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Indigenous and Tribal Children: Assessing child labour and education challenges

By Peter Bille Larsen

A joint IPEC & INDISCO – COOP publication

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June 2003

By Peter Bille Larsen

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Preface

Exploitation of children through unacceptable forms of child labour continues to exist in all parts of the world. We know that certain groups of children are in a particularly vulnerable position. We know that school authorities and teachers see certain patterns of children performing poorly and even dropping out of school. We know that many of these children risk ending up in child labour as defined in ILO Minimum Age Convention 138, 1973 and Convention 182 concerning the Prohibition and immediate action for the Elimination of the Worst Forms of Child Labour, 1999. The latter include slavery, debt bondage, trafficking, sexual exploitation, the use of children in the drug trade and in armed conflict together with hazardous work.

Identifying particularly vulnerable groups of children and their particular needs is a critical element in eliminating child labour. Article 7 of Convention 182 requires ratifying states to “identify and reach out to children at special risk.” This working paper documents how indigenous and tribal children indeed are often such children at special risk. ILO and its constituents have a long history of addressing the particular needs and rights of indigenous and tribal peoples. The growing number of countries ratifying ILO Convention 169 concerning indigenous and tribal peoples in independent countries testifies to this. A number of technical cooperation programmes also support governments in implementing ILO principles related to indigenous and tribal peoples.

This working paper is the result of collaboration between the International Programme on the Elimination of Child Labour (IPEC) and the INDISCO programme, which supports innovative pilot projects with indigenous and tribal peoples organizations in Asia and Africa. The joint publication is being followed up by technical cooperation activities on the ground to address the particular needs of indigenous and tribal children.

This Working Paper aims at stimulating further debate, which addresses central child labour challenges and links these up with ways to secure quality education for all. The responsibility for opinions expressed in this publication rest solely with the authors and does not imply endorsement by the ILO.

We are certain that the wealth of information contained in this report will contribute to a deeper understanding of the challenges ahead of us. We are confident that the analysis and recommendations presented can raise awareness and help policy makers, social partners and non-governmental organizations in identifying real solutions on the ground.

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Executive summary

What is known about the challenges of child labour and education among indigenous and tribal peoples? What are the common forms of social exclusion they encounter? What are the current experiences, and where are the potential directions for the future? This working paper seeks to address these issues through an overview followed by a discussion of major forms of social exclusion and various types of support interventions and approaches. Finally, the paper presents a number of preliminary conclusions and recommendations for ways forward.

The case of indigenous peoples provides a good example of the need to address the particularities of child labour. For many indigenous peoples, traditional education typically includes learning traditional occupations (ILO 2001a). History shows that learning traditional occupations in the form of light work has been more educative and the formal education system more disruptive – in social, emotional and economic terms. In spite of this, indigenous visions of education have only recently begun to be acknowledged in the design of formal education services, curriculum development and teacher training.

While it is true that many indigenous children work as an intrinsic part of growing up and learning in their communities, this does not justify the blind acceptance of “cultural” explanations for child labour, whether they are presented by governments, employers or parents. In fact, while traditional attitudes and customs are frequently cited as explanatory causes behind child labour, this is often contradicted by the documentation of communities undergoing profound changes and disruption.

There are indications of high numbers of worst forms of child labour among indigenous peoples in certain countries in South Asia, Southeast Asia and Latin America. Indigenous and tribal children are found to make up a large part of child labourers in certain risk areas, such as debt-bondage in South Asia, migratory agricultural wage labour in Central America and Mexico, and trafficking in Southeast Asia. In Latin America, it is estimated that indigenous children are twice as likely to work as their peers. The situation in Africa is not well documented. Overall, data remains relatively weak and sporadic, and while available data may indicate high rates of child labour among indigenous peoples, its value is diluted by the relative lack of disaggregated data and consistent documentation. In order to document more systematically the incidences of child labour among indigenous peoples, strengthening assessment tools and providing alternative forms and channels of consultation is necessary.

In most countries, educational figures indicate low enrolment rates, poor school performance and high dropout rates among indigenous children, thus identifying them as a particular risk group to be targeted in preventive efforts. This risk is exacerbated by socio-economic marginalization, discrimination and lack of respect for their fundamental rights, leading to the further vulnerability of these children, who face the double marginalization of being both indigenous and children.

Common social forms of exclusion leading to child labour and education problems include:

- marginalization of indigenous peoples' cultures, languages and identities;
- neglect of indigenous and tribal rights and concerns in national education programs;
- economic marginalization and poverty;
- dispossession and lack of recognition of indigenous peoples' ancestral land rights;
- lack of democratic participation of indigenous peoples; and
- discrimination.

Many initiatives encounter problems in developing practical approaches for supporting indigenous children and would benefit from further sensitization and awareness raising. Planning processes driven from the outside tend to “forget” indigenous concerns and priorities unless safeguard mechanisms are included to ensure indigenous-driven decision-making. There is limited use of indigenous knowledge systems and practices as resources in preventing and combating child labour. Project strategies often focus on blanket solutions and lack the tools to employ indigenous resources to address child labour as a collective problem.

Formal education efforts are often ill-adapted to indigenous children and their needs. In some cases, current approaches may in fact enhance vulnerability rather than prevent or eliminate child labour. Although the growing body of research and practical experience on multicultural and bilingual education shows remarkable results in terms of school performance and community participation, experience accumulated by indigenous peoples' self-help and representative organizations are rarely mainstreamed in the formal education system.

ILO Conventions No. 138, 182 and 169 provide a strong complement to the Convention on the Rights of the Child (CRC) for developing a rights-based approach to indigenous children in terms of addressing broader structural challenges as well as setting forward principles for appropriate consultation. Overall, there is a considerable need to revisit the child labour and education challenges of indigenous and tribal children. This working paper seeks to summarize key efforts being undertaken in this direction.

1. Introduction

1.1. Indigenous and tribal children at risk

Are indigenous and tribal children at particular risk of entering into child labour? Can we identify indigenous and tribal children as a particular risk group in terms of school dropout rates and low educational performance? How can we best address the needs of these children?

According to recent global estimates, 211 million children between five and 14 are economically active. Of these, approximately 186 million are engaged in child labour.¹ If we include children and youth between 15 and 17, the number of child labourers reaches 246 million (ILO 2002a). The number of indigenous peoples is similarly estimated to be between 250 million and 350 million globally. This working paper responds to the dual mandate of the ILO in taking a lead in the fight against child labour (Conventions No. 138 and 182) and promoting the rights of indigenous and tribal peoples (Conventions No. 107 and 169).² It seeks to review available material and assess the overlap between the two, focusing on child labour and education.

Studies indicate that some indigenous, tribal or ethnic minority children are more likely to end up in certain types of child labour than their peers. In South Asia, indigenous peoples predominate among certain forms of debt-bondage. In Thailand, hill tribe children, including refugees from Burma, are highly vulnerable to trafficking, particularly for commercial sexual exploitation. In Ecuador, nine out of ten indigenous children work, compared to one out of three non-indigenous children (Salazar 1998:6). Another study from Bolivia (Cartwright and Patrinos 1999) points out that Latin American children are twice as likely to work if they are indigenous. The authors conclude that “clearly, children of indigenous groups are prime candidates for targeting in any effort to reduce child labour and increase school attendance (ibid: 127).”

Child labour is often recognized as a major issue among ethnic minorities. A recent IPEC study from Romania, for example, showed that 49 percent of working street children interviewed were of Roma origin (Alexandrescu 2002). Although ethnic minority children have many elements in common with indigenous and tribal children, this working paper emphasizes the need to address the specific legal, institutional and cultural

¹ Child labour does not include light forms of work conducted for a few hours per week (see section 2.2.) or non-hazardous forms of work for children above 15 (ILO 2002, ILO Conventions No. 138 and 182).

² ILO Convention No. 169 applies to:

“tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or special laws or regulations; peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.”

Convention No. 169 emphasizes self-identification, which is considered to be a fundamental criterion for determining the groups to which the provisions of the Convention apply.

concerns of indigenous children and offers an initial effort to synthesize previous and on-going experiences in addressing their specific concerns.

While we know that many indigenous and tribal children work, we know little about the conditions and types of work in which they are engaged. Few governments make the effort to gather data on child labour in general, and even less consider gathering data in indigenous areas or follow through in this regard. Furthermore, because many indigenous peoples are victims of continuous discrimination, it is difficult to retrieve relevant information. With the historical experience of being criticized as “backwards”, acknowledging the existence of child labour can indeed be a difficult one. The fact is that approximately half of the world’s child labourers are estimated to work full-time, many in hazardous forms of work. In certain countries, indigenous and tribal children comprise a large portion of such children and require immediate international attention.

1.2. Education and child labour

In the 1953 landmark study “Indigenous peoples, living and working conditions of aboriginal populations in independent countries” the ILO listed a number of education challenges linked to child labour as they were perceived around 50 years ago. Under “Factors contributing to illiteracy,” the working child was emphasized:

It has been calculated that more than 10 million children in Latin America, both indigenous and non-indigenous are performing work, which should be done by adults. With regard to Guatemala, one investigator has stated that Indian parents cannot afford the “luxury” of sending their children to school. A survey carried out in 1934 by the American International Institute for the Protection of Childhood showed that the age at which the Indian child begins to work varies between nine and ten, and cases are known in which it has begun at four or five years. In 1943 children under 14 years of age (in some cases eight years of age) were observed by the Joint Bolivian-United States Labour Commission working in certain mines in Bolivia (ILO 1953: 184-185).

The understanding of child labour as a practice harmful to child development that should be replaced with universal primary education is a well-established social goal that has its origins in the mid-nineteenth century. This has put indigenous peoples in somewhat of an awkward position. As Saverio Krätli eloquently describes it for pastoralists:

Educationally, pastoralists appear to be a paradox. From the point of view of official education they are a complete failure: in terms of enrolment, attendance, classroom performance, achievement, continuity to higher education and gender balance they regularly score at the bottom of the ladder. However, pastoralists although poor (some of them) are far from being a mass of drifting unskilled under-class as they should be according to the popular understanding of basic education as a fundamental need. On the contrary, as a necessary requirement for their livelihood in the drylands, pastoralists perform every day high levels of individual and social specialization (Krätli 2001:1).

Traditional forms of education include engagement in customary livelihoods in fields and forests or on the sea with parents and communities. The basic skills transmitted allow children to grow up and survive in often harsh environments. Practical competencies related to these livelihoods are viewed as a necessity for proper socialization. Indeed, prohibiting these by forcing children to participate in non-adapted schooling may risk removing access to traditional forms of education, ultimately threatening children’s future ability to survive and make a living later on as adults. It may also provoke inter-generational conflict, particularly as educational services often include built-in discriminatory practices. Examples of indigenous and tribal children “forgetting”,

neglecting or hiding their identity are numerous. One Mexican psychologist speaks of work as one of the most important pathways to enculturation among indigenous peoples, securing socio-cultural integration and collective identity (Gabarrón 1996). This is not new, nor is the co-existence of child labour and education a distinctive phenomenon of indigenous and tribal children. Still, traditional livelihoods as forms of knowledge transmission are often indirectly or directly dismissed by national projects promoting uniform notions of education and knowledge.

There is, of course, a good reason for this. Notions such as customs, traditions and apprenticeship relationships are easily abused for exploitative purposes and are also frequently relied on to justify and legitimize child exploitation.

Still, the importance of traditional livelihoods as an indigenous education strategy cannot and should not be neglected. Literacy among indigenous peoples involves being proficient in their own languages, being able to read and navigate in local environments, and being able to communicate with and re-write the surrounding landscape to serve their own well-being and future. Literacy in the national language alone rarely provides this. Traditional livelihoods can indeed be considered as “light work”, particularly if the formal education system is adapted to the particular needs and visions of indigenous peoples.

Light work and child labour

ILO describes light work in article 7 of Convention 138³. Such light work should not be confused with the continuing high prevalence of other non-educative forms of child labour among some indigenous peoples. Rather than being taught traditional occupations and livelihoods by their parents, many indigenous and tribal children are denied access to education and are often caught in hazardous working conditions struggling to survive in areas with little or no law enforcement. These children are in need of immediate attention.

At the same time, notions such as traditional livelihoods or customary practices should not be looked at uncritically. In some instances, it is indeed the case that through their engagement in traditional occupations, indigenous and tribal children, particularly the poorer among them, are denied the right to learn to read and write by their parents and communities.

³ Article 7 (ILO Convention 138) :

1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is--

(a) not likely to be harmful to their health or development; and

(b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

2. National laws or regulations may also permit the employment or work of persons who are at least 15 years of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in sub-paragraphs (a) and (b) of paragraph 1 of this Article.

3. The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this Article and shall prescribe the number of hours during which and the conditions in which such employment or work may be undertaken.

4. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, a Member which has availed itself of the provisions of paragraph 4 of Article 2 may, for as long as it continues to do so, substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this Article.

Traditions may be exploitative. In other words, child labour at home or in the fields is not necessarily beneficial nor necessarily a learning experience. When this is the case, the voices of the children and their communities are critical in setting indigenous criteria as to what is beneficial and in finding solutions for what is not. There is a need for more research and dialogue to address the differences between light work and exploitative forms of child labour.

2. Child labour among indigenous peoples

Child labour among indigenous peoples takes many forms, from harvest work to prostitution. Data remains extremely scarce and sporadic, but nevertheless reveals several pockets of child labour, including some of the worst forms, defined by ILO Convention 182 as follows:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

It should be noted that while indigenous children are very often a vulnerable group, this is not always the case. We cannot assume a simple correlation between the presence of indigenous peoples and high rates of child labour. For example, an IPEC rapid assessment of the flower industry in Ecuador made it clear that indigenous children were only involved to a limited extent and that there was a far greater impact among white and *mestizo* communities (Castelnuovo et al 2000:12). Moreover, the study noted that such forms of child labour were perceived as “bad” by indigenous communities and highlighted the role of traditions and worldview in strengthening the ability of indigenous communities to resist socio-cultural changes. In Bolivia, statistical analysis undertaken by Cartwright and Patrinos (1999) showed that speaking an indigenous language was negatively associated with full-time work and that indigenous children were less likely to be working full-time. In Nepal, high-caste children may be more vulnerable than indigenous children for some forms of child labour.

