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# **Training Manual for Probation Officers and Social Workers to Eliminate Child labour**



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**2015**

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FUNDAMENTALS; Ministry of Social Development of Jordan

*Training manual for probation officers and social workers to eliminate child labour* / International Labour Office; Fundamental Principles and Rights at Work Branch (FUNDAMENTALS) – Beirut: ILO, 2016.

ISBN: 978-92-2-131008-2 (Print); 978-92-2-131009-9 (Web PDF)

International Labour Office; Fundamental Principles and Rights at Work Branch

child labour / social service / legal aspect / ILO Convention / comment / teaching material / Jordan - 13.01.2

*ILO Cataloguing in Publication Data*

## Acknowledgements

This manual was elaborated by Mohammad Issa Shahateet, Consultant for the ILO, and coordinated by Insaf Nizam and Nihayat Dabdoub from FUNDAMENTALS Office in Jordan.

Funding for this ILO publication was provided by the United States Department of Labor (Project JOR/10/50/USA).

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### Historic Overview

When the UN member states voted to adopt Resolution 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child labour on 17 June 1999, Jordan committed to this resolution and worked more than ever before to stop the suffering of the children whose economic and social circumstances forced them to drop out of school and join the workforce. This commitment translated, among other things, into several activities undertaken by the various stakeholder government institutions, namely the Ministries of Social Development, Labor and Education. The ILO, trade unions, some private institutions and social and cultural centers, including media institutions, CSOs and NGOs, also initiated a number of child protection programmes. In spite of all these efforts, a number of children, especially those children whose economic and social circumstances deteriorated, were forced to drop out of school early to join the labor market.

Jordan was one of the first countries that ratified the ILO Convention No. 182 of 1999 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child labour. It was the first country in West Asia, and the second Arab country, to ratify this Convention, which reflected positively on the relationship between the Jordanian institutions working on the elimination of child labour and the ILO.

As the ILO recognized the risk of child danger, it created a special programme aimed at helping its member states, including Jordan, to eliminate child labour. As part of its international programme to eliminate child labour, the ILO undertook several activities and offered support to assist Jordan.

This manual aims to provide probation officers and social workers with basic information on child labour, an understanding of the problem of child labour in terms of its causes, spread, effects, and means of dealing with it, as well as the methods of dealing with working children. It also aims to provide trainers with field skills and information on legal measures, especially the recent amendments to the Juvenile Law, so that they may contribute to the successful resolution of this problem. It moreover aims to build the knowledge of the trainees to ensure a team trained on eliminating child labour. The final objective of this Manual is to assist probation officers and social workers in training capable staff who can better deal with the problem of child labour.

## Target Groups

This training manual targets the trainers mandated with training staff on positively dealing with the problem of child labour in general, and probation officers and social workers at the Ministry of Social Development in particular.

## Methodology

The Manual relied primarily on the ILO publications relevant to children, especially the publications issued by the ILO's International Programme on the Elimination of Child Labour (IPEC). The Manual also relied on the studies and documents conducted on children in Jordan. The Manual was written in cooperation with public and private institutions that have experience with working children.

The writing of this Manual went through the following phases:

1. Comprehensive review of the studies and research conducted on child labour in Jordan, and an in depth analysis of these studies and research.
2. Propose the preliminary main themes of the Manual based on the studies and research in this regard.
3. Present the main themes proposed for the Manual to the Ministry of Social Development and the ILO and incorporate their ideas. The Manual benefitted from the international efforts in this regard, especially the references and documents of the ILO, UNICEF, the National Council for Family Affairs and the NGOs.
4. Incorporate the comments into the Manual and then draft the Manual in its current format.

This Manual is based on the principles enshrined in the ILO Convention No. 182 of 1999 on the prohibition of the worst forms of child labour and immediate measures to eliminate it, and the ILO Convention No. 138 of 1973 on the minimum age for admission to employment, namely:

- A. Prevent children from becoming involved in the worst forms of child labour;
- B. Provide direct necessary and appropriate assistance to take children away from the worst forms of child labour, rehabilitate them, and integrate them socially;
- C. Guarantee that all children saved from the worst forms of child labour access free basic education and vocational training, wherever this is possible and appropriate;
- D. Identify the children specifically at risk and establish direct connections with them;
- E. Take the special circumstances of girls into account.



## Training Manual's Structure

This training manual consists of a number of training units covering the basic needs of probation officers and social workers. It follows the approach adopted by the Ministry of Social Development, with ILO support, to build the capacities of social workers, increase their contribution to eliminating child labour, outline how to interact with them and discuss legal matters.

The **First Training Unit** addresses the concept of child labour and the characteristics of working children in Jordan. It also gives a general overview of the causes and results of child labour.

The **Second Unit** sheds light on the means of intervention at the levels of the child, family, social partners and government, and building their capacities in this field. It also outlines the needs of the social workers, including communication skills and community service, and supplies the trainees with a host of policies and procedures for dealing with working children.

The **Third Training Unit** briefly outlines the national framework to eliminate child labour, specifically the experiences of the Ministries of Labor and Social Development, the ILO's International Programme on the Elimination of Child labour (IPEC), and the Ministry of Education.

