

**YANGON UNIVERSITY OF ECONOMICS  
MASTER OF PUBLIC ADMINISTRATION PROGRAMME**

**A STUDY ON LIVELIHOOD OF CHILD LABOUR  
(Case Study: Aged 10-17 Years Working Children in  
Patheingyi Township, Ayeyarwady Region)**

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**A STUDY ON LIVELIHOOD OF CHILD LABOUR**  
**(A Case Study: Aged 10-17 Years Working Children in**  
**Pathein Township, Ayarwaddy Region)**

A thesis submitted as a partial fulfillment towards the requirement of the degree of  
Master of Public Administration (MPA)

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This is to certify that this thesis entitled “**A Study on Livelihood of Child Labour (A Case Study: Aged 10-17 Years Working Children in Patheingyi Township, Ayeyarwady Region)**” submitted as a partial fulfilment of the requirement for the Degree of Master of Public Administration, has been accepted by the Board of Examiners.

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## **ABSTRACT**

Myanmar is a developing country where child labour problem is one of the most important causes of poverty. The purpose of this thesis is to identify the working conditions of child labour and to examine the difficulties encounter in child labour aged between 10-17 years in Patheingyi Township. A survey was conducted on 252 respondents chosen by using cross-sectional survey data and descriptive method. According to the survey data analysis, respondents are school drop out to work. The school dropout rates are high due to the level of knowledge of parents on their children's education which is related to their socio-economic status, education level, occupation and residential condition. Most of respondents are large household sizes and family members of respondents are casual workers who are daily basic earning. Having little average income of the head of household, and not having job security are the main reasons that affect the living of the family. The respondents are working in shops, garment factories, construction site and bricks making places. Minimum age for admission to hazardous work should be 18 years, in all economic sectors, and in any situation of employment or work. Child laborers' physical and mental well-being is at risk, as admitted by many parents, the children themselves and community members who observed that children work long hours, carrying heavy loads and working in risky environments. The major driving factor of child labour is poverty, which is compounded by societal attitudes and lax legislation as well as lack of educational and training opportunities. This survey also found income is the most important thing for their life and most respondents were found to work in shops because of they want to support their families and they born in poor families.

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## LIST OF ABBREVIATIONS

AIDS	-	Acquired Immune Deficiency Syndrome
BSR	-	Business for Social Responsibility
C138 ILO	-	Convention No. 138 on the Minimum Age for Admission to Employment and work
C182 ILO	-	Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour No. 182
CRC	-	Convention on the Rights of the Child
ECD	-	Early Childhood Development
ILO	-	International Labour Organization
INGO	-	International Non-Governmental Organization
IPEC	-	International Programme on the Elimination of Child Labour
LF-CL-SWTS	-	Labour Force, Child Labour and School to Work Transition Survey
MLF	-	Myanmar Labour Force
MY-PEC	-	Myanmar Programme on the Elimination of Child Labour
NFE	-	Non-Formal Education
NGO	-	Non-Governmental Organization
SNGD	-	Sub-National Geographic Domains
UNDP	-	United Nations Development Programme
UNICEF	-	United Nations Children's Fund
WPR	-	Worker-Population Ratio

# **CHAPTER I**

## **INTRODUCTION**

### **1.1 Rationale of the Study**

Children are the most vulnerable human beings yet are also the hope for humanity's future. Our culture and traditions make us unique as an individual and allow us to build up our own perceptions towards the world. Regardless of our differences, children are tomorrow's future. However, while there are children who have grown up with economic and physical security in some parts of the world. In developing countries, many children suffer economic, physical and emotional insecurities. A large number of these children must work for their survival and often doing things unthinkable in wealthy countries of the world. The international organizations have made great efforts to reduce child labour across the world. Many countries have accepted legislation to prohibit child labour; nonetheless child labour is widespread throughout the world. It is a difficult task for low income countries to achieve banning child labour.

Child labours are one of the biggest barriers to social development since many years ago. It is a challenge and long-term goal in many countries to end all forms of child labour. Especially in developing countries, it is reflected as a serious issue these days. Recently the International Labour Organization estimated there are around 218 million children between the ages five to seventeen who work worldwide. Among them, 152 million are victims of child labour; almost half of them, 73 million, work in hazardous child labour (ILO, 2017).

There are many reasons why child work, but poverty is the most critical. Since child labor becomes the norm in impoverished families, the demand for education remains low and the lack of educational opportunity perpetuates both poverty and child labor. Recent globalization trends in the world has also accelerated the pace of children entering the labor market to comprise a cheaper labor force, and many parents are willing to offer children to employers to increase the family income for their daily survival. Considering the diversity of customs and cultures in addition to

the ongoing process of economic globalization, we cannot criticize child labor or children in the workplace from a unilateral point of view.

Child labour means to children who lose their childhood life and is not able to have the basic amenities which a child should have. In International Labor Organization (ILO) report (2013), the largest numbers of child laborers are in hazardous work and, even though it is forbidden by law. Millions of children are victims of exploitation, abuse and violence each year around the world. These children are vulnerable to diseases and they face with long-term physical and psychological pain. The main problem that causes children to work is poverty.

These children are working for their survival and their families. Some tasks may provide successful learning opportunities, such as babysitting or newspaper delivery jobs, but not if the work exposes them to psychological stress, like human trafficking, prostitution and pornographic activities. They are facing many difficulties in their workplaces. Children are often victimized and work for prolonged hours in very bad conditions. This can affect their health physically, mentally and emotionally. These children do not have the basic rights such as access to school or health care.

The international community has made determined efforts to respond to child labor by setting high global goals and standards. The Convention on the Rights of the Child (CRC) requires that children be protected from all exploitative and hazardous work and from work that obstructs with their education and development. International Labor Conventions on Child Labor, such as the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labor Convention, 1999 (No. 182), set the boundaries of the types of work that are acceptable under international standards. (Makiokusa, 2008)

It is important to reflect why children are working and under what conditions, and to make certain if the work that children perform is allowed within the framework of protecting their rights as a child in a given country. Thus, in order to tackle the issue of child labor, it is required to take into consideration the implementation of flexible and adaptable programs suited for children and the society in which they are living. (Makiokusa, 2008)

Myanmar is one of the poorest countries in South-East Asia, with over a quarter of its population subsisting below poverty line. Child labour in Myanmar is caused from household poverty, little knowledge about the issue and lack of programmes and services for poor children. According to the Survey Report Labour

Force 2015, aged 5 to 17 years of 1.13 million children or 9.3% of the child population are in child labour. Most children are working in shops, factories, Construction sites, agriculture fields, tea shops, in fishing, as sale workers, instead of going to school.

There has been found that the age between 5 and 17, almost one in ten of Myanmar's 12 million children are engaged in child labour, too often exposed to hazards and risks. While the minimum age for child employment is starting from age thirteen. Children aged 14-15 are permitted to work up to four hours a day if they have a certificate of fitness (as per the Factories Act 1951), while a 15 years old child can work as an adult. Over 600,000 Myanmar children are engaged in hazardous work that harms their health, safety and morals (ILO, 2018).

UNICEF is provided that technical support to the Department of Social Welfare to redraft the outdated Myanmar Child Law, which will include amendments to the legislative framework related to child labour. All children have the right to grow up in an environment that ensures their protection. Working children must have: (i) the right to engage in work in accordance with law and of his own volition (ii) the right to hours of employment, rest and leisure and other reliefs prescribed by law (UNICEF, 2017).

This study aims to discover the working conditions of child labour and their difficulties. The outcomes of this study include their livelihoods and recommendations to specify actions for promoting their adolescents livelihoods and well-beings.

## **1.2 Objectives of the Study**

The objectives of the study are to identify the working conditions of child labour and to examine the difficulties encountered in child labour.

## **1.3 Methods of the Study**

This thesis was presented by Cross-sectional survey data and descriptive method based on Questionnaires designed in Patheingyi Township, Ayeyarwady region. Focused Group discussion interviews were selected with a total 15 people. A total of 252 respondents was selected from 2 Wards and 1 Village of Patheingyi Township, Ayeyarwady region. The secondary data were involved from related journal papers, books, thesis and research reports on child labour, and also extracted from

Intergovernmental Organizations like the UNICEF, World Vision Myanmar, International Labour Organization (ILO) which were from the sources of libraries, websites and some publications.

#### **1.4 Scope and Limitations of the Study**

The result of Child labour in Myanmar is from household poverty, little knowledge about the issue and lack of programmes and services for poor children. The survey is focus on current conditions of Child Labour and their barriers in Patheingyi Township, Ayarwaddy region was selected to conduct the survey because Patheingyi township and its wards, with mostly Burman and Karen populations, represented urban and semi-urban areas, which are both a source of and destination for child labourers. This field survey was carried out during June, 2019 and the respondents could give adequate information to the questionnaires. Limitation is Collecting data are out of their working hours because selected respondents are working children.

#### **1.5 Organization of the Study**

This study is organized into five chapters. Chapter I is the introduction of the study where involves the rationale of the study, objectives of the study, methodology of the study, scope and limitations of the study. Chapter II is described the Literature Review about Child Labour, Factors contributing to Child Labour, Types of Child Labour, Effects of Child Labour, and Convention on the Rights of the Child and ILO instruments. Chapter III is for highlighted the current conditions of Child Labour in Myanmar, Root causes of Child Labour, Child Labour in Livelihood Sector, Child Labour Law of Myanmar and Current Activities and Initiative for Child Labour. Chapter IV is presented about Analysis on Survey. And Chapter V is presented on Conclusion, Recommendations, References, and Appendixes.

## **CHAPTER II**

### **LITERATURE RIVIEW**

#### **2.1 History of Child Labour and Related Definition**

Child labour has been existence to varying extents along the history. During the 19th and early 20th centuries, many children aged 5–14 from poorer families were working in Western nations and their colonies alike. Children are mainly working in the agricultural sector, home-based assembly operations, manufacturing sector, mining sector, and services such as new children some worked night shifts lasting twelve hours. With the rise of household income, availability of schools and passage of child labour laws, the incidence rates of child labour reduced (UNICEF, 2017).

In the world's poorest countries, around 1 in 4 children are involved in child labour, the highest number of whom (29 percent) live in sub-Saharan Africa. In 2017, four African nations (Mali, Benin, Chad and Guinea-Bissau) seen over 50 percent of children aged 5–14 working. Among the sectors, the agricultural sector is the largest employer of child labour around the world. The majority of child labour is found in rural settings and informal urban economies; children are predominantly employed by their parents, rather than factories. Poverty and lack of schools are considered the primary cause of child labour (UNICEF, 2017).

Globally the incidence of child labour declined from 25% to 10% between 1960 and 2003, according to the World Bank. However, the total number of child labourers remains high, with UNICEF and ILO acknowledging an estimated 168 million children aged 5–17 worldwide were involved in child labour in 2013 (UNICEF, 2017).

##### **2.1.1 19th-century**

Children as young as four were engaged in production factories and mines working long hours in dangerous, often fatal, working conditions. Children would crawl through the tunnels too narrow and low for adults in coal mines. Those children were working like the errand boys, crossing sweepers, shoe blacks, or selling matches,

flowers and other cheap goods. The builders worked 64 hours a week in summer and 52 in winter, while domestic servants worked 80-hour weeks, those working hours were long for them. Child labour played an important role in the Industrial Revolution from its outset, often took about by economic hardship. The poor children have expected to contribute to their family income.