This does not necessarily mean that indigenous children are better off. As the literature suggests, it is likely that indigenous children face more difficulties when searching for formal employment, leaving the actual number of working children uncounted for in the informal sector. Indigenous peoples may not dominate national statistics in absolute figures, but they are over-represented in certain cases of the worst forms of child labour.

Existing documentation only sporadically provides us with more details in terms of differences within and among different communities. Gender differences are typically left unaccounted for as well. In Guatemala, for example, certain occupations such as manufacturing and the service sector were found to involve mainly indigenous girls (and non-indigenous boys), while indigenous boys were found to be more engaged in agriculture (Rodríguez 1998). Specific data is crucial if we are to move beyond simply asserting indigenous children as a particularly vulnerable group.

The following sections assess some of the cases where information was available on child labour in general and on the worst forms in particular.

2.1. A rural issue

The vast majority of indigenous peoples live in rural areas dominated by the informal sector and subsistence-based or mixed economies highly dependent on natural resources. It is also in rural areas that the vast majority of working children are believed to be found (IPEC 2002a). Still, the issue of indigenous children working as rural labourers is not well-documented. With certain exceptions, as in debt-bonded labour in South Asia and in other specific cases in Southeast Asia and Latin America, no substantial documentation has yet been produced.

For a number of reasons, researchers and organizations have had difficulties in grasping the issues and complexities at work. Remote locations and language barriers have made it logistically difficult to include indigenous areas in major surveys. Moreover, because child labour in rural areas among indigenous peoples typically covers a range of forms, both exploitative and non-exploitative, it may be difficult to collect accurate information. Finally, even when indigenous peoples are included in surveys, disaggregated data is rarely used to reflect their particular conditions.

The predomination of child labour in rural Latin America is often emphasized, although there are rarely specific references to indigenous children. The documentation of child labour in rural sectors has from time to time shed light on indigenous child labour in different countries. Thus, for example, a study of child labour in tea estates of two districts in Nepal documented the indigenous *Santhals* as the most-represented ethnic group in the overall workforce (18,9%), without, however, exploring the issue in further detail (Upadhyaya & Gautam 1997). In a statement made to the UN Working Group in 2000, a tribal representative from Assam, India highlighted the presence of child labour in tea estates, noting that children are becoming an economic “asset” (ASECA 2000).

In terms of rural child labour on a global scale, two major scenarios are emerging. In the first, increasingly dispossessed and marginalized households are forced to send their children into child labour. In the second, households engage in cyclical or permanent migration for wage labour elsewhere. In both cases, traditional livelihoods and occupations may no longer respond to basic needs, increasing the risk of child labour.

In Latin America, rural agricultural child labour is mainly found among the indigenous peoples of Mexico, Central America and the Andean Region, where most indigenous peoples are peasant farmers or wage labourers. For example, it is estimated that more than 50 percent of the indigenous agricultural community in Guatemala, Mexico and Peru survive only as wage labourers. In Panama, it has been estimated that the child labour situation is most critical in rural and indigenous areas, particularly among the *Ngobe-Bugle* community in the west, with more than half of all children in indigenous areas suffering from malnutrition. Rural child labourers are involved in sugar cane plantations and rice and coffee harvesting, with studies showing more than 40-hour work weeks for indigenous children (Carrasco 1999). In rural areas in Mexico, it is estimated that around 170,000 indigenous children ages six to 14 work for little, if any, wages for their parents, family or neighbours.

Within the broader trend of members of indigenous households increasingly engaged as migrant agricultural workers in Mexico, the situation of indigenous child labourers in the northeast has been described as extremely critical (Echegaray 1996:84).

It is reckoned that between 35 to 40 percent of these agricultural labourers (*jornaleras*) are of indigenous origin from the south of the country (Muñohierro 1996:28). These include *Mixtecos* (*Triquis*) from Oaxaca, *Tarahumaras* from Chihuahua, *Purépechas* from Michoacan, *Amuzgos* from Guerrero and *Mayos* from Sinaloa and *Zacatecas* (Echegaray 1996). It has further been estimated that 32 percent of the indigenous labour force in the agricultural regions in Northern Mexico are children:

Of the children from southern Mexico, 63 percent are hired by intermediaries in their place of origin and the rest in the state of Sinaloa. Forty-four percent of these child labourers are female and 56 percent are male. At the conclusion of the agricultural season, 72 percent return with their families to their respective states, 20 percent remain in Sinaloa and 9 percent continue the route of workers to other destinations. Fifty-five percent of the child farm workers have been working in the fields for one to five years and 14 percent for over five years. (Diaz-Romo and Salinas-Alvarez 1997).

Research has shown that migrant child labour is substantially higher among indigenous children (54,42%) than *mestizo* children (38,5%) (Muñohierro 1996). In the Mexicali valley, 62 percent of migrant child workers surveyed were of indigenous origin.

Among both indigenous and *mestizo* families, children form part of the contract signed by parents and are frequently given adult work from the age of nine (ibid:31). The impact of this is alarming. While both groups suffer from a range of diseases, malnutrition and illiteracy, research shows that indigenous children are:

- generally sicker. Within the last three months prior to research, 57,7 percent had been sick, compared to 50,1 percent among *mestizo* migrants.
- more malnourished. In research undertaken in Sinaloa, the highest malnutrition rates were found among indigenous Mixtecos, Tlapanecos and Triquis from Oaxaca and Guerrero.
- more illiterate. On an average, one out of three agricultural workers are illiterate. For indigenous workers, the figure reaches 46 percent (Muñohierro 1996:28).

The educational gap between indigenous and non-indigenous populations reflects both the situation in the sending area and the impact of the migration process. A survey by the *Instituto Nacional Indigenista* (INI) showed that 42,000 indigenous children have dropped out of school, mainly because they lacked the financial means to continue studying.⁴ In Oaxaca, only 5,2 percent of the indigenous population enrolls in middle or higher education, compared to the national average of 26,0 percent. No more than 2,0 percent of the indigenous population undertake occupational studies, compared to the national average of 10,8 percent (IYF 2000). Migration has been found to interrupt children's school attendance, with one survey indicating that 69,0 percent of indigenous migrant children do not attend school.

There is comparatively less information from lowland South America, although various forms of slavery have been documented among indigenous groups in rural areas in Brazil (Anti-Slavery and IWGIA 1997). Among the *Guarani* inhabiting the Gran Chaco plains in the south of Bolivia, indigenous child labour has been observed among debt-bonded, landless families living on large haciendas. The few schools available provide only primary courses, tending to reinforce high rates of illiteracy and the bondage system (Ventiades 1997:147).

⁴ Out of 968,300 indigenous children between six and 14: 17 percent perform household chores, 35 percent work for less than 15 hours a week, 35 percent work 34 hours a week and 16 percent work 48 hours a week (Franco 1999). Such figures need to be further documented, but they indicate a trend in rural areas that is confirmed elsewhere.

The phenomena of indigenous children working with their parents as agricultural migrant labourers highlights the need to view and respond to their situation in light of the broader family, social and cultural context. In other words, such forms of child labour are intimately linked to the working conditions of indigenous agricultural workers (see also ILO 2001b) and indigenous communities as such.

The presence of hazardous forms of child labour (as defined by Convention No. 182) among migrant agricultural workers needs to be investigated, given such facts as the increasing use of chemicals in agriculture. Other forms of child labour among indigenous peoples in rural areas also need to be further explored and documented. For example, indigenous children, particularly girls, are often pulled out of school to work as domestic workers for richer households. While their conditions are rarely described in detail, such practices may be part of a vicious circle based on debt-bondage.

In the case of tribal children in India involved in *Beedi* leaf collection (Rao 2000:24), Menon (1997) states:

The children of landless tribals are also very vulnerable as far as child labour is concerned, particularly as opportunities for cheap manual labour develop. Sometimes the children are bonded, while sometimes they are simply exploited as cheap labour. An example is the *bidi* (local cigarette) rolling industry in Angul district in Orissa where an estimated 25,000 children and adults work in deplorable conditions: poor lighting, crowding of 30 to 40 children in one room and continuous exposure to nicotine. There are reports of high incidence of tuberculosis, gastric infections and bad eyesight in the area (Menon 1997:128).

Given the difficulties faced by the *Beedi* producers today due to lowering demands, there is even more reason to closely monitor the child labour situation.

2.2. Forced labour and debt-bondage

A 1953 ILO study described the recruitment of indigenous children in Latin America as follows:

[Recruitment] often involves an obligation on the part of labourer's children to perform certain services on the farms or in the owner's houses. In some districts the Indian family is so poor that it is compelled to take the children away from school to place them as servants in the house of some local landowner or official, in exchange for food and clothing. Elsewhere unpaid labour by his children is one of the tenant-labourer's conditions of contract in return for the use of a small plot of land granted by the hacienda owner (ILO 1953)

In South Asia, debt-bondage is a common issue among indigenous peoples. According to Anti-Slavery, the vast majority of the approximately 3 million mine and quarry workers of the Indian state of Rajasthan belong to "low" castes and tribal peoples (*Adivasis*) (Anti-Slavery 2000). Many of these are caught in debt-bondage. The presence of debt-bondage among the *Adivasis* of India is well-recognized in several other states, including Madhya Pradesh, Andhra Pradesh, Orissa, Jharkhand and Bihar (Anti-Slavery 1990).

Not surprisingly, certain poor or marginal segments of the indigenous and tribal populations are particularly vulnerable to debt-bondage. As marginalized tribal households may be caught for generations in the debt spiral, the impact on children in terms of labour and education are dramatic.

Recent ILO INDISCO research among the *Bondo* of Orissa has shown that the social safety net was particularly weak for children who had lost their fathers and who were thus required to pay back old family debts, often ending up working as labourers in other peoples houses (Nayak 2001).

Despite legal prohibition, debt-bondage continues to be a serious problem among *Adivasis* in India.

The laws abolishing the practice of bondage are yet to be implemented. The laws and other regulations pertaining to the control of incidence of bonded labour are honoured more in the breach than in the observance. The bureaucracy responsible for their implementation are rarely interested in this. Thus, exploitation begins with indebtedness and also ends with it. Attempts by *Adivasis* to clear their debts from other sources earning have been frustrated in spite of 40 years of state intervention in the spheres of cooperation, credit and economic development. The monitoring systems have failed and seldom have needy *Adivasis* been the real beneficiaries (Rao 2000:20)

Also recently banned, the *kamaiya* system of debt-bondage (Sharma et al 2001) found mainly among the indigenous *Tharu* in the Terai region of Nepal, is estimated to have affected around 13,000 children. Many of them initially suffered even worse conditions being thrown off the lands of their former landlords without immediate rehabilitation opportunities. The ILO Project for the Sustainable Rehabilitation of Bonded Labourers has implemented a range of activities to assist these particularly vulnerable children, but also identified the continuous needs of two other major groups. These are, on the one hand, children continuing to live with their families on the land of the landlords. On the other hand, children in other forms of debt-bondage (than the *kamaiya* system) have yet to be reached.

In many cases, indigenous and tribal children in debt-bondage are exploiting resources belonging to land from which their communities have been dispossessed. Although little documented, this has been observed in countries such as Laos, Vietnam (personal communication) and the Philippines (Legaspi et al 1997), where merchant-intermediaries advance food, hunting equipment or basic commodities to labourers, who are often cheated in payment for forest products. As Legaspi et al note regarding the Philippines, because of their indebtedness, indigenous communities are often powerless (ibid: 60).

A key characteristic of rural child labour in general and debt-bondage in particular is the high dependence on a landlord, trader or other person for food, clothing and housing. The provision of these “services” on a regular basis is often what secures the continuation of the relationship, as the child or household often believe there are few other options for obtaining these regularly.

While children in particular may become victims, many forms of forced labour represent structural situations of exploitation faced by whole communities or particularly vulnerable households. The Global Report on Forced Labour (ILO 2001b) identified indigenous peoples as a particularly vulnerable group, while simultaneously noting the need for more systematic documentation.

2.3. The urban setting

There are clear indications that a growing number of indigenous children are migrating alone or with parents to cities in search of employment or better opportunities. The types of work found are most often in the informal sector and are rarely safe. The situation of indigenous domestic workers in Latin America remains extremely under-documented (Anti Slavery and IWGIA 1997), with a few exceptions.

The old practice of “*criadito*” service still persists in some parts of the Bolivia. *Criaditos* are indigenous children of both sexes, usually 10 to 12 years old, whom their parents indenture to middle- and upper-class families to perform household work in exchange for education, clothing, room, and board. There are no controls over the benefits to, or treatment of, such children, who may become virtual slaves for the years of their indenture (HRC 1997, www.globalmarch.org)

In India, there has been some documentation of tribal girls migrating to urban areas to work as domestic workers through both religious and non-religious bureaus (Mullick 2002). Particularly in Latin America, South and Southeast Asia, indigenous peoples constitute a growing proportion of the new urban migrants, the urban poor. IPEC has supported some education activities with indigenous communities in urban settings in Peru and Guatemala through the “*Fe y Alegria*” education project network (Haspels & Jankanish 2000:155). In Asia, a recent ILO study of socio-economic vulnerability of tribal migrants in the cities of Chiang Mai and Chiang Rai in Thailand showed that the majority of street children under the age of 15 were from hill areas in Thailand and Burma. Most were boys who earned a living from selling flowers, begging, or offering sex services (Budaeng et al 2001). Similar evidence is emerging from other Asian cities within or neighbouring on indigenous areas (see e.g. Cacho & Carling 2002:24). In Africa, urban migration of indigenous children and youth is also raising growing concern among indigenous organizations, which have highlighted the spiral of unemployment-delinquency, alcohol and drug addiction, prostitution and AIDS (Martinez 2000).