The **Fourth Training Unit** helps trainees understand the child rights support programme through education, art and media. The **Fifth Training Unit** presents the most important national laws and international agreements relevant to child labour.



### 1-1 Introduction

Understanding child labour and its effects is necessary to develop and enforce successful policies and programmes. The following questions must be answered in this context: What is child labour? What are the causes of child labour? To what extent is child labour affected by the economic circumstances of the family, the returns of labor and education, and cultural factors? Understanding the causes of child labour contributes to resolving this problem and identifying the repercussions of child labour, specifically the impact of this labor on the children themselves, their families and the local community.

### 1-2 Who are working children?

A child, according to the international definition, is the person who has not yet turned eighteen years of age, according to the ILO definition in the UN Convention on Child Rights of 1998. There are some countries that consider that the end of childhood is when the individual reaches seventeen years of age according to their national laws and regulations.

Child labour, however, has no unified definition that enjoys consensus in all countries. However, “child labour” can be defined as every physical effort exerted by the child which impacts his physical, psychological or mental health and contradicts with his basic education, as stipulated by the ILO Convention No. 138 of 1973 on the Minimum Age for Admission to Employment and the ILO Convention No. 182 of 1999 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child labour. The expression “worst forms of child labour”, as stipulated in Article 3 of Convention 182, includes the following:

- A. All forms of slavery or slave-like practices, such as the sale of children, child trafficking, religious slavery, serfdom, and forced or coerced labor, including forced or coerced conscription of children to exploit them in armed conflicts;
- B. The exploitation, employment or offering of children for purposes of prostitution or for the production of pornographic material or pornographic performances;
- C. The exploitation, employment or offering of children for illegitimate activities, especially the production of drugs in the manner outlines in the relevant international treaties, and their trafficking;
- D. The acts that may harm the health, safety or morals of children as a result of their nature or the circumstances in which they are practiced.

However, this Convention includes flexible provisions, especially item D in Article 3, outlined above, which leave a margin for national authorities to specify if the acts undertaken by the children are harmful to their health, safety or morals. Article 4 of the Convention stipulates:

1. The national laws or regulations, or the competent authorities, after consulting with the stakeholder employer and worker organizations, shall classify the types of labor referred to in Article 3 D, taking into account the relevant international standards, especially paragraphs 3 and 4 of the Worst Forms of Child labour recommendation, 1999.
2. The competent authorities, after consulting with the stakeholder employer and worker organizations, shall identify the location of the acts classified as acts of this type.
3. The competent authorities shall examine the list of the types of work classified in accordance with paragraph 1 of this Article. They shall review it when necessary periodically in consultation with the stakeholder employer and worker organizations.

The concept of “economically active children” is a vast concept and includes most activities performed by children that are not paid, occasional or illegal, as well as working in the informal sector. It must be noted that the concept of “child labour” does not necessarily include all acts performed by economically active children. This means that the concept of “economically active children” includes “child labour” which is a wider concept. Moreover, “child labour” includes the “worst forms of child labour” which is an even vaster concept . Thus, these three terms must be differentiated.

The gradual elimination of the worst forms of child labour does not include prohibiting children from undertaking useful activities that help their physical and mental growth. The light work performed by children for specific hours during the week is not considered “child labour”. Moreover, child labour for a small number of hours intermittently is not considered child labour. Article 6 of the Convention 138 on the minimum age for admission to employment of 1973 exempted some acts undertaken by children from child labour, such as working for purposes of general, vocational or technical education, and at other training institutes. The Convention also exempted the work performed by children who have turned 14 years of age, at least, which constitutes an essential part of:

- (A) A training or educational course whose main responsibilities fall with a school or training institute;
- (B) A training programme whose larger or entire portion is implemented at an enterprise, if approved by the competent authorities;
- (C) A counseling or guiding programme that aims to facilitate the selection of the profession or type of training.

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<sup>1</sup> ILO, 2002, Every Child Counts: New Global Estimates on Child Labour, ILO, Geneva, pp. 15-29.

However, the actual reference for defining child labour, at the international level, is the ILO Convention 138 concerning the Minimum Age for Admission to Employment and the ILP Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child labour.

### **1-3 How can trade unions help eliminate child labour?**

Employers prefer to employ children because they are “cheaper” than their adult counterparts. The workforce also seeks to organize itself to protect and support its members, as adult workers do, through trade unions.

It seems that the main reasons for child employment are not economic, as children:

- Are less knowledgeable about their rights
- Do not organize any worker strikes
- Are less prone to missing work.

It is well known on a wide scale that combating child labour requires a wide alliance to mobilize all organizations and social activists.

It is also noteworthy that when there are strong and well organized trade unions, child labour almost disappears, while when the trade unions are weak or entirely absent, children are exploited and the situation persists. There is a strong relationship between the absence or weakness of trade unions and child labour.

### **1-4 What is the nature and extent of child labour in Jordan?**

The National Child labour Survey was conducted in August of 2007 by the Department of Statistics and SIMPOC (ILO’s statistical unit). The results were published in March of 2009.

