

Editorial

Child domestic workers

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(Key words: Child domestic worker)

The 2012 global estimates on child domestic work was based on the industry approach unlike previous estimates which were based on an occupation approach¹. The industry approach was recommended by the International Labour Organisation (ILO)². Child domestic work refers to the situation where children aged 5 to 17 years perform domestic tasks in the home of a third party or employer (with or without remuneration)¹. It is estimated that 17.2 million children aged 5-17 years were engaged in domestic work in the world in 2012, representing 6.5% of all children in employment in this age group¹. Of this, 5.7 million were boys compared to 11.5 million girls¹.

Many child domestic workers (CDWs) live in their employer's home, making them highly dependent upon their employers for their basic needs³. Their freedom of movement, their ability to contact their families or friends, to attend school or to access services, is often solely dependent on their employer's discretion. Their isolation makes it difficult for them to seek help or for outsiders to detect cases where CDWs suffer from abuse or exploitation³.

CDWs often work for a fraction of the minimum wage even if paid at all. Those living with their employers can be "on-call" 24 hours a day. Long hours of work and little time for rest, recreation or socialising negatively impact on the child's mental, physical, social and intellectual development³.

Domestic work exposes CDWs to a variety of household dangers³. Serious injuries have resulted from use of hazardous material such as sharp knives, hot irons, boiling water, electrical appliances, and toxic chemicals such as bleach, often used without training or protective clothing³. They are frequently expected to perform skilled tasks such as childcare or caring for the elderly with minimum training³. CDWs often receive inadequate medical treatment in times of sickness³.

CDWs are frequently subjected to verbal, physical and sexual violence. Verbal violence takes the form of name-calling, threats, swearing, screaming and shouting. Physical violence may include beating, kicking, whipping and pinching. Due to the child's

vulnerability and isolation, sexual violence is relatively common.

Most CDWs are denied the opportunity to go to school³. Even when an employer does not prevent attendance, the long working hours and requirements of a CDW's job make it very difficult to keep up with their studies³. The inflexibility of the formal education system can be another obstacle, alongside the difficulty in affording school fees, books, uniforms and transportation costs³.

According to the National Survey on Child Labour conducted in 1999, the number of CDWs in Sri Lanka was estimated to be 19,111 of which a majority were girls from rural areas⁴. Poverty at the household level was considered as one of the primary reasons for the prevalence of child labour in Sri Lanka⁴. In Sri Lanka the minimum age of employment in all sectors is 14 years and employment of children under the age of 14 is illegal⁵. Children between ages 14 to 17 may engage in light work in family-run farms or as a part of their technical education as long as their employment does not prevent them from attending school. The law prohibits hazardous work for persons under the age of 18 years⁵. Employment of children, particularly little girls, as domestic workers, in Colombo, has reduced sharply over the last few years following better implementation of child protection laws in the country. However, many children between the ages of 14 and 18 years continue to be employed in domestic service in urban households.

Let us consider how some rights in the 'Convention of the Rights of the Child' are actually or potentially infringed upon with regard to the CDWs⁶. Article 7 (*to be cared for by his or her parents*) is infringed upon as no matter how considerate an employer is, he (or she) can never be a substitute for a parent. Article 9 (*to maintain regular contact with parents*) is infringed upon as in many cases the CDW visits home rarely, perhaps once a year. Article 12 (*freedom to express his or her own views in matters affecting the child*) is infringed upon as the views of CDWs are rarely sought in anything that affect them. Article 15 (*freedom of association*) is infringed upon as most CDWs are not allowed to make friends. Article 16 (*protection from*

interference with a child's privacy, and from unlawful attacks on his or her honour or reputation) is infringed upon as CDWs often have no privacy and may be unfairly accused for any loss in the household. Article 18 (*to be brought up by parents or guardians whose basic concern is the child's best interests*) is infringed upon as employers are primarily concerned with their own best interests. Article 19 (*protection from physical or mental ill-treatment, neglect or exploitation*) is infringed upon as ill-treatment of CDWs occurs with impunity. Article 27 (*conditions of living necessary for his or her development*) is infringed upon as the long hours and isolated living conditions preclude many developmental opportunities. Article 28 (*education*) is infringed upon as many CDWs receive no schooling. Article 31 (*rest, leisure, play and recreation*) is infringed upon as most CDWs have no hours off during the working day and no regular day off in the week⁶.

Many characteristics which define 'worst forms' of child labour are now seen as applying to CDWs⁶. In 2006, Sri Lanka, as a member state of the ILO, made a commitment to eliminate the worst forms of child labour by 2016⁷. In 2010, with technical and financial support from the ILO, the Ministry of Labour Relations and Productivity Promotion developed Sri Lanka's Roadmap 2016 on the Elimination of the Worst Forms of Child Labour, in consultation with stakeholder ministries, employers' organizations and workers organizations⁷. In 2013, Sri Lanka Government reactivated its National Steering Committee (NSC) on child labour, launched a project to create a child labour free district by 2016 which will serve as a model to be replicated in all 25 districts and assisted in the formation of 755 Child Protection Committees in schools across the country⁸. It also implemented an innovative, fully automated Labour Inspection System Application that supports on-site inspection processes⁸.

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