There are indications that tourism has led to increases in child labour in certain areas, with children lured into commercial sexual exploitation, involvement in producing and selling handicrafts/ goods (without access to school) and begging. So-called community-based “ethno-tourism” and “eco-tourism” initiatives need to be critically assessed in this regard.

2.4. Trafficking & prostitution

Human trafficking affects a considerable number of indigenous peoples. This has been particularly documented in South and Southeast Asia. In Nepal, an IPEC Rapid Assessment of trafficking in girls, with specific reference to prostitution, shows the presence of several different ethnic groups (Kumar et al 2001). Trafficking of indigenous girls is also being documented in Thailand, Burma, Indonesia and Cambodia (Tauli-Corpuz 2001).

In India, abduction, trafficking of *Adivasi* girls linked to brothels, forced concubinage (Rao 2000:26) and the overall inadequacy of legal protection available to *Adivasi* women at risk of rape or trafficking requires urgent action. B. Janardhan, quoting M. Devi from 1984, notes that traffickers still continue to purchase *Adivasi* children and women openly,

often at a price cheaper than that paid to “purchase animals” (ibid:19). Rao further analyses the situation:

A whole network of slaves exists, stretching from the Adivasi villages (especially in the Ranchi and Singhbhum districts of Bihar) to centres as far away as Ludhiana, Jalandhar, Amritsar and Hoshiarpur districts in Punjab. A large proportion of Adivasi migrant workers are women, and face sexual exploitation at all stops in that belt. A group of contractors recruit these Adivasi women through older women who themselves have been victims of these practices. After receiving the recruits, the contractors transport the “human cargo” to states such as Punjab. The recipients of the “human cargo” auction the Adivasi girls in the open market. These slaves are paid roughly Rs. 15 a day or Rs. 1000 on an average. (Rao 2000)

Similar processes have been described in Taiwan, China where high numbers of indigenous girls have been trafficked to work in the sex industry. While indigenous peoples account for only 1,6 percent of the Taiwanese population, estimates of the percentage of indigenous women involved in the sex industry range from 20 to 60 percent. Moreover, the presence of minors and debt-bondage is considerable (Bindman 1997:32). Figures from 1997 include 25.000 USD for a virgin sold for life and from 2.500 USD to 10.000 USD for yearly contracts (ibid:37).

Known as *sold daughter prostitution* girls are contracted for a period of years or even for life against an initial payment to her parents, with or without her informed consent. The girls are usually minors and find themselves in the low-price brothels, where conditions are worst. (Bindman 1997:39)

There is little information regarding trafficking and prostitution among indigenous peoples in Africa. However, abduction raids taking place in Sudan during the last 15 years of civil war are known to have particularly focused on one conflict zone, Bahr El Ghazal, and have mainly affected *Dinka* children. Often put to work to look after cattle for Arab *Baggara* pastoralist groups from North Sudan (Dottridge 2001), the total number of children involved ranges from 5.000 to 14.000 (from 5.000 to 10.000, according to an earlier study by UNICEF). In many cases, children who have been forced into labour have also been forced to forget their own language and identity (ibid).

As noted in a recent IPEC rapid assessment on trafficking in children in the Thailand, Laos and Myanmar border areas, surveys may not necessarily succeed in identifying trafficking among indigenous communities (see Wille 2001). It may exist, but be hidden away by already stigmatised communities.

2.5. Mining

Mining areas are often found in traditional indigenous and tribal areas across Latin America, Asia and Africa. While the issue of indigenous involvement in mining operations is rarely the focus of documentation, some studies offer indications of ethnic diversity or places of origin of workers, as in the ILO country studies on child labour in small-scale mining (Jennings 1999), for example. Other studies look in detail into either traditional mining activities of indigenous communities (such as the *Bago* of the Philippines) or the particular involvement of certain groups in large-scale mining operations.

In Latin America, indigenous children have been found to work in mines in Colombia, Peru and Bolivia (Martínez 2000). There is growing evidence of bonded labour among indigenous peoples, including children, in mines in India (see for example Wazir 2001), although the issue definitely deserves a more comprehensive survey.

While it has been observed that the children involved in mining activities in many indigenous areas are migrants, these migrant children may in fact be indigenous children from other areas, as has been somewhat documented in Latin America.

Finally, it should be noted that the impact of outsiders involved in mining on indigenous areas can be severe. It is clear, for example, that outside miners have brought with them previously unknown diseases, food habits and pollution, considerably disrupting the situation of indigenous and tribal children.

2.6. Militarization, child soldiers and other impacts

Because indigenous and tribal areas are often border areas or home to insurgency movements, militarization is a frequently encountered phenomenon. Despite the limited documentation on the issue, there are indications from some countries that indigenous and tribal children are recruited as child soldiers or helpers in government operations and counter-insurgency movements.

In Latin America, indigenous children in Peru were targeted by *Sendero Luminoso* and underwent prolonged indoctrination (UNICEF 1996). In Colombia, the militarized and violent situation has had serious impact on children in indigenous communities (OPIAC quoted in Martínez 2000).

In the North-East of India, the consequences of armed conflict have been dramatic for the indigenous children (Pinto & Thockchom 2002). Children's involvement in insurgency movements in Bangladesh and the Philippines has also been noted. In Myanmar, according to UNICEF, there have been cases of parents volunteering children for the Karen army, which offers them clothing and two meals a day. In 1990, the 5,000-strong army was estimated to comprise around 900 children under the age of 15 (UNICEF 1996).

In Central Africa and the Great Lakes area, there have been cases of *Batwa* children and youth enrolled by force into armed groups (UNIPROBA and CAURWA quoted in Martínez 2000). The general impact of militarization is being documented and appears to stem mainly from the overall disruption of everyday lives caused by militarization in terms of lack of schooling, mental health problems and extreme working conditions (Lewis 2001).

Despite extremely scarce and sporadic information on children involved in armed conflict, there is sufficient evidence to show the high vulnerability of indigenous and tribal children caught in the crossfire. It is therefore highly recommended that close monitoring and targeted assessments in conflict-ridden areas include the living and working conditions of indigenous and tribal children.

The following eight broad recommendations came out of a Minority Rights Group workshop report (MRG 1998) on indigenous and minority child soldiers in Africa:

1. Actors at all levels should prioritize sensitization on minority and indigenous rights and the rights of the minority and indigenous child.
2. Locally appropriate forms of multicultural and intercultural education and education for peace should be promoted, drawing on the best existing models.
3. International standards should be effectively incorporated into domestic law, with state-level actors and others undertaking monitoring and reporting, promoting best practice and seeking just punishment for perpetrators of abuses.
4. Traditional approaches to conflict-prevention and peace-building in Africa should be far more widely recognized and supported.
5. The marginalization of ethnic minorities should be addressed at all levels, including their empowerment at state and local levels through political power-sharing and more inclusive politics.
6. The international community, states, opposition movements and civil society should sharpen their concern for the rights and best interests of the child, with special attention to the girl child.
7. Donors, relief organizations, state agencies and others should urgently address the exclusion of ethnic minority children and their communities from aid programmes and humanitarian relief.
8. Links and cooperation between local, regional and international bodies, especially NGOs, require strengthening to help build the impetus for constructive change (MRG 1998).

3. Education challenges

Discrimination against indigenous children continues to exist in educational systems and practices (UNESCO 1999). These children constitute a relatively over-represented group among those still to be reached by the Education for All process (Bernard 2000:37). Some of the challenges remaining in education are discussed below.

3.1. Low literacy rates

At a virtually global scale, indigenous and tribal children have literacy rates lower than the national average. In India, according to 1991 figures, literacy rates among tribal peoples were only 29,6 percent compared to a national rate of 52,0 percent (Erni & Luithui 2001). In China, education problems have been noted among the so-called national minorities (Cleverley 1991; Lamontagne 1990).⁵ In Central Africa, enrolment rates among *Batwa* children in Rwanda were markedly lower (around 15%) than the national average of 89 percent (Jackson 2001). It is estimated that less than 0,5 percent of *Batwa* have completed secondary education (Lewis 2001:16). In Latin America, several studies have documented the difficulties of indigenous children in completing their education, their high dropout rates and the frustrations they encounter (Rivero 1997, World Bank 2000:39). In Bolivia, indigenous children receive about three years less schooling than non-indigenous children (Partridge et al 1996).

Munda is a Menda child [in Sierra Leone] who is having difficulty with English numerology. He counts up to “twenty-nine” and then goes to “twenty-ten”. The teacher’s conclusion is that Munda is stupid, since despite repeated explanations and even punishment, he cannot remember that twenty-nine is followed by “thirty”. The fact of the matter is Munda’s native language counts somewhat differently, going from “twenty and nine” to “twenty and ten”. (Kroma 1995)

Education statistics are often used to provide important indicative data on the presence of child labour, particularly in cases where labour surveys and other statistical data are either absent or do not segregate data according to ethnicity. This study argues that low educational performance among indigenous peoples is on its own an insufficient indicator of a high presence of child labour; rather, it is an indicator of inadequate education facilities. When this co-exists with increasing socio-economic vulnerability and high poverty rates, the presence of child labour is is very likely.

3.2. Lack of access, materials and teachers

Lack of access to basic education is an issue frequently raised in both country studies and programme statements. The quality of existing educational services is often very bad, as in the case of the Shankargarh mining area, described by the UNDP:

The main reason for children dropping out is the quality of education in the government schools. Frequently, one teacher is responsible for 250-300 children. Many villages do not have a school, and where schools exist, teacher absenteeism is high. Children belonging to lower castes face discrimination in school. Almost all upper-caste children go to school. Invariably, teachers also belong to upper castes and their

⁵ There is a need for great caution when analysing education figures concerning national minorities in China, given the country’s great diversity. The literature does present exceptions to the rule, such as Jinuo township in Yunnan, which reported 99 percent enrolment in primary school in 1988 (Cleverley 1991:281)

tendency is to discourage lower-caste children from attending school. In the words of one headmaster, "If all the children are educated then who will do our work?" (Wazir 2001)

Compulsory education laws are often not enforced in indigenous areas. Schools rarely function properly, and there are extremely high levels of teacher absenteeism and turnover rates in most areas. Teachers are rarely sensitized or properly trained to the particular needs of indigenous children (Uowda and Patrinos 1999:289).

The growing movement of bilingual and multicultural education, which is often highlighted as a solution, is itself giving rise to new types of challenges. The teaching community rarely receives sufficient training, and actual resources typically lag considerably behind policy statements on multicultural education. Communities, their representatives and organizations may be unaccustomed to developing pedagogical materials. The presence of several, often small, linguistic communities in the same area presents further complications, both logistically and in terms of course development and programming.

3.3. System failure vs. individual performance

When measured in non-Indigenous terms, the educational outcomes of Indigenous peoples are still far below that of non-Indigenous peoples. This fact exists not because Indigenous peoples are less intelligent, but because educational theories and practices are developed by and controlled by non-Indigenous peoples... this failure is that of the system, not of Indigenous peoples (WIPCE 1999).

Indigenous peoples are conceptualising their education vision in terms broader and different than those of existing education services. The Coolangatta statement on indigenous peoples' rights in education, adopted as a core policy outcome of the World Indigenous Peoples Conference on Education (WIPCE) held in Hawaii in 1999, highlights that "'dropout rates and failures'... must be viewed as what they really are – 'rejection rates'." The six-page-long Statement situates indigenous rights to education in its historical context of social exclusion and marginalization. Through a human rights approach, the statement reclaims the right to be indigenous as well as the right to self-determination in general and in the area of education in particular.

The sixth WIPCE was held in 2002. Education International has recently taken the Coolangatta Statement on board, inviting affiliates to endorse it as well as promoting the view "that United Nations' bodies, governments and education trade unions must review, transform and improve policies and practices in this matter, in order to implement the Education For All objectives (<http://www.ei-ie.org/>)."

4. Common forms of social exclusion

Issues surrounding child labour and education among indigenous children cannot be viewed in isolation from the wider context of structural challenges faced by indigenous peoples as a whole. These involve a number of socio-economic and cultural aspects that distinguish them from the average non-indigenous adult, household or community. Awareness of these particular forms of social exclusion needs to remain in the forefront of problem analysis and solution building.

4.1. Socio-cultural disruption and hidden identities

The major driving forces behind many social problems encountered by indigenous and tribal children go beyond their immediate needs and are rarely identified by conventional income-based poverty analysis. These include profound changes in terms of self-perception, well-being, cultural identity and social interaction. It is well-acknowledged that assimilation policies and marginalization have had serious impact on levels of social and cultural disruption. An indigenous girl may no longer be spoken to in the indigenous language by siblings and friends, she may not be taught it at school, and she may find life easier rejecting its existence.

The following case from the *Sámi* teacher and researcher Johannes Marainen describes conditions experienced by many indigenous and tribal children in relation to their cultural identity, language and the surrounding world:

I soon learned that outside of school it was better for me to demonstrate my Sámi roots as little as possible. Despite that I was called ‘Sámi devil’ every day. I tried to pretend that I did not hear, but each time a thorn stuck into my heart, and eventually I carried inside me a whole forest of thorns. I tried to suppress my feelings and wrapped the thorns into all kinds of excuses, so they wouldn’t hurt anymore. We Sámi in town learned fast that the best, and certainly the easiest, way to cope was to adapt, and as fast as possible become Swedish. Unfortunately, this drove many of us to self-denial. Once I saw some Sámi youths purposely avoiding their parents in order not to demonstrate their Sámi origin. It hurt me unbelievably, and filled me with feelings of shame. To be absolutely honest, it could have been me, who felt forced to act the same way! (Terra Lingua 2001).

In a recent workshop on education in the Andes, *Chiquitano*, *Guarani*, *Aimara* and *Quechua* representatives noted how indigenous children suffered from serious inferiority complexes.⁶ Socio-cultural disruption (Stavenhagen 1994) and identity conflicts are often linked to a range of internal as well as external processes and may result in the breakdown of family ties, non-formal social protection measures and mutual self-help. The disappearance of these bonds can be considered as explanatory factors in several cases of child labour – not least when children are removed from families to work for others in their fields or homes or when they are trafficked to brothels.