The estimates indicate the following:

- 37,760 children (2.1%) of 1,785,596 children in Jordan aged between 5 and 17 are economically active
- 58% of them are above 15 years of age
- 36.3% of them work in retail and wholesale, 27.3% work in agriculture, and 15.8% work in the manufacturing sector

- The economic activity is very low among young children whose ages range between 5 and 11 (0.3%). For ages 12 – 14 the rate rises to 1.9%, as well as among girls of all ages.
- Males constitute about 90% of children at work
- Working children constitute about 88.1% of the economically active children
- Girls constitute only 9.3% of working children
- There was no significant difference in child labour rates in urban and rural areas
- The study indicated that children from impoverished families and with less educated parents are more at risk than other children, in addition to being more at risk of dropping out of school.

The educational reasons for child labour are mainly:

- Crowded classrooms
- Direct costs of formal education, which include school donations, cost of books, school uniform and educational materials
- Failure at school
- Fear of harsh punishment
- School holidays do not coincide with agricultural activity periods in rural areas.

Cultural standards and social attitudes play an important role. Most poor families rely on the income and labor from several members of the family to survive. Although Jordan has attained equity between boys and girls in school enrollment in rural areas, girls in some instances are forced to drop out of school for early marriage, to assist the family in house work, or work in the family farm. Moreover, the distance between the home and school does not encourage continuing to walk to school in the instances where transport is not available.

On average, children make 85.75 JD (or about 120 USD) a month, or approximately a quarter of the family's overall income in the cases where one adult and one child work in the family. 52.7% stated that the income goes to the parents or guardians. A large percentage also noted that they purchase things for themselves (23.8%) or their families (12.5%). Only 1.5% reported paying fees or for school supplies.

## **1-5 Variables Relevant to Characteristics of Working Children**

This part of the training manual aims to outline the main variables that require information gathering, in order to include them in the forms on child labour information. They do not offer information in this context alone, but rather offer details on the data that needs to be collected.

- Age
- Gender
- Geographic distribution
- Profession
- Income of working children
- Work conditions
- Size of the enterprise
- Working hours
- Weekly holiday
- Social standing of the parents
- Distribution of fathers of working children by profession
- Distribution of mothers of working children by profession
- Distribution of working children according to number of working siblings

## **1-6 Causes of child labour**

The causes of child labour can be summarized as follows:

- Contribute to improving the family's standard of living, and sometimes its survival
- Lack of desire to go to school due to low academic achievement or abuse at school
- Escape an unstable family situation, i.e. a situation where conflicts prevail
- Desire to earn money to purchase their legitimate and illegitimate needs
- Sense of independence and self-sufficiency
- Escape boredom as a result of being involved in other activities, including school
- Parent's desire to send the child to work
- Cultural standards, customs and traditions that encourage child labour
- The children or their families do not realize the risks of child labour
- Increase in the number of family members associated with low income rates (or wealth) of the individual

Gender constitutes an important factor in influencing the decision made on whether the child stays in school or joins the labor market. The number of male working children is different than the number of female working children according to the economic activity and type of work. The impact of gender also varies across countries and cultures.

In summary, it can be said that the economic factor is the main reason for children resorting to work. The other reasons, namely social and educational, come in second place in terms of importance, in spite of the fact that the reasons that motivate children to work are characterized by overlaps and interconnectedness.

## **1-7 Effects of child labour**

Child labour has a negative impact on the mental growth of children, in addition to its physical and psychological effects. It constitutes a violation of the freedom and basic rights of the child. It is also prohibited in local and international laws.

The harsh conditions in which the children work constitute a risk to their physical and mental health and growth. There are some disabilities and illnesses that afflict working children as a result of joining the labor market. These disabilities and illnesses may plague the child for years or for life, in addition to the main psychological effects of their work, especially their sense of oppression and inferiority. This contributes to the complexity of the problem, especially as we learn that the illnesses or disabilities could have been avoided, in addition to avoiding the harmful psychological impact on the child, had the child been allowed to stay in school.

It must be stressed that understanding child labour requires understanding the reality in which the children work, as some children do not perform informal work. They are also present at the work place all the time, such as working in the home of another person. The work location is not open to the public, it is hidden from labor inspection, and is devoid of the guarantees that are usually available in legitimate work places. Therefore, a main impact of child labour is:

- Loss of learning opportunities
- Becoming at risk of exploitation
- Maltreatment which has a negative psychological impact and which may persist with the child for long periods of time and affect his behavior
- Wasting the children's talents and human capacities
- Becoming subject to health risks, such as losing an organ or becoming afflicted with a disability
- Inability of the child to integrate with society and the surrounding environment.



## 1-8 What is the international day to eliminate child labour?

This activity started in 2002, focusing global attention on child labour and the work and effort necessary to eliminate it. Every year, on the 12th of January, the countries celebrate the international day to eliminate child labour. Employer and worker organizations and the civil society participate in these celebrations, along with millions of people from all over the world, to shed light on the plight of working children and what must be done to help them.

- Global ratification of ILO conventions on child labour
- National policies and programmes to guarantee effective progress in eliminating child labour
- Work to build a global movement to combat child labour.

