



Red Pacto Global
Colombia

Nacho[®]

NO LONGER WORKS



Fundación Telefónica

Telefónica

Guidelines for the evaluation and management of child labour impact to business activities.

Document prepared on behalf
of Fundación Telefónica by TRUST
Confidence Building Consultants.

Trust*
El valor de la confianza

INTRODUCTION

Duties that protect rights.



“Businesses should uphold the effective abolition of *child labour* in all business activities and relationships”

Global Compact Principle 5.

Child rights.

Boys and girls are human beings and are subjects of their own rights. In the virtue of their age, children are entitled to special rights that recognize their special needs and *protect* them against all types of risks.

Governments, families and society must defend child rights, taking into account the superior best interest and their joint responsibility.

Child rights are universally accepted and respected. There are several international conventions that protect child rights, including the Universal Declaration of Human Rights and the Convention on the Rights of the Child.



No child labour.

We must protect children from exploitation, either economic, social or any other form of abuse.



“Child labour is mentally, physically, socially or morally *dangerous* and harmful to children and interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely, or requiring them to attempt to combine school attendance with excessively long and heavy work.”

(International Labour Organization – ILO)



child labour.

Joint responsibility.

Members of society, such as business enterprises and economic associations, are *responsible*, together with governments and families, for protecting and enforcing child rights.

Commitment.

Companies should make efforts to identify and prevent actual or potential risks related to child labour in their business activities. As a starting point, companies must comply with ILO Minimum Age to Admission to Employment Convention 138 and ILO Worst Forms of Child Labour Convention 182.



In addition to conducting due diligence, companies may also contribute to develop broader conditions so children can exercise their rights with *freedom* and at their full potential.

Dear Employer,

In order to exercise a responsible business activity you have to assess, respect and support child rights.

This guide will provide you with information and some tools that could help you prevent child labour both in your direct activities as well as in the supply chain of your company.

Principles.

This *guidance* is inspired in the following international standards and self regulating initiatives regarding human rights: The Universal Declaration on Human Rights, the Convention on the Rights of the Child, ILO Conventions 138 and 182, Global Compact Principles, United Nations Guiding Principles on Business and Human Rights, Child Rights and ILO Eliminating Child Labour Employers' Guides.

Likewise, this guide respects and follows Colombian legal and constitutional framework.



Guideline for the evaluation and management of child labour impact to business activities.



Companies must exercise due diligence processes based on the Guiding Principles on Business and Human Rights. It means, companies are required to identify the presence of child labour in their operations, including supply chain, and must adopt policies, processes and all necessary mechanisms to *mitigate or avoid* this risk.

Approach.

Child labour affects boys and girls that are victims of this scourge. The starting point to *prevent* or mitigate this risk is to recognize children as subjects of their own rights and respect them. Children are human beings, with particular capacities and vulnerabilities, entitled to special care and protection from governments and society, including families and businesses.



PHASE 1 RISK IDENTIFICATION



1. ¿What configures a child labour risk to business?

A company is vulnerable to child labour risk when there are children working in the business activities or in the supply chain and do not comply with legal requirements.

It is possible that a child labour risk appears if the company contributes to increase this scourge in its geographical area of influence, even if the company or its supply chain does not directly hire children.

2. Determine vulnerabilities.

There are certain conditions or external situations to companies that exacerbate the risk of child labour.

The first step to tackle them is to identify the critical factors.

2.1. Identify critical factors in the area of influence.

Child labour depends on how society, families and governments protect children. Companies must learn to identify the conditions of children in the geographical area where they perform business activities. In addition, companies must understand social, political and economic dynamics that could promote child labour in the region.



2.2. Identify critical factors in business activities.

Companies must identify business actions or activities that are more vulnerable to child labour and implement business policies, processes and procedures to prevent its appearance.



3. Determine threats.

A threat is a potential damage. Child labour threat is twice the damage. First, work deprives children of their childhood, their potential and their dignity, and obstacles the full exercise of their human rights. Second, for a company, association with child labour will likely damage its reputation, have legal and financial repercussions, and, in critical situations, it can impact the operation and jeopardize business continuity.

STAGE 2 MANAGE RISKS



1. Manage child labour risks.

In the same way a company administers its financial and operational risks, it must manage those associated with child labour in its business activity.

Companies must implement prevention, control and reparation strategies in the event of child labour.

2. Prevention strategies.

2.1. Mitigate vulnerabilities in business activities.

In compliance with due diligence, a company must commit against child labour, with a public and explicit statement; must develop all mechanisms to ensure its implementation, establish best practice in its business activities and make sure its supply chain aligns with this policy. This requires the implementation of a management system.



2.2. Contribute to overcome vulnerabilities in the community of operation.

As long as conditions persist, there is always the threat of presence of child labour. Companies committed with the protection of human rights also work in partnership with authorities and other members of society to improve social, political, cultural, economic and institutional conditions.

Mitigate 

3. Strategies for damage control.

In the event of child labour, companies must develop strategies to mitigate impact and damage control.

Damage includes those actions concerning the child as well as those that affect the company's reputation.

3.1. Immediate response.

In the event that the company detects a case of child labour, it must have a protocol to react. Business must be careful because a response taken without knowledge could exacerbate the child condition and it can drastically affect the company's reputation.

3.2. Remediation.

Beyond legal actions, and consistent with due diligence good practices, companies must have an efficient protocol to receive and solve claims and, if required, to repair all negative impacts produced by child labour events.

We specially thank the support
to build this guidance to:

Ministerio de Trabajo,
Instituto Colombiano de Bienestar Familiar ICBF,
Andi, Ecopetrol, Mayagüez y Movistar.