



Policy Paper about

"Eliminating the Worst Forms of Child Labor in Egypt"

Reflecting the outputs of the round table

**"Child labor between local efforts
and international aspirations"**

Policy Paper about "Eliminating the Worst Forms of Child Labor in Egypt"
Reflecting the outputs of the round table "Child labor between local efforts and international aspirations"

Tables of content:

The executive summary	3
Introduction	4
First: The general framework about "The worst form of child labor in Egypt".	4
1- The legislation deficiency	5
2- The conflicts of laws	6
3- The failure of laws' implementations on the institutional level	6
Second: the analysis of the alternative polices	7
1- Identification with international efforts to eliminate the worst forms of child labor (entering into partnerships)	7
2- Regulatory alternatives	8
3- Economical alternatives	9
Recommendations	10
The conclusion	11
List of references	12

The executive summary:

The involvement of children in the worst forms of labor is a major obstacle to high rates of development, especially in developing countries, and the elimination of child labor in hazardous occupations, a commitment that Member States of the United Nations pledged to eliminate, including the Arab Republic of Egypt, by adopting the United Nations Agenda for Sustainable Development 2030 and its objectives, some of which are directly related to ending forced labor for children, such as Goal 8.7 of the Sustainable Development Goals. This phenomenon has appeared again during the current year after it had been relatively absent during the previous two decades, with the global progress in confronting the worst forms of child labor halting in an alarming manner. Out of 160 million children working around the world, with a high confidence rate of involvement over 8.9 million children to work by 2022, 79 million are involved in the worst forms of child labour, nearly half of all child laborers engaged in work that harms their mental, physical and psychological health and limits their enrollment in school.

Returning to Egypt, the problem of children engaging in the worst forms of labor is among the most common phenomena, especially in rural areas, despite government efforts to reduce the effects of this problem, but it is on the rise, especially with the outbreak of the COVID-19 pandemic, and in light of the legislative shortcomings at the level, According to the latest survey of the Central Agency for Public Mobilization and Statistics that it conducted in 2010 and the results of which were issued in 2012, the number of working children in Egypt was estimated at about 1.9 million in the age group from 12 to 17 years, including 1.6 million work in the worst forms of labor, which was equivalent to 9.3% of children in Egypt at the time. The majority of child labor is concentrated in the agricultural sector by about 63.5%, while the manufacturing sector accounts for 18.9%, while the service sector employs children about 17%. It was also clear that child labor in the countryside increased by about 83% compared to the city, which accounts for 16% of child labor. However, these statistics do not constitute the true reality of child labor in Egypt. According to the International Labor Organization, there are 2.2 million child laborers, and according to UNICEF, this number exceeds three million child laborers. Among the most prominent challenges facing the fight against child labor in Egypt, which the paper concluded: The gaps contained in the legal framework regulating child labor, both with regard to exceptions to child labor, and conflicting laws themselves, besides the neglect of dealing with this phenomenon at the institutional level and dealing with it as a strategy to combat poverty.

The paper concludes with the following recommendations as a set of policies that will enhance efforts to eliminate the worst forms of child labor by 2025: Forms of labor, development of a national action plan on business and human rights, support for the efforts of civil society and social activists in accessing children's workplaces, especially in the informal sector, initiation of a legislative reform process for laws

regulating child labour, increase in the number of labor inspectors based on the ILO technical recommendation in order to intensify the supervision of child labour.

Introduction:

Child labor remains one of the most prominent challenges facing development efforts, and it is among the urgent issues that require effective political will and a clear human rights approach to deal with it to reduce its root motives and treat its various symptoms, and we do not mean by child labor, the work necessary to provide children with basic skills in their stages of development and its development. But what is concerned with the worst forms of child labour, are those acts that may endanger the health, safety, morals or development of the child, because of their nature or because of the circumstances in which they are performed. The International Labor Organization has limited these jobs to more than 44 dangerous professions and industries. This risk extends to work that, by its nature, may hinder the education of children in the primary stages. Egypt is among the African countries where the worst forms of child labor are high. Statistics from the Central Agency for Mobilization and Statistics estimated that 1.6 million children are involved in dangerous professions, out of the 1.9 million children included in the national survey of child labor in Egypt, while it is believed with a high degree of confidence that the numbers are much higher than that, especially since these surveys do not include workers in the informal economy, or agricultural workers of children, and the exacerbation of this phenomenon in Egypt goes beyond the high rates of poverty, and the failure of the supervisory authorities and child protection committees in the national councils to play the role they are entrusted to play, The legislation related to child labor has been left in place, which squanders any efforts or policies undertaken by the state to confront the worst forms of child labour.