## 1-9 Conclusion

- The nature of child labour in Jordan varies significantly from one governorate to another.
- Most working children belong to large families.
- Most children work in the maintenance and repair of vehicles, and this includes a lot of mechanical, electrical and paint work, along with other accompanying tasks.
- Most working children dropped out of school to help their families financially and to contribute to living costs. The second reason in terms of importance in children dropping out of school is their desire to learn a profession.
- The economic factor is the main reason for child labour, while other social and educational factors come in second place in terms of importance. It is noteworthy that the reasons for child labour are characterized by overlap, and they all depend on each other.
- Average wages of working children are significantly low, and children face risks of dismissal from work if they demand a wage increase or complain about their low wages.
- Most children work in very small enterprises for long hours that exceed the maximum permitted by the Jordanian Labor Law.



### 2-1 Introduction

There is a communal responsibility for several entities to intervene to eliminate child labour. The government is not the only entity that is to be continually blamed for the problem of child labour, or the mismanagement of this problem and the shortcomings in resolving it. This training unit aims to introduce trainees to the means of intervening and helping the working children, guaranteeing better living conditions for them, and removing them from the bad circumstances in which they live.

The means of intervention in child labour are concentrated in several levels, as follows:

- First level: children
- Second level: family
- Third level: employers and trade unions
- Fourth level: government
- Fifth level: NGOs
- Sixth level: academics and research centers

### 2-2 Intervention Policies

#### Economic policies

- Support and encourage the public, civil and volunteer sectors to establish productivity projects, especially small family projects that target the families of working children.
- Unify the efforts to establish a safety net for the poor
- Give priority in work to adults in the families of the working children
- Establish a bank for the poor
- Urge the employer and worker organizations to support productivity projects for the families of working children.

#### Social Policies

- Design and implement guidance programmes to change the negative social attitudes
- Coordinate among the stakeholders to organize the work of street peddlers and street children to rehabilitate them and reintegrate them socially
- Enhance relationships between at risk families and the local community

- Build the capacities of the workers in the ministries and institutions that work with the children
- Develop a tracking system for the families of working and homeless children to offer social support and counseling.

### **Legislative Policies**

- Review valid legislation and identify the legal provisions relevant to child labour in order to identify the positive aspects and the gaps to be addressed.
- Develop and amend the Labor Law provisions relevant to child labour
- Develop and amend the legal provisions in the other laws that address issues with a direct or indirect impact on child labour
- Work to increase the civil society's contribution to the development and upgrading of legislation and the tracking of their implementation.
- Develop mechanisms to enforce existing legislation in a manner that guarantees the effectiveness of the legal provisions in ensuring the best protection to children from work and its harmful impact.

### **Education and Training Policies**

- Implement education programmes aimed at raising awareness in society at large, and among students and parents in particular, on the importance of education and the negative impact of dropping out of school.
- Build the capacities of teachers and school administrations by ensuring that they acquire comprehensive class environment management skills, as well as teaching methods and participatory education skills.
- Develop educational environments in classes and schools, and supply them with student appropriate educational tools and games
- Develop learning curricula that are proportionate to the various age groups of students
- Activate the role of educational and social counseling and develop it in all schools.
- Develop the partnership between the school, family and local community.

### **Media and Cultural Policies**

- Create and implement cultural and media programmes on child labour using media tools that target the society, the family and the children.
- Implement media programmes by media institutions targeting children and their families on the risks of child labour and dropping out of school.

- Increase coordination between media and research institutions to support them with the information on child labour in its various dimensions.
- Develop and enhance the role of the parties to production in the media and in worker culture, and direct them to shed light on child labour as a negative phenomenon.
- Develop media and cultural programmes directed at working and at risk children to boost their confidence and self-esteem.

## **Health Policies**

- Provide quality health services to working children and their families
- Provide preventive, treatment and emergency health services to children in their areas of work.
- Coordinate among the stakeholders to provide health monitoring at child labour sites.
- Enhance coordination mechanisms among stakeholders to develop the means of tracking employers in the field of child occupational health.
- Design and implement awareness programmes on the importance of using protection and prevention methods for working children and employers at their work sites.
- Develop the quality of health services and build the capacities of health staff and service providers in early detection of disability.

## **Scientific Research Policies**

- Collect statistical information on the problem of child labour and its pervasiveness, with a focus on the quality of this information and improving the means of its collection.
- Develop and enhance the database on child labour, implement a scientific approach for the collection of statistical information, and update and develop it periodically.
- Conduct complementary studies to be used in eliminating child labour.

## **Gender Streamlining Policies**

- Streamline women's issues in all proposed policies and programmes. Policies must take into account the gender differences in the labor trends and causes as well as the results of child labour on females.
- Enhance and support the special needs of working females and their mothers.
- Improve the means of accessing labor markets as well as providing better jobs by avoiding discrimination in professions and health conditions.
- Include poverty and employment data on women and the extent of their involvement in income generating activities.

## **2-3 Policy Related Measures**

### **Review and Update the Concept of Child labour**

- Update the national definitions, standards and indicators in accordance with the international standards.
- Review the currently adopted definitions and classifications taking into account the differentiation between child labour, the worst forms of child labour, economically active children, and hazardous child labour.

### **Building Knowledge**

- Conduct statistical surveys and update the available information
- Undertake relevant studies and research, whether national, Arab or international.
- Introduce information on child labour into the surveys conducted by the Department of Statistics, wherever possible and appropriate.

