

Child Labour in Fisheries &
Aquaculture
Need for a Perspective
In light of Indian experiences

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Fact is ...

- There were 12.7 million economically active children in the age-group of 5-14 years in India (census 2001). The number was 11.3 million during 1991 (Population Census) thus showing an increase in the number of child labourers.
- The above figure does not include millions of CL in subsistence fishery/aquaculture, they remain invisible (often included in agriculture data)
- The single most prominent nature of the child labour in fishery sector is poverty of fishing households followed by their poor access to education, health, housing and other basic amenities.

Fact is...

- Gender dimension, girls working longer (NCPR)
- Fishery, mainly aquaculture remains neglected in CL related policies & programmes in the country
- No sustained data available on sector-wise engagement of CL in fishery & aquaculture
- There are legal frameworks, policies & programmes to address CL, no specific focus on fisheries/aquaculture and enforcement remains poor and some acts need to be more inclusive
- GOI is hesitant to ratify ILO conventions related to CL

Fact is...

- Education is compulsory (6-14 yrs) quality is not ensured,
- Rural youths seldom have access to decent employment opportunities, there are not enough vocational trainings etc.
- Govt. has poor capacity to deal with CL (poor synergies between ministries)
- Global dimension: Market demand, trade agreements

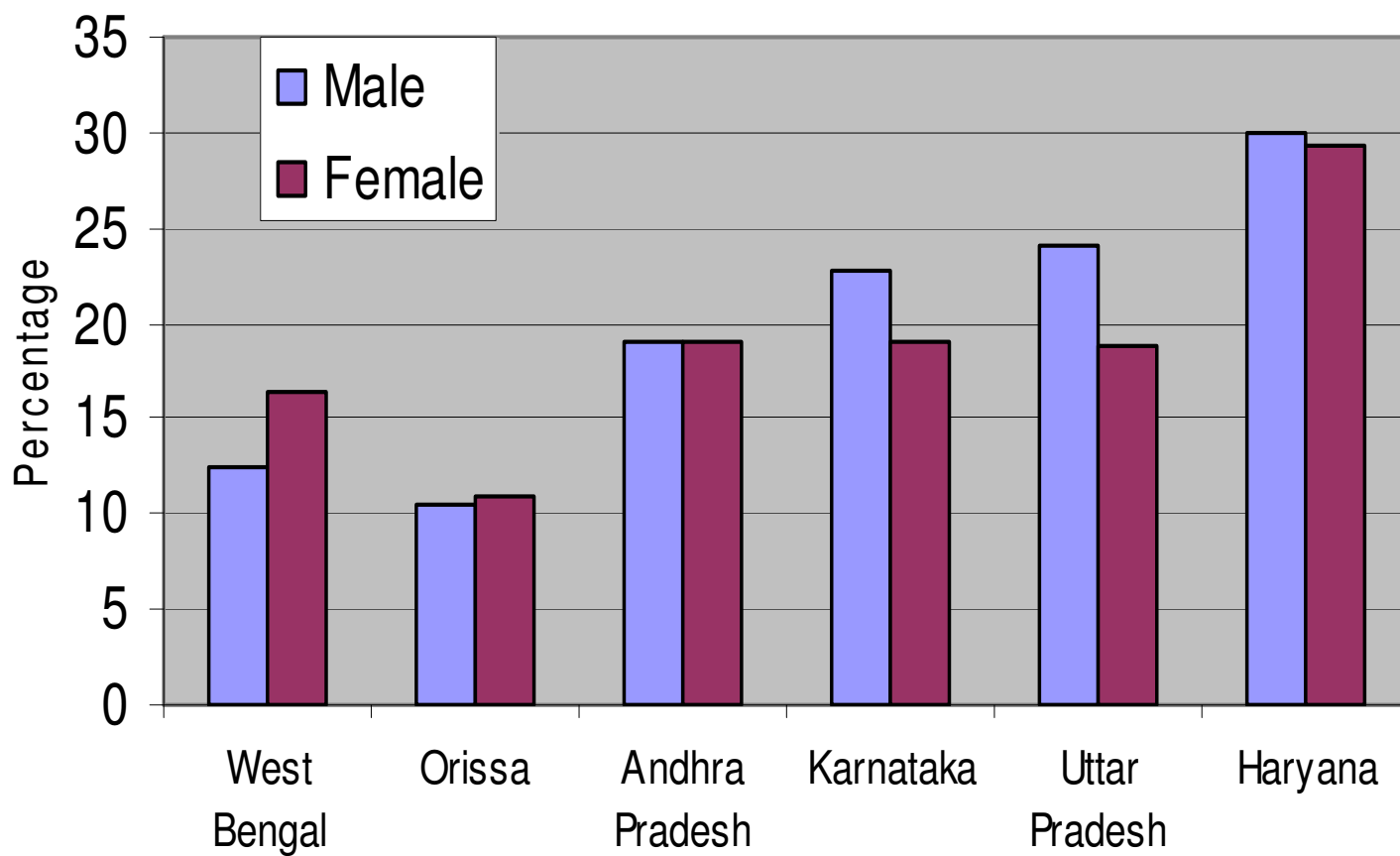
Types of Child Labour

- Collection & selling of shrimp seeds in shrimp culture
- Peeling and sorting
- Working in processing units
- Contributing to family labour
- Working in fishing vessels
- Working as wage labourers in aqua-farms

- **Child Labour:** *Those children who are doing paid or unpaid work in factories, workshops, establishments, mines and in the service sector such as domestic labour*
- **Working Children:** *Children who are working as part of family labour in agriculture and in home-based work. If children are working 12-14 hours a day*

Their work deprives these Children from education (detrimental for health safety & morals)

Child Labour in Inland Fishery in India in 2005



Existing legal framework, policies & programmes of GOI

- Based on Art 24 & 39 of the constitution, Child Labour (Prohibition and Regulation) Act was enacted in 1986 to prohibit employment of children below 14 years in hazardous occupations (long list of hazardous activities 59-60 deals with fishery in general)