This paper aims to find alternative pathways for children in Egypt to engage in the worst forms of work by 2025 in line with the National Plan to Eliminate the Worst Forms of Child Labor and Support Families (2018-2025) and goal 8.7 of the Sustainable Development Goals and in line with Egypt's Vision 2030, This paper includes an extensive review of all literature, open sources, and available data, in addition to the outputs of the roundtable held by Maat for Peace, Development and Human Rights Association on August 1, 2021, entitled Combating Child Labor between Local Efforts and International Aspirations.

First: The general framework about " The worst form of child labor in Egypt".

Since Egypt launched the National Plan for the Elimination of the Worst Forms of Child Labor and Support for Families, it has given an accelerating attention to combating the worst forms of child labor, and held the meeting of the National Steering Committee for the National Action Plan for the Elimination of the Worst Forms of Child Labor and Family Support, which coordinates the implementation of this planⁱ. Egypt proceeded on two main tracks in order to reduce the effects of this

phenomenon, and to eliminate its root motives. The first is represented in addressing the reasons that led the families to push their children to work, by supporting poor families, especially in the countryside of Upper Egypt, where the poverty rate is about 48%, and the percentage of child labor in it is about 83%, and the number of children covered by protection to support their stay in schools within The Solidarity and dignity Program of the Ministry of Social Solidarity reached about 5 million children in 2019, a number that is supposed to rise by 2025ⁱⁱ. The second is represented in Combating networks of beggary, commercial sexual exploitation and human trafficking, as reported by the Minister of Social Solidarity at the round table organized by the Maat Association in early August 2021.ⁱⁱⁱ

Despite this, the phenomenon of the worst forms of child labor remained stagnant, and children continued to engage in the worst forms of labor, including commercial sexual exploitation, work in mines, brick-making and other professions that were prohibited by nature, and children continued to fall victim to human trafficking within local and sometimes cross-border criminal networks^{iv}. **So, we can attribute these shortcomings in combating child labor to several factors:**

1. The legislative deficiency

Egypt has acceded to a wide range of ILO treaties related to combating the worst forms of child labor. However, there are still some articles in the Child Law, the Executive Regulations and the Labor Law that codify the worst forms of child labor, for example:

- According to Child law No. 12 of 1996 as amended by Law 126 of 2008, Children may be employed in Child Law at the age of 12 to 14 years in seasonal work by decision of the Governor.^v
- The implementing regulations of the Child Law did not include all the dangerous professions mentioned by the International Labor Organization Convention. As well, it mentioned 26 professions and industries, to which the conditions of the worst forms of child labor apply, which contradicted with Resolution No. 118 of 2003 of the Minister of Manpower and immigration, which included 44 professions and industry.^{vi}
- Laws regulating child labor in Egypt do not prohibit child labor in the agricultural sector. according to Article 143 of the Labor Law, including the harvesting of the cotton crop, in which work in some stages represents a major danger to children.
- National legislation does not prohibit child labor on family farms especially in rural areas.

- According to labor law No. 12 of 2003, Article 4 and Article 103 the Exclusion of girls working in homes and children working in pure agriculture from the protection guaranteed to other children in Labor Law.^{vii}

2. Conflict of laws:

- Article 64 of the Child Law prohibits children from working before they reach the age of 14, while in the provisions of the Labor Law, a child who reaches the age of 15 is considered a child worker.
- Children under the age of 17 may not be employed in 44 jobs and professions specified in Articles 1 and 2 in Minister of Manpower Resolution No. 118 of 2003, but the Labor Law includes only 24 professions and jobs for which children are prohibited from working.
- The exceptions included in the Labor Law and the Child Law, respectively, permit children to work in pure agriculture and domestic service, and in seasonal agriculture despite the prohibition on child labor in other articles in the same laws.

3. The failure of laws implementations on the institutional level:

Maat Association, through its monitoring and documentation of violations of children's rights in Egypt, especially the worst forms of child labor, and focusing on the contents of the round table held in early August 2021, that there appears to be a partial indifference at the institutional level to combat the phenomenon of child labor lies in the following:

- ❖ Although the Labor Law No. 12 of 2003 contains penalties for the owner of an establishment that violates the provisions of Chapter Three on child labor, these penalties are not effectively applied with regard to child labor, despite the judicial control enjoyed by labor inspectors, but they seem to be reconciled with this phenomenon, as we observed, for example, a statement by one of the inspectors in the Mit Ghamr Department of Environmental Affairs, Occupational Health and Safety, who said, "It is fair for parents to send their children to work." They are poor and need money, so why do we punish them?^{viii}
- ❖ The law specifies the penalty for employees who fail to perform their work. However, none of the labor inspectors during the past five years has been punished for failure to perform the tasks they are authorized to perform. The Ministry of Manpower justified this by the lack of cadres working in the inspection of facilities, and considered that the number of inspectors Work in Egypt is equivalent to only 10% of the institutions that need to be monitored, which was approved by the Minister of Manpower himself when he recognized the existence of a gap between the number of establishments, which reach 3 million, and the number of inspectors, whose number reaches only about 1,400.^{ix}

- ❖ The ineffectiveness of the general and sub-committees for the protection of children at the level of the governorate or the center and the neighborhoods, which are the committees stipulated in the law, and are technically affiliated with the National Council for Motherhood and Childhood, and the role of these committees is the preventive intervention before harm occurs to children, especially in engaging in forced labor, In addition to the limited space that the Child Rescue Plan gives to the problem of the worst forms of child labor, as it does not respond to child labor complaints, we find that the Child Rescue Plan No. 16000 of the National Council for Childhood and Motherhood did not interfere in the issue of combating child labor, and did not consider it one of its specialties, and its interventions were limited to Preventing minors' marriage, female circumcision, and issues related to family neglect, which contradicts its duties as a mechanism for monitoring children's rights and for receiving complaints about any form of child abuse, including the worst forms of work. ^x

✓ Second: the analysis of the alternative policies

Several reasons have contributed to the exacerbation of the worst forms of child labor in Egypt, including; Legislative gaps in local laws, the economic conditions of high levels of poverty, especially in rural areas, in addition to the social motives represented in society's general acceptance of child labor as a means to help the family bear the burdens of life, and the partial acceptance of this phenomenon at the institutional level as a strategy to curb poverty. **This paper presents options for alternative policies to eliminate the worst forms of child labour, as follows:**

1. Identification with international efforts to eliminate the worst forms of child labor (entering into partnerships):

Entering partnerships represent an urgent step in order to achieve the goals of sustainable development, according to the accession of Egypt in the alliance of 8.7 represents as a major step to abolish the worst form of child labor in 2025. This alliance represents an international partnership that aims to take immediate and effective measures to eliminate forced labor, modern slavery, human trafficking, and child labor coping with the seventh of the eight goals for the sustainable development strategy's goals. And it includes in its membership the pathfinder countries which Egypt has to join them. These countries are 26 countries that agreed to accelerate the work in an efficient way in order to achieve the goal by 2025.^{xi}

In the case of joining the alliance, Egypt will be committed to:

- Adopt and implement national action plans or policies, including revised legal frameworks and enforcement mechanisms, covering the topics covered in SDG 8.7.

- Adopt and implement national action plans or policies in consultation with social partners at the country level in accordance with the principles of social dialogue and forced labor and child labor standards.
- Translate public commitments into actual action following the signing of the “Call to Action” to end forced labor, modern slavery and human trafficking or the general pledge to implement the Buenos Aires Declaration of November 2017 of the Fourth World Conference on the Sustainable Elimination of Child Labor.
- Promote ratification and work towards the full implementation of recognized international human rights standards and obligations, including those of the International Labor Organization.^{xii}

In general, Egypt's joining the Alliance will contribute to accelerating the pace of work to eliminate the worst forms of child labor in line with the national plan to eliminate the worst forms of child labor and support the family. It will also serve as an opportunity to develop a roadmap and action plan that brings together all stakeholders, including the group of wide range of different ministries, in addition to civil society organizations, social partners, affected groups, and the private sector, Egypt will also commit accordingly to submit a report on the agreed indicators related to the voluntary national review to highlight the progress achieved.

In order to complete their joining to the Alliance, Egypt will have to move forward with the following steps:

- 1- Informing the secretariat of the alliance of Egypt's desire to join it, and then the secretariat invites it to attend the meeting of the global coordination group.
- 2- During the meeting, Egypt announces its commitment and desire to join the alliance as a leading country.
- 3- Delivering a letter of desire to join the head of the secretariat after attending the meeting of the global coordination group, as well as appointing a government official to coordinate efforts and communicate with the alliance.