### **Awareness and Engagement in Implementation**

- Form a committee to supervise the implementation of the proposed policies and programmes
- Form working groups by the government institutions
- Engage NGOs in the implementation of these programmes
- Establish a network (or association) of those interested in child labour
- Use child labour indicators in awareness campaigns
- Engage schools in the implementation of media campaigns
- Engage the press in media campaigns against child labour
- Introduce amendments to educational curricula outlining the harmful effects of child labour
- Distribute media materials.

### **Capacity Building**

- Train labor inspectors
- Utilize the efforts of the international organizations
- Enhance the child labour unit and supply it with equipment and human resources.

## 2-4 Intervention Levels and Target Groups

Following is a brief of these levels

### Child Level

Intervention category	Intervention level (children)
<b>Education and training</b>	Opportunities to access appropriate school and informal education, vocational training, training on rights, and school meals.
<b>Social protection</b>	Health monitoring of children, access to healthcare, counseling, child clubs.
<b>Rehabilitation</b>	Withdraw children from the worst forms of child labour and reintegrate them into the family, school or specialized rehabilitation centers.
<b>Labor conditions</b>	Alternatives to hazardous work, safe working environment, work admission regulations, apprenticeship regulations.
<b>Monitoring and evaluation</b>	Raise awareness on labor standards and national legislation, continue to monitor violations and report them.
<b>Social mobilization</b>	Recruit peers, develop awareness on rights, “from child to child” approach, participate in media campaigns and decision making, engage the media and use children through these means.

## Family Level

Intervention category	Intervention level (family)
<b>Education and training</b>	Raise awareness among parents on the value of education and child labour risks Educate parents on child needs and rights, vocational training Replace intermittent income with a salary, strengthen relationships between parents and teachers
<b>Social protection</b>	Access to social protection Social welfare support
<b>Rehabilitation</b>	Economic alternatives, such as small projects support Family counseling on establishing small projects
<b>Labor conditions</b>	Economic alternatives, information on risks and safety
<b>Monitoring and evaluation</b>	Education on child rights and labor standards Raise awareness on national legislation Monitor enforcement of legislation and reporting of violations
<b>Social mobilization</b>	Attract the attention of social media Participate in awareness campaigns on rights and obligations



## Level of Employers and Trade Unions

Intervention category	Intervention level (employers and trade unions)
<b>Education and training</b>	Formal and informal education, vocational training Community training on child rights Community monitoring to ensure access to quality education services
<b>Social protection</b>	Community health centers, offering advice on social protection, social dialogue, collective bargaining
<b>Rehabilitation</b>	Support the volunteer movement Reduce the prevalent idea that some types of work are shameful Raise awareness among the local community on child rights Find alternatives provided by the community for school rehabilitation
<b>Labor conditions</b>	Pass labor regulations to protect working children Support volunteer work, participate in training on social dialogue and collective bargaining skills
<b>Monitoring and evaluation</b>	Independent monitoring systems, self-monitoring by employers Educate trade unions and employers
<b>Social mobilization</b>	Local community theater, sports events Media campaigns for employers and trade unions

## Government Level

Intervention category	Intervention level (government)
<b>Education and training</b>	Expand education, free education, or low cost education for impoverished families Improve opportunities for girls and marginalized groups National vocational training strategy
<b>Social protection</b>	Healthcare for society, social protection strategy for marginalized groups, strategy to eliminate poverty
<b>Rehabilitation</b>	Rehabilitation facilities, support alternatives to livelihood in local communities, capacity building (advice giving skills)
<b>Labor conditions</b>	Support community initiatives, provide labor inspection Transition from school to work programmes
<b>Monitoring and evaluation</b>	New or edited legislation, implement time-bound programmes Expand and enhance labor inspection, register births Train the workforce undertaking monitoring and evaluation Establish courts and draft laws in the interests of the children
<b>Social mobilization</b>	Use government media outlets

## NGOs Level

Intervention category	Intervention level (NGOs)
<b>Education and training</b>	Support low cost education for impoverished families Improve opportunities for girls and marginalized groups
<b>Social protection</b>	Healthcare for children Participate in setting strategies for the social protection of marginalized groups Participate in setting a strategy to eliminate poverty
<b>Rehabilitation</b>	Facilities for rehabilitation Support livelihood alternatives in local communities
<b>Labor conditions</b>	Support community initiatives Support transition from school to work programmes
<b>Monitoring and evaluation</b>	Implement time-bound programmes Train the workforce conducting monitoring and evaluation
<b>Social mobilization</b>	Use media outlets Publish posters and advertisements

## Academics and Research Centers Level

Intervention category	Intervention level (academics and research centers)
<b>Education and training</b>	Train the community on child rights Community monitoring to ensure access to quality education services
<b>Social protection</b>	Offer advice on social protection
<b>Rehabilitation</b>	Support the volunteer movement Reduce the prevalent idea that some types of work are shameful Raise awareness among the local community on child rights Study alternatives provided by the community for school rehabilitation
<b>Labor conditions</b>	Participate in skills training
<b>Monitoring and evaluation</b>	Independent monitoring systems (research centers) Educate trade unions and employers
<b>Social mobilization</b>	Scientific research and studies Workshops

## 2-5 Conclusion

This training unit aims to introduce trainees to intervention methods and assisting the working children, guaranteeing better conditions, and removing them from the bad circumstances in which they live. This is a communal responsibility for several groups to intervene.

