



# Production of a Guidance Tool on “How to do Business with Respect for Children’s Right to be Free from Child Labour”

## Concept Note

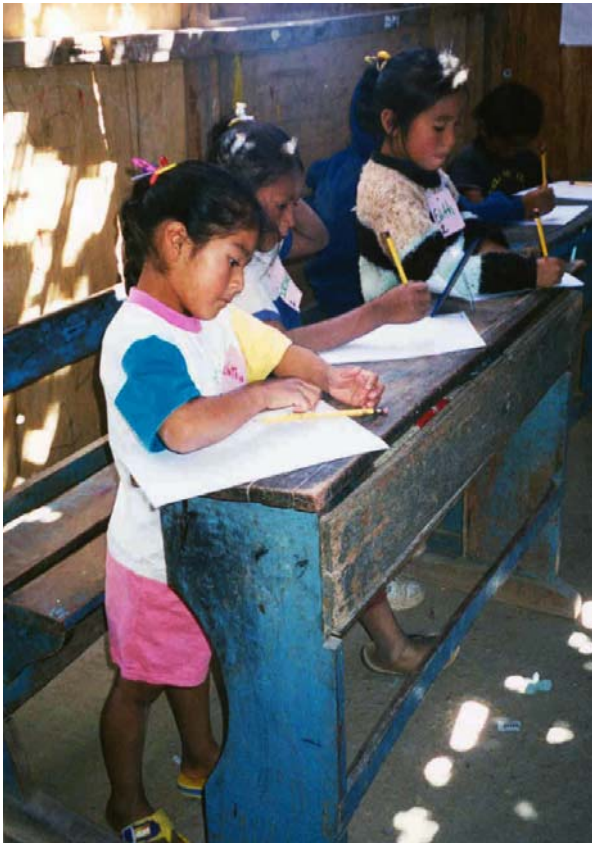
This joint ILO-International Organization of Employers (IOE) project will provide guidance on how companies can avoid child labour and contribute to child labour remediation, whether in their own operations or in their supply chains, through appropriate policies, due diligence and remediation processes. The international standards with regard to child labour are ILO Convention No. 138 on Minimum Age and ILO Convention No. 182 on the Worst Forms of Child Labour. Ratified by 161 and 174 ILO member states respectively, these conventions and relevant national law constitute the baseline for the corporate responsibility to avoid child labour. The ILO’s CSR instrument is the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy of 1977.

In 2008 the UN Human Rights Council unanimously welcomed the “Protect, Respect and Remedy” policy framework for business and human rights. The UN Framework affirms that companies have a responsibility to respect human rights, that is, to avoid infringing on the rights of others and to remediate negative impacts with which they are involved. It also affirms that states have a duty to protect against human rights abuses by third parties, including companies, and that there is a need for greater access by victims to effective judicial and non-judicial remedy. In 2011, the Council endorsed the

Guiding Principles on Business and Human Rights, which operationalize the UN Framework.



The project will develop the guidance on how companies can respect the rights enshrined in ILO Convention No. 138 and Convention No. 182 in their own operations and through their business relationships. The project will use the UN Framework and Guiding Principles in developing the guidance, particularly as it pertains to companies’ responsibilities in avoiding and providing remediation for child labour. It will build on the ILO-IOE publication “Eliminating Child Labour: Employers Guides” (2007), as well as relevant ILO-IPEC tools and methodologies such as the “Resource Kit on Child Labour Monitoring” (2005) and the papers and proceedings of the 2009 “Engaging Business: Addressing Child Labour” conference, sponsored by the International Organization of Employers, the U.S. Council

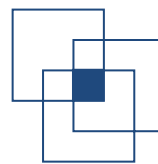


for International Business, and the U.S. Chamber of Commerce. The project envisages working closely with selected companies in the production of the guidance.

In the first stage, the project will develop a protocol for, and conduct assessments of, an initial group of companies. Each participating company will receive an individual assessment of how company practices follow the key elements of the responsibility to respect, identified in the UN Framework and Guiding Principles, in relation to the prohibition of child labour. These

elements include: a policy commitment, conducting due diligence (assessing impacts, integrating findings, tracking and communicating on performance) and, where relevant, remediation. The assessment will take into consideration past activities and policies, and will be placed in industry and country context. The assessment will identify which elements could be most strengthened, if any. Key staff will be interviewed and company documents studied. In addition to individual company assessments, there will be an overarching report identifying common trends among the companies.

Subsequently, the project will organize peer-learning exercises and dialogue with experts for participating companies to facilitate implementation and integration of child labour concerns into company policies and practices. The individual assessments and the summary report developed in the first phase of the project will serve as input for the workshops. The project will then develop rigorous, evidence-based good business practices in the area of child labour. After endorsement by the participating companies, this Guidance Tool will be shared with other companies, using ILO and IOE networks and methodologies for dissemination.



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