In many countries, indigenous children and youth are steering away from traditional livelihoods. Beyond purely economic reasons, such changes are led by changes in identity, value-systems and future aspirations. New ideals of social status through material consumption influence indigenous peoples just as much as other groups in society, creating new “needs” for cash, social status and recognition. While there is

⁶ “Con la educación castellanizante que nos imponen, los niños se sienten inferiores, piensan: este quechua, aimara, para nada sirve”, (May/June 2001 newsletter), (www.proeibandes.org)

limited data in this area, it should not be ignored as a factor contributing to the increasing numbers of indigenous and tribal children involved in migration and urban labour markets.

4.2. Formal education: A double-edged sword

Formal education has been, and in some cases continues to be, a double-edged sword for indigenous peoples. On the one hand, it is a fundamental tool used to empower themselves and their communities and to raise awareness of their rights. On the other hand, education has been one of the major tools used to further marginalize communities through policies designed to educate, proselytize and promulgate foreign values and “modern” knowledge. Removed from parents, placed in boarding schools,⁷ prohibited or prevented from speaking their own languages, imposed with a certain dress code – the “education project” has had little to do with current notions of access and respect for diversity:

I recall an enrolment session for students in an Amazonian indigenous community where finally, for the first time, the long-awaited teacher had arrived. This teacher, who did not speak one word of the community language, tried to explain to parents why it was important to enrol children under other names. At times he depended on phonology (“Mateo is better than Matiwa and it sounds almost the same”) and other times by gender (“Ukamo is better than Ukama because men’s names end in ‘o’”). When the first day of class finally arrived and the students appeared dressed in the best indigenous outfits and adornments, their faces painted with *achiote* (traditional dye), it was the same teacher who sent them immediately to wash their faces. Later he picked up a pair of scissors and cut the hair of all of the boys, because “only girls have long hair” (D’Emilio 2001:19).

A common two-sided process needs to be highlighted. On the one hand many educational institutions and practices are rejecting indigenous peoples, their cultural identities and practices (see e.g. D’Emilio 2001). On the other hand, communities, parents and children are resisting educational services. The rejection of indigenous concerns throws into doubt the necessity and validity of indigenous knowledge transfer and traditional forms of education (Heckt 1999, Rovillos 1999) and thus ultimately rejects the relevance of traditional livelihoods and an indigenous way of life.

Indigenous values linked to child development and growing up may involve work. IPEC and INDISCO Philippines research has shown that parents in one indigenous community did not necessarily consider child labour to be a problem (Palma-Sealza and Sealza 2000). The same research team noted, however, that “as much as possible, they want their children to be educated (ibid: 29).” While statements disregarding the danger of child labour may represent pride (not wishing to show poverty), it is also possible that working may not be seen as detrimental to the personal development of the child. Such notions often co-exist with the valuing of education. The above research found most child aspirations were notably related to education (ibid: 53). In the Cordillera region of the Philippines, another research team found that while over 80 percent of the children surveyed were involved in some form of child labour, this was rarely considered hazardous or disadvantageous. The attitude among parents was that “children must learn how to work, earn money, contribute to the family’s needs, be responsible for one’s up-keep and the like (Reyes-Boquiren 2000: 26).”

⁷ Boarding schools have had a particularly bad reputation in terms of living conditions, food (Buti 1999; Althaus 1998) and even the risk of sexual exploitation (Jose 2000).

As Krätli notes for certain pastoralists:

School experience is seen as providing the opposite of education: children not only fail to learn how to secure a livelihood, but lose what they were taught in early life and absorb alien and negative values and lifestyles. At school they are “softened”, humiliated, trained into dependency, laziness, irresponsibility, lack of discipline and of self-esteem. On the other hand, they are made to believe that their school experience raises their social status amongst non-schooled people, so that once back in their communities they often become arrogant, presumptuous and disrespectful (Krätli 2001:38)

In Norway, when compulsory education was extended from seven to nine years, resistance came mainly from Guovdageaidnu and Kárásjohka, the two municipalities with the highest percentage of *Sámis* (Lund 2000:9). Rather than complementing existing forms of knowledge and traditional education, formal education is often designed so as to actually compete with them.

A considerable number of indigenous and tribal intellectuals have resisted schools and promoted the ideas of decolonizing knowledge and educational institutions and re-appropriating languages through various forms of indigenous-controlled experimental learning. Such scholars interpret the high dropout rates, poor educational performance and absenteeism among indigenous and tribal children as forms of resistance to inappropriate education. Still, for indigenous and tribal households such choices are rarely based on a political agenda.

On the contrary, while it may be normal to find indigenous peoples resisting schools or simply regarding them as irrelevant, it is probably even more common to find strong values attached to schooling. As García-Moreno notes for Ecuador, schools have enormous symbolic significance and are often requested by indigenous communities, even though children may still be kept working (1998:80). Indigenous parents often consider the language and practices of the dominant culture to be valuable assets, representing the opportunity for social mobility (Rojas 2001). It should not be forgotten that a majority of indigenous peoples are continuously barred from educational institutions, workplaces and other opportunities due to lack of proficiency in national or metropolitan languages (as opposed to their vernaculars).

Parental resistance is therefore more likely to emerge as the consequence of practical choices and priorities, where households and children judge other forms of knowledge transmission and work more relevant for their future projects. The task is therefore not so much, as one often gets the impression, to convince parents about the relevance of formal education, but to make formal education relevant. Continuous extension of non-adapted primary education services, despite perhaps an immediate interest on the part of indigenous and tribal communities, may have very limited impact on alleviating child labour. It may, in fact, even perpetuate cycles of poverty and marginalization, if it interferes with indigenous forms of education that prepare children to survive socially, economically and environmentally in their adult lives.⁸

Recognizing indigenous rights to design and manage formal education services is therefore a fundamental ingredient in the reform of formal education systems. Building a broader consensus between parents, community leaders and children on the character and

⁸ As discussed below, second-rate multicultural education harbours a similar risk.

forms of education is essential. International organizations and policymakers must go beyond taken-for-granted notions of education and child labour to address the particular challenges faced by indigenous and tribal children. Innovative approaches are needed to assess and refine traditional forms of knowledge transmission, and formal education that works.

4.3. Poverty, marginalization and traditional livelihoods

The gradually accumulating data documenting the socio-economic exclusion of indigenous peoples (see e.g. Partridge et al 1994) paints a grim picture of poverty, malnutrition and a corresponding lower access to basic services for health, social protection and education. In other words, an indigenous or tribal child is very likely to grow up poor, undernourished and illiterate – and involved in child labour.⁹

Poverty as a driving factor behind child labour is a well-established fact, although there is considerable disagreement as to how important it is in comparison to other factors. In relation to indigenous peoples, this is highly dependant on how poverty is defined. As Amarty Sen has underlined our understanding of poverty needs to go beyond income disparities and include the deprivation of basic capabilities and rights (1999). For indigenous peoples, such a context of deprivation would also involve addressing the increasing pressures on traditional resources and areas leading to threatened livelihoods and environmental degradation. The resulting dispossession and marginalization has led many communities from independent subsistence or cash-based livelihoods to a wage- or labour-dependent economy.

Ill-designed formal education may hinder indigenous education and knowledge transfer perceived as inappropriate or “backwards”. Traditional livelihoods and non-formal customary education needs to be perceived as localized ways of fighting poverty, rather than simply a result of poverty. Formal education introduced to replace customary practices may thus risk provoking higher degrees of child labour by weakening indigenous education and survival strategies. As Krätli notes for pastoralists in some cases:

... the decision to take up formal education is motivated by a loss of hope in the viability of pastoralism as a livelihood strategy, and is usually associated with the decision to settle and with a wish for integration, if not assimilation, into the non-pastoralist society (2001:42).

While projects may highlight in “objective” terms how education facilitates further education and off-farm employment, this may actually be interpreted as an effort to turn communities away from traditional occupations, lands and resources. Whether due to diminishing resource bases, hardships related to traditional livelihoods or changing aspirations, the increasing trend towards migration among indigenous peoples can be considered as a major root cause behind the increasing presence of child labour.

In Mexico, income from indigenous migrant child labourers may constitute a third of the household income, acting as a prohibitive barrier for education. Costs of schoolbooks and clothing and loss of income are frequently presented as reasons for keeping children out

⁹ There are exceptions, as in the case of some pastoral communities, where rich households (with large herds) may entail more child labour than poorer households (Krätli 2001:38).

of school (USAID 1997), leaving little doubt that economic need is a key force leading to child labour. The predominance of debt-bondage among certain indigenous peoples also confirms the wide presence of economic marginalization.

While rural child labour has sometimes been viewed as an exceptional survival strategy in times of hardship (drought, loss of harvest, death), it is possible that such “exceptional” measures have become the norm, considering the tremendous stress indigenous economies are facing. The *kamaiya* system in Western Nepal, for example, has indeed involved families in situations working for a neighbour for an agricultural year as a coping strategy (Robertson 1997, Sharma et al 2001); however, the same exchange practice has been abused to exploit labourers with permanent or semi-permanent status over several generations.

Despite the overall relevance of poverty to child labour, an overemphasis on economic arguments tends to neutralize the broader context of societal acceptance of the working fate of indigenous children. (This issue is discussed further in the section below on discrimination.) The traditional focus on poverty also risks ignoring the broader socio-economic processes through which poverty was created in the first place. For indigenous peoples and their organizations, the question of ancestral lands is unavoidably part of the answer to the problem of poverty.

4.4. Ancestral lands and dispossession

Indigenous peoples have a special attachment to their ancestral lands and territories. On the one hand, they play a fundamental role for indigenous and tribal cultural identities, cosmologies and spiritual beliefs. On the other hand, indigenous peoples are deeply dependent on the land and resources through highly adapted livelihood systems and practices. This has been recognized in ILO Convention 169, which recognizes the right of ownership and possession of indigenous and tribal peoples over the lands they traditionally occupy. However, many communities can be found today working as cheap or even bonded, landless labourers on their own ancestral lands.

Whether dealing with education, child labour or processes of social exclusion among indigenous peoples, there is considerable emphasis on land exclusion as a major problem and on recognition of land rights as the required way forward. This is one of the key issues in which it is also apparent how child labour and other forms of indecent work among indigenous peoples are linked to global economic processes of marginalization and exploitation. Indigenous and tribal ancestral lands continue to function as unexploited frontiers for commercial agriculture, large-scale development, mining and land-settlement schemes.

While there has been some progress, land rights remain a highly contested field. Even in countries with progressive legislation, indigenous communities face considerable challenges in terms of protecting their traditional territories against encroachment, industrial exploitation and dispossession (Cobo 1987).

Crawhall (1999) has identified land and resource loss as one of the major threats to language and cultural diversity. While they may not be obvious, there are clear-cut links between livelihood loss and reduced knowledge of surrounding environments (see

Oviedo et al. 2001) As argued above, both socio-cultural disintegration and livelihood loss are intimately linked with high levels of child labour. The case of the *Manobo* in the Philippines illustrates this point.

Linking child labour and dispossession: INDISCO IPEC survey in the Philippines

A recent survey among the *Manobo* of Mindanao found a linkage between the high frequency of child labour and their pending ancestral domain claim. Sugar cane plantations had been established on traditional lands. In response, the *Manobo* have filed a claim to get back their land. Until this is resolved, they have been temporarily settled on land leased by the local government in the middle of the plantation. As a result of the dispossession, the *Manobo* have been transformed from landowning farmers to wage labourers in neighbouring fields and sugar plantations. Children are malnourished and are heavily involved in child labour in the sugar cane industry and in duck rearing by neighbouring lowland communities. Loss of land is highlighted as a root cause leading to and perpetuating child labour and socio-cultural disintegration (Palma-Sealza and Sealza 2000:55).

Displacement of tribal communities in India by large development projects, mining operations, denial of traditional forest rights and land encroachment by commercial agriculture has intensified within the last few decades (MRG 1999). This has been reported as a direct factor in increasing debt-bonded labour in several areas compared to the “pre-relocation” period. There is also increasing documentation from India that many migrants working in bonded-type situations in both cities and rural areas are from tribal communities dispossessed from their traditional lands and livelihoods. While *Adivasis* account for eight percent of the total population, it is estimated that they account for between 40 and 50 percent of displaced people (MRG 1999). According to information from Andhra Pradesh, 90 percent of children being sold for adoption come from hamlets relocated from traditional lands as a result of the construction of the Nagarjunsagar Dam (Colchester 1999:27).

In a study entitled “Exploitation of child labour in tribal India” that focuses on the state of Orissa, the author underlines the role of British rule leading to processes of exploitation and land alienation through land settlement schemes for non-tribal people and revenue schemes (Tripathy 1991: 31 pp). Subsequent laws passed to prohibit land transfer came too late. Another example is that of the *Tharu* in the Terai region of Nepal, who, due to their high resistance to malaria, were used as labourers to clear traditional forest areas for agricultural and further outside settlement – thus becoming the “instruments of their own marginalization” (Robertson 1997:88) and leading the way towards debt-bondage. Not surprisingly, the most exploitative cases have been found among *kamaiyas* who were both landless and indebted (ibid:93).

The result has been a growing indigenous and tribal peasantry in Latin America and Asia, landless or with very small plots, working as agricultural labourers, migrant workers or trying their luck in cities. With market fluctuations and the lack of viability of more diversified livelihood strategies, vulnerability has escalated considerably. Whether speaking of tribal children in India seeking low-income seasonal employment or urban migrant children in Central America, the lack of basic food security and long-term perspectives for their lives is a common problem.

Statements from indigenous peoples continuously raise the disastrous results of displacement and dispossession. There is a clear need for innovative approaches seeking to integrate ancestral land concerns into child labour elimination efforts.

4.5. Lack of democratic participation & citizenship rights

Lack of democratic participation continues as a major root cause leading to social exclusion. Democratic participation, respect for customary institutions and the right of indigenous and tribal peoples to decide on their own priorities, as underlined in Convention No. 169, are fundamental rights and ingredients of healthy governance practices and decision-making processes. Nevertheless, they are continuously ignored and violated in many fora and institutions. Whether one speaks of destructive dam projects, land grabbing, imposed education or development solutions, the disregard for customary institutions and other representative organizations is a common experience.