The means of intervention for child labour are concentrated in several levels: the children themselves, families, employers, trade unions, government, NGOs, academics and research centers.

The main intervention policies are focused on the economic, social, legislation, education, media and health fields.

The manual outlined the main procedures for intervention policies.

### 3-1 Introduction

In view of the importance of children in the future of countries and communities, several international and regional organizations interested in humanitarian issues gave special attention to child labour. The international conventions and agreements that they published constituted an important turning point in crystalizing concepts in the area of protecting childhood from the risks and abuse connected to the work environment and providing care for children with living or family conditions that forced them to join the labor market early.

The national framework to combat child labour is a national document that outlines the responsibilities and roles of all stakeholders and the mechanisms of responding to child labour cases, in terms of coordination and creating mechanisms to refer cases according to the type of service to be offered. It aims to alleviate the problem of child labour by creating a flexible reference document that helps stakeholders in dealing with child labour cases. It follows a national theoretical and practical methodology, determining the procedures that are proportionate to the roles and responsibilities of the government and non-governmental institutions working on child labour and the means of networking and coordination among them, while ensuring that there is no overlap in the work of the stakeholders, and finally developing a host of national programmes to protect children from joining the labor market at an early age.

The drafting of the national framework went through several phases, starting with the preparatory phase that included a review of the international experiences, the concept of child labour and the actual dealing with child labour cases by stakeholders. The second phase was consultations with all stakeholders, during which a series of meetings were held with the technical teams that were formed, followed by the phase of testing the framework, which was added during the consultation phase, in order to jointly attempt implementing the phases of the framework on the ground. This was followed by the framework drafting phase and agreeing on the roles and responsibilities of all stakeholders during the various phases. Finally came the phase of ratifying the framework by the members of the technical committee, then the members of the National Child Labour Committee, and finally ratifying the framework by the relevant ministers and the Prime Ministry, in August of 2011. (National Council for Family Affairs, 2011, p. 15).

## **3-2 Child labour Cases in the National Framework**

Child labour cases were divided into five groups, as follows:

- Working child in an enterprise that has not dropped out of school, less than 16 years of age.
- Working child in an enterprise that has dropped out of school, less than 16 years of age.
- Working child in an enterprise, 16 – 18 years of age.
- Child attached to work, not dropped out of school.
- Child attached to work, dropped out of school.

## **3-3 Managing the case of working children**

### **First Phase: Discovery and reporting**

This phase is the phase of receiving and seeking information so that the stakeholder entity can immediately respond and make the appropriate decisions. In this phase, it is necessary to have a clear mechanism and procedures to receive notifications on child labour cases, document them, and refer them to the stakeholder entity.

### **Second Phase: Initial Assessment**

This phase starts upon discovery or receipt of notice to the relevant division to classify the case and determine the required intervention. Information is collected and the circumstances are assessed, then the necessary measures are identified. In this phase, liaison officers are required for more than one entity at the level of the central directorates and field directorates to assess the working child's case and assess the social and education circumstances in order to identify the type of response required.

### **Third Phase: Intervention**

In this phase, the type of intervention and intervention plan are identified, based on the recommendations from the preliminary assessment phase and the implementation of the plan within the specified time period. This requires a consultation meeting in which all relevant institutions participate to create preliminary plans to deal with the case. The case is studied from all its aspects, and consultations are conducted with the institutions that cannot attend through any means they deem appropriate,

such as telephone, fax, or email. The meeting is important in that it ensures services are offered in an integrated manner to remove children from work and attempt to overcome all obstacles to reinstate their education. All options and alternatives available to the case are studied along with the impact of the intervention. The intervention plan includes the role of the ministries in detail, as well as the relevant entities and individuals, the time required for completion, and whatever is required for success. This phase requires documenting the consultation meeting on a special form.

#### **Phase Four: Monitoring and Evaluation**

The Ministry of Planning creates supervisory plans to monitor the cases and ensure the relevant ministries perform all their roles and responsibilities to implement the framework. There is a need at this phase for constant communication among all stakeholders to ensure the implementation of the intervention plan. It is also possible to hold meetings to assess the case after a period set during the consultation meeting at the consultation phase. The monitoring at the internal level of the stakeholders entails ensuring that all the interventions that the entity is mandated with are being monitored, along with a mechanism within each entity to monitor and document the cases. (National Council for Family Affairs, 2011, p. 16).





## Training Unit 4: SCREAM Programme

The ILO launched "Supporting Children's Rights through Education, the Arts and the Media (SCREAM) Programme through its International Programme on the Elimination of Child labour (IPEC) on the basis of education and social change. The philosophy of this programme is based on the premise that the youth play an important role in raising awareness in their communities to attain the required social change. Through empowering youth, giving them responsibility, and understanding the value of their contribution, we can appreciate and value the wealth of creativity and commitment by the youth in the campaign to eliminate child labour.

