

ADDRESSING CHILD LABOR IN AGRICULTURE SUPPLY CHAINS  
WITHIN THE GLOBAL FIGHT AGAINST CHILD LABOR

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I.	INTRODUCTION .....	132
II.	THE CURRENT SITUATION OF THE NATURE AND EXTENT OF CHILD LABOR .....	133
III.	PROGRESS ACHIEVED WITHIN A RELATIVELY SHORT TIMEFRAME ...	134
	A. Child labor has reduced significantly .....	134
	B. International recognition and action .....	135
	C. Development of international and national law .....	136
	D. Research and analysis have improved understanding.....	137
	E. A global strategy has been developed and endorsed .....	138
	F. Global guidance for business has been issued .....	139
	G. Numerous projects and programs have been implemented .....	140
	H. Improvement in education.....	140
	I. Some lessons learned.....	141
IV.	REMAINING CHALLENGES.....	142
V.	PROMOTING A LONG TERM STRATEGIC FOCUS ON CHILD LABOR ELIMINATION IN AGRICULTURE SUPPLY CHAINS .....	142
	A. The nature and extent of child labor in agriculture.....	142
	B. Hazardous child labor in agriculture.....	144
	C. Impact of child labor on education and employment opportunities .....	144
	D. The causes of child labor in agriculture.....	145
	E. Why a greater focus is needed .....	145
	F. Applying the global strategy to the elimination of child labor in agriculture.....	146
VI.	ENHANCING ACTION IN AGRICULTURE SUPPLY CHAINS .....	147
	A. Mandate and responsibility for taking action .....	147
	B. More responsible business action needs to be taken.....	148
	C. Ensuring and promoting decent work.....	148

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D. Corporate codes and auditing .....	149
E. Linking CSR and business plans .....	150
F. Addressing informality and improving productivity .....	151
G. Supporting rural community development .....	152
VII. THE IMPORTANCE OF COHERENCE AMONG PUBLIC AND PRIVATE ACTORS TO ADDRESS ROOT CAUSES OF CHILD LABOR .....	153
VIII. CONCLUSION .....	154

*Our aim must be a world free from child labor, with accelerated action being taken against its worst forms. The Global Goal is to eliminate the worst forms of child labor by 2016.*<sup>1</sup>

#### I. INTRODUCTION

This paper briefly reviews the historic gains that have been made over the past twenty-five years in the global fight against child labor.<sup>2</sup> The progress made in such a relatively short period of time should serve to strengthen the resolve to carry the fight forward. The reality is however that there is a long and hard road ahead to meet the goal of eliminating child labor, even in its worst forms. Nowhere is that more true than in the agricultural sector.

In light of this reality, this paper makes the case for greater attention to be given to the elimination of child labor in agriculture. Eliminating child labor requires addressing its root causes. The global strategy to eliminate child labor set out in The Hague Roadmap<sup>3</sup> provides excellent guidance on

<sup>1</sup> This Global Goal was established in the ILO 2006 Global Action Plan on the elimination of child labour, adopted by the Governing Body of the International Labour Organization [ILO], 309th Session of the Governing Body, Document GB.309/16, paragraph 76. This remains the global consensus as evidenced by the Brazil Declaration adopted at the Third Global Conference on Child Labour, held in Brazil in October 2013, and its endorsement in the International Labour Organization's Governing Body in March 2014. *See* Rep. of the Comm. on Technical Cooperation, Int'l Labour Office, 309th Sess., Doc. GB.309/16 (Nov. 15, 2010).

<sup>2</sup> The term "child labor" used in this paper refers to work undertaken by children below the appropriate legal minimum working age, based on the ILO Minimum Age Convention, 1972 (No. 138), as well as the worst forms of child labour defined by the Worst Forms of Child Labour Convention, 1999 (No. 182). The "worst forms of child labour" comprise (a) slavery and forced labour, including child trafficking and forced recruitment for armed conflict; (b) the use of children in prostitution and pornography; (c) the use of children in illicit activities; and (d) any activity or work by children that, by its nature or conditions, is likely to harm or jeopardize their health, safety or morals – often referred to as "hazardous work". *See* Int'l Labor Org., Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182) (June 17, 1999).