A number of indigenous peoples, including those in areas such as Thailand and Central Africa, lack citizenship, national identity cards, or basic civil rights. It is calculated that around 70 percent of the almost 800.000 hill tribe people in Thailand do not have citizenship. From Central Africa to South and Southeast Asia, the lack of citizenship poses serious obstacles to accessing government services such as education and health facilities, property rights and minimum wages (Buadeng et al. 2001). For example, in the Nepalese Government's rehabilitation efforts, land distribution required individuals to have identity cards; however, well into the distribution process, many had still not received them, thus hampering their rehabilitation considerably.

The link between these and child labour issues was highlighted by an IPEC trafficking project in Southeast Asia. In Northern Thailand, in particular, ethnic minority girls and women were identified as a target group for trafficking aimed at commercial sexual exploitation and housework. Lack of citizenship was accentuated as a clear push factor.

A major issue in terms of democratic participation and citizenship rights – and one that links closely to education and language issues – is the extent to which indigenous languages are used in administrative and day-to-day matters. In some countries, such as Norway and Finland, indigenous languages are recognized as official languages in certain municipalities, providing people with the right to obtain public services in their own language. In other countries, this may informally be the case in areas where indigenous peoples form the majority. In most cases, high rates of illiteracy in national languages prevent effective use of public services.

Practical ways of working with indigenous peoples involve safeguard mechanisms and consultation practices to address their specific concerns in policy initiatives, capacity building and direct support activities. The elaboration of national strategies, action plans and targeted initiatives on child labour involves research, stakeholder consultations and rapid assessments, which may benefit considerably from the effective participation of customary institutions and other representative organizations. These are fundamental steps if the excluded are to be included.

4.6. Discrimination

Discrimination is perhaps the major root cause determining the presence of the other forms of social exclusion listed above. Discrimination against indigenous peoples was widely recognized in the declaration and programme of action adopted in Durban in 2001¹⁰ and represents a fundamental root cause when discussing child labour.

Negligence and ignorance render indigenous and tribal children and their conditions invisible in public debates, policy and project approaches (Dixon and Scheurell 1995). Beyond the often urban or semi-urban focus of researchers, there is an even more common tendency to “forget” indigenous areas or simply consider them too far away for the researchers to easily access. Such negligence may in some cases be linked to official policies arguing against the use of “indigenous” and “tribal” terminology, viewing its use as a post-colonial effort to undermine national unity through “divide and rule” tactics.

In many African countries, the use of ethnic criteria is seen as contradictory to broader efforts at healing and reconciliation. In both Asia and Africa, the “we are all indigenous” argument is frequently raised by governments. Such statements, however, do not change the fact that indigenous peoples (or whatever they desire to be called) suffer from discrimination and similar processes of historical marginalization and dispossession, confirming the relevance of the principles and rights at stake.

Those Batwa who manage to find the money and are admitted to school frequently suffer discrimination, teasing and bullying. Their lunch boxes may be examined by other pupils to see if they are eating taboo foods... In many cases other children will not play with Batwa, nor eat or sit with them at lunchtime. Once in the classroom pupils from other ethnic groups will refuse to share a school bench with them. Many schools have special benches exclusively for Batwa students, where they often sit three or four instead of two to a bench as other children do (Lewis 2001:15)

It is not uncommon to find arguments referring to socio-cultural practices of child labour to justify the failure to provide these children with any education whatsoever. According to this kind of thinking, indigenous and tribal children are not children with rights, but different – not children with the right to be different, but children who are stigmatized as inferior and therefore not in need of education. Stereotypical images may portray indigenous and tribal children as culturally more inclined towards work than education. In India, it has been suggested that the institutionalized discrimination against children of lower social strata through government education policies is a major factor leading to high levels of child labour (Weiner 1991). Girl victims of trafficking in Nepal, meanwhile, may pretend they are low-caste in order to avoid being beaten by police officers (Kumar KC et al 2001). Society may tolerate prostitution and trafficking among low-caste girls, but others are judged as acting “immorally”. Such forms of discrimination are part of the “natural order” of differences. As Bindman notes in relation to the high levels of prostitution of Taiwanese indigenous peoples, there is a perception that “indigenous peoples are culturally inferior and have physical rather than intellectual natures (Bindman 1997:35).”

¹⁰ For further information, see (<http://www.unhchr.ch/html/racism/Durban.htm>)

While it is true that many indigenous children do in fact work as part of growing up and learning in their communities, one must be extremely careful in taking such “cultural” explanations at face value. The frequent citation of customs and traditional attitudes as explanatory causes behind child labour is often contradicted by documentation of communities undergoing profound changes and disruption. On the contrary, discriminatory practices may be firmly rooted in legal institutions and practices. As Anti-Slavery concludes in a brief on debt-bondage:

The fact that so many bonded labourers have such difficulty in freeing themselves from a system that is illegal while the vast majority of those who enslave them seem to evade the sanctions set out in the Bonded Labour System (Abolition) Acts begs the question as to whether bonded labourers from indigenous “low” caste groups enjoy equal and effective protection before the law (Anti Slavery 2000).

Racism is often highlighted as one of the prime factors of social exclusion leading to or closely linked with other processes of marginalization such as land dispossession (United Nations 2001).

A common example of discrimination concerns the non-recognition of indigenous peoples’ right to self-definition. In many cases, national definitions tend to exclude or not sufficiently accommodate indigenous criteria. One example of this is the use of blood criteria, as with the Bureau of Indian Affairs in the US, which requires individuals to prove 50 percent of a federally recognized tribal bloodline in order to be eligible to benefit from certain schemes as “indigenous”. In some cases in Africa or Asia, indigenous peoples are simply not recognized at all. In terms of addressing child labour and education, this has profound implications on the creation of a policy foundation for bilingual education and on funding priorities as well as for reaching consensus on grassroots needs. Moreover, even where constitutional measures are in place, this is no guarantee that appropriate laws will be enacted or that legal regimes will actually lead to increasing tolerance.

In 1987, the Sub-Commission on Prevention of Discrimination and Protection of Minorities came out with a comprehensive report on discrimination against indigenous peoples (Cobo 1987). In terms of education, the conclusions were clear:

89. The right of indigenous populations to education has not been duly guaranteed and is not really observed.

90. States frequently do not recognize traditional indigenous education based on autochthonous educational processes and often deliberately aim at doing away with it and replacing it by formal, alienating processes.

91. Although there has been a significant improvement in the effective access of indigenous persons to public education of all kinds and at all levels, such education continues to be characterized to a greater or larger extent by a marked tendency to deprive indigenous pupils of everything indigenous.

92. This unmitigated aggression against indigenous culture and life-style can in no circumstances be justified, particularly in contexts and environments of cultural and linguistical pluralism, which States nowadays espouse, or to which they at least pay lip service. (Cobo 1987:9)

The need to address discrimination as a root cause behind child labour and poor education performances among indigenous peoples cannot be overemphasized. Similarly, the recognition of their distinct identities, concerns and rights represents a crucial step in eliminating and preventing child labour.

The principle of non-discrimination in the CRC is clearly relevant here. It should be noted that as part of state-party reporting procedures for the CRC, there has been continuous discussion of indigenous children, particularly in the Latin American context.

The Committee on the Rights of the Child has on several occasions noted the presence of widespread discrimination against indigenous children and their lack of access to information and economic, social and cultural rights as principal subjects of concern. The general lack of disaggregated data on indigenous children has also been noted on several occasions.

As global efforts focus on child labour and push for the development of legal regimes addressing the rights of the child, the likelihood of exploitative child labour increasingly moving into the grey zone is unavoidable. Those most likely to suffer from this are children already being discriminated against, such as those belonging to indigenous and tribal communities.

5. Thematic overview of children and youth support interventions among indigenous and tribal peoples

An education initiative can both enhance cultural revitalization and social empowerment, as it can lead to cultural disintegration and alienation. The following sections highlight some of the major challenges encountered when seeking to support indigenous children.

5.1. Assessing the use of “ethnicity”

One starting point is the extent to which indigenous issues are sufficiently highlighted in project, policy or programme design. As is repeatedly noted by the Committee on the Rights of the Child, national authorities rarely maintain sufficient data on indigenous children. International organizations typically have a number of flagship programmes specifically targeting indigenous children, but mainstreaming continues to be a challenge. As part of the IPEC programming cycle, a considerable number of rapid assessments and studies identify ethnic composition. For example, a study on trafficking in girls in Nepal identified “hill ethnic groups”, particularly the *Tamang*, as the major high-risk group (Kumar KC et al 2001). Conversely, a study of child domestic workers in Panama that took into account ethnicity found indigenous children comprised only a relatively small percent compared to *mestizo* children (8% and 80%, respectively). Employers reportedly found indigenous children “too backwards” and often preferred not to contract them (ILO 2002b).¹¹

Ethnic composition is not a static factor, but one that typically evolves. In many urban areas indigenous youth and children are increasingly part of the urban child labour picture. Issues that previously concerned only one group are increasingly touching broader segments of the population. In the case of girls trafficked in Nepal, for example, the phenomenon has spread beyond the *Tamang* in Nuwakot and Sindhupalchowk and is now found increasingly among broader sections of Nepalese society (Kumar KC et al 2001).

Disaggregating data according to ethnicity is increasingly acknowledged as a fundamental step in analyzing child labour. Baseline studies and rapid assessments from Latin America, for example, have provided a more detailed picture of ethnicity of child labourers. However, to what extent this identification actually leads to the elaboration of adapted strategies and initiatives is questionable. While it is clear that participatory methods are often applied, the extent to which specific approaches and mechanisms are included to directly ensure the integration of indigenous concerns is less evident. In other words, projects may identify distinctive communities, but may not necessarily elaborate specific approaches. As this report highlights, this may have profound consequences for actual impact.

Do education initiatives reflect indigenous education priorities? Do income generation and rehabilitation initiatives take into account traditional occupations, customary lands and resources? Are indigenous priorities highlighted in the success criteria for the initiative? How and to what extent have indigenous communities, parents and children been involved in determining their own priorities?

¹¹ Such discrimination may in fact lead to even worse forms of child labour, but further research would be needed to clarify this.

Forgetting indigenous concerns: Bad practice

Indigenous rights and concerns are often forgotten when projects are designed and implemented. Bad practices include:

- promoting standard policy approaches that do not take into account indigenous concerns.
- arriving at education or rehabilitation solutions in consultation with government agencies, NGOs or experts, but without consulting the indigenous communities concerned.
- relying on individual (indigenous) experts rather than transparent consultation processes with representative institutions and leaders.
- ignoring the collective concerns of indigenous peoples that influence the situation of their children.

There is a need to strengthen capacity building of relevant government agencies in dealing with indigenous and tribal peoples' concerns. This could involve raising awareness on the principles of Convention 169 and its application in this context as well as developing workshops for more specific problem identification and solution.

5.2. Exploring appropriate education modalities

It is now well-established that the elimination of child labour in part depends on the quality and relevance of educational services. In removing children from work, there is always a risk that they will return to other, more hazardous forms. As an alternative to the frequently failing formal school system, the provision of non-formal education (NFE) has been a common feature in indigenous areas. A number of NFE initiatives have had considerable success in terms of attendance as well as in building literacy and numeracy skills. In such cases, success factors include the necessary flexibility in terms of curriculum design and school attendance modalities. Discussing the ingredients for success found in formal education and NFE programmes among pastoralists, Krätli lists the following features:

Formal education

- Delivered within a non-antagonistic cultural environment and relying on a human interface strongly sympathetic to nomadic culture;
- Supported by effective law enforcement;
- Free of charge;
- Matched by pastoral development policies that are successful in decreasing labour intensity and freeing children from the household's labour demands;
- Provided within an existing local education structure;
- "Planted" into an existing pastoral support ideology.

Non-formal education

- Delivered within a non-antagonistic cultural environment and relying on a human interface strongly sympathetic to nomadic culture;
- Highly flexible in structure and content and maintaining such flexibility over time in order to be able to respond to changing needs;

- Delivered in an informal school environment that allows parents' close surveillance over physical and moral security of children (especially girls);
- Willing to acknowledge social, economic and political hindrances to pastoral livelihood beyond pastoralists' control, and endowed with resources to provide skills specifically designed to increase that control;
- Interlaced with existing government institutions for education and development.

Some authors argue that formal education is inherently too stiff and rigid to respond to the needs of indigenous and tribal children. Others argue that formal education should not be pursued blindly as the only solution, but should be considered as a key option along with other, more specifically focused, education and training options that offer the flexibility needed (in terms of contents, age entry, timetables and pace of learning). Others again argue that NFE allows too much laxity and results in the provision of low-quality education, particularly when it replaces formal efforts. A major problem remains that NFE may not qualify the child to take up other education or vocational training opportunities afterwards. Such dangers are not least present under the umbrella of decentralization efforts in the education sector, which risk reinforcing disinterested local bureaucracies and result in lack of uniformity in terms of teaching quality.

Although NFE is often considered to be a transitional phenomenon, the flexible approaches developed under NFE may very well be institutionalized and adapted as part of a less rigid model of formal education. A recent analysis undertaken by an IPEC initiative against trafficking in the Mekong region in Southeast Asia highlights the vast pool of NFE experiences in that area in targeting particular sub-groups such as ethnic minorities (Haan 2002). It includes a number of good practices in adapting NFE to the specific needs of child labourers.

More important than whether the provision of education is strictly formal or non-formal are a number of key elements such as community ownership, locally-adapted curriculum, use of local languages and teacher incentives and training (Moulton 2001). The goal is to reach unified government-funded education systems, which recognize indigenous rights to quality education through a number of key elements such as community ownership and locally-adapted curriculum.