In 19<sup>th</sup> century Great Britain, one-third of poor families were without a breadwinner, as a result of death or abandonment, many children were willing to work from a young age. That was found in England and Scotland in 1788. The two-thirds of the workers in 143 water powered cotton mills were worked as child labour. There has a history that a huge number of children also worked as prostitutes. The author Charles Dickens also worked at the age of twelve in a blacking factory, with his family in debtor's prison. The regulation of child labour started from the earliest days of the Industrial Revolution. The first act to regulate child labour in Britain was approved in 1803 (UNICEF, 2017).

### **2.1.2 Early 20<sup>th</sup> Century**

In the early 20th century, thousands of boys were working in glass making industries. Some jobs are tough especially without advance technology, for example in glass making; it was a dangerous process too. The processing of making glass includes high temperature to melt glass (3133 °F). When the children are at that kind of work, they are exposed to this high heat. This could cause eye trouble, lung ailments, heat exhaustion, cuts, and burns. Since workers were waged by the piece, they had to work productively for hours without a break. Due to high temperature of furnaces had to be continuously burning, there were night shifts from 5:00 pm to 3:00 am. Many factory owners selected only boys less than 16 years of age.

Factories and mines were not the only places where child labour was widespread in the early 20th century. Even in the United States and Europe, home based manufacturing employees are children as well. Governments and reformers argued that labour in factories must be planned and the state had an obligation to provide welfare for poor. Legislation that monitored had the effect of moving work out of factories into urban homes. Families and women, in particular, preferred it because it allowed them to generate earnings while taking care of household duties.

Home-based manufacturing operations were active year-round. Families willingly used their children in these income generating home enterprises (UNICEF, 2017).

### **2.1.3 21<sup>st</sup> Century**

The incidence rate for child labour in the world is 10 to 14 age group (World Bank, 2003). In this century, child labours are still common in many area of the world. The ranges are between 250 and 304 million, if children aged 5 to 17 involved in any economic activity are counted. If there is a light occasional work, it was estimated 153 million child labourers aged 5 to 14 worldwide in 2008. This is also about 20 million less than ILO estimated for child labourers in 2004. Some 60 percent of the child labour was included in agricultural activities such as farming, dairy, fisheries and forestry. Another 25% of child labourers were in service activities such as retail, hawking goods, restaurants, load and transfer of goods, storage, picking and recycling trash, polishing shoes, domestic help, and other services. The remaining 15% labour were in assembly and manufacturing in informal economy, home-based enterprises, factories, mines, packaging salt, operating machinery, and such operations (UNICEF, 2017).

### **2.1.4 Related Definition of “Child”, “Childhood” and “Child Labour”**

**Child:** In accordance with the ILO’s Worst Forms of Child Labour Convention, 1999 (No.182), and the United Nations Convention of the Rights of the child (CRC) defined “a child is an individual under the age of 18 years”. For this survey, the target population for measuring child labour involves all persons in the age group from 10 to 17 years, where age is measured as the number of completed years at the child’s last birthday (UNICEF, 2017) .

**Childhood:** UNICEF defines childhood as the time for children to be in school and at play, to grow strong and confident with the love and encouragement of their family and an extended community of caring adults. Thus, childhood refers to the state and condition of a child's life, to the quality of those years (Makiokusa, Child Labour in USA, 2008).

Childhood is to be a period of school learning, of recreation, and of physical, mental and social development, and not primarily income bearing work. It should,

ideally, be a time for children to live free from fear, safe from violence, and protected from abuse and exploitation (Makiokusa, Child Labour in USA, 2008).

**Child Labour:** The ILO concept of child labor is derived from the ILO Minimum Age Convention No.138 of 1973, which sets 15 years as the general minimum age for employment. Any work in violation of Convention No.138 is illustrated that the illegal child labor should be eliminated. ILO introduces a distinction between child work, which may be acceptable, and child labour, which needs to be reduced. Four groups of children engaged in work/labor are identified for minimum age: “children at work, children involved in child labor, including all economically active children 5 to 11 years of age; economically active children aged 12 to 14 years, except those doing light work only for less than 14 hours per week; and children aged 15 to 17 years engaged in any type of hazardous work, children in hazardous work that will likely harm the health, safety, or moral development of a child, children working in mines, construction or other hazardous activities includes below 18 years of age who work 43 hours or more per week, children in unconditional worst forms of child labor, as defined by ILO Convention No.182”. This includes children in forced or bonded labor, armed conflict, prostitution and pornography and illicit activities (UNICEF, 2017) .

## **2.2 Factors Contributing to Child Labour and Types of Child Labour**

There are various factors contributing to Child Labour such as Poverty as root cause, Family size, Family condition, Traditional or cultural factor, urban migration, Children are cheap source of labor, Over Population causes child labor to increase, Unemployment of elders encourages child workers and Parental Illiteracy and Types of child labour.

### **(i) Poverty as root cause**

There are several root causes that affected on child labour. The most notable reason is caused by being poverty (Bhat& Rather, 2009). Generally, Parents made Decisions about child labour and schooling. If the family is under the poverty line, parents see child as a part of contributor in their family income. Consequently poor parents cannot pay for schooling for their children. Thus, poor households are mainly to send forced their children to labour instead of sending to school. Children who are born to poor parents were referred as child poverty. Poverty influences children in

many social ways, for instance that malnutrition can affect health and education which in turn may impact a child's long term development. According to UNICEF Child poverty is built on child rights, these children lack adequate nutrition, lack decent water and sanitation facilities, health services, education and information (Osment, 2014).

**(ii) Family size**

In reality, large poor households usually have more children involved in child labour than children from smaller households, which demonstrates family size have an effect on child labour. Parents force their children to work because they are not able to manage the demands of a large size family. There are gender differences in the household size. Not everyone and of all age in the family are working as child labour, which depends on the child's age and gender, for example boys are more likely to attend to school than girls. The older siblings are more contribution than others to the family income (Ahamd, 2012; Boyden J and Myers, 1998). Okpukpara et al., (2006) found that in Nigeria, younger children are more likely to go to school than older children, where mostly boys attend schools than girls (Osment, 2014).

**(iii) Family condition**

There are increased numbers of children who have either lost one or both the parents and those impacted by HIV/AIDS in the family, are naturally forced to work in order to support themselves and their siblings. The increasing numbers of orphaned children are particularly in sub Saharan Africa, many whom become street children, and live in very different situations (Osment, 2014).

**(iv) Traditional or cultural factor**

The traditional or culture is another factor for driving children into labour market. Different cultures of many societies create children start work at very young age which are related to traditions and cultural factors. They assumed that children need to learn skills that can be provided for their future. According to Tauson (2009) in rural Guatemala; parents want their children to work because they consider it beneficial for them as they learn work skills. Obinna E and Osita-Oleribe (2007) assumed that many families in Africa need their children to help in contributing towards family income (Osment, 2014).

**(v) Urban migration**

The large number of families from the rural areas migrated to urban areas due to rural push and urban pull factors. As a consequence of that, they are often forced to live and work in the street as they lack access to basic requirements such as food, shelter and these children become street workers as vendors. Mostly street workers are vulnerable to violence and become more vulnerable to illegal works, such as stealing, trafficking drugs and prostitution. Many child labourers lived in unhealthy poor conditions slum areas, lived in urban poverty and worked in poor environment such as domestic work, or labour in hotels and restaurants (Serwadda Luwaga, 2005).

Many cities in developing countries have experienced rapid urbanization. This means that the population is increasing in cities due to immigration and natural growth. In the developing countries, urban poverty faced many challenges in their daily lives and many poor people are living under great hardship, due to unemployment, housing shortages, violence and unhealthy environments. The difficulty of poverty can have weaknesses in the economy and lack of equity to the provision of services (Shitole, 2005). Poverty are referred as an action of social, economic, political structures and processes that created the unequal distribution of resources, both within and in the global context between communities (Lister, 2004). Increased urbanization has resulted in poverty in the cities. Urban poverty raises slums. These areas are characterized by high unemployment, poor sanitation, inadequate access to clean drinking water and inadequate housing. According to Dash (2013) many poor rural areas moved to Delhi as migrants, where migrant families and their children are forced to work for survival and economic opportunities (Osment, 2014).

**(vi) Cheap source of labor**

The cheap labor source is one of important issues for business growth. However, using children as cheap labor source is very unethical. Although some owner in developing countries always find children to get things done easily and cheaply. Therefore to cut the labor cost owners go for child worker instead of adult worker (Adnan, 2013).

**(vii) Over Population**

Child labor is a regular problem to deal with population, when a country is over populated. South Asian countries like Bangladesh are the most common example to give the over population. Over population causes unemployment and the ultimate result is poverty. It's not always true that excess of population would be created the child worker number. Because poverty issue should not bear any importance if a country has enough resources and job opportunities to feed the mouth of all. But if the resources and job opportunities are limited, to feed the excess population cheap source of labor like children can be employed in different forms of work (Adnan, 2013).

**(viii) Unemployment of elders**

If the elder members of a family become unemployed, untold miseries are unavoidable. Most of the cases families face to fulfill the basic human needs if senior members are unemployed. Therefore some parents wanted to send their child to go work instead of school. Interestingly children are employed easily because they can be paid less than adults. Children are also more obedient and easier to exploit (Adnan, 2013).

**(ix) Parental Illiteracy**

Illiterate parents also refer child labor to increase. The uneducated parent does not understand the harmful effect of child labor. Some parents accept the false believe that working makes a child perfect. They decided from their point of view and consideration, children should be gone to work as early as possible. Some parents improve their false believe even further. They think that children don't have the right to become educated because they are illiterate. So these parents send their children to work without thinking of their age. Some parents don't realize because of illiteracy that their child is working outside secretly instead of going school. If they have their own business force their children to involve in family business instead of sending them to school (Adnan, 2013).

**2.2.1 Types of child labour**

Child labour has been categorized into different forms. However, regardless of where and how children work, all forms of child labour are unacceptable as below in.

Children in the worst forms of child labour, examples of the worst forms of child labour consist of prostitution, pornography and drugs related work.

Child trafficking is the meaning ‘any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration’. This category is not the same from the others in that it refers to the process that commercially exploits children.

Child prostitution and pornography is the meaning ‘the use of a child in sexual activities for remuneration or any other form of consideration’ - this category involves using images of children involved in real or simulated sex.

Children used for crime ‘the use, acquiring or offering of a child for illicit activities, in particular for the production and trafficking of drug’. It is important to note that this category is different than the broader category of juvenile crime which includes cases of children committing criminal acts on their own. But it does include the most children selling drugs cases, as the end distributor of a larger business chain.

Children used in armed conflict means the involvement of children as combatants or support workers in armed conflict, whether by government forces or rebel forces.

Domestic child servants mean that children are working in household duties for extended hours at the home of an employer. Many of these children are working in slavery or slave like conditions, many have been trafficked and many risk their health, safety and moral well-being. That category should not be included in the part time domestic work done on a commercial basis by children. Although children are old enough, they are not to be harmed by such work, or normal household chores done as a member of their family.