<sup>3</sup> Adopted at the Global Conference on Child Labour, The Hague, 2010 and incorporated into the ILO Global Action Plan on the Elimination of Child Labour. *See* INT'L LABOUR

action required to be taken to address the root causes and to make sustainable progress. This global strategy needs to be applied to rural areas and to agriculture workplaces, plantations and farms. Addressing child labor in agriculture supply chains is an important component of this global strategy. This paper highlights a few ways to address child labor more effectively in agriculture supply chains. It does not attempt to be exhaustive or comprehensive. It stresses the importance of responsible business operations and supply chain management, providing decent work for adults, supporting rural community development, and for the efforts undertaken by business to link to wider public policies adopted to eliminate child labor. In this connection, it makes some suggestions on ways businesses and other stakeholders can move forward to strengthen their impact on the elimination of child labor in agriculture. It concludes by affirming the importance of using lessons learned, being strategic, and addressing child labor from a coordinated development, rights, and sound business practice perspective within agriculture supply chains.

## II. THE CURRENT SITUATION OF THE NATURE AND EXTENT OF CHILD LABOR

According to the most recent estimates, which cover 2008 to 2012, there are 264 million children employed or working in the 5-17 year age group worldwide. Among them, 168 million are children engaged in child labor – that means they are engaged in work that is prohibited to them. About half of them (85 million) are in hazardous work, directly endangering their health, safety and moral development – that means they are in the worst forms of child labor.<sup>4</sup> As will be set out in more detail below, these estimates represent progress in the elimination of child labor over the last twelve years.

As of 2012 there was progress marked in all regions including Africa which still has the highest incidence of child labor – one in five children in sub Sahara Africa are estimated to be engaged in child labor. The incidence of child labor across Africa is uneven both between countries and within countries. Clearly the economic situation of a country plays a role but it is not absolutely determinative. The greatest progress in reducing child labor was made in Asia, although this region still has the highest number of

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OFFICE, IPEC ACTION AGAINST CHILD LABOUR: HIGHLIGHTS 2010 (2011).

<sup>4</sup> See INT'L LABOUR OFFICE, MARKING PROGRESS AGAINST CHILD LABOUR: GLOBAL ESTIMATES AND TRENDS 2000-2012 (2013), [http://www.ilo.org/wcmsp5/groups/public---ed\\_norm/---ipec/documents/publication/wcms\\_221515.pdf](http://www.ilo.org/wcmsp5/groups/public---ed_norm/---ipec/documents/publication/wcms_221515.pdf). For the detailed concepts and statistical definitions as well as the methodology used, see the annex to *Marking Progress Against Child Labour*, GLOBAL ESTIMATES AND TRENDS 2000-2012 45 (2013); see also INT'L LABOUR OFFICE, *supra* note 3.

children in child labor.<sup>5</sup>

Across the globe, the highest percentage of child labor is found in agriculture. The term agriculture includes farming, fishing, aquaculture, forestry, and livestock. While absolute numbers in child labor in agriculture declined in the last four year period, the percentage of the number of child laborers who are found in agriculture is still approximately 59 percent. This represents less than a one percent reduction from 2008. This means that almost 100 million boys and girls between 7 and 17 years of age are engaged in child labor in agriculture. In many developing countries the proportion is even higher than 60 per cent of child labourers being engaged in agriculture. Child labor in services increased slightly to 32 percent, manufacturing remained the same at 7.2 percent and the undefined reduced to 1.9 percent. Across all of these sectors, child labor occurs overwhelmingly in the informal economy. With respect to employment status, 68 percent of child labor is in unpaid family work, 23 percent in paid employment and 8 percent in self-employment.<sup>6</sup>

### III. PROGRESS ACHIEVED WITHIN A RELATIVELY SHORT TIMEFRAME

#### A. *Child labor has reduced significantly*

The estimates shown above reflect a substantial reduction in child labor globally since 2000. The decline was greatest during the most recent four year period (2008-2012). The global child labor figure for 2012 is almost 78 million fewer than that for 2000 – a reduction of nearly one-third. The number of children in hazardous work has declined by half during this 12 year period.<sup>7</sup> It is encouraging that progress between 2000 and 2012 was especially pronounced among the younger children aged 5 to 11 years and among girls. In fact there was a 40 percent reduction for girls compared to a 25 per cent reduction for boys. This gender difference has evened over the last four year period.<sup>8</sup> The decline in child labor has taken place against a backdrop of an active global movement against child labor involving a multiplicity of actors and efforts at various levels. These are briefly highlighted in turn below.

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<sup>5</sup> See *Marking Progress Against Child Labour*, *id.* at 4-5.

<sup>6</sup> *Id.* at 7-8.

<sup>7</sup> “Hazardous work” which is taken as a proxy for the “worst forms of child labor” is a subset of “child labor” which refers to unlawful work according to ILO Conventions Nos. 138 and 182, and is a subset of “children in employment or working children.”

<sup>8</sup> *Marking Progress Against Child Labour*, *supra* note 5.

*B. International recognition and action*

Twenty five years ago there was little interest in child labor within global forums or the United Nations. The ILO Convention No. 138 on Minimum Age in Employment, adopted