2. Censorship Alternatives

Weak oversight and follow-up are of the most important factors that affect the persistence of the worst forms of child labor. The executive regulations of the Child Law have authorized the right to monitor and inspect the labor facilities of the labor offices of the Ministry of Manpower, whose role has been neglected during the previous years. In this regard, countries must provide inspectors Labor offices include:

1. Access to workplaces in the informal economy requires an increase in labor inspectors in non-urban areas, where the number of labor inspectors is insufficient compared to the size of the workforce in Egypt, taking into account

the technical recommendation of the International Labor Organization, it is necessary to have one inspector for every 15,000 workers in developing economies. Therefore, Egypt is required to employ about 1,999 inspectors for more than 29.9 million workers.

2. Increasing penalties for labor inspectors who fail to perform their work, especially with regard to child labor, and issuing a ministerial decision with new penalties, in addition to the necessity of making labor inspection reports on the worst forms of child labor available on a website affiliated with the Ministry of Manpower, or a separate website affiliated with the central administration for inspection and control, or the National Center for Occupational Safety and Health Studies.
3. Raising the awareness of labor inspectors about the dangers of forced labor and working in occupations of a dangerous nature to the health and development of children and impeding their education through intensifying training conducted by the Ministry of Manpower and national councils, especially the National Council for Childhood and Motherhood. And clarify the relationship for these inspectors between the rise of child labor and the undermining of economic development and the rise in poverty rates.

Child labor leads to a vicious cycle of poverty in developing countries and the pace of child labor continues between generations, as children of working children are more likely than others in the future to engage in the worst forms of child labor. Child labor is often associated with low-paid unskilled labor. The high rates of school drop-outs, and therefore the high rates of dropping out of education undermine the development process in low-income countries, for example, one extra year of education, leads to an increase of about 10% in the average income. Some research has shown that each additional year of schooling raises the average annual GDP growth by 0.37%. Therefore, raising awareness of the importance of education in reducing child labor and the growing rates of economic development is a vital necessity.^{xiii}

3. The Economic Alternatives:

Hundreds of thousands of children in Egypt are forced to engage in the worst forms of child labor, and this is mainly associated with high levels of poverty, especially in rural areas. Poverty is linked to the low level of income of Egyptian families, which pushes children to work. According to the database of the Ministry of Social Solidarity for the year 2021, there are about 9.3 million poor families in Egypt, comprising about 31 million citizens, more than half of them are children who are forced to work against their will. However, with the aforementioned statistic for poor families, only about 3.8 million families considered to be beneficiaries of Takaful and Karama, which means that more than 6 million families are outside the scope of social protection.^{xiv} Therefore, the Egyptian state should start expanding comprehensive social protection programs for poor families who are forced by circumstances to push their children

towards the worst forms of work, but with linking this assistance to the need to enroll children in schools and prevent them from engaging in dangerous professions, the inclusion of these families in comprehensive protection programs would, Linking this protection to keeping children in schools will reduce their chances of engaging in the worst forms of child labor, while encouraging the private sector to engage in financing small projects that harm families' income, especially in rural and poor areas, while also linking this to not forcing children to work. Add to this an increase in cash support from its current level and abandonment of the strategy of reducing cash transfers from wages prevailing in the labor market, because the limited value of cash transfers may delay curbing poverty. It has been proven that cash transfers provided to parents directly are one of the best direct effective responses to alleviate poverty and deprivation, and it was found that they have a positive impact on a wide range of children's outcomes, including nutrition, health, education and child protection, not to mention the reduction of harmful practices, and at the forefront of these practices are the worst forms of child labor.^{xv}

✓ **Recommendations:**

- Egypt should consider joining Alliance 8.7 as a pathfinder country, which is an international participatory action that aims to implement goal 8.7 of the sustainable development goals on eliminating the worst forms of child labor by 2025, and joining the alliance would accelerate the pace of work towards achieving the seventh target of the goal Eighth of the Sustainable Development Goals.
- The necessity of conducting a comprehensive national survey of the phenomenon of child labor in Egypt with the cooperation of all stakeholders concerned with eliminating child labor, provided that the survey includes an inventory of children working in the informal sector, street children, and children involved in the worst forms of child labor.
- Develop a national action plan on business and human rights that clearly demonstrates the government's commitment to taking a strong stance against forced labor and child labor and provides guidance to Egyptian companies and establishments on their responsibility to respect human rights.
- Initiating a legislative reform process for the laws regulating child labor, foremost among them are Child Law No. 12 of 1996 and its amendments, and the executive regulations of the law, in addition to Labor Law No. 12 of 2003.
- Allowing the establishment of partnerships between civil society organizations and social activists, and supporting their access to workplaces where there are children of other than the age specified in the law, especially in the unorganized sector.
- Raising the performance of labor inspectors who monitor child labor in hazardous establishments and occupations, while improving their professional capabilities, and initiating the appointment of a larger number of inspectors to bridge the gap between the current number of inspectors and the number

assumed to be present, taking into account the technical recommendation of the International Labor Organization that states that there should be one inspector for every 15,000 workers. In developing economies, therefore, Egypt is required to employ about 1,999