Hazardous child labour means that “by the nature or the circumstances of work in which it is carried out, it is likely to harm the health, safety or morals of children.” Such work is defined as include physical, psychological or sexual abuse, work underground, underwater, at dangerous heights or in confined spaces, work with dangerous machinery, hazardous materials and long hours including night work (Joanna, 2015).

### **2.3 Effects of Child Labour**

Child labours are deprived the education and physical and mental development of children that their childhood is stolen. In their work, the immature and

inexperienced workers' children can completely ignore the short term and long term risks involved. Children with long working hours are often deprived of their primary school education, normal social interaction, personal development and emotion support from their families. Some children are even forced physical danger and death in addition to following problems (Ferguson, Bovaird & Mueller, 2017).

- i. **Health Problems:** If children are forced to work with the hazardous chemicals, they will be faced to the long-term health problems such as respiratory diseases, asbestos and the variety of cancers are common in countries. Sexual abuse are rape, prostitution, early and unwanted pregnancies, sexually transmitted diseases (STD) and HIV/AIDS, drugs and alcoholism, especially the sexual exploitation of girls by adults (Services & JSI Research & Training Institute, 2017).
- ii. **Educational Impacts:** The lack of education leads to missing of higher skills and education that remain their lives in poverty. The lack of the higher educational opportunities for the older children deprives the progress of the nation in lacking ability, lacking higher technological skills that are necessary to achieve economic transformation for higher income and better living standard and development (Osment, 2014).
- iii. **Social Impacts:** The emotional neglect involves the love of the family and the deprivation of love resulting in despair and loneliness. Physical abuse includes the punishment, the emotional abuse such as verbal attacks, rejection, humiliation, guilt and bad remarks. Physical neglect includes the lack of adequate food, accommodation, uniform and medical care to the children. Competition of the children with the adult workers leads to wages depressing and salaries. General abuse and injuries of the children that are bone fractures, fatigue and dizziness, cuts, burns and wounds, excessive anxiety and nightmares (Osment. 2014).

#### **2.4 Convention on the Rights of the Child (CRC) and ILO Instruments**

The Convention on the Rights of the Child (CRC), approved by the United Nations General Assembly in 1989 and ratified by 193 Member States, it is the most widely and rapidly ratified human rights treaty in history. The CRC is the first legally binding international instrument to integrate the full range of human rights such as civil, political, economic, social and cultural for children everywhere and without

discrimination. It spells out a child's right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. The CRC sets minimum and legally binding standards for all children and applies equally to all children, from the most privileged to the most excluded and impoverished, including stateless children and those denied birth registration and access to citizenship, which showed in the 54 articles of CRC. Two optional protocols to the CRC were adopted in 2000 for the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict to protect children from violence, exploitation and abuse. The obligations in the optional protocols may be more demanding than those in the CRC and they are not automatically binding on states that have ratified the original treaty. Nonetheless, they are increasingly accepted as an international normative standard and develop the protective environment for children.

To fulfill their obligations as states parties to the convention, national governments are required to take "all suitable legislative, administrative, and other measures for the implementation of the rights recognized in the present convention", that was shown in article "four". It measures for implementation and encompasses for establishing legislation, adopting public policy, and allocating adequate financial resources. While government has the primary responsibility for protecting and fulfilling children's rights, other actors with a role in children's lives including parents, teachers, institutions and businesses are also accountable to children for protection their rights.

#### **2.4.1 Articles in the Convention on the Rights of the Child**

The UNCRC covers a very wide range of rights. The UNCRC set up to monitor the application of the UNCRC by states has identified four rights as general principles that are to be considered in the implementation of every articles of the UNCRC. Additional provisions of the convention (articles 43 to 54) discuss the implementation measures for the convention, explaining how governments and international organizations like as UNICEF will work to make sure children are protected in their girls. The guiding principle of the Convention is the requirements for all rights for child and it includes non-discrimination, adherence to the best interest of the child, "the right to life, development and survival and the right to be

heard”. They represent the underlying requirements for any and all rights to be understood. There are four general principles of UNCRC (UNICEF, 2017).

(i) Non-discrimination ( article 2)

In the article “2”, there was stated that “States Parties shall respect and confirm the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or her or his parent’s or legal guardian’s race, sex, color, religion, language, political or other opinion, ethnic, national or birth, disability, property, social origin or other status.” This principle is all rights apply to all children without expression. The states itself has on obligation to put into place the means to make sure children are protected from any form of discrimination and to take positive action (participation) to promote their rights.

(ii) Best Interests of the Child (article 3)

In the article “3”, whether undertaken by public or private social welfare institutions, administrative authorities or legislative bodies, courts of law, the best interests of the child should be a primary in the consideration of all actions concerning children. The “best interests” principle covers all decision making affecting boys and girls, including the mobilization and allocation of resources. Children’s “best interests” will not generally be the only consideration when decisions are made. It affects children that must be among the first aspects to be considered and should be given consideration weight, relative to the interests of adults. It is important for taking decisions on the views of child when determining what the best interests of the child might be.

(iii) Survival and Development (article 6)

Children have the right to live. Country government makes a solution for the children survival and development of health. There are rights to the resources, skills and contribution necessary for the survival and full development of the child. The right for child must include to formal education, primary health care, adequate food, shelter, clean water, cultural activities, leisure and recreation and information about

their rights. There are many specific articles addressed the needs of child refugees, disable children and minority children or indigenous groups.

(iv) The Rights to be Heard (article 12)

In the article “12” stated that “States parties shall assure to the child who is capable of forming his/her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.” The girls and boys have the right to be heard in all decisions affecting them. The article places an obligation on governments to ensure that girls’ and boy’s views are sought and considered.

States which have ratified the UNCRC are legally bound of taking the necessary legal, budgetary, administrative and implementation. States are the main legal duty bearers in the UNCRC and have the responsibility to create the legislation and policy framework. States have to provide resources that children’s rights can be realized.

States must report to the UNCRC committee within two years of ratification and then after every five years. In May 2002, the UN general assembly held a ‘Special children’s declaration. The governments made important promises to children in a document called “A World Fit for Children”. These global pledges have been followed up through national plans of action. “This is not just a special Session for Children, but is gathering about the future of humanity.”

(v) Sub-categories of Articles in the Convention on the Rights of the Child

The substantive articles from 1 to 43 of the UN Convention on the Rights of the Child can be divided different sub-categories:

- Civil and political rights: covers the freedom to form opinions and participate in decision-making and legal proceeding (article 12), freedom of expression (article 13), freedom of association (article 15), freedom of opinion, religion and conscience (article 14), and freedom of access to information (article 17).
- Social rights: Article 4 (Protection of rights): Government has a responsibility to take all available measures to make sure children’s rights are respected, protected and fulfilled. If country makes an agreement on the convention, they agree to review their laws relating to children. It consists the assessing of

social services, health, legal and educational systems, as well as levels of budget for those kinds of services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the convention in these areas are being met. Government also helps the families protect children's rights and reach their potential and create an environment where they can grow. That may involve the changes of existing laws or creating new ones in some statements. Those kinds of legal changes are not imposed, but come about through the same processes by which any law is created or reformed within government. Article "41" of the convention points out the when government already has higher legal standards than those seen in the convention, the greater standards always prevail. Articles "28 and 29" also cover the right to education, article "24" cover health care, social security in "article 26".

- Cultural Rights: In addition to article "4", cover the article "31", recognizing the right to rest and leisure, to engage in play and to participate fully in cultural and artistic life.
- Economic Rights: Article "4" states that government has a responsibility to measure the children in social services, legal health and educational systems as well as right to protect the children from exploitation, article "32 and 36".

#### **2.4.2 Relevant ILO instruments**

There are two selected relevant ILO instrument and they are No.138 on the Minimum Age for Admission to Employment and Work (1973) and No.182 on the Worst Forms of Child Labour Convention,1999 .

##### **(i) ILO Convention No.138 on the Minimum Age for Admission to Employment and Work (1973)**

The Minimum Age Convention of 1973, the Convention concerning minimum age for admission to employment was ratified by 161 countries and adopted in June 26, 1973 at the 58th Session of International Labor Organization Conference and it entered in force in June 19, 1976. The main achievement of ILO's convention "138" was to set a minimum age for employment and children under fifteen years of age should not be entering to work. It was suggested that the age should not be under

thirteen for light work, should not be harmful to a child's health and does not interfere with their school.

This fundamental convention sets the general minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting the general minimum age at 14 (12 for light work) where the economy and educational facilities are insufficiently developed. While the ILO Convention "138" has reduced child labour in some places, many consumers in North America and Europe prohibits imports ended by child worker or boycotted companies using child labour in their supply chains. For example garment industry in Bangladesh, removed 50,000 children who were involved in poor condition with less payment, and mostly girls under the age fourteen were removed from work (Osment, *The Effect on Child, Causes and Remedies to the Revolving Menace*," 2014).

The Convention "138" requires in:

- Article 1 that ratifying states to pursue a national policy designed to ensure the effective abolition of child labor and progressively raise the minimum age for admission to employment of work to a level consistent with the fullest physical and mental development of young persons.
- Article 2 states the minimum age should not be less than the age of completion of compulsory schooling, setting the minimum age for admission to employment as 15 years of age. However, it also allows an exception of minimum age of 14 years for member states whose economy and educational facilities are insufficiently developed.
- Article "3" specifies that the minimum age for admission to any type of employment or work that jeopardizes the health, safety or morals of young persons should not be less than 18 years. However, it also allows the national regulations, laws or the competent authority to authorize employment from the age of sixteen years on condition that the safety, health and morals of the young person's concerned were totally protected and those young persons have received the adequate specific instruction or vocational trainings in the relevant branch of activity. The age limit varies by type of work, but Article 7 sets 13 years of age being the minimum for "light work."

**(ii) Worst Forms of Child Labour Convention “182”**

The Worst Forms of Child Labor Convention, 1999, the Convention concerning the Prohibition and Immediate Action for the elimination of the worst forms of child labor was adopted on June 17, 1999 at the Session of the International Labour Organization Conference and it entered in force on November 19, 2000. The convention “182” requires in Article “1” that ratifying states to take immediate and effective action to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency (Makiokusa, Child Labour in USA, 2008). At the time of June 2019, the convention “182” is ratified by 181 countries (ILO, Ratification by convention).

The convention “182” defines that a "child" is a person less than 18 years of age. It have need of ratifying states to endthe worst forms of child labour including all forms of slavery or practices similar to slavery, such as the trafficking and sale of children, serfdom and debt bondage and compulsory labour or forced, including compulsory recruitment or forced of children for use in armed conflict, child prostitution and pornography by using children for illicit activities in particular for the manufacturing and trafficking of drugs and activities which are likely to harm the safety, health or morals of children. The convention needs ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children uninvolved from the worst forms of child labour. In recent years the number of child labour in hazardous work dramatically increased hence the ILO se the goal of eliminating the worst forms of child labour by 2016 (Amon, 2012).

**2.5 Reviews on Previous Studies**

The applicant had learnt from the thesis of Kyaw Swe Naing (2012) in Yangon University of Economic. His thesis title is a study on poverty reduction and income generation. The author provided the information of creating job opportunity to the people of the region apart from their traditional farming production for poverty reduction and income generation.