The main goal of the programme is to "stop child labour" by training the educated and cultured around the world to enhance understanding and awareness on child labour among the children themselves. The programme supports children's rights through education, the arts and the media. It focuses on creative educational curricula and the programmes that aim to inform the youth on the need for understanding the social dimensions, with a focus on human rights, especially child labour.

The support for the strategy to eliminate child labour is represented by alleviating poverty and providing quality education, specifically mandatory education which is the most effective tool to ensure children do not join the labor market. This requires changing attitudes and social behavior, by providing quality education not just for children but also for their families and communities, which in many instances encourage child labour. Child labour has become an inherited habit, passed on from one generation to the next. Therefore, the programme aims to inform the community about child labour and empower the youth and adults like to work together to eliminate child labour.

One of the components of this programme is the close connection with the process of education and counseling projects lead by the ILO in the industrial and developing countries. The ILO is currently seeking to integrate the programme in its current and future projects. For this purpose, a manual was created to be distributed among all relevant stakeholders, including managers, counselors and other workers in the areas of combating child labour, in addition to the ILO offices whose experience lies in advocating for support from governments, social partners and institutions to support the programme's implementation. The ILO stresses the use of the programme in several teaching materials, including child rehabilitation centers and information education programmes for children. The programme was developed based on several principles to be used by educated and cultured individuals in the areas of education, children and youth, from various age groups.

The programme is considered an education packet that includes 13 forms printed in English, French, Spanish and Italian. It can be accessed at [www.ilo.org/scream](http://www.ilo.org/scream).

Following are the programme's components:

- Basic Information
- Collage
- Research and Information
- Interview and Survey
- The image
- Role-play
- Art Competition
- Creative Writing
- Debate
- Media
- Drama
- World of Work
- Community Integration

### 5-1 Introduction

This manual offers a summary of the national and international agreements that relate, directly or indirectly, to child labour, such as the agreements on the minimum age of admission to employment, night work, medical examinations, prohibition of forced labor, and the actual elimination of the worst forms of child labour.

### 5-2 National Legislation

#### 5-2-1 Jordanian Labor Law No. 8 of 1996

##### Minimum Age for Work

- Article 73 prohibited the employment of juveniles who have not completed the age of sixteen in any form.
- Article 74 prohibited the employment of juveniles who have not completed the age of eighteen in work that is hazardous, exhausting or harmful to health, which is specified by the Minister of Labor through Instructions issued after consulting with the competent authorities.

##### Working Hours, Night Work and Working on Holidays

- Article 75 of the Labor Law prohibited the employment of juveniles for over six hours per day on condition that no less than one hour of rest is given after four continuous hours of work.
- This Article also prohibited the employment of juveniles between eight pm and six am, as well as on religious holidays and public and weekly holidays. These provisions took into account the standards enshrined in the international agreements and are in line with the provisions of Articles seventeen and nineteen of the Arab Convention No. 18 of 1996.

##### Employer Obligations

- Article 76 of the Labor Law mandated the employer, upon employment of the juvenile, to maintain the following records in a special file with sufficient data on place of residence, date of employment, the tasks assigned, wages and vacation time:
- Certified copy of the birth certificate.

- Certificate of fitness to perform the required tasks, issued by a specialized physician and certified by the Ministry of Health.
- Written consent from the juvenile's parent to work at the enterprise.

## Penalties

### Article 77: (Amended by Provisional Law No. 48 of 2008)

- A. Stipulated a penalty for employers who are in violation of the provisions on juvenile labor or any other regulations and decisions issued pursuant to them with a fine no less than 300 JD and no more than 500 JD. The court may not reduce the minimum penalty or take into account mitigating circumstances.
- B. In addition to any penalty stipulated in the valid legislation, the employer shall be punished for any violation committed as a result of the forced employment of any worker or their employment under threat, by fraud, or coercion, including the confiscation of travel documents, with a fine no less than 500 JD and no more than 1000 JD.
- C. This penalty shall be doubled in case of a repeat offence.

## 5-2-2 Juvenile Law

The Juvenile Law of 2014 was published in the Official Gazette, pages 6371-6394. This law regulates the procedures for dealing with juveniles and protects their legal rights. The law contains 48 articles, and some of these articles contain subsidiary items.

The law's articles were drafted to guarantee the best interests of the juvenile as well as protect, reform, rehabilitate and care for the juveniles. Among the most important article in the Juvenile Law No. 32 of 2014 was relevant to the protection of working children:

**Article (33):** Anyone fitting any of the following cases shall be considered deserving of protection or care:

- B. If they are exploited in acts of beggary, acts related to prostitution or immorality, or the service of those who conduct those acts, or any illegal acts.
- F. If they are begging, even if they hide this by any means
- G. If they are peddlers or garbage retrievers
- M. If the juvenile is a worker in violation of the valid legislation.

**Article 35:** If the juvenile is found in any of the cases stipulated in Article 33 of this Law, the court may take protective measures proportionate to the status of the juvenile.