- The need to consider adopting serious policies to provide free education to all working children, and to take measures to end the causes of child labor, especially eliminating poverty, reducing unemployment, providing free education and making it available to all school-age children without any obstacles, reducing school dropouts and addressing its causes.
- The need to consider the establishment of a special committee affiliated to the National Council for Motherhood and Childhood, which has the right of judicial police, to carry out periodic and continuous monitoring of the various work bodies, especially establishments that by their nature are facilities that may pose risks to children, and to monitor violations in order to follow up on their respect for the principles of Child labor human rights.

✓ **Conclusion:**

This policy paper discussed the importance of concerted efforts to eliminate the worst forms of child labor. Egypt's accession as a pathfinder country in Alliance 8.7 may be the first to catch up with the elimination of children's involvement in hazardous professions by 2025, but this requires parallel efforts represented in the need to align the regulatory laws. Child labor is in line with the international treaties ratified by Egypt, including the Basic Labor Organization conventions, and increasing cash support and linking it to enrolling children in education, especially in poor areas, will have a profound impact on reducing the causes of child labor. The regulator by increasing the number of labor inspectors and supporting their access to these sectors is an effective way to deter employers who resort to child labor in the hope of quick gains and low wages, but this will not be achieved in its entirety without political will and dealing with the root causes of child labor and not only treat the symptoms of the phenomenon. This requires the participation of all relevant stakeholders so that the children of Egypt are not left behind.

✓ References:

- ⁱ سعيان: مصر تحافظ على حقوق الطفل تشريعياً وصحياً، الوطن، 30 يوليو 2019، على الرابط التالي: <https://bit.ly/3D4fOJU>
- ⁱⁱ Findings on the Worst Forms of Child Labor, Bureau of International Labor Affairs, Available at the following link: <https://bit.ly/3mlg6pV>
- ⁱⁱⁱ الكلمة الكاملة للدكتورة نيفين القباج وزيرة التضامن الاجتماعي، ماعت تي في، 5 أغسطس 2021، على الرابط التالي: <https://bit.ly/3gkyAmx>
- ^{iv} عمالة الأطفال في مصر.. التطبيع مع الجريمة، 360 Online، 12 يونيو 2021، على الرابط التالي: <https://bit.ly/3go9zqv>
- ^v قانون الطفل رقم 12 لسنة 1996 المعدل بالقانون رقم 126 لسنة 2008، المادة 64، ص13، على الرابط التالي: <https://bit.ly/3y3PSKM>
- ^{vi} قرار رقم (118) لسنة 2003 في شأن تحديد الأعمال والمهن والصناعات، بوابة الحكومة المصرية، المادة 2، على الرابط التالي: <https://bit.ly/381qoD9>
- ^{vii} قانون العمل رقم 12 لسنة 2003، منشورات قانونية، المواد 4، 103، على الرابط التالي: <https://bit.ly/3AYeINL>
- ^{viii} Egypt's aluminum industry thrives on child labor, Bringing science & development together through news & analysis, 26 August 2015, Available at the following link <https://bit.ly/3y470jp>
- ^{ix} خبراء: «القوى العاملة» تعاني نقص المفتشين.. و40% فقط من المؤسسات تلتزم بالقانون، المصري اليوم، 12 مارس 2019، على الرابط التالي: <https://bit.ly/383WIFj>
- ^x " المصري اليوم" تبحث عن مقار لجان حماية الأطفال في 3 محافظات.. والمحصلة " صفر"، المصري اليوم، 20 يوليو 2017، على الرابط التالي: <https://bit.ly/2U6MgcN>
- ^{xi} For more, visit the following link: <https://www.alliance87.org/>
- ^{xii} Ibid
- ^{xiii} Out-of-school Children and Child Labor, Global march against child labor, Page 1, Available at the following link: <https://bit.ly/3mm8nrC>
- ^{xiv} إنجازات وزارة التضامن الاجتماعي 2014-2021، وزارة التضامن الاجتماعي، على الرابط التالي: <https://bit.ly/3j3QATO>
- ^{xv} Prevalence and risk factors for child labor and violence against children in Egypt using Bayesian geospatial modelling with multiple imputation, National Center for Biotechnology Information, Available at the following link: <https://bit.ly/3sDjnSh>