Another study was carried out by Kyaw Myat Khaing (2012) provided the information of education is one of the best long term investments any country can make and therefore is the foundation of human resources development process as it contributes to the national economic progress and nation building. To implement an education system which is equitable with the cultural, traditional and social values of the country and in keeping with the economic system this will facilitate national development and nation building.

A study on child labour thesis that was studied by Than Than Swe (2017), “the situation of child labour”, it stated that the information of the situation of child labour and it is not enough to resolve the child labour issue with single solution, other factors such as social situations should also be considered. The solutions to the statements lie in the country economic development and works for all.

Another study was carried out by Simon Mathias Makwinja (2010) on child labour. The author shared the international documents, especially the CRC, depart from the universal conception of childhood, making children all over the world the same and deserving similar treatment, more so claiming their rights. Children are valued differently in all societies across the world. The thesis argues that education proposed as a panacea for child labour is also a contested field as its aims and values vary across societies.

The applicant had learnt from the thesis of Lana Osment, University of Lund, Sweden (2014) on “the effect on child, causes and remedies to the revolving menace”. This study illustrated “how both India and Nigeria have developed laws and regulations to eliminate child labour”. It was also interested about the legal framework and policies to control child labour in India and Nigeria that was based on the ILO conventions “138 and 182”. The violation of child rights and the child labour author explained about the result that was the reasons of forces to children to do work for poverty.

A study on child labour thesis that was carried by Joanna Rea (2015) provided that child labour is the denial of a child’s right to education. The removal of child labour and the provision of full time formal education are inextricably linked. The focus of attention must be to actively integrate all ‘out of school’ children into formal education systems, as well as supporting the removal of all barriers to local schools and ensuring the necessary financial and infrastructural support for the provision of quality education. The convention on the rights of the child along with a host of other

international agreements unequivocally affirms the right of all children to live in freedom from exploitation.

Regarding the thesis of Khin Ma Ma Latt (2015), the title was “the issue of primary education school dropout”, provided the information of the child rights and early schooling leaving issue, school dropouts and non-formal education. Moreover, about the school dropout and way to solve it problem was interested and noted.

## **CHAPTER III**

### **AN OVERVIEW ON CHILD LABOUR CONDITIONS IN MYANMAR**

#### **3.1 Child Labour in Myanmar**

In Myanmar, child labour is highly visible in rural and urban settings. According to the 2014 Myanmar Population and Housing Census data, 23.7% of children aged 10-17 years join in in the workforce, which is indicative of the children's situation in the country. Children who work within their households, in family businesses and on farms are mostly unpaid. Children in paid employment enter the workforce either because they are sent to work by their parents or by their own decision. Children are paid in cash and in kind, and in some industries, like the service industry, they may be provided with shelter, food, clothing and at times schooling or training.

Myanmar has a total area of 678,500 square kilometres and a population of about 50 million. Administratively, Myanmar is divided into seven States - Kachin, Kayah, Kayin, Chin, Mon, Rakhine and Shan, seven Regions; Sagaing, Tanintharyi, Bago, Magway, Mandalay, Yangon and Ayeyawady, and the Union Territory of Nay Pyi Taw. Traditionally, Myanmar economy has been critically dependent on working children, with many working as housecleaners, factory hands and shop assistants. As revealed by a UNICEF's 2006 study, about a third of the child population aged 7 to 16 years was engaged in jobs of one kind or another (Ministry of Labour, 2015).

**Table (3.1) Working Children Aged 5 – 17 Years in Myanmar, 2015**

	<b>Total</b>	<b>Boys</b>	<b>Girls</b>
Child Population (5-17 years)	12,146,463	6,010,459	6,136,004
Working Children	1,278,909	676,208	602,701
Child Labour	1,125,661	601,471	524,190
Hazardous Child Labour	616,815	337,318	279,497
Child Labour (not in hazardous work)	508,846	264,153	244,693
Proportion of working children	10.5	11.3	9.8
Proportion of child labour	9.3	10.0	8.5
Proportion of hazardous child labour	5.1	5.6	4.6
Proportion of child labour (not in hazardous work)	4.2	4.4	4.0

Source: Myanmar Labour Force (2015)

The total population of Myanmar in 2015 was 48 million - female constituted 53% (25.4 million) and males 47% (22.6 million). Children (5-17 years) comprise 27% of the population. Of over 12 million children, boys and girls accounted for 6 million each. Gender balance exists in all the age groups. Wide variations are observed in distribution of children in the 7 states and 7 regions/UTs. The highest percentage of Myanmar children lives in Ayeyarwaddy (12.9%) and the lowest in Kayah (0.7%).

**Table (3.2) Number and Percentage of Working Children by Sex and States/Regions**

SNGD	Children		Boys		Girls	
	Number	WPR	Number	WPR	Number	WPR
Myanmar	1278909	10.5	676208	11.3	602701	9.8
Kachin	26806	7.3	17129	9.7	9677	5.1
Kayah	8413	10	4112	10	4300	10.1
Kayin	37886	8.5	24018	11.2	13869	6
Chin	6933	4.4	4069	5.4	2865	3.5
Sagaing	153121	11.6	72492	11.3	80629	11.9
Taninthayi	34959	8.5	25539	12.7	9420	4.4
Bago	146248	12.5	76212	13.2	70036	11.9
Magway	97869	11	46150	10.8	51719	11.1
Mandalay	173102	12.4	85807	12.5	87295	12.4
Mon	47943	8.8	29149	10.5	18794	7
Rakhine	49403	8.9	30148	11	19254	6.9
Yangon	129793	8.7	69016	9.1	60777	8.2
Shan	163019	10.3	82169	10.3	80850	10.3
Ayeyarwaddy	181632	12.4	101996	13.9	79636	10.9
NPT	21782	8.2	8201	6.4	13581	9.8

Source: Myanmar Labour Force (2015)

Myanmar is yet to develop an official list of hazardous industries and occupations in which children may not work. Countries that ratify ILO's convention 182 are obligated to determine hazardous work "by national laws or regulations or by the competent authority, after discussion with the organizations of employers and workers concerned, taking into consideration relevant international standards." Countries are then obligated to identify where the types of such work are determined to exist, notify such list of designated hazardous industries and occupations in which children may not work or be employed, and review and update this list periodically.

Agriculture, mining, manufacturing, construction are the major industries responsible for exposing maximum number of children to dangers from dust and fumes, dangerous tools, heat and cold, pesticides and chemicals. Boys are more

exposed than girls to hazards work. Table (3.3) presents the distribution of working children by industry of employment, sex, age groups and area of residence.

**Table (3.3) Employment Distribution in Percentages of Working Children by Industry**

Industry Category	Percentage Distribution				
	Urban Boys	Urban Girls	Rural Boys	Rural Girls	All Children
<b>All Myanmar</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Agriculture, forestry and fishing	9.4	10.8	73.2	72.2	60.5
Mining and quarrying	0.9	1	1	0.6	0.8
Manufacturing	23.8	25	8.4	9.8	12
Electricity, gas, & water supply	0.4	0.5	0	0.2	0.2
Construction	14.3	3.4	4.7	0.7	4
Wholesale & retail trade; repair of motor vehicles etc.	33.8	36.6	3.2	7.5	11.1
Accommodation and food service activities	2.7	2.6	0.7	1	1.2
Transportation and Storage	2.6	0.5	2.2	0.3	1.4
Administrative and support service activities	2.4	2.6	1.8	1.3	1.8
Domestic services	0.5	7.7	0.1	0.3	0.9
other services	9.2	9.3	4.7	6.1	6.1
<b>Estimated number of working children</b>	<b>139498</b>	<b>112173</b>	<b>536711</b>	<b>490527</b>	<b>1278909</b>

Source: Myanmar Labour Force (2015)

Child labour is a root cause and consequence of poverty and lack of opportunities. It impacts the development of countries and often leads to forced labour in adulthood as well as other human rights violations. For all these reasons, to end of child labour is one of the priorities of the ILO. (Myanmar Labour Force Survey, 2015). Child labour force is often defined as working children engaged in activities

that deprive them of their childhood, their potential and their dignity which is harmful to their physical and mental development. This includes work that is physically, psychologically, socially or ethically dangerous and harmful to children. It interferes with proper schooling by depriving them of opportunity to join in school or obliging them to leave school prematurely or requiring them to combine school attendance and extremely long and heavy hours of work. (Ministry of Labour, 2015).

### **3.2 Root Causes of Child Labour in Myanmar**

Of the 187 nations included in the U.N. Human Development Index, Myanmar ranks at 150. The estimated populations of 52 million people live in Myanmar, of which approximately 26 % live in poverty that doubles in rural regions. In recent years, the country has displayed strong performance economically, with an average of around 5 percent annual growth, yet despite this poverty levels seem stagnant. As such, it is essential to investigate and understand the main causes of poverty in Myanmar. “Everywhere you go in this country, we can see children working, in every sector” (Hardy, 2016).

Young workers are a common sight in Myanmar, working at urban teashops and construction sites, with domestic chores, and in agricultural fields. Nearly one quarter of children aged 10-17 join in the workforce, according to the 2014 Myanmar Population and Housing Census. It found children in Hlaing Tharyar (in Yangon) between the ages of 10-17 working in shops, factories, construction sites, teashops, restaurants, transport companies, and private households. Many of these children started doing before reaching the legal minimum age of 14 (ILO, 2015).

Myanmar’s reputation and competitiveness were continuously damaged by this normalization of child labor. The country ranked in the top 10 of 197 countries in a 2014 Child Labor Index that calculated child labor risk. The United States retains sanctions on several categories of Myanmar exports because the use of child labor or forced labor is common. The root causes of child labour are poverty, higher school dropout rate, employed child labour in Factories.

**Poverty:** Poverty is the main driver of Child Labour. Many problems come from Poverty such as child labour, prostitution, corruption, robbery, increased unemployment, poor living conditions etc. Poor people faced an inadequate basic need such as clothing, food and health facilities. The poverty undermines children’s development, dropping out of school, the preponderance of them working, their

inability to access health services and their increased vulnerability to exploitation. Many rural communities Myanmar are highly vulnerable to extreme weather in addition to the rains, such as Cyclone Nargis which was devastated much of the country in 2008; it was impacting on the ability of people to create economic value for themselves and their environment. The combination of these factors creates value-adding activities difficult for the people of the country to perform.

The major cause of child employment is household financial hardship, with around one-third of Myanmar's households estimated to be living in poverty. ILO interviews with child workers, their parents, and other key informants found a general consensus that children have an obligation to their families to contribute economically if needed, and this rationale is commonly cited as part of the widespread social acceptance of children joining the workforce. The main factor of household economics like a contributing factor is seen also in the seasonality of child involvement, as the agricultural loan cycle yearly means that children are often carried to work when parents have debts to pay.

According survey on Myanmar living conditions 2017 by World Bank, Approximately one in four people in Myanmar is poor.

- Estimations from the 2017 Myanmar Living Conditions Survey (MLCS) exposes that 24.8 percent of the population is poor.
- The poverty line of Myanmar in 2017 was 1590 kyats per adult equivalent per day. Those with consumption levels at or less than 1,590 kkyat per day are considered poor (World Bank, 2017).