- National Policy on Child Labour 1987 (Focus on enforcement) and National Child labour Project Scheme 1988 (protection, rescue, rehabilitation, vocational trainings), Health, Education, Social Welfare, Labour, Rural Development, Ministries contributed in the process
- India has ratified the Convention on the Rights of the Child in December 1992
- In December 1996 in the case of M.C. Mehta Vs. State of Tamilnadu, The Supreme Court specifically ordered
 - withdrawal of children working in hazardous industries and ensuring their education in appropriate institutions.
 - It also prescribed employment of at least one adult member of the family of the child so withdrawn from work,
 - A contribution of Rs.20,000/- per child was ordered to be paid by the offending employer into a corpus of fund set up for the welfare of child labour & their families.
- Compulsory Primary education (Art 21 A) age group 6-14
- Implementing IPEC in selected regions
- National Commission for protection of Child Rights 2007 and Integrated Child Protection Scheme has been set up to protect vulnerable children.

Challenges

- To make CL in fishery & aquaculture visible and to deepen understanding regarding present status (engagements) of CL in this sector
- Identify various hazardous works in fishery/aquaculture and include those in the act
- Clearly distinguish between CW and CL
- Enforcement of existing legal provisions/ programmes & making legal framework inclusive
- Ratification of ILO conventions

Need of the Hour

- Investigation on status of CL in fishery and aquaculture in India (include subsistence and artisanal fishery/aquaculture)
- Generating data on the above topic on regular basis, documenting cases (in aquaculture), also good practices
- Ensuring quality education (state's obligation)/ vocational trainings
- Campaigns for community awareness, participation, establish community watch, campaign for ratification of ILO conventions
- Sensitization (capacity building of state actors) and making adequate resources available for addressing the CL problem
- Ensuring synergy between all concerned departments for ensuring effective monitoring mechanism
- Making multi-stakeholders of CS aware (incl. consumers) and accountable
- Acknowledging/promoting good works done by NGOs, CSOs and CBOs to eliminate CL in fishery & aquaculture (increased cooperation)
- Ensuring global policy coherence

FAO/ILO can develop an elaborate guideline on elimination of CL in fishery & aquaculture, which could be based on experiences drawn from various nations (through action researches)

THANK YOU