5.3. Multicultural education – respecting diversity: A new agenda

*“It’s good in Aymara and Castellano, in Aymara we read and write well, we understand better in Aymara”
(Aymara girl, grade 5)*

“Mathematics is easier for me in Aymara; in Castellano it’s harder” (Aymara girl, grade 5)

*“It is better to learn in the two languages, it must continue through the third year of intermediate school”
(Aymara boy, intermediate)*

*“When something isn’t understood in Castellano, we help each other to comprehend better in Aymara,
because we don’t know Castellano well” (Aymara boy, intermediate)¹²*

What is to be considered appropriate multicultural curricula? Who decides on the content? Why are certain areas included and others omitted? How does it fit in with “normal” curriculum requirements? When should it be taught and by whom? Which dialects and expressions should be highlighted? Who will be responsible for validating

¹² Children evaluating intercultural bilingual education in Bolivia, as quoted in D’Emilio 2001.

and renewing material? How are different levels of language mastery dealt with in practice?

In the wake of the broader recognition of indigenous rights, “bilingual,” “multicultural” and “inter-cultural” education have become frequently evoked terms. Many education policies now speak of multiculturalism, although the actual implications on the ground are not always as evident as the overall political message. Actual programmes may be transitional, maintenance-oriented, enriching or restorative (Stroud 2002). While the former aims at assimilating minority languages, the latter three, respectively, describe efforts to maintain language skills, affirm cultural identities and revitalize languages (ibid).

Opponents to the new tendency see bi-lingual education as further burdening the already constrained situation of ITP education rather than in fact seeing it as part of the solution. This despite that research shows the importance of initial Mother Tongue education, indeed as the language of instruction, in fact enhances the capability of children to proceed with a second language (Heckt 1999, Uowda and Patrinos 1999). Bi-lingual education is not a question of establishing a different parallel system to the national mainstream education system. Rather it provides a key resource for empowering ITP children to reaffirm their cultural identity and language in order to take on board the national language and engage in the national education system if they so wish.

“Bilingual education” was initiated in 1937 in Mexico and in the 1950s in some other Latin American countries, mainly by missionaries from the Summer Institute of Linguistics. Early bilingual efforts were often seen as transitory efforts to overcome “the problem of unilingualism” among communities that had not yet mastered the national language (ILO 1953:186). The bilingual strategy centred mainly on teaching Spanish and translating key religious texts into indigenous languages to facilitate proselytization. In contrast, there is now broad understanding that language learning should not take place to the detriment of the mother tongue (Terralingua 1998) and their cultural heritage as such

Most indigenous peoples go even further and seek to promote education on their own terms. In 1970, for example, the American Indian Movement (AIM) organized a parallel system of education to that of the Bureau of Indian Affairs, which it considered too Eurocentric in terms of the historical vision, culture and values being promoted (Marin 2000:81). Similarly, bilingual education initiatives are key activities of newly formed indigenous organizations in Asia and Africa.

Bilingual education: Some key elements

- Conducting baseline surveys to provide a socio-linguistic diagnosis, assessing community needs, teaching gaps and capacity to participate in the process
- Undertaking explicit processes of language planning (such as codifying language and grammar, etc.)
- Defining appropriate language and culture elements
- Identifying appropriate administrative and supervisory mechanisms
- Capacity building on indigenous languages as mother tongue and national language as a second language
- Testing and validation
- Ensuring conducive policies, mainstreamed administrative support and funding commitment (See Rivero 1997, Uowda & Patrinos 1999)

In Guatemala, bilingual education dates back to 1965, and following constitutional recognition in 1985 an administrative structure was established for the provision of bilingual education. USAID-funded research showed that girls in one bilingual education programme had a higher sixth-grade completion rate than girls in rural schools without a bilingual curriculum (USAID 1997). According to anthropologists who visited bilingual primary school areas in the 1970s, most parents expected children to leave school after three or four years (less for girls). When the same communities were re-visited in the 1990s, interviews revealed that parents believed children should remain in school longer due to the improvements in the educational services provided (Siddiqi and Patrinos 1996). Decreasing drop-out rates, increased proficiency in Spanish and academic performance were among the noteworthy results. Positive attitudes from parents have particularly been linked to improved performance in Spanish. This confirms the relevance of a *pédagogie convergente* (Krätli 2001:34), which recommends the introduction of a second language only once a child is literate in the first.

In a recent workshop, the following major problem areas were raised from the experience in Bolivia:

- Teaching Spanish as a second language
- The need for social mobilization to revert initial opposition from parents
- The need to develop comprises with intermediate education authorities
- Negative reactions from certain teachers
- The lack of human resources to respond to needs (De Urioste 2001)

In 1994, the Bolivian Education Reform Law recognized the importance of interculturalism and bilingualism for the national education model (D'Emilio 2001). Several international institutions have been involved in training of trainer activities and in producing materials in Quechua, Aymara and Guarani (Gottret 2001).

The Brazilian Education Act affirms the indigenous right to bilingual and multicultural education. Actual implementation has been undertaken mainly by indigenous organizations, NGOs, progressive missions and universities, together with some state departments (Da Silva 2000).

INDISCO Thailand: lessons learned in curriculum development

- Clear emphasis needs to be placed on consultation with children to identify their needs and learning experience.
- Teacher training is a key component, if indigenous curricula are to be successfully integrated.
- Careful integration with formal school institutions from the outset facilitates sustainability, but safeguard measures are needed to ensure a truly indigenous-driven process.
- Curriculum development is extremely time-consuming and should be conceived of as an open-ended process that allows for adaptation and innovation.
- Careful community consultations are required, as elders possess different areas of expertise. There is a need to build consensus on fundamental concepts. Women need to be closely involved in this process.

- Language challenges must be identified, as children have different proficiency levels.
- Monitoring of such experimental processes demands technical skills and professional assistance.

In Thailand, INDISCO collaborated with IMPECT, a hill tribe organization, in strengthening approaches to indigenous-driven curricula among three selected groups: the Lahu, Mien and Hmong (INDISCO 2000a). The process was followed up at the policy level to explore ways of further integrating indigenous-driven curriculum development into the formal school system. This created a unique opportunity for dialogue between government agencies and indigenous representatives. The goal is now to ensure that an appropriate policy environment is combined with adequate institutional and budgetary means to mainstream the approach in hill tribe areas.

The use of new technologies has also met with some degree of success. In particular, the use of radio and, more recently, video and Internet school programmes has facilitated indigenous-driven education in countries like Bolivia, Ecuador and Mongolia. Several web sites on curriculum development, history and culture are also available for First Nations and Inuit in Canada.

Practical experiences with bilingual education processes show that:

- they are time-intensive, but not prohibitive.
- they require pragmatic, linguistically founded choices between different dialects.
- investment in local language leads to greater student participation, improved learning, greater school achievement, cultural preservation and self-confidence.

Costs involved in bilingual education vary according to a number of factors:¹³

- costs to produce language materials,
- development, standardization and universalization of local language orthography,
- development of curriculum,
- availability of experts in the local language,
- time taken to build consensus on materials to be published,
- programme development costs,
- development and reform of national education and language policies,
- specialized teacher training and development of pedagogical material and
- testing, validation, monitoring and revision costs.

One study from Guatemala showed that bilingual education resulted in an increased cost of nine percent over the Spanish-only system. In fact, although bilingual education is initially somewhat more costly, there are considerable gains in terms of school performance, and, in the long run, the comparative cost drops as materials are reproduced. Still, cost estimates will vary considerably, depending on the scope of the education programme. In Norway, Sámi receive education in the indigenous language throughout

¹³ An estimated breakdown of production costs of 28.000 pieces of supplementary reading material by Universidad Rafael Landívar in Guatemala is as follows: Coordinator, researchers, translators, Mayan writers (72.916 USD/40%), Illustrators/designers (31.338 USD/17%), Institutional support and administration (38.539 USD/21%), Printing costs (37.335 USD/21%), Total: 180.126 USD) (Uowda & Patrinos 1999).

the first 10 years, while in Sweden and Finland it is only offered as a medium of instruction for the first six years. (Lund 2000:10).

Despite considerable education reform and dozens of bilingual multicultural projects in Latin America, full coverage is a long way off. Inter-cultural bilingual education takes time to flesh out in practice, with the process of consulting, drafting and validating teaching material often taking several years (see e.g. World Bank 2001). Ensuring a pool of trained (and certified) indigenous teachers goes even further into the future.

Many initiatives remain in a pilot stage, and others receive only lip service. In Guatemala, critical voices note that there is an overemphasis on bilingual education, and that intercultural programmes reach only a limited number of schools and are not fully integrated (USAID 1999). Training of bilingual teachers still lags behind in many countries, and actual government commitment to multicultural education policies remains piece-meal in several countries.

There is also fear that decentralization efforts will result in budget constraints and second-rate education services in indigenous areas. Furthermore, there is a clear danger of limiting multicultural education to a question of promoting bilingualism (see e.g. Lund 2000:4) or simplifying cultural or livelihood curricula to only a subsection of “typical” traditional livelihoods. The risk of indigenous knowledge ending as a static, folkloric picture is in that case probably even more dangerous than had it been left out of the school system in the first place.

There is no blueprint for such efforts. Some groups prefer education only in the *lingua franca* of their country, while others seek various forms of bilingual or even trilingual education. There is now a broad consensus in the education community that using mother tongue is the primary language of instruction significantly enhances the learning capacity of the child. Emphasis may be on formal types of education, national curriculum or informal knowledge transmission. Opportunities may exist for strengthening traditional forms of education and knowledge transmission that are linked closely with traditional livelihoods and indigenous knowledge systems and practices. These should be considered on an equal basis with access to formal education when discussing priorities with indigenous communities and organizations.

The link between livelihoods and education is not new. Indeed, most child labour initiatives seek to integrate economic rehabilitation measures and skills training with education. The case of indigenous peoples is unique in terms of the linkages between traditional forms of education, indigenous territories and livelihoods.

Still, even adapted education efforts do not provide a panacea to the problems leading to child labour or poor educational performance among indigenous children. The processes of marginalization leading to the vulnerability of indigenous children are manifold. Therefore, it is all the more important that bilingual or multicultural efforts are firmly anchored in a rights-based approach.

5.4. Beyond the language issues – other aspects of multicultural education

Although technical language issues are of paramount importance, there is also a need to emphasize the significance of cultural identity issues that are not easily captured by a “technical, grammar-oriented vision of education.” This involves not only what is taught, but a number of “who, when, where and how” questions that relate to whether the socializing character of education forms or deforms cultural identity (Freire 1998).

Traditional knowledge and oral means of knowledge transmission have often been marginalized or simply ridiculed as folklore. Attempts to simplify this knowledge in a “comprehensive” local curriculum rarely succeed. Indigenous peoples have continuously highlighted the fact that books and formal education cannot replace other forms of - knowledge transmission. What is needed is a more inclusive learning environment and teaching structure rather than a simple addition to existing curricula.

Bad practices in the field of education

- Ignoring indigenous language needs in both indigenous and national languages (insensitive curricula, teacher training and resource prioritization)
- Child separation and boarding school approaches to “convert” the indigenous child
- Creating second-rate “ghettoised” indigenous education services
- Designing intercultural education based on “good ideas”, scientific principles or national concerns rather than community needs
- Limiting intercultural education to technical language concerns
- Forgetting intercultural education needs of the surrounding society
- Ignoring indigenous education resources
- Limiting bilingual education to primary education
- Simplifying traditional knowledge

Despite the significant improvements that may come with a multicultural agenda, as Robbie Matthew, *Eeyou* Elder of Chisasibi Nation from Canada notes, there is “no better classroom than the bush (Matthew 1999).” Targeting youth who have dropped out of school and “turned their backs to society”:

Eeyou elders, along with our Cree Hunters and Trappers Association, have set into place a kind of “bush school”. Young girls and boys, often from families who have not been able to offer necessary guidance and support, are taken out to traditional hunting and trapping territories by an elder hunter and his wife. There, away from town life, they learn to live according to another rhythm and set of values. Through a process of apprenticeship, they begin to appreciate the knowledge that has been passed down to the elders, knowledge that is based on thousands of years of intimate experiences and interaction with the land, the waters and animals, the plant life and the skies of the subarctic region... Another way of passing on traditional knowledge is to take the youth out on the land and to familiarise them with the landscape...In town, part of the Eeyou vocabulary is lost because it is no longer used or applicable and English words infiltrate Eeyou vocabulary. For example they must know that the word for a bay on a lake, *yadowagane*, is different from the word for a bay on the ocean, *awasach*. The same distinction is made for a point of land. If it is along the sea coast, it is called *stawayach*, but on a lake it is named *minawadem* (ibid).

These indigenous communities fear the “ghetto”-effect of creating second-rate education institutions and practices (Da Silva 1999:265, see also Stroud 2002:54). This has indeed been the case in many indigenous areas in terms of low-level budgets, poor teacher

training and general neglect by local administrations. The experience of Mali is interesting in terms of how parents evaluated efforts to ruralize the curriculum in the countryside by introducing agricultural and manual schools.¹⁴

It is important to make clear that the vast majority of indigenous communities seek and demand the right to the skills they can obtain from basic education such as reading, math and other skills taught in the first four years of primary education. Being able to read a government decree, knowing the amount of one's debt and one's land titles are just as important for indigenous peoples as for others. Indeed, many cases of debt-bondage in rural areas are partly the result of a lack of numeracy and literacy skills.

Canada's three approaches: Add-on, Partnership and First Nations Control

Three indigenous education approaches have been distinguished in Canada – the add-on approach, the partnership approach and the First Nations control approach.

The add-on approach has been described as “aboriginal enrichment of existing curricula and pedagogy.” It has been criticized as an attempt to merely “dress-up” existing curriculum and methods to be more culturally appropriate, without major changes or attempts to overcome the colonized experience.

The partnership approach is the main approach taken involving partnerships between education institutions and indigenous communities and their organizations. Professional educators come to the table as “learners”, listening to the needs of the community and providing whatever expertise may be requested.

The First Nations Control approach involves a break with national education authorities, reclaiming educational services as part of a broader self-governance effort. Curriculum content and delivery mechanisms are solely defined by the community itself as part of a broader emancipatory process (Richardson and Blanchet-Cohen 2000). While some indigenous peoples in the North thus advocate for a radical break with national education structures, most in the South wish to see their priorities mainstreamed and keep the benefits of national education institutions.