## Article 36

- A. The court must, based on the complaint referred to in Article 35 of this Law, request from the probation officer a report on the circumstances of the juvenile, the family, the social environment and the health circumstances. It must hear the juvenile, one or both of his parents or his guardian or custodian, before taking any protective measures.
- B. If the court finds it necessary to impose a temporary measure in the interest of the juvenile until the procedures are completed, it must outline the reasons that called for such as measure promptly.
- C. The probation officer and any person working in the health, education and social fields who finds a juvenile while practicing his duties in any of the instances outlined in Article 34 of this Law must notify the Juvenile Police or the nearest police station.

These articles mean that the protection of the child by the Ministry of Social Development shall include all working children, whether subject to the Jordanian Labor Law or not. This requires taking into account all the legal provisions in international and national legislation, in terms of:

The definition of the working child or juvenile worker as defined by the Jordanian Labor Law No. 8 of 1996, in Article 73, and in hazardous work between the ages of 16 and 18 as stipulated in Article 74 of the Labor Law, and Articles 75 and 76 on working conditions. It was also defined in the National Framework to Eliminate Child labour: "Every intellectual or physical effort exerted by the child for pay or without pay, whether it is permanent, incidental, temporary or seasonal, which is considered harmful to him, at the mental, physical, social, ethical and moral level, and which denies him the opportunity to continue with his education and studies, by forcing him to leave school early or requiring him to attempt to combine school hours with intensive work for long hours".

As for the definition of the working child in the worst forms of work, the reference is the ILO Convention No. 182 of 1999, signed by Jordan in 2000.

The Ministry of Labor inspectors have the power to inspect all officially registered enterprises operating under the scope of the Labor Law to search for working children. Children who are working outside the scope of these enterprises do not fall within their jurisdiction. To penalize any employer within the enterprises that fall within the scope of the Labor Law, the law requires the child to be inside the enterprise, to receive wages, and to have an employer, as defined in the labor contract concept in Article 2 of the Labor Law. Children who are peddlers on traffic lights, mobile stands, and road sides are outside the scope of the Labor Law and the jurisdiction of the inspectors.

According to the Labor Inspector Regulations and their Amendments No. 56 of 1996, the jurisdiction of the inspector ends with the penalization of the employer. They have nothing to do with the child, and their role is restricted to offering advice and counseling to the child.

This gap was addressed in Article 33 of the new Juvenile Law, which requires additional coordination between labor inspectors, social counselors, and probation officers at the Ministry of Social Development when dealing with children working at enterprises or outside them, and protecting them by referring them to service providers inside the Ministry or the civil associations under the umbrella of the Ministry of Social Development, and not as stipulated in Articles 35 and 36 (referral to the court). They are referred to the court in cases classified as “criminal”, and in that case they must be treated as victims and not adult perpetrators of crimes.

This also requires coordination with the Ministry of Education with regard to providing formal or informal education opportunities, according to the educational status of each student. It also requires coordination with the Vocational Training Corporation with regard to vocational programmes available to working children. Moreover, it is necessary to amend some procedures on discovering and referring cases of working children covered by this Law to service providers, for them and their families, within the National Framework to Eliminate Child labour, adopted by the Jordanian Government in 2011. This is currently in progress through the project “Towards a Jordan Free of Child labour” supported by the ILO. For more details, please refer to the following source:

Source: Official Gazette, pp. 6371 – 6394.

### **5-3 International Conventions**

These conventions are mainly the ILO conventions on child labour, the most important of which are:

#### **5-3-1 ILO Convention No. 182**

This is called Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child labour.

For more details, please refer to the following link:

[http://www.delegue-enfance.nat.tn/images/legislation/convention\\_182\\_ar.pdf](http://www.delegue-enfance.nat.tn/images/legislation/convention_182_ar.pdf)

### **5-3-2 ILO Convention No. 138**

This Convention set the minimum age for admission to employment, and included 18 articles. For more details, please refer to the following link:

[http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/ED\\_new/pdf/Child\\_labor\\_Min\\_Age\\_conevntion\\_Ar.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/ED_new/pdf/Child_labor_Min_Age_conevntion_Ar.pdf)

### **5-3-3 Night Time Work Conventions**

- Convention No. 6 Night Time Work of Juveniles (Industry), 1919
- Convention No. 79 Night Time Work for Juveniles (Non-Industrial Professions), 1946
- Convention No. 90 Night Time Work for Juveniles (Industry) review, 1948

### **5-3-4 Medical Examination Conventions**

- Convention No. 16 Medical Examination for Juveniles (Seamen), 1921
- Convention No. 77 Medical Examination for Juveniles (Industry), 1946
- Convention No. 78 Medical Examination for Juveniles (Non-Industrial Professions), 1946
- Convention No. 124 Medical Examination for Juveniles (Working Under the Earth Surface), 1965

### **5-3-5 ILO Conventions on Juvenile Labor**

- Convention No. 29 Forced Labor, 1920
- Convention No. 74 Capable Seamen Certificate of Competence, 1946
- Convention No. 105 Forced Labor Cancelation, 1957
- Convention No. 113 Medical Examination (Fishermen), 1959
- Convention No. 113 Medical Examination (Fishermen), 1959
- Convention No. 127 Maximum Weight, 1967
- Convention No. 136 Benzene, 1971
- Convention No. 180 Seamen Working Hours and Supplying Ships with Crews, 1996





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