**Higher School Drop-out rates:** The reason is that the indirect expenses of staying in school—including costs for travel, books, fees, and often-mandatory private tuition—make secondary education unaffordable for many. After primary school, distance to the nearest school location also tends to increase. Leaving school typically coincides with joining the workforce: found that in one study over 90 percent of non-working children were attending school, and just 10 percent of working children were still in school. The gap between the age when children complete their five years of compulsory education usually 11 or 12 and the legal minimum working age 14 creates a significant pool of potential underage workers.

Children who drop out of school do so mostly for financial reasons, either due to the cost of education, the need to work for money or lack of interest, which need to be understood within the context of household poverty. Primary education in

Myanmar is supposed to be free, but in practice there are multiple charges that parents must pay (enrolment fees, textbooks, stationery, uniform, exam fees, etc.). But some parents could and still cannot, afford to provide for these responsibilities and consequently, withdrawing their children from school. These children have to help their parents to earn for their families and thus cannot complete their primary education. According the Knowledge, Attitudes and Practices by ILO 2015, less than half the children, except for boys under 13 years of age, expressed a desire to return to school. The majority of children reported that they did not want to return to school mainly because they did not like to study and because they liked to work, rather than due to cost (ILO, 2015)

### **3.3 Child Labour in Livelihood Sectors**

The most common industries where children are found working in the region are agriculture, manufacturing and domestic services. Child labours are low wages. There are too many children still in hazardous and unsafe forms of work in Myanmar. There is over 600,000 Myanmar children engaged in hazardous work that harms their health, safety and morals. Most Children are working in Inland Fisheries, Sugarcane, beans and pulses, Garment Factory (ILO, 2015)

#### **(i) In Inland Fisheries**

At the crab and prawn brokers in the town and trading centers, children workers are likely to live in the production facility where they often work long hours, often at a piece rate. Children in such facilities are at-risk of gross exploitation due the working arrangements.

Sixty-three percent of children living in villages where inland fisheries are a main source of earnings participate in economic activities related to fisheries. In Labutta Township, Ayeyarwady Region, children started at work in fisheries as early as age five and up through teenage years and into adulthood. Child workers bring a variety of activities, many affecting direct risk of harm including drowning and exposure to disease-carrying mosquitoes. For those who had left school early, the transition between primary school and secondary school was the most likely time to discontinue schooling. Hazards are present in fisheries because regular exposure to inclement weather and rough currents is coupled with the dangers of using sharp

equipment like hooks and traps and the likelihood of puncture wounds from tying crabs claws. Most children work for parents or relatives and do for regularly for more than three hours per day. (My-PEC, 2015)

**(ii) In Agricultural Sectors**

Sixty-three percent of children living in the villages reliant on sugarcane cultivation employ in economic activities directly related to sugarcane cultivation and processing. In Aung Lan, children go in the workforce most commonly around age ten, later than in inland fisheries. In sugarcane communities peak entry into the workforce aligns with departure from schooling, reaching a high-point after grade 5, roughly eleven to twelve years old. However, it is not universal. Children proceed to their schooling while working. In Aung Lan, 47% of children did not join in school in the reference year. The age of the children in Aung Lan was skewed older than in the other study areas which may account for some of the difference in schooling rates. Children in sugarcane get ready for land, care for and sow seedlings, maintain the crops and harvest. The use knives and machetes which add to the general hazards involved with working in the dusty, sunny, dense sugar fields with snakes (My-PEC, 2015).

Sixty-three percent of children living in villages reliant on beans and pulses cultivation engage in economic activities directly related to the sub-sector. In this area, children commonly go in the workforce between age ten and age thirteen, though there was no noticeable peak age of entry. In Pakokku, 14% of the children surveyed had not been to school in the reference period. As was the case in other study areas, the peak period for children to be dropped out of the school system is at the transition between primary and secondary school, after grade five. Children in beans and pulses prepare the land, maintain crops, and sow the seed and harvest. Hazards faced by children laboring in bean cultivation including climatic exposure – high and low temperatures, as well as dust. Children tend to use very basic steel tools, but not machinery. The growing season in Pakokku is relatively short and, at least, some children participate in other economic activities outside of bean season.

**(iii) In Garment Factory**

Over the recent years Myanmar has come to be a popular destination for the fashion industry, for Western brands in particular, as it offers low wages and

favourable import and export tariffs. Myanmar is one of the countries for cheaper production hub to neighbour countries like Thailand, Cambodia, China and Indonesia, which are leading to a number Asian apparel suppliers moving their production hubs to their country. At the moment nearly half of the garment factories in Myanmar are owned by foreigners, or joint ventured between Myanmar and overseas companies. There are currently over 400 garment factories in Myanmar, which work approximately 350,000 workers - 90 percent of which are women. The legal minimum pay in Myanmar is 3,600 kyat per an eight hour working day (2.12 pounds), which is equal to 26 pence per hour.

There is Garment Factories in Myanmar which supply H&M and New Look found to work workers as young as 14 years. As Myanmar proceeds to invest in becoming one of the leading garment-producing and exporting countries, a new report shines a light on the growing number of issues emerging to the fashion sector which consists of children as young as 14 working for as little as 13 pence an hour to produce apparel for high street retailers (Hendriksz, 2017).

Together with the observer and local NGOs action labour rights and labour rights defenders and promoters, they interviewed over 400 workers in 12 factories which provided garments for international fashion brands manufactured in Myanmar. It was found to be that workers were being paid half of the full legal minimum wage and in addition to a number of children workers as young as fourteen years of age for working overtime.

### **3.4 Child Labour Law of Myanmar**

The Labour Legislations in Myanmar are currently composed of a set of old, colonial laws. In 1951, erstwhile Burma barred children below 13 years of age from work in shops and factories and for 13 to 15 years age group, from working more than 4 hours a day. In Myanmar, Shops and Establishments Act, 1951 prohibits children below 13 years old from working in industrial settings, but there is no labour code governing minimum age for admission to employment. So, the working age as on date is 13+. Another law known as: The Child Law, No.9/93 for Elimination of Child Labour, Protection of Child & Young Persons states, *inter-alia* -

- Child means who has not attained the age of 16 years and youth-who has attained 16 years but under 18 years of age.

- Every child has right to engage in work in accordance with the law and of his own volition.
- Every child has right to hours of employment, rest and leisure and other reliefs prescribed by law.

Since the beginning of reforms process in 2011, the Government of Myanmar has taken a number of initiatives for economic and social reforms. It has sought ILO's support for its major legal reforms. As a result, an impressive number of laws and regulations were adopted in the past few years. In 2013, the Parliament ratified the ILO Convention for Worst Forms of Child Labour Convention, 1999 (No. 182) for its elimination. Myanmar Committee for Elimination of Child Labour (MY-PEC) has started working along with "Technical Working Group on Child Labour" (TWGCL).

**Table (3.4) Myanmar National Laws and Standards (Revised in 2016)**

Source	Age (Years)	Conditions
Factory Act (1951) *revised January 2016	Minimum age:14	
	14-18	<ul style="list-style-type: none"> <li>&gt; Medical certificate of fitness required</li> <li>&gt; Prohibit from cleaning, lubricating, or adjusting machinery while machine is in motion</li> <li>&gt; Prohibit from being employed in factory where cotton opener is at work</li> <li>&gt; Prohibit from carrying, lifting, or moving heavy loads likely to cause injury</li> </ul>
	14-16	<ul style="list-style-type: none"> <li>&gt; Maximum of 4 hours/day</li> <li>&gt; Does not work between 6 PM and 6 AM</li> <li>&gt; Only two shifts allowed; no overlap; only one factory</li> <li>&gt; Work on Sundays prohibited</li> </ul>
	16-18	Can work as an adult if in possession of medical certificate (conditions list above for 14-18 still apply); if not, must also work under restrictions for those aged 14 to 16

Shops and Establishment Act (1951) *revised January 2016	14-16	> Maximum of 4 hours per day, with 30 min rest each day
		> Does not work between 6 PM and 6 AM
		> It must have at least one rest day per week, it is not particular day specified
	14-18	> Prohibit from working unless in possession of a medical certificate proving fitness to do so > Not allowed to work in hazardous conditions of work which are specifically identified
Child Law (1993) *currently under revision	Not Defined	> Childhood ends at age 16 > Youth defined as 16-18

Source: Report of Business for Social Responsibility (2016)

**Laws on child labor are inconsistent and enforcement is limited:** Myanmar laws are somewhat unclear on the definition of a child and the requirements for working conditions for young workers (ages 14 to 18). Although additional revisions are under way, there is a need for harmonization of laws to ensure consistent interpretation and usage. At the same time, clear regulatory standards such as the minimum working age, government enforcement are limited. The Factories and General Labour Laws Inspection Department (FGLLID) under the Ministry of Labor, Employment, and Social Security is responsible for inspecting facilities and enforcing compliance with labor laws, but observers report that enforcement is weak. FGLLID is thinly staffed and poorly resourced, and child labor is not a priority issue due to general societal acceptance of the necessity for children to work. Labor inspector is lacking the appropriate tools and knowledge and he or she does not have resources for remediation, she or he does spot potential issues with worker age may select to look the other way. Although the new government (2016) was expected to be more rigorous in enforcing rules, it takes time to build the capacity of the labor inspectorate.

### 3.5 Current Activities and Initiative for Child Labour

Several organizations have initiatives in place to address various aspects of child labour, including underlying causes such as poverty and education. Some are focusing specifically on priority issues of serious concern such as trafficking and child

soldiers, others are addressing a variety of labour issues in the garment sector working on child labour and young workers. For example:

- i. The International Labor Organization (ILO) is engaging with the Government of Myanmar on labor law reforms, including advice specifically on child labour laws. The ILO's Myanmar project on elimination of child labour (My-PEC) includes pilot projects intervention for child labour by increasing awareness and knowledge about child labour, improving legislation and strengthens national and local capacity and giving incentives for families to send their child to school. An awareness-raising campaign on child labour is also in development that would use media channels to reach the public and also engage schools and communities directly (ILO, My-PEC Project, 2016)
- ii. International and local NGOs such World Vision and Save the Children have programs that support children in various ways, including through development of the government's social work infrastructure, which would enable case management for incidents of child labour (Ediger, 2016).
- iii. UNICEF is supporting the Government of Myanmar in reforming legislation on the rights of the child, including changes in the child law and education laws that impact children's education and define minimum age of employment for all sectors.

## **CHAPTER IV**

### **SURVEY ANALYSIS**

This study aims to find the current conditions of Child Labour and difficulties encountering in Child Labour's Rights. To meet the objectives of this study, survey questionnaires were organized to take into account the working condition and barriers of Child Labour. Before presenting survey results, the profile and design of the survey were described below.

