

130313PCWOMEN

CHILDREN'S RIGHTS COUNTRY REPORT TO THE UNCRC

**CONCLUDING OBSERVATIONS OF
THE UN COMMITTEE OF EXPERTS
ON THE RIGHTS OF THE CHILD:
SOUTH AFRICA**

CHILD LABOUR

- 2010 STATSSA conducted second Study on the Activities of Young People(SAYP) as an add-on to the Quarterly Labour Force Survey.
- Overall, 784 000 children were revealed by the SAYP as being vulnerable on at least one of the indicators.
- Girls were more likely than boys to be affected in 2010. This is different to 2006 when there was little gender difference. As in 2006, children aged 10-15 were the most likely to be in child labour.

2010 – Survey on the Activities of Young People (SAYP)

- Overall:
 - 116 000 (93 000 in 2006) children appeared to be doing work prohibited by the BCEA
 - 431 000 (383 000 in 2006) appeared to be working excessive hours for their age when all types of work were combined
 - For 11 000 (108 000 in 2006) there were indications that school enrolment was affected by work
 - 36 000 (57 000 in 2006) children appeared to have been absent from school because of work-related activities
 - 290 000 reported having been injured at work or exposed to hazardous conditions. In 2006, 183 000 children reported having been injured while working, but there was not a question on hazardous conditions.

CHILD LABOUR ENFORCEMENT POLICY

- Legislation to address child labour strengthened.
- DOL has a statutory obligation to enforce:
 - BCEA which address child labour,
 - Children’s Act, 2005 which address children in need of care
- Child labour enforcement policy aligned to include both Acts
- Labour Inspectors trained

Worst Forms of Child Labour

Convention No 182 of 1999

- Ratified by SA in 2000
- Forms include:
 - Forms of bonded labour, Commercial Sexual Exploitation Children, Trafficking, Children Used By Adults to commit Crime, Hazardous work
- SA must take time-bound measures to eliminate WFCL.
- SA became a signatory to ILO's Roadmap toward the elimination of Worst Forms of Child Labour
- BCEA, Regulations and Child Labour Programme of Action in line with requirement

REGULATIONS ON HAZARDOUS WORK

15 – 18 years old

- Regulations to protect health and safety of child workers at work under BCEA and OHS
- Purpose: to protect child workers who are lawfully entitled to work.
- Prohibits categories of work and sets conditions on work that child workers may perform
- Provide guidelines on risk assessments and plans of safe work procedures

B: CURRENT REPORT

Special protection measures: Economic exploitation, including child labour, (article 32 with specific reference to applicable minimum ages)

FARM WORKERS SECTORAL DETERMINATION

- **Farm workers who are 15 years of age or older but less than 18 years may not work more than 35 hours per week.**

Child Labour Cases 2010-2012

Province	Reporting periods	Reported	Identified	Action Taken / Outcome
North West	2011/12	0	2	Case 1 A prohibition Notice was issued on the operation of the harvester Subpoena was also issued to the employer to submit investigation report as mandated by General Safety Regulation 9(OHSA)
				Case 2 Matter referred to Department of Social Services for intervention. Directive was issued to the farm owner
	2010/11	0	2	Outcome The cases are being followed up with the State Prosecutor. Case referred for prosecution
	Outcome No Prosecution from Magistrate Mokerong. Case referred for prosecution			
Limpopo	2011/12	0	1	Outcome Pending