In Greenland, emphasis has been placed historically on maintaining levels and tests similar to those found in the Danish primary and secondary education system. Although criticized by some as a continuation of efforts to use the Danish school system as a blanket solution, it has facilitated further education of Greenlandic students in Denmark and elsewhere.

It should also be noted that some indigenous peoples (see Da Silva 2000 for Brazil) show no interest in the formal integration of indigenous languages into the school curriculum. Rather, learning the indigenous language is seen as a home affair, whereas the national language (Portuguese in Brazil) is what they aim to learn in school. Reversing the segregationist policies of the colonial experience remains a priority.

¹⁴ “Parents saw the curriculum as a second-rate alternative, and teachers, trained in urban, French-speaking schools, had neither the ability to nor the interest in teaching practical skills. They stood by with folded arms as children tended the gardens - the produce of which was used or sold by teachers.” (Moulton 2001:12)

Still, there may be differences in opinion between parents seeking “the best” for their children and children preferring the easier learning environment provided by education in their mother tongue. Evaluations highlighting such differences continue to remain scarce (see e.g. D’Emilio 2001). Experiences point to the fundamental importance of vernaculars as the language of instruction, particularly at the primary school level.

Furthermore, there is a fear that traditional forms of knowledge transmission and livelihoods are manipulated to justify the continuous lack of primary and secondary education services in indigenous or tribal areas. At the policy and budgetary levels, such notions may have considerable impact on the allocation of resources. Although there are indeed other ways of sensing, experiencing and learning about the world (as emphasized e.g. by Classen 1999), multicultural education is very much about bridging the gap between indigenous concerns, rights and resources and the national education agenda.

Multicultural education involves more than just bilingual education and has practical implications for content, teaching practice and even classroom design. In Mongolia, a recent attempt to establish mobile pre-school units has been successful in using the traditional *gers* as training centres during the summer. Teachers are nomads as well, moving with their families and stock together with a group of households involved in the pre-school education programme (Krätli 2001:31). In India, the Rural Litigation & Entitlement Kendra (RLEK), together with the *Van Gujjars* (indigenous forest nomads) in Uttaranchal, has devised an innovative approach whereby local teachers migrate with the community and implement a culturally adapted curriculum.

There is a critical need for a more holistic approach that takes multicultural education beyond the language agenda. This will involve multicultural education breaking the cultural domination of national education authorities and empowering communities to strengthen, implement and control their own visions of educational programmes and practices. However, while innovative teaching methods such as bilingual and multicultural education seem to be dramatically changing the education landscape, new education modalities are not miracle solutions to the massive challenges faced in terms of land and resource loss and degradation. An indigenous child may improve his or her educational performance through bilingual education, only to be considered a more interesting candidate on the child labour market.

While new approaches to education may avoid old problems, they cannot alone change the broader socio-economic processes leading to increased migration, language loss or livelihood disintegration. Such processes require a scope of activities extending beyond the realm of education. At the same time, if education is considered to be an empowerment strategy, it would seem that raising awareness of basic rights and social exclusion processes would form core elements of education efforts.

5.5. Teacher incentives and training

Initially I thought that teaching in Quechua was bad, even though I got clearer with the in-service training courses. Now from my own experience it seems nice to teach the child about his/her culture, for example I don’t know anything about the history of my own people, because I have had to learn things about Western countries (Quechua teacher from Tukma Baja, who participated in an intercultural education programme, quoted in D’Emilio 2001).

Securing an environment conducive to learning involves social mobilization efforts beyond the immediate boundaries of the classroom, community and even the region. It involves fighting discrimination, ignorance and stereotypes through awareness raising, capacity-building and sensitization. It involves revising history books and nurturing a critical understanding of misconceptions and prejudices so present in most countries (Cobo 1987:10).

I really don't like the fake cartoon and illustration in Indian books that are here in the school library. My name is Monica Spencer and my tribe is Navajo, Laguna, Kiaoni and Pueblo, all full blooded. It makes me mad when children make fun of my culture. It makes the kids think we do that when we don't. When the children grow up I don't want them to think that Indians put feathers in their hair and dance around the fire. We don't do that. And I don't think that it is right for the kids to look at the silly things they put in those silly books. One day I saw a kid running around with a feather in their hair and putting their hand to their mouths and making weird noises and I cried when that happened. So what I want you to do is to put those books away and learn about our real history (www.oyate.org).

Teachers play an important role in creating an environment of tolerance and respect. Their understanding needs to go beyond that of “tolerance” for indigenous children who may be slower learners to an understanding of indigenous and tribal children as resourceful. The competencies and value-sets necessary in this regard require teacher training on cultural differences, communication and inter-cultural learning. Culturally sensitive teaching methodologies should be employed for both indigenous and national languages (Stroud 2002:62).

In most indigenous areas, a lack of teacher availability remains a chronic problem. In Greenland, for example, the Teacher College in Nuuk has yet to graduate sufficient numbers of teachers to cover the need for teaching in the mother tongue. Many Danish teachers have thus been hired over the years, with accompanying problems in terms of language and cultural barriers. Other solutions have involved hiring part-time teachers without sufficient training. However, experience shows that being an indigenous or tribal person does not make one a bilingual teacher. The picture is similar in many other countries, where the best alternatives are sought through non-formal education, teacher certification schemes and incentive measures. Training material and programmes are critical for ensuring that the needed skills are present in the community.

For outsiders, a teaching position in an indigenous area is often considered to be a temporary “hardship” post. In the worst cases, teachers are poorly motivated, poorly qualified and have few incentives to stay in the area. Moulton sums up three major challenges for rural schools: producing qualified teachers, deploying them to rural schools and giving them professional and sometimes moral support (Moulton 2001:19). For indigenous peoples looking among their educated youth for teachers, the critical challenges usually involve securing appropriate qualifications. For others, the challenge is one of identifying appropriate pre-service training and sensitization arrangements (e.g. language, culture and history) to guide the teacher into the area. The resource issue is again important in terms of actual incentives provided to youth to continue teaching in rural areas.

Given the challenges faced by indigenous as well as non-indigenous teachers, a number of countries have initiated training and incentive measures to improve teacher capacity and conditions. A number of countries in Latin America (such as Peru, Bolivia, Ecuador and Nicaragua) run certification and diploma programmes on intercultural bilingual education.

Unfortunately, in most countries, the demand for indigenous teachers well exceeds the numbers available. While some countries are seeking to increase the pool of available teachers through teachers colleges, affirmative action policies and other incentive measures, it is also clear that there is a consistent need and potential to mobilize the broader teaching community in assessing the situation and developing appropriate responses. In this respect, a 1998 resolution from Education International included activities for establishing indigenous education committees, promoting indigenous rights and determining the quality needs of indigenous education (www.ei-ie.org).

5.6. Poverty alleviation, community development and land rights

Poverty alleviation has been and remains a crucial weapon against child labour. However, experience shows that poverty alleviation measures may actually perpetuate child labour through failed income-generation initiatives that indebt households and increase dependency on the meagre income of children. Poverty alleviation measures may even lead to increased workloads of children in small-scale enterprises, home-based industries and similar schemes. An analysis that emphasizes poverty levels alone may easily replace one linking land encroachment and disintegrating traditional livelihoods with increases in child labour. The tendency to focus on an individual child or household may lead to the neglect of collective concerns at the community level. Because resulting interventions often fail to address the real root causes, the presence of child labour persists.

It is assumed that social and economic mechanisms such as the introduction of high-yield cash crops, the provision of loans or financing of road construction that have been successful elsewhere will function similarly among indigenous communities. While the first two schemes, in some cases, have indebted people considerably, the latter has often opened up indigenous areas for further land encroachment and settlement. There is good reason to believe that projects to combat child labour run the same risk, unless proper voice is given to indigenous peoples and their children. In contrast, encouraging trends are emerging that involve indigenous organizations and integrate their issues and concerns into national programmes. Terms such as “ethnodevelopment” (Partridge et al 1996) and “indigenous-driven development” have been applied to describe indigenous-controlled and -managed development based on the visions of indigenous peoples and their representative institutions. While they do not offer quick-fix, miracle solutions, they do present an alternative agenda.

Initial rehabilitation efforts for ex-bonded labourers and their children in India have involved the provision of stand-alone grants or loans to individuals. In many cases, these have proven insufficient for people to gain independence, and in some cases they have left children even worse off than before. In Taiwan, China “social workers continue to comment on the difficulty of keeping girls in rehabilitation projects: in fact most leave to return to the sex industry (Bindman 1997).” Indeed, the extent to which individual or household-based strategies alone can be effective in combating child labour is questionable.

In contrast, efforts to support self-help and cooperative organizations have shown some level of success. An illustrative case is that of the *Paraja* in the Indian state of Orissa. At one time shifting cultivators, these tribal groups were dispossessed of their lands and forced into bonded labour.

In the mid-1980s, with the help of AGRAGAMEE, a local NGO, one bonded labourer was freed and provided with two buffaloes under a government rehabilitation scheme. This led other bonded labourers to come forward, and, with the help of AGRAGAMEE, form a milk cooperative that both secured higher benefits and provided a collective stronghold against threats from the previous landlords (Menon 1997:132).

In comparison to stand-alone individual-based schemes, self-help organization offers the means to empower poorer segments of indigenous communities to collectively build alternative and more independent livelihoods. Another interesting case, from Uttar Pradesh in India, involves Sankalp, an NGO that supported self-help organization of tribal mine workers in forming worker cooperatives and applying for mine leases as a tool against child and bonded labour. Based on the observation that families were bonded to mining contractors, the NGO facilitated economic empowerment of parents in order to end child labour. By March 2001, 40 self-help organizations had been supported, three of which had obtained mining leases, and all children affected by the project were reportedly attending school. Other groups without leases have squatted on mining areas, claiming the existing leases were illegal. The social mobilization efforts in these areas have resulted in children being sent to school and adults starting up their own literacy classes. Self-help organization has also led to increased village control of schools in efforts to counter absenteeism (Wazir 2001).

In both Orissa and Uttar Pradesh, a major success criterion was the ability of indigenous and tribal communities to act collectively to solve what essentially constituted collective problems, or at least those issues that exceeded the capacity of empowered individuals or households acting on a more individual basis.¹⁵ The issue of land is indeed such an issue. Furthermore, eroding land, resource and food security may be identified as fundamental root causes of child labour among indigenous peoples.

To what extent can these issues be addressed? Recognition of indigenous and tribal land rights remains a complicated field in terms of its technical, economic and political dimensions. It is therefore important to ensure that these rights and concerns are safeguarded and that best practices are promoted to the greatest extent possible. With certain schemes as the frequently employed cash compensation, (e.g. in connection with development-driven displacement), however, rights are often neglected, with alarming social impacts as a result. Further harmful examples include resettlement initiatives that focus on the allocation of small, privately owned plots, thus eliminating important collective resources and potentially putting further pressure on children as income-generators.

The most encouraging results come from integrated “ancestral domain” initiatives, where collective rights over ancestral lands and resources are recognized by government agencies. Importantly, this model is generally accompanied by the strengthening of traditional decision-making bodies and organizations. The ILO INDISCO experience in the Philippines showed that this approach considerably enhanced the potential and, gradually, the capacity of indigenous communities to respond and solve collective problems.

¹⁵ Although, there have been cases (in India and elsewhere) where cooperative and mutual self-help approaches have suffered from government control, true membership-owned and democratically controlled organizations show a growing potential.

This is of crucial importance to child labour initiatives, as the tendency has indeed been to focus on household needs and strategies rather than broader community needs and potential for action.

It cannot, however, be assumed that securing customary rights will enhance the protection of child rights. As elsewhere, indigenous communities are made up of diverse opinions, and particular attention must be paid to the voices of the children. It is important to ensure that the rights of children, who may very well have different priorities than those expressed by male elders or women's groups, are highlighted in general policy and project approaches.

One emerging model for successful indigenous-driven development processes involves the integration of ancestral domain management into initiatives for empowerment through education, capacity building and skills training. Convention No. 169 provides an overall procedural framework by which to integrate these disparate issues. Using this framework for targeted child labour-related activities presents several advantages:

- It provides an international consensus-based model for recognizing indigenous peoples as rights-holders.
- It underlines indigenous peoples as the main actors in their own affairs.
- It delivers an integral model covering the key issues at stake.

5.7. A rights-based approach

Indigenous peoples have continuously stressed the need for a rights-based framework that recognizes their rights as outlined in Convention No. 169 as well as in a range of other rights instruments and statements (WIPCE 1999). The advantage of a constitutionally recognized rights-based approach is clear. In Honduras, for example, it was only after the ratification of Convention No. 169 in 1994 that an agreement was signed between the indigenous confederation and the government, a technical unit established and general guidelines issued on inter-cultural education (World Bank 2001).

Various international instruments provide legal provisions for the protection of children of indigenous peoples.¹⁶ Articles 17, 29 and 30 of the CRC refer specifically to the individual rights of indigenous and tribal children. Article 17 promotes access to media and information in indigenous and tribal languages. Article 29 emphasizes the need for education to respect cultural identity, language and values in a tolerant environment. Furthermore, Article 30 specifically notes that:

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

¹⁶ These include the International Covenant on Civil and Political Rights, The International Covenant on Economic, Social and Cultural Rights, UN Convention on the Rights of the Child, UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, Conventions on the Elimination of Racial Discrimination, Draft UN Declaration on the Rights of Indigenous Peoples, ILO Declaration on Fundamental Principles and Rights at Work and ILO Conventions No. 29, 105, 138, 182 and 169.

For indigenous children, the relevance of the broader principles and articles of the CRC goes beyond specific references.

A number of ILO instruments complement the CRC in promoting a rights-based approach to indigenous children. The ILO Declaration, containing eight fundamental ILO Conventions, cements the elimination of child labour as a fundamental right. Conventions No. 138 and 182 provide strong instruments in the fight against the worst forms of child labour based on a broad international consensus. Article 7 of Convention No. 182 specifically requires member states to “identify and reach out to children at special risk” when ensuring “effective implementation and enforcement of the provisions.”