#### **4.1 Survey Profile**

Ayeyarwady is the second most populated region of Myanmar with a population of 6,184,829 of which 14.1% is urban-based. It is an area known for inbound and outbound migration. Developed as the world's foremost rice-producing region by the British during the colonial period, the region went 'from a lightly populated swampy area, largely inhabited by the Karen, into the world's rice basket', which led to substantial immigration from Myanmar's Dry Zone. The area remains 'home to large numbers of seasonal migrants who work in the paddy fields as well as itinerant "boat families."' This survey was conducted in Patheingyi Township in Ayeyarwady Delta Region. It is located 190 km (120 mi) west of Yangon on the bank of the Patheingyi River (Patheingyi), which is a western branch of the Irrawaddy River, the city has a population of 237,089 (2017 census) and total 272 villages in Patheingyi Township. Patheingyi is available to large vessels and despite its distance from the ocean, it is the most important delta port outside of Yangon. The city is also a boundary of a branch of the main railroad line which links it to Hinthada, Letpadan and Yangon. In the 1990s, the road network along the Irrawaddy to Monywa was improved. Patheingyi Township and its wards, with mostly Burman and Karen populations, represented urban and semi-urban areas, which are both a source of and destination for child labourers.' Since the 2008 Cyclone Nargis, which claimed over 100,000 lives and caused widespread devastation, the Ayeyarwady Delta has become an important source area of labour migrants, including children.

It is not only the result of economic hardship experienced by families. It also springs from low awareness on child labour, socio-cultural attitudes and practices, and lack of sufficient facilities and opportunities for children to avail of quality education. (Myanmar, 2015)

#### **4.2 Survey Design**

In this study, cross-sectional survey and descriptive method are used to examine the difficulties of Child Labour in Ward 10, Ward 12 and Kyaung Pan Kong village in Patheingyi Township. The survey was conducted for 2 weeks in June 2019. To meet the objectives for the study to reviewing the sources of child labour condition in Patheingyi Township was selected to conduct the survey. It was found that respondents are School Dropouts and working children in this township due to insufficient of family income, parents could not afford to send their children to school. Children between the ages of 10-17 years old were targeted for interview. The majority of children interviewed were above 14 years old as they were easier to access enumerators reported that during household-based survey, parents were reluctant to have younger children interviewed, older children were more willing to be interviewed when they were day off or free time at night. The youngest child interviewed was 10 years old. 98% of the children identified as Myanmar and Buddhist. The rest of the children reported to be Karen. The ethnicity variable was not used in the analysis.

In this survey questionnaire, it is categorized into four parts (1) The profile of respondents: their education status, reason for working (2) Current condition of respondent's family status, respondent's type of job, workplace situation, working hours, situation of working place (3) Respondent's health status (4) to analyze Convention on the Right of the Child (CRC) and law which are enforced in Myanmar regarding to child labors concern with the situation of their workplace. The first part of the questionnaire is based on the profile of the respondent: including their name, age, gender, education status, reasons for working and number of people in the family. The second part of this survey questionnaire includes questions which analyzes on socio-economic conditions of the family such as the financial situation of the family and their living status, respondent's type of job, workplace situation, working hours, situation of working place where they have to carry heavy things or

hazardous. The third, for the health status of the respondents: whether they take leaves if they are unwell or getting wages if they are absent.

The final part includes current legislation in Myanmar which is related to child labour and measurement of the impact of situation of the child labour. In that part, there are questions like their knowledge of Convention on the Right of the child and their social dealing in environment.

### **4.3 Survey Results**

The survey findings of the study are based on the structured questionnaire and these contain some basic quantitative data accompanied by table and figures. In this survey, the following sectors about respondents and their working conditions were carried out and results were presented.

- (i) Socio-demographic Characteristics of Respondents
- (ii) Livelihood Situation of respondents
- (iii) Health Condition of respondents
- (iv) Knowledge of Child Rights and Child Protection

### 4.3.1 Socio-demographic Characteristics of Respondents

In this study, social and demographic factors can be classified as, age, education, gender, marital status. The total 252 respondents participated in this survey.

**Table (4.1) Socio-demographic Characteristics of Respondents**

Variable	No. of Respondents	Percentage (%)
<b>Gender</b>		
Female	120	47.6
Male	132	52.4
Total	252	100
<b>Age (Years)</b>		
10-12	8	3.2
13-15	64	25.4
16-17	180	71.4
Total	252	100
<b>Marital Status</b>		
Single	250	99.2
Married	2	0.8
Total	252	100
<b>Education</b>		
Primary	98	38.9
Middle	93	36.9
High	58	23
Others/ University	3	1.2
Total	252	100

Source: Survey Data, 2019

Table (4.1) shows survey result on demographic factors age, education, gender, marital status. Female (120 out of 252 respondents) and Male (132) are participated in survey. There are three Age groups. 8 (3.2%) of age groups are between 10 to 12 years old, 64 (25.4 %) of Age groups are between 13 to 15 years old, 180 (71.4 %) of Age groups are between 16 to 17 years old. The children are

categorized into three age groups as shown in Table 4.2. More than half of Child labour are between 16 and 17 years of age. Nearly one third of the sample is between 13 and 15 years and the number of children in the youngest group (10-12 years) is the smallest (3.2%). The Survey found that the average at which both girls and boys started work was 10. It did not listed children working under the age of 10.

The study found that most children drop out of school to work. Only 1.2% are attending in University of Distance Education, 38.9% of children dropped out of Primary School level, 36.9% at Middle School Level and 23% at High School Level. Some children have finished just Grade 1 and some finished Grade 2. Among them, 3 out of 252 respondents are in University of Distance Education.

**(a) Living Condition**

The survey shows living condition by Respondents. Most respondents are living with parents and single headed households children were more likely to live with mothers than fathers. Some children live with grandparents or relatives because their parents are died.

**Table (4.2) Respondents' Living Condition**

<b>Statement: You live with whom?</b>	<b>No. of Respondents</b>	<b>Percentage</b>
Parents	182	72.2
Mother	49	19.4
Father	6	2.4
Grandparents	12	4.8
Relatives	3	1.2
<b>Total</b>	<b>252</b>	<b>100</b>

Source: Survey Data 2019

Regarding with 182 (72.2%) out of the 252 respondents are living with parents, 49 (19.4%) living with mothers because father died, 6 (2.4 %) with fathers because mother died, 12 (4.8%) with grandparents and 3 (1.2%) with relatives are shown in table (4.2).

**(b) Parents Information**

Being parents is an important for a Child. A child needs to grow up being secure and strong and valuable. Parents play an irreplaceable role in the lives of their children. Parents is not only caretakers, but they are involved in the development of their child’s social, emotional, cognitive and physical well-being. The survey data are shown in Table (4.3).

**Table (4.3) Respondents’ Parental Status**

<b>Parents Status</b>	<b>No. of Respondents</b>	<b>Percent</b>
Divorced	16	6.3
Dead	54	21.5
Married	182	72.2
<b>Total</b>	<b>252</b>	<b>100</b>

Source: Survey Data 2019

According the survey study, 21.1% of children who reported that their parents dead. This fact shows that children had lost their parents and loss of supporting parents. 7.1% of children had divorced and single parents. 71.8% of children have parents but, they had family economic problems. One child who is 10 years old, living together with Grandma, his father death and mother has extended family, said that he do not need to work and he do not need to be out of school if he had his parents.

**(c) Parents Employment Status**

The parent’s employment situation is one of the push factor to work. The data are shown in Table (4.4).

**Table (4.4) Respondents’ Parents Employment Status**

<b>Employment status</b>	<b>Father</b>		<b>Mother</b>	
	<b>No. of Respondents</b>	<b>Percent</b>	<b>No. of Respondents</b>	<b>Percent</b>
Parents have job	175	69.4	83	32.9
Parents have no job	77	30.6	169	67.1
<b>Total</b>	<b>252</b>	<b>100</b>	<b>252</b>	<b>100</b>

Source: Survey Data2019

According to the survey study, it was found that the majority of parents' employment status shows that the majority of fathers and mothers, 69.4% and 32.9% respectively, have a job.

Almost half of the mothers were housewives. The most common earning activities for mothers are vendor, daily wages, clothes washer and farming. It was reported that most parents have the lowest education. In this case, even if both parents have jobs or either one of the parents (father or mother) has a job, the family income would not be sufficient for the whole family due to their type of job. Some parents have no job. Hence, children have to be involved in family income-generating activities that could push them to work.

**(d) Number of Siblings and Education Status**

To get a confident analysis of barriers on working children, it needs especially to survey about the number of their siblings. The more siblings, the bigger the family size and children have to work.

**Table (4.5) Respondents' Siblings and Schooling**

Number of Siblings	No. of Respondents	Percent
3-5	135	53.6
6-10	84	33.3
> 3	33	13.1
Total	252	100
Sibling's education status	No. of Respondents	Percent
Never enter in school	86	34.1
Enter in school	166	65.9
Total	252	100

Source: Survey Data 2019

Table (4.5), respondents have a large group of family members. There are 135 (53.6%) out of 252 respondents who have between three to five siblings, 84 (33.3%) have between six to ten siblings. The number of siblings are shown in the following table (4.5). Most respondents answered that they have to help their family in baby sitting and doing chores when they come back from work. The majority of respondents come from medium to large families with more than three siblings. Children also have large family members. This might reflect the assumption that children have to help earn family income.

This measure include respondent's sibling education and percentage of their schooling. Knowing that parent's interested in their children education or not. The survey data analysis shown in Table (4.5).

The survey found that, most of their sibling (65.9%) have been in school and 34.1% of their siblings are not in school. Most parents are under educated and they are not aware of the value of education and they do not understand to support the children education. As some siblings are still young, they are not in school and some has never been in school.

#### **4.3.2 Livelihood Situation of the Respondent**

To find out the livelihood Situation of respondents such as reason for entering to work, decision maker to work, working experience, working hours, types of Job, daily wages, Number of children who support his/her family, Holidays, Difficulties of their workplace, Physical and mental fatigue.

##### **(a) Reasons and Decision Maker for the Work**

To find out the barriers for child right of working children, it needs to analyze the reasons to enter their work. Their problem may be shown the challenges to get their rights. The data for their reason to go to work and a person who allows respondents to go to work are shown in table (4.6).

**Table (4.6) Respondents' Reasons and Decision Maker for Entering to Work**

<b>Reasons for Entering to Work</b>	<b>No. of Respondents</b>	<b>Percent</b>
Family economic problem	180	71.5
Not interested in School	20	7.9
Support to family	52	20.6
	252	100
<b>Who does allow you to work (Decision Maker)?</b>		
Parents	177	70.2
Mother	52	20.6
Father	7	2.8
Grandparents	13	5.2
Relatives	3	1.2
	252	100

Source: Survey Data 2019

According to the survey data, respondents had many reasons for entering the workforce. 180 (71.5%) of respondents answered that the decision to work is because of family economic problem, 52 (20.6%) are because of helping family, 20 (7.9%) are because of not interested in school.

Children do not work for individual benefit. They work for many kind of reasons, the majority of which revolve around helping their families. Supplementing family income and helping family were the main reasons given by children. 7.9% of children were not interested in school. Children work to help their families. Of the interviewed children, they give all of their salaries to their families and go towards the part of family budget.

Regarding to the survey data for decision to work are presented in Table (4.6). 177 (70.2 %) of the respondents answered that the decisions to work is their parents, 52 (20.6%) mentioned that their mothers, 7 (2.8%) that their fathers. The rest of respondents answered that the decision by grandparents and relatives. The decision was not made by the child himself in the survey.

