking.

Mechanisms to coordinate government efforts on child labor:⁴⁶

- National Commission on the Rights of the Child;
- National Coordination Body for implementation of the action plan to prevent and combat child sexual abuse and pedophilia;
- National Coordinating Body for protecting children from abuse and neglect;
- National Commission for human trafficking and illegal migration.

Policies that address child labor:⁴⁷

⁴⁵ 2014 Findings on the Worst Forms of Child Labor, Report for Macedonia, United States Department of Labor, Bureau of International Labor Affairs,

<http://www.dol.gov/ilab/reports/child-labor/macedonia.htm>, 22.07.2015

⁴⁶ 2014 Findings on the Worst Forms of Child Labor, Report for Macedonia, United States Department of Labor, Bureau of International Labor Affairs,

<http://www.dol.gov/ilab/reports/child-labor/macedonia.htm>, 22.07.2015

⁴⁷ 2014 Findings on the Worst Forms of Child Labor, Report for Macedonia, United States Department of Labor, Bureau of International

- Action Plan for Street Children 2013 - 2015;
- National Action Plan against Human Trafficking and Illegal Migration, 2013 - 2016;
- National Strategy for Combating Poverty and Social Exclusion 2010 - 2020;
- National Action Plan for the prevention of abuse and neglect of the children 2013-2015;
- National action plan on the Rights of the Child (2012-2015).

Social programs that address child labor:⁴⁸

- Program of conditional cash transfers;
- Day centers;
- Center for victims of trafficking and transit point for foreign victims of trafficking;
- Centers for social work;
- Social Workers - mobile teams;
- Reducing the topic of labor exploitation and trafficking of children;
- Inclusion of Roma children in pre-school;
- Children at risk - breaking the cycle of social exclusion of children in Macedonia.

In this connection, I would like to underline the recommendation to the Government of the Republic of Macedonia by the UN Committee on the Rights of the Child that says: The Committee urges the State of Republic of Macedonia to strengthen the implementation of laws and policies on child labor and to investigate

Labor Affairs,
<http://www.dol.gov/ilab/reports/child-labor/macedonia.htm>, 22.07.2015

⁴⁸ 2014 Findings on the Worst Forms of Child Labor, Report for Macedonia, United States Department of Labor, Bureau of International Labor Affairs,
<http://www.dol.gov/ilab/reports/child-labor/macedonia.htm>, 22.07.2015

the underlying causes in order to prevent children at risk of child labor abuse, especially in the informal economy.

Examples of Child Labor

"According to Child Labor Public Education Project, examples of Child labor can be found in nearly every industry."⁴⁹

Agriculture - 60% of child labor occurs in agriculture, hunting, fishing and forestry. Children have been found harvesting: bananas in Ecuador, cut flowers in Colombia, cotton in Egypt and Benin, tea in Argentina, oranges in Brazil, cocoa in the Ivory Coast, fruits and vegetables in the U.S. Children in commercial agriculture can face long hours in extreme temperatures, health risks from pesticides, inadequate food, water, and sanitation and little or no pay.⁵⁰

Manufacturing - About 14 million children are estimated to be directly involved in manufacturing goods, including: Carpets from India, Pakistan, Egypt; Footwear made in India and the Philippines; Clothing sewn in Bangladesh; Surgical instruments made in Pakistan; Soccer balls sewn in Pakistan; Glass and bricks made in India; Fireworks made in China, the Dominican Republic, El Salvador, Guatemala, India, and Peru.⁵¹

Quarrying and Mining - Child laborers in this area suffer from extremely high illness and injury rates in underground mines, opencast mines, and quarries. Children at age of 6 or 7 break up rocks, and sieve, wash and carry ore. Nine year old kids work underground setting

explosives and carrying loads. Children work in a range of mining operations, including: Charcoal in Brazil and El Salvador, Gold in Colombia, Chrome in Zimbabwe, Coal in Mongolia, Diamonds in Cote d'Ivoire and Emeralds in Colombia.⁵²

Domestic Service - Many of the children, especially girls, work in domestic service, sometimes starting at age of 5 or 6. This type of child labor is connected to child trafficking. Domestic child laborers can be victims of emotional, physical and sometimes sexual abuse.⁵³

Restaurants, Hotels and Retail - Some of the work of the children in this sector is considered legitimate, but there are some indications of considerable abuse. Low pay is the norm, and in some tourist areas, children's work in restaurants and hotels is linked to prostitution. In at least one example, child hotel workers received such low pay that they had to take out loans from their employers. The terms of the interest and repayment often led to debt bondage.⁵⁴

Statistics

"In this paper we used a statistic indicator from "QUARTZ" which refers to the reduction of child labor through the past years."⁵⁵

One in ten kids globally are child workers, and that should be considered as good news. Wondering how 168 million child workers could be something positive? Well, this number represents about a third fewer laborers aged 5 to 17 than there were in 2000. The fastest decrease in child workers has come in last four years, even

⁴⁹ What is Child Labor, About Child Labor, Child Labor Public Education Project, Educational materials containing introductory information on Child Labor, https://www.continuetolearn.uiowa.edu/laborctr/child_labor/about/what_is_child_labor.html, 20.06.2015

⁵⁰ www.saskdebate.com,

www.continuetolearn.uiowa.edu

⁵¹ www.continuetolearn.uiowa.edu

⁵² www.saskdebate.com,

⁵³ www.saskdebate.com,

⁵⁴ www.saskdebate.com,

⁵⁵ qg.com

though child advocates had feared for the increase because of the global recession.⁵⁶

Data: International Labor Organization

The International Labor Organization points out two reasons for the recent decrease: The poorer nations where the child labor is concentrated are recovering more quickly from the global recession, which means fewer children were forced by impoverishment into child labor. Also, reduced labor demand means that older children are not able to enter the workforce quickly. Meanwhile, over the last ten years, more countries around the world have adopted and enforced rules for anti-child labor.⁵⁷

"According to data available to the First Children's Embassy "MEGJASHI" in Macedonia over 18. 000 children do not attend in school and more than 2. 000 children are daily on the streets in substandard conditions, under the open sky without parental care and care from institutions. They are from all ages and nationalities, but most of them are from Roma nationality. The streets are filled with children who beg, sell cigarettes markets or working in the field to come up with some money. They survive the strongest cold and the hottest sun. According to a survey by the Centre for Social Welfare, last year in Skopje were registered over 200 such children.

This is just a formal figure, while informal is usually increased by five to ten times. Also, according to data available to the First Children's Embassy "Megjashi" There are over 4,000 children phantoms that do not have personal documents that may be victims of trafficking and 1,500 children whose labor is exploited by their parents or a third person for profit."⁵⁸

The right of all children of education is the natural right of every human being. This is especially important for the children of the streets, because if the state provide them with free and quality education, then they can close the circle of illiteracy, poverty, child labor, child exploitation and abuse. In celebration of "June 12, the International Day Against Child Labor," the First Children Embassy in the World recalls that although Macedonia had ratified the convention No.182, the child labor situation in the country is still alarming.⁵⁹

Conclusion

The analysis of the content of international legal instruments adopted by the UN, ILO, Council of Europe, the EU and others. international organizations, we can conclude that the international community has devoted appropriate attention to the children's rights protection and child labor by bringing in more conventions, declarations, recommendations, regulations, etc.

Macedonia as a democratic country and an active member of the UN, ILO and the Council of Europe has implemented all international legal instruments in its national legislation relating to the protection of child labor.

⁵⁶ qg.com

⁵⁷ qg.com

⁵⁸ Child Labour, Children's Embassy "Megjashi" activities on Child Labor, <http://www.childrensembassy.org.mk/child-labour.nspx>, 20.06.2015

⁵⁹ www.megjashi.org.mk

Also, we can conclude that child labor as a negative social phenomenon is expressed more in the economically underdeveloped countries but also in developed countries. The most important cause of child labor is poverty.

One of the main causes of child abuse is poverty. But of course, there are more other reasons too, such as the following: family expectations and traditions; child abuse; lack of quality schools and day care centers; lack of other conditions, such as health; public opinion which minimizes the risk of an early work of children; limited selection of women; and unaffected behavior of employers.

Furthermore, there are a number of international and national documents that contain rules for protecting children. Most important of these are ILO Conventions or the Convention No. 138 on minimum age for employment and No.182 Convention on the Worst Forms of Child Labor. Global strategies that must be implemented to eradicate child labor are: trade unions and community organizing, free education for all children, campaigns to change public opinion and implementation of universal minimum standards for the protection of children.

Although Macedonia has ratified the convention No.182, the child labor situation in the country is still alarming, despite Government efforts to reduce child labor abuse by opening day care centers. However, "the position of the First Children Embassy in the World" is that these centers are not a permanent solution for securing the basic rights of children such as the right to education housing, and protection from child labor and abuse. Often these children stay in the day care center and then end up on the streets again and collect plastic, scrap metal, traffic tiny sundries and they are begging.⁶⁰

In the end we can say that to achieve elimination of all forms of child labor it requires great efforts and dedication in terms of reducing poverty, improving social protection and inclusion of all children in the educational process.⁶¹

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