

## Fairfood Issue Briefing

### *Child Labour*



*Any form of employment of individuals under the age of 15 is child labour. For certain types of work, such as heavy construction, hazardous work, etc the international minimum age is set to 18 years. In general, such forms of employment for young workers (aged 16-18) should prevent from long working hours, hard physical work, unhealthy and dangerous activities, and schedules that leave too little time for education and leisure.*

#### **Based on:**

- United Nations Convention on the Rights of the Child (CRC)**  
 A child (<18) must be protected from economic exploitation, performing hazardous work, or interference with the child's education or development.
- ILO Minimum Age Convention**  
 A child may only perform light work from 13-15 years old, normal work from 15-18 years old, while hazardous work can only be performed when over 18 years of age.
- ILO Worst Forms of Child Labour**  
 States must take all appropriate measures to abolish child slavery, trafficking, compulsory labour, and any youth employment that is detrimental to their health, safety, or morals.
- ILO Convention on Safety & Health in Agriculture**  
 Agricultural work prohibited under 18 years. (this convention has only been ratified by 13 states, and thus is not used by Fairfood, except to illustrate that agricultural work is inherently hazardous, thus a precarious sector for child workers).

#### **Defining Child Labour**

In 2008, there were an estimated 215 million child labourers. These are either children too young to work or carrying out hazardous work. Approximately 60-70% of all child labourers ranging from 5-17 years old work in the agricultural sector, a large part of them working unpaid on plantations and family farms. Technically, these kids are not child labourers, but end up in statistics designated for abolition.

Conventions and international agreements that make up the technicality of this issue vary in their wordings on what child labour actually is. Age matters, as well as the difference in types of work to be performed legally and what *hazardous labour* entails. Family farm labour is also a point of discussion, as some argue that this is culturally interwoven and even necessary. Others argue that child labour can never be rectified as children are deprived of their education which they would benefit from the rest of their lives.

The most used description is the second item in the box on the left: child labour is more than light labour for anyone under fifteen years of age, and light labour for anyone under thirteen. Fairfood, has defined child labour according to several relevant ILO conventions (the definition is given above).

The most important point to note regarding child labour is that any work performed by children under the age of 15, on formal plantations is considered child labour and should not be allowed. Children under the age of 15, according to the ILO may still perform light work, but they are not formally employed through any form of employment contract. Although it is not explicitly stated there is a strong argument to be made that children between 12 and 14 years should be allowed to work on family farms or in the harvest of products in a family setting, given that the amount and nature of the work does not jeopardize their educational attendance and performance, and the child's social, moral and physical development. Therefore, light work, on family and smallholder farms, by children under 15, if it is less than 14 hours per week is permissible. For children aged 15-17, they can also work 14 to 43 hours per week on smallholder or family farms, or on plantations *only* when there is a guarantee that they will not be handling hazardous tools, chemical inputs or performing physically dangerous tasks. Of course all economic activity for children under the age of 11 is expressly forbidden by ILO conventions and thus considered a condemnable form of child labour by Fairfood.

## Relation to Hunger and Poverty

The inability of adults in rural areas to ensure **sufficient income** to provide the basic needs for their families is a major push factor for children to work. Tolerance of families who use child workers for piecework also contributes to the degeneration of wages for adult and formal workers. Because employers can exploit children easily to pay them less and treat them worse, it gives little incentive for them to hire adult workers or to increase wages so that an adult worker can earn a living wage without support from child workers. Children are being exploited, making **unreasonable working hours in unhealthy and unsafe working conditions**. Children from marginalized ethnic or racial groups, such as indigenous and tribal communities, and certain castes (scheduled castes in South Asia) are especially prone to exploitation. They often form the bottom layer of the social order, live in conditions of poverty and are prone to discriminations.

**Discrimination** also occurs on the workplace where children receive much lower wages than adults or are not paid at all. These children are trapped in a circle of poverty, discrimination and exploitation. One way of protecting children from exploitation and decreasing their powerlessness and vulnerability could be to guarantee their **right to join labour unions**. However, labour unions generally make a big effort to eliminate child labour for they believe that child labour undermines the bargaining power of adult agricultural workers for decent wages and working conditions. Generally, it is said that child labour is not prevalent when there is a trade union - but it can also be argued that trade unions are not present where child labour is found.

Child labour is also related to the issue of **forced labour**, an estimated half of the forced labourers in the world are children. Children from certain marginalized groups are also more likely to be a victim of forced or bonded labour, which is one of the worst forms of child labour as stipulated by the ILO.

## The Role of Companies and Corporate Initiatives

Companies engaged in child labour either directly or indirectly face the risk of prosecution as it is deemed illegal by international convention. Hence, large multinational companies are also guilty if their suppliers illegally employ children. Besides this legal risk, companies ultimately face a reputational risk in child labour engagement. When its consumers find out that children were involved in the production of a certain food crop, sales will drop significantly, and bankruptcy is looming.

### Sustainability Initiatives

#### Certification Labels

- ☞ AquaGAP
- ☞ Best Aquaculture Practices
- ☞ Fairtrade Label
- ☞ Rainforest Alliance
- ☞ Friend of the Sea
- ☞ IMO Social and Fairtrade
- ☞ KRAV
- ☞ Naturland
- ☞ Pro Terra
- ☞ SA8000
- ☞ Soil Association Organics

#### Multistakeholder Initiatives

- ☞ Ethical Tea Partnership

#### Corporate Programmes

- ☞ Nature and More
- ☞ Starbuck's C.A.F.E.

### Major Commodities

- ☞ Cashew Nut
- ☞ Chili Peppers
- ☞ Cocoa
- ☞ Coffee
- ☞ Grapes
- ☞ Maize
- ☞ Oranges
- ☞ Rice
- ☞ Shrimps

Employees throughout the production chain need to be educated to detect child labour. In countries with a reputation for child labour, the brand owner should monitor and audit its suppliers. Many initiatives forbid the employment of children under 15 years old. Some allow children between 12 and 14 to work on family farms, sometimes even up to 8 hours a day, given that the amount and nature of the work does not jeopardize their educational attendance and performance, and the child's social, moral and physical development. Others allow minors between 15 and 17 years to work up to 8 hours a day and 42 hours a week. Fairtrade does not specify a maximum amount of hours, but forbids "any type of work ... which is likely to jeopardize their health, safety or morals of the child. RA has special conditions for regions where "families traditionally harvest specific crops" allowing minors (age unclear) to participate in the harvest given that they do not carry heavy loads, continue their education, are remunerated and accompanied by a parent (2009). The standards for these initiatives follow ILO guidelines for minimum age of employment and the permitted maximum of hours of work.

Based on: Fairfood Issue Report: Child Labour, Ikram Cakir 2010.

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