The present survey found that 70.2% of parents decided their children to work. There was many reasons behind their decision. E.g. family income, debts and the highest fee of education. The parents of child labourers reported that in most cases the decision to work is made by the mother or grandmother or the child. The interviewed some parents and other adults expressed the view that children have an obligation to help their families, including financially when the family is poor. It is the push factors of forces the children to early enter into the workplace.

### **(c) Types of Job**

To find out the main challenges for working children, it needs to analyze their kinds of Job as their age. As in Survey result, there are 9 job categories in that survey area. It can be seen that respondents are working in various area.

**Table (4.7) Respondents' Types of Job**

Working place	Age Group			Total	Percent
	> 13	13-15	16-17		
Tea shop	0	0	4	4	1.6
Construction Site	0	1	9	10	4
Making Brick Place	4	19	24	47	18.7
Garment Factory Worker	0	10	45	55	21.7
Helper (Shop)	3	28	71	102	40.5
Daily Wager	1	5	21	27	10.7
Mason Worker	0	0	6	6	2.4
Flower Seller	0	1	0	1	0.4
<b>Total</b>	<b>8</b>	<b>64</b>	<b>180</b>	<b>252</b>	<b>100</b>

Source: Survey Data 2019

Out of 252 respondents, 102 (40.5%) are helpers in shops, 55 (21.7%) of respondents are working in Garment factories, 47 (18.7%) of respondents are working in Bricks making place. The rest of the respondents' kinds of their current job and age groups are shown in Table (4.7).

Children reported working in many variety of sectors and finding suggest that younger children work in less regulated environments such as places, which carry dry bricks from one place to another, rubbish collection sites, collecting fish and frogs. Some children working in Construction site said that, they were afraid of working at high. Most of their parents were as casual labourers, street hawkers. Some parents are job less. In some cases, children work together with their parents, performing less skilled work. Younger Children who work in factories do packaging, cutting off threads, cutting off labels were deemed more appropriate. Older children do in the part of sewing.

#### **(d) Working Experience and Working Hours**

In order to analyze the working experience of respondents, it divided 3 of age groups and the survey data are shown in Table (4.8).

**Table (4.8) Working Experience and Working Hours of Respondents**

<b>Working experience</b>	<b>&gt; 13 years</b>	<b>13-15 years</b>	<b>16-17 years</b>	<b>Total</b>	<b>Percent</b>
> 3 years	6	46	136	188	75
3-5 years	2	6	32	40	16
< 5 years	0	12	12	24	9
<b>Total</b>	<b>8</b>	<b>64</b>	<b>180</b>	<b>252</b>	<b>100</b>
<b>Working hours per day</b>	<b>&gt; 13 years</b>	<b>13-15 years</b>	<b>16-17 years</b>	<b>Total</b>	<b>Percent</b>
3- 5 hours	1	6	3	10	4
5 hours and above	6	52	162	220	87
> 3 hours	1	6	15	22	9
<b>Total</b>	<b>8</b>	<b>64</b>	<b>180</b>	<b>252</b>	<b>100</b>

Source: Survey Data 2019

The findings on Survey, 75% of children have under 3 years working experience, 16% of children are over 3 years' experience. The survey did not report 9% of children' working experience. Some under 13 years old children have been working for 3 years' experience. The respondent's answers about their age and working experience are shown in the following Table (4.8).

Regarding to the respondents by which their working experience, some of the respondents they started enter to work in 8 years old to contribute their family member's income. According the 1951 shops and Establishment Act, (revised in 2016), "No child who has not completed his thirteenth year shall be permitted to work in a shop, commercial establishment, or establishment of public entertainment."

The perceptions using under-aged labour is different based on the type of business according to Shops and Establishment Act (1951) (is revised in 2016), it is unlawful to let 14-16 years' old child to work more than four hours per day. To analyze the working hours, it has been survey to respondents with their working hours which are shown in table (4.5). According to the survey data, 8 children under 13 years old, 64 children of 13-15 years old and 180 children of 16-17 years old reported working between 6-7 days a week.

The Respondents did not report working between 6pm and 6am. In addition to working many days, the majority of children also reported working more than 40

hours a week. The survey did not ask the children to break down their working hours into “normal” working hours and over-time and they earn extra money. Although children have to work full-time like adults, they get less payment than adults.

**(e) Daily Wages of Respondents and their Supports to Family**

To understand about daily wages of respondents, it has been survey to respondents with their income which are shown in table (4.9).

**Table (4.9) Daily Wages per day of Respondents and their Supports to Family**

Daily Wages	No. of Respondents	Percent
2000 – 5000 MMK	170	67.5
5001- 10000 MMK	64	25.4
Under 2000 MMK	18	7.1
	252	100
Statement: Your income supported to your family?		
Yes	241	95.6
No	11	4.4
<b>Total</b>	<b>252</b>	<b>100</b>

Source: Survey Data 2019

Table (4.9) shows that, 67.5% were paid between 2000-5000 MMK/ per day, 25.4% between 5000MMK/ per day and above, 18% were paid under 2000 MMK/ per day.

Younger children were found to work in less structured settings than other children, mostly outside of regulated or accessible work environments where their working conditions and wages cannot be monitored. While all children are at risk of receiving daily wages, which make for insecure livelihoods, which some younger children were carrying bricks. The research did not find evidence of children not being paid, however, the sample was small. The survey found that the lower daily wages are the younger children working in Tea shops. Children reported earning the most construction sites and in garment factories.

The findings on Table 4.9, Shows that about sample 241 children (95.6%) reported that they have to support the family, only 4.4% are not supporting their

family. That is, they not only support themselves but also earn money to provide their families. Some children seemed that they are satisfied for their working and supporting to family. In most family, there was more than one earner to support the whole family and some of the family, the whole family members were worked as causal labour and it depends on the working days.

**(g) Holidays**

To measure the free day of respondents, it needs to analyze their holidays because everyone should has free day and the data are shown in Table (4.10).

**Table (4.10) Holidays of Respondents**

<b>Days</b>	<b>Under 13 Years</b>	<b>13-15 Years</b>	<b>16-17 Years</b>	<b>Percent</b>
Once a week	3	39	118	63.5
Twice a week	0	5	4	3.6
In festival	0	10	24	13.5
Others	5	10	34	19.4

Source: Survey Data 2019

Regarding the result, While the majority of children interviewed said they received some time off, it was 63.5% of children who were the most likely to receive at least one day off a week. 3.6% at two days off a week, 13.5% receive day off at festival. The most respondents have free day in once a week and some respondents have free day in festival such as Water Festival, Religious festival, etc. The unstructured nature of younger children’s work leaves them more vulnerable to exploitation as their working conditions are different to monitor.

**(h) Physical and Mental Fatigue**

To measure their feelings on workload, it needs survey data as children across all ages reported being tired both mental and physical due to work. The survey data are shown in the Table (4.11).

**Table (4.11) Respondents' Physical and Mental Fatigue**

<b>Statement, “You get tired in work? “</b>	<b>No. of Respondents</b>	<b>Percent</b>
Yes	224	88.9
No	28	11.1
<b>Total</b>	<b>252</b>	<b>100</b>

Source: Survey Data 2019

According to the data, 224 (88.9 %) of respondents answered, they feel so tired and 28 (11.1%) of respondents are not tired. They also mentioned suffering from numerous work-related ailments, the most common of which were headaches and body aches for both girls and boys. Overall, girls reported suffering with greater frequency than boys. This may be because in addition to working for wages, girls perform more household chores, which exacerbates their physical condition. They were helping their families around the house or helping their families by running errands.

**(i) Difficulties of their workplace**

Most of the children perform, which is usually low-skilled and repetitive. To assure which things makes them difficulties, it needs to analyze their barriers. The survey data shown in Table (4.12).

**Table (4.12) The Difficulties of Respondents at their Work**

<b>Statement: “You have any difficulty in work?”</b>	<b>No. of Respondents</b>	<b>Percent</b>
Yes	212	84.1
No	40	15.9
Total	252	100

Source: Survey Data 2019

It shows that 212 (84.1%) of respondents have facing difficulties in their work and 40 (20.6%) do not have and they don't mentioned their feelings exactly.

Children are working at the places where they have to carry heavy cement powder bags, bricks, sand and stones or working at the dangerous workplaces and

have to expose with hazardous materials although it is prevented by the current child labour laws and legislation. Working outside, pushing and carrying heavy loads and bending over for long periods were common among children who identified dust/fumes and extreme heat which as two of the most common they face hazards work at work. Most of respondents have difficulties in their work.

### 4.3.3 Health Status of Respondents

Health status involves the illness or injury, health benefit, knowledge of certificate of fitness, knowledge of child rights and child protection. This is important to know the socioeconomic characteristics of child laborers.

#### (a) Status of Health concern with Injury and Illness last 12 months

To get confident analysis of Health status, it needs especially to survey about their any injury and illness last 12 months. The data are shown in Table (4.13).

**Table (4.13) Respondents' Getting any Injury/ Illness Last 12 Months**

Statement: "You got any injury?"	No. of Respondents	Percent
Yes	15	6
No	237	94
Total	252	100

Source: Survey Data 2019

According the survey result, the respondents are rarely getting injury at their workplace. The most common work-related injuries and illness reported by 6% of children were fever. They were suffering from body aches, seasonal flu, got injury while carrying bricks.

#### (b) Work Benefits

In order to analyze the work benefits of respondents, these measures include matters such as reimbursement of Health expenses, Causal leave, Places to live and foods. The survey data are shown in Table (4.14).

**Table (4.14) Work Benefits of Respondents**

Work Benefits of Respondents	No. of Respondents	No. of Respondents
	Yes	No
Health Expenses by Employers	5	95
Casual Leave	81.3	18.7
Place to live	0	0
Food	0	0

Source: Survey Data 2019

The finding on the Survey, 81.3% of respondents get casual leave, 18.7% of respondents do not get the leave. 95% of their Employers do not provide any medical expenses to their employees and only 5% of Employers support the expenses.

Most of respondents get casual leave but they have to substitute someone to work. Some does not get Casual leave. Most of Employers do not provide any medical expenses to their employees and only 5% of Employers support the expenses. Respondents do not provide Food by their Employers. It means that most of respondents do not get any benefits related to their work.

### (c) Knowledge about Certificate of fitness

General minimum age of working should be 15 years and 14 years for developing countries. In Myanmar, the Factories Act 1951 prohibited the employment of children below 13 years old, but allowed employment of children from the age of 13 years, with the condition that a certificate of fitness was granted and was kept in the custody of the manager of the factory and that the child carries it while at work (section 76). The measurement of knowledge of Certificate of fitness are carried out and it is shown in table (4.15).

**Table (4.15) Knowledge about Certificate of fitness by Respondents**

Statement: “You know about Certificate of fitness?”	No. of Respondents	Percent
Yes	11	4.4
No	241	95.6
Total	252	100

Source: Survey Data 2019

The Survey found that, 95.6% of respondents did not have Certificate of fitness and they did not know about that certificate. In theory, the certificate of fitness was meant to provide additional protection to those who have reached the minimum working age but were still below the age of 18 (see for instance, ILO Conventions, Nos. 77, 78 and 124 on Medical Examination of Young Persons).

#### **4.3.4 Knowledge on Child Rights and Child Protection**

Children’s rights are economic, social and cultural rights, such as the right to education, the right to a decent standard of living, the right to health, etc.