Conventions No. 107 and 169 are the only internationally recognized binding instruments to deal specifically with the rights of indigenous and tribal peoples. Convention No. 169 contains core principles for respecting indigenous and tribal peoples’ cultures, their distinct ways of life and their traditions and customs within a rights-based framework.

ILO Convention No. 169 includes a number of general principles and specific articles with relevance for child labour and education. First of all, the Convention provides appropriate processes for governments to work with and respect the rights of indigenous and tribal peoples. Part VI of Convention No. 169 (articles 26 to 31) deals with education in far greater detail than the CRC. It emphasizes equal access, the right to establish educational institutions and the right to participate in the formulation and participation of educational programmes. Being taught to read and write in indigenous languages as well as national language(s) is also emphasized, together with broader awareness raising activities within the surrounding society.

Furthermore, general principles on consultation and participation substantially complement the individual-based CRC in recognizing the need for free participation and consultation with representative institutions (article 6). Article 7 underlines indigenous and tribal peoples’ right to set their own priorities for the development process. Additionally, Convention No. 169 provides normative directions for addressing some of the root causes behind child labour. For example, it delineates appropriate practices related to land rights, employment and social security, the application of which provide key benchmarks in challenging the institutionalized discrimination of indigenous and tribal peoples (See Tomei and Swepston 1996 and ILO 2000).

It may be argued that there is a danger of the individual-oriented CRC clashing with the group-oriented ILO Convention No. 169 (Cohen 1999). On the contrary, the respect for cultural diversity and customary institutions, which are central tenets of the Convention, should not be conflated with arguments justifying worst forms of child labour as culturally acceptable. First of all, the Convention clearly notes that customs to be respected may not be incompatible “with fundamental rights defined by the national legal system and with internationally recognized human rights” (article 8). Secondly, most cases in which “culture” or “customs” are used to explain worst forms of child labour involve outsiders attempting to justify discriminatory practices such as child labour as being culturally more appropriate for tribal children than education. Thirdly, informal training and education in traditional occupations should not a priori be looked upon as child labour.

While some traditional occupations may, in fact, overlap with the worst forms identified by the ILO and prevent children from receiving proper education, the vast majority of traditional occupations are of fundamental educative importance and do not as such exclude further education. This puts them in line with the definition of “light work” that does not hinder the child from accessing appropriate education (Convention No. 138).

Beyond offering broad support to state ratification, promoting a rights-based approach to indigenous and tribal children involves putting this bundle of rights into concrete practice. A rights-based approach supports child labour and education initiatives in the wider context of indigenous-determined and -managed development planning. It can, for example, lead to the mainstreaming of appropriate consultation measures into sector-specific decision-making processes.

Although many countries with indigenous peoples have enacted constitutional or legislative measures related to their collective concerns, there remains considerable potential for improving relevant educational policies as well as their implementation. This may involve facilitating the recognition of indigenous institutions in planning educational services to establish specific guidelines for curriculum development. It may involve communities assessing teacher-training facilities, promoting favourable conditions for teachers in remote areas and strengthening certification schemes for indigenous teachers. The critical question is how to integrate the rights-based approach at several levels, ranging from everyday management and consultation issues to broader programming and policy-level exercises.

Promoting rights at the national level remains a complex issue. Legal or constitutional measures have in very few cases been sufficient to fully protect indigenous rights or prevent child labour. Securing actual rule of law, effective judiciary mechanisms, state accountability and broader awareness are typically beyond the scope of individual initiatives. As one author notes, public policies may not last longer than one governmental administration (D’Emilio 2001). Furthermore, intercultural education may at times be considered an “expensive” solution. This confirms the need for a high degree of vigilance when international organizations promote the rights-based approach. The nuts-and-bolts of the processes as well as a clear picture of the consequences need to be worked on.

In connection with legal provisions prohibiting child labour, the immediate dangers have been particularly clear. While prohibition of various forms of child labour have marked important milestones in combating child labour overall, they have also raised the danger of failing to ensure child protection and food security in the aftermath of such prohibition. The results have sometimes been contrary to the protective intentions, criminalizing or punishing children who work(ed) without providing alternative education and training opportunities. (As this study was being edited, freed *kamaiya* bonded labourers in Nepal were gathering to protest the insufficient follow-up to the government’s outlawing of the *kamaiya* system. According to one NGO, 46 *kamaiya* children and elders have died of cold and malnutrition as a result.) As Kevin Bales notes in “Disposable People”, current forms of slavery do not require ownership or maintenance (1999). While the *kamaiya* system grossly exploited *Tharu* labourers for generations, it in many cases also secured the family basic necessities throughout the year. The immediate result of the ban of the *kamaiya* system in July 2000 was indeed the sudden presence of freed *kamaiyas*, who no longer had the means of obtaining these basic necessities.

ILO technical cooperation has played a pivotal role in moving the agenda. From a narrow legal perspective, the ban marked a key benchmark; however, a rights-based approach involves moving beyond policy action and supporting states in putting rights into practice.

6.8. Relevant consultation and ownership mechanisms

Article 12 of the CRC guarantees children a say in deliberations on issues that affect them. ILO Convention No. 169 recognizes the right of indigenous peoples to determine their own future. Still, there is a long way to go in terms of securing indigenous participation in the control and management of education institutions and programmes (Stroud 2002) in most countries. While there are examples of “First Nations control”, indigenous education councils and other forms of participation (Richardson & Blanchet-Cohen 2000, Cobo 1987:11), they remain for most countries relatively compartmentalized experiences influencing only a small number of communities.

A key challenge involves mainstreaming such practices beyond the lifetime of international projects or programme support interventions. In Bolivia, for example, indigenous peoples’ councils have an influence on educational authorities through their rural municipalities. In other cases involving decentralization efforts or regional autonomy decisions, there is considerable potential to support “home grown” and sustainable processes of participation and consultation. One issue would be to critically assess the growing number of NGOs that have been handed over responsibility for implementing educational programmes in indigenous and tribal areas.

Indigenous peoples are emerging as important actors in the civil society arena. It is noteworthy that the number of indigenous organizations in Brazil increased from four in the mid-1980s to 290 as of April 1999 (Da Silva 2000:24). Obviously, non-registered, “informal” organizations were not listed, but the number is still significant: Indigenous organizations are here to stay. However, the majority of projects underway in Brazil still depend on strong external assistance from professionals, university researchers, missionaries (both lay and religious) and non-Indian indigenous specialists, whose motivations and training vary greatly (ibid:29). The question of ownership is thus critical.

In terms of government commitment, the presence of specialized agencies or technical units on issues of multicultural education, for example, may indeed facilitate the recognition and implementation of indigenous peoples’ rights. Since April 2001, the Government of Peru has reopened the *Dirección Nacional de Educación Bilingüe Intercultural*, conceived as the normative institution for integrating bilingual and multicultural education at all levels in the Peruvian education system. While such institutions are important partners in terms of strengthening policy approaches and government capacity, they cannot replace consultation with indigenous and tribal communities and their representatives. Furthermore, it is important to recognize the limits to the resources and activities of such institutions (Rojas 2001).

Involving indigenous children, particularly child labourers, in these consultation processes is of paramount importance. However, this may pose considerable problems that are not necessarily encountered in mainstream society. In many cases, public dialogue and discussion will be the domain of elders (men in particular).

While the voices of women may be heard, children may not be permitted to speak, or their voices may not be considered relevant. Alternatively, a broader tolerance and “ear” to children’s voices may also be encountered. In short, indigenous organizations should not necessarily be considered representative of their communities, and in particular, not of the working children. As elsewhere, there may be powerful groupings or individuals who dominate the public debate and representative institutions through networks and contacts. Parents and children may even perceive child labour and education in very different manners. The need for a critical consultation phase is evident.

There is a need to better understand what kinds of light work are acceptable and what is to be considered as harmful forms of child labour. A high degree of cultural sensitivity is needed to ensure constructive dialogues on education and child labour aspects of customary livelihoods.

Discussing issues such as child labour, education-related problems and human trafficking in public may not be considered appropriate. The difficulty may be compounded by the perception that this is yet another “critique” or stigmatization of indigenous communities. Furthermore, the tendency of government agencies, international organizations and researchers to look at the “problems” and ignore indigenous resources can generate resistance. Indeed, addressing the child labour and education challenges of indigenous peoples in most cases requires continuous follow-up, dialogue and innovation that stretches well beyond the typical life-time of international support.

6. Concluding remarks and preliminary recommendations

In certain areas, indigenous and tribal children form the majority of child labourers. At an almost global scale, the education performance of these children is markedly lower than national averages. Why? Studies point to:

- serious flaws in national education systems and practices,
- widespread processes of socio-cultural disintegration,
- dispossession of ancestral lands,
- marginalization of indigenous livelihood systems and practices,
- discrimination and
- lack of recognition of indigenous peoples' fundamental rights.

This being said, poor educational performance does not necessarily equal high child labour rates. In some cases, indigenous peoples have indeed proven more successful than neighbouring migrant populations in keeping their children out of worst forms of child labour. Conversely, the scenario of vulnerable indigenous families affected by child labour is emerging in several countries.

Conventional approaches to the extension of education and the elimination of child labour risk reinforcing marginalization unless specific consultative measures are taken to include the voices of indigenous and tribal children and their communities. Recent experiences in multicultural education and indigenous-driven self-help organization provide directions for a new approach.

In many countries, indigenous and tribal children and youth are at a critical turning point. Education is one area in which support has exploded following the initiation of the UN decade for indigenous peoples, and with good reason. Education services are, if designed properly, a key strategy for empowering indigenous peoples. Indigenous organizations, representatives and professionals are increasingly involved in designing, planning and managing such interventions. However, to what extent this increased focus is leading to better school performance and less child labour has yet to be assessed in a systematic manner. In other words, there is a question as to whether or not improved education services empower indigenous peoples to address the broader root causes leading to child labour.

The following preliminary recommendations suggest ways of pursuing this agenda in concrete terms. It is further recommended that countries, multilateral lending institutions, UN organizations and NGOs adopt a comprehensive rights-based approach to indigenous children, going beyond the CRC to include the principles of ILO Conventions 138, 182 and 169.

Improving our understanding

Child labour among indigenous peoples continues to remain poorly documented. Data is generally limited, disparate and of low quality. There is a need to:

- mainstream disaggregated data collection and improve consultation procedures.
- pilot efforts to identify appropriate indicators and conduct further baseline surveys and needs assessments in selected countries that indicate the presence of child labour among indigenous peoples requiring immediate attention.
- undertake social science research on the conceptual and practical dimensions of the spectrum between “light” educative forms of work and child labour including its worst forms when addressing customary livelihoods and traditions of work.
- highlight the child labour issue with governments, multilateral lending institutions, UN agencies and others working in the field of indigenous education and mobilize further documentation of child labour incidences whenever possible.
- strengthen interaction and consultation with indigenous organizations and networks in terms of child labour documentation, educational innovation and other responses.
- report relevant research and technical cooperation activities to the UN Permanent Forum on Indigenous Issues.
- strengthen interaction between indigenous organizations, teachers’ unions and the wider education community.

Exploring and promoting an international rights-based development framework on indigenous and tribal child labour and education

Several UN agencies, NGOs and multilateral lenders have addressed the needs of indigenous children through health, education and other social development initiatives. There is a need to strengthen coordination and integration on these issues by:

- supporting the Permanent Forum in undertaking its coordinative mandate.
- calling for a UN interagency meeting to develop a joint action plan integrating child labour, education and health into a broader indigenous child rights agenda.
- promoting a rights-based approach to indigenous children that includes ILO Conventions No. 138, 182 and 169.

Mainstreaming Principles of Convention No. 169 into child labour efforts among indigenous peoples as well as the Principles of Conventions No. 138 and 182 into activities targeting indigenous peoples

Collaboration should be strengthened among ILO projects working with indigenous peoples and child labour at the inter-regional level to identify appropriate training material, develop methodological guidance, undertake further in-depth analysis and develop target pilot initiatives. This should include:

- developing simple rapid assessment guidelines for identifying and working with indigenous peoples.
- strengthening practical approaches to involving indigenous peoples in evaluating, designing and managing education and child labour initiatives.
- mainstreaming child labour concerns in indigenous peoples projects

Strengthening the use of multicultural education models for working with indigenous peoples

There is a need to:

- develop national initiatives on indigenous and tribal child labour and education within the framework of Time Bound Programmes¹⁷ that involve data collection, indigenous-driven education practices, teacher training and policy reform.
- conduct pilot projects with indigenous organizations to facilitate indigenous-driven development and education solutions to child labour by addressing broader root causes.
- facilitate interaction between indigenous organizations and teachers' unions to assess curricula gaps and craft improved teacher-training modules on indigenous peoples' concerns (language, history and education needs) in selected countries.
- facilitate training (including training of trainers) and sensitization programmes with teacher-training modules.
- strengthen models of decentralized education (effective devolution strategies) that are designed together with and made accountable to indigenous communities.

Piloting project and policy innovation

Pilot child labour prevention and elimination projects should explore the areas of:

- promoting a rights-based approach to indigenous children at the national, regional and sectoral levels.
- linking child labour to broader structural challenges facing indigenous peoples, such as forced labour, land rights, development planning and local governance.
- strengthening traditional livelihoods and mutual self-help structures as responses to child labour.
- strengthening the integration of indigenous knowledge systems and practices into curriculum development and skills training.
- exploring opportunities for integrating indigenous concerns into national and international education policy work.

¹⁷ A Time-Bound Programme (TBP) is a set of tightly integrated and coordinated policies and programmes to prevent and eliminate a country's worst forms of child labour within a period of time. It is a comprehensive approach that operates at many levels, including international, national, provincial, community, individual and family.

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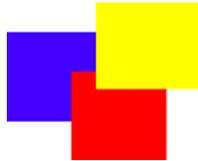
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