

ELIMINATING CHILD LABOR

Remediation



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BEST PRACTICE FOR REMEDIATION

- Use a survivor-centered, rights-based approach
- Apply a situational approach for each case
- Plan for short-, medium- and long-term care of the child

When child labor is detected in a supply chain, the first step is ensuring the safety of all involved. A remediation policy with accompanying procedures is critical for any company or nongovernmental organization working in a sector at-risk for child labor. Most procedures will involve working with a partner organization and/or the government.

GoodWeave's approach prioritizes the best interest of the child throughout the remediation process. While remediation begins with immediate action to rescue a child, rehabilitation and social reintegration are the processes of providing all necessary care, counseling and assistance aimed at successful mainstreaming a child back into society. This brief shares a framework for ensuring the protection of children in short-, medium- and long-term rehabilitation and social reintegration.

GoodWeave stops child labor in global supply chains. Permanently.

This brief is one of a five-part series that explores best practice for companies and nongovernmental organizations combating child labor in supply chains and sectors where they work. The information is based on GoodWeave's extensive on-the-ground experience in tackling child labor.

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USE A SURVIVOR-CENTERED, RIGHTS-BASED APPROACH

Child rights are human rights. The specific rights applicable to children are outlined in international conventions, especially the International Convention on the Rights of the Child, and should be applied in all instances of child labor remediation. A survivor-centered approach is defined by the United Nations as one that seeks to empower the survivor by prioritizing their rights, needs and wishes. To ensure the protection of a child, programs and services should be tailored to uphold these rights.

This approach safeguards:

- Non-discrimination
- Best interest of child
- The right to life, survival and development
- The right to participate



Best Practice Applied

When conducting remediation efforts GoodWeave takes a rights-based approach that ensures the best outcomes for the child. Child rights can be categorized to include: non-discrimination; the best interest of the child; the right to life, survival and development; and the right to participate and be listened to, which includes facilitating children's participation in all matters affecting them.

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In determining the best interests of the child, GoodWeave explains the remediation options available to the affected child in an age-appropriate manner. A rights-based approach encourages children to express their opinion and gives them agency in decision-making in all matters that affect them. This ensures that the selected option does not put the child in danger of exploitation and brings about a positive change in their life.

The child has a right to the resources and skills necessary for their survival and the realization of their fullest potential, including a right to repatriation and reunification with family, and protection throughout the remediation process. Child protection agencies are typically reserved as a last resort, depending on the type of child labor case. This allows for maximum flexibility to determine the best approach for the child depending on the nuance of each case.

Additionally, children are entitled to a say in matters affecting their social, economic, religious, cultural and political life. This includes the right to privacy and confidentiality. In practice, this means that a child is asked about his or her preferences when determining the remediation steps, and all matters are kept confidential by adults working with children.

APPLY A SITUATIONAL APPROACH FOR EACH CASE

Though there are patterns and commonality to many child labor cases, every situation is unique and should be treated as such.

Considerations should include:

- Local law
- Type of child labor
- Tailored rehabilitation

Best Practice Applied

The ultimate goal of remediation is to ensure that a child can be at home with their family and attending school. Helping with family work is acceptable as long as it is not work classified as hazardous or worst forms of child labor as defined by the national law, and does not interfere with school and play. Inspections can reveal unacceptable amounts of work or treatment that violates a child's rights.

Each case of child labor presents a unique situation. Remediation efforts need to consider not only local laws, but also the context — the type of child labor and other circumstances. Most governments have guidelines on if and how child labor cases are reported to the government, and the agencies that need to be involved.

For GoodWeave, when a case of child labor is detected the case is designated as one of three categories based on the specific context for the child. The remediation steps are designed accordingly.



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The three categories include:

- Children living with their parents or guardians and doing hazardous or prohibited work as defined by law, or engaged in non-hazardous work and not attending school.
- Children living with their parents/guardians and working outside of the home for an employer.
- Children living outside of their homes and working for an employer.

Former child laborers are provided with home-based, community-based and/or center-based rehabilitation as appropriate to the situation, in line with guidelines provided by GoodWeave and in consultation with the child and his/her family.

Any remediation effort should consider a number of key questions. For example, if a child has been trafficked, is it in the best interest of the child to return home? Does the child want to return home? Will they be able to go to school if they do? If the child is found working alongside their parents, are the parents willing to enroll them in school? Are the parents willing to accept that the child should not be working?

Child labor is a complex issue, and remediation approaches should honor that complexity by taking steps appropriate for each case. Asking the child and their family about remediation options is empowering and tailors the best rehabilitation plan for the individual.

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PLAN FOR SHORT-, MEDIUM- AND LONG-TERM CARE OF THE CHILD

If a child enters protective custody and a remediation plan is enacted, care must be taken to ensure the rights and protection of the child. Plans are developed to address immediate health and safety concerns, and then provide a longer-term plan based on the child's goals. The following are important features of the plan:

- Immediate safety, including medical treatment, when needed
- Development, education, and social services
- Ongoing monitoring



Best Practice Applied

When considering a remediation approach, GoodWeave considers a short-, medium- and long-term plan to mitigate the possibility that the child ends up in a similar or worse situation. In the short-term, the child is safely removed from work in a way in line with national reporting laws, and that ensures their well-being and immediate medical care if it is needed.

In the medium-term, the child is provided educational opportunities and counseling, also be made available to the family. In the long-term, continuous follow-up and monitoring ensures the child's protection, education and development.

In Nepal, GoodWeave's rehabilitation center, Hamro Ghar (Our Home), provides a safe place for rescued children to live and learn. Children are provided counseling and are offered a non-formal education to reach their appropriate grade level, if needed. They are also supported in the pursuit of secondary education or vocational training. GoodWeave transitions children to higher level education as feasible, and helps transition children in the short-, medium- and long-term – up until they reach grade 10 or 18 years of age.

LEARN MORE

Find more information on eliminating child labor in GoodWeave's five-part series of best practice at www.goodweave.org or contact capacity-building@goodweave.org.