A Child Protection System is a set of organized formal and informal elements working together to prevent and respond to abuse, neglect. Exploitation and other forms of violence against children.

To measure the knowledge on Child Rights and Child Protection by respondents, it needs to survey and it is shown in table (4.16).

**Table (4.16) General Knowledge of Child Rights and Child Protection**

<b>Statement: “You know about Child Protection and Child Rights?”</b>	<b>No. of Respondents</b>	<b>Percent</b>
Yes	220	87.3
No	32	12.7
<b>Total</b>	<b>252</b>	<b>100</b>

Source: Survey Data 2019

Table (4.16) shows that 87.3 % of respondents are aware of Child Rights and Child Protection policy and 12.7 % of respondents does not have that knowledge.

## **CHAPTER V**

### **CONCLUSIONS**

#### **5.1 Findings**

This study was conducted in order to review the condition of Child labour and to examine their difficulties encountered in Patheingal Township. The difficulty of child labour appears in severe forms and various factors are involved. According to the result of this study, respondents are school drop out to work. The families are sending children to work rather than sending to school. They believed that children who work were in need of assistance. The school dropout rates are high due to the level of knowledge of parents on their children's education which is related to their socio-economic status, education level, occupation and residential condition. Child labour is detrimental to children's education. It is evident, however, that the cost of education increases with age and the majority of children who left school at the end of primary school, around the age of 11. The main reason of children being lack of the access to education is the poverty. It is followed by the conditions such as children's unwillingness to go to school, their participation in labour force to earn family income and so forth. In addition, families sending children to school invest in children, which is a long-term financial strategy, while families who send their children to work achieve short-term financial gain. This is the pull factors of the children to drop out their education.

Most of respondents are large household sizes and family members of respondents are casual workers who are daily basic earning. Mostly their fathers have jobs and half of their mothers are dependents. Having little average income of the head of household, and not having job security are the main reasons that affect the living of the family. Some family members have to make their living by doing different type of jobs such as construction site workers, trishaw drivers, street hawkers, motorcycle taxi drivers, farmers, fishermen, flower sellers, daily wagers and clothes washer. They are large number of the household and they do not have enough

household income to make a living. The main pull and push factors of child labour toward children is household poverty.

According to the survey result, it is found out that the age of respondents are 10 to 17 years old and they are working in Shops, Garment factories, Construction site and Bricks Making places. Minimum age for admission to hazardous work should be 18 years, in all economic sectors, and in any situation of employment or work. Even though it is forbidden by law, most children are working in hazardous work.

Child laborers' physical and mental well-being is at risk, as admitted by many parents, the children themselves and community members who observed that children work long hours and often perform repetitive manual tasks that include carrying heavy loads and working in risky environments. Most of the children perform, which is usually low-skilled and repetitive. Working outside, pushing and carrying heavy loads and bending over for long periods were common among children who identified dust/fumes and extreme heat which they face hazards work at work. They diminished well-being and fatigue, as well as the continued need to earn money for their households. They struggle with long term physical and mental pain. This is failing to apply CRC are the most fundamental factors of child labour issue. Those are the main reason of Child labour.

In Myanmar, the Factories Act 1951 prohibited the employment of children under 13 years old, but allowed employment of children from the age of 13 years, with the condition that a certificate of fitness was granted and was kept in the custody of the manager of the factory and that the child carries it while at work (section 76). In theory, the certificate of fitness was meant to provide additional protection to those who have reached the minimum working age but were still below the age of 18.

According the Myanmar custom that children want to take care of parents and they believe that they have an obligation to help their families including financially when the family is poor. Some respondents who live with step-father or step-mother or grandparents, they did not express freely that they have sad feelings, but their feelings can be seen through their eyes.

The study subsequently found that the major driving factor of child labour is poverty, which is compounded by societal attitudes and lax legislation as well as lack of educational and training opportunities. Lack of knowledge of irresponsible parents, parents' lack of knowledge on Child rights and negligence of society upon child labour issue are the main factors that are preventing to get rid of child labours. To

conclude, respondents answered they won't be back to school, they have to continue working for their living. This survey also found income is the most important thing for their life and most respondents' working in shops should be considered a consequence of poverty.

## **5.2 Recommendations**

According to Finding Survey, Today the common view is that child labour is deeply rooted in poverty; it is one of the most common theories about the causes behind underage work. A majority of studies in developing countries show that poor families place their children in child labour more often than families in a better economic situation. Child labour is a symptom of poverty and however, it is also a cause of future poverty. Household poverty drives children into the labour market to earn money to supplement family income or even as a means of survival.

Poverty reduction needs governments to identify and reach out to extremely poor and help them out of poverty through sustainable measures. Most parents are under educated and they are not aware of the value of education and they do not understand to support the children education. Children's educations are not only influenced by the personal, educational background of their parents, but these personal experiences are highly connected to their economic background. The continuous education for school dropouts will be arranged as joint channel of Vocational Skill Training, Income Generating activities and lifelong learning program as a National Plan.

Factors that child labour can be reduced, every child born has the right to have dreams and pursue those dreams. Even though the realization of some of these aspirations may be limited by several challenges, it is still possible to overcome them and achieve the highest levels of success. There is need to involve various stakeholders to get this objective. These are factors in which the problem of child labour can be emphasized:

1. Free education: Free education holds the key to reducing child labour. Parents that do not have money for school fees can use as an opportunity to provide their children with education. It has already shown to be a success in many places around the globe and with more effort, the cases of child labour will greatly reduce.

2. Moral Polishing: Children should not be allowed to provide labour at the expense of receiving an education and enjoying their childhood. Factory owners,

shopkeepers, and industries among others should not work children. The communities must be educated on the negative impacts of child workers so that it becomes a solution on that issue. This type of moral polishing would act as a deterrent to people who intend to work children and use them as a source of cheap labour. With this kind of approach, cases of child labour will greatly decrease among our communities.

3. Create demand for skilled and trained workers: By creating the demand for skilled and trained workers, child labour cases will decrease since almost all child labourers fall under the unskilled worker category. Establishing skill-based learning centers, vocational training centers, and technical training institutions develops literacy and contributes to the availability of skilled and trained workers in the job market. Creation of job opportunities by the government is also another way that cases of unemployment can be decreased and household income for the population increased. Government policies improve living standards and remove the need for children to seek work in order to support their families.

4. Awareness: Creating awareness about the illegality of child labour can also support in stemming the practice. Conducting a campaign to create awareness about its harmful effects would remove the practice. The government, non-governmental organizations and the civil society can create a strategy to make such an initiative a success.

5. Empowerment of poor people: Child labour is the most affected to poor people. The poor living standards and financial constraints sometimes create them unwilling participants in this vice. Empowering poor people through knowledge and income generating projects would go a long way in decreasing cases of child labour. Empowering parents with this kind of knowledge can make a positive change in the society and encourage the shunning of child labour practices in communities.

6. Legislation and policies: Existing legislation on child labour is fragmented and seldom enforced, which is attributed to weak institutions and lack of appropriate human resources. As per the Factories Act 1951, there is currently no single comprehensive legislation in place to protect working children and ensure occupational health and safety. It is important to undertake the workplace where is physical and mental pressures and dangerous to children as hazardous work. There are weak points in enforcement of existing Child Labour Laws and Child Rights for real in Myanmar, and to do lawful acts. The

Government should focus to reduce those flaws and to enforce all the facts in CRC.

In conclusion, poverty is the root cause of child labour. If those poor families are provided for their income generation, it would be helpful. It is not enough to resolve the child labour issue with single solution, other factors such as social situations should also be considered. Coordination between government and NGOs (both international & local) is necessary to provide capacity building for those poor families. According to the survey result, most mother of child labour is dependency. Government, UN, INGOs and NGOs need to adopt more relevant skills and policies to develop the skills required by rapidly evolving labour markets.

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## APPENDIX

### Survey Questions on Situational Analysis of Child Labors' Life (10-17 Years) in Pathein Township

A	Respondent's Information	
A1	Ward/ Township	.....
A2	Male/ Female	.....
A3	Age (Completed Year)	.....
A4	Religion	.....
A5	Marital status	.....
A6	Level of Education and year of attendance	1. Primary School 2. Middle- School 3. High- School 4. Others
A7	With who do you live?	.....
A8	Parent's Condition	1. Divorced 2. Passed Away 3. Live Together
A9	Number of family members under same roof	1. 3 and above 2. 5 and above 3. Others
A10	Father's Occupation	1. Employed 2. Unemployed
A11	Mother's Occupation	1. Employed 2. Unemployed
A12	Number of family members making money	1. 3 and above 2. 5 and above
A13	Condition of House	1. Own 2. Rent

A14	How many siblings do you have?	1. 3-5 2. 6-10 3. Under 3
A15	Do your siblings attend school?	1. Never enter in school 2. Enter in school
<b>B</b>	<b>Livelihood Situation</b>	
B1	Reason for work	1. Family Economy 2. Not interested in education 3. Support parents
B2	Who does allow you to work (Decisión Maker)?	..... ...
B3	Your current work	1. Teashop 2. Construction Site 3. Making Brick Place 4. Garment Factory Worker 5. Helper (Shop) 6. Daily Wager 7. Mason Worker 8. Flower Seller
B4	How long have you been working?	1. Under 3 years 2. 3-5 3. < 5 years
B5	How much do you earn per day?	1. 2000 – 5000 MMK 2. 5001 – 10000 MMK 3. Under 2000 MMK
B6	Is your income supportive for monthly cost of you and your family?	1. Yes 2. No
B7	Average working hour per day	1. 3-5 hours 2. 5 hours and above 3. Under 3 hours
B8	Do you have holiday?	1. Once a week 2. Twice a week 3. During festival days

B9	Does your work arrange food and accommodation for you?	1. Yes 2. No 3. Other
B10	Do you usually get tired in work?	1. Very tired 2. A little bit 3. No 4. Other
B11	Do you have any difficulties in work? If yes, could you share about this?	1. Yes 2. No
B12	Do you get injured at work?	1. Yes 2. No
<b>C</b>	<b>Health Condition</b>	
C1	How is your current health condition?	1. Good 2. Poor
C2	Did you feel ill within last 12 months?	1. Yes 2. No
C3	If yes, what is the disease?	1. Burn 2. Fever 3. Diarrhea 4. Other
C4	Have you got leave when you are ill? (Or) Does your work allow you to take sick leave?	1. Yes 2. No
C5	Is it unpaid when you take a leave?	1. Yes 2. No
C6	Where do you go and take treatment if you feel ill?	1. Rural Health Center 2. Hospital 3. Other
C7	Does your employer bear cost of treatment if you feel ill?	1. Yes 2. No 3. Other
C8	Do you have health certificate to work for above 13 years of age?	1. Yes 2. No

D	Social Protection Section (Decision Making and Participation)	
D1	Do you have time to involve in social occasion of joy or grief in your community?	1. Yes, I do 2. No, I don't
D2	Do you have intimate friend to get your feelings off your chest?	1. Yes 2. No
D3	Your intimate friends are	1. Parent 2. Siblings 3. Friends 4. Other
D4	Is there any social organization worked for child protection in your ward?	1. Yes 2. No
D5	Do you know the rights of child and child protection?	1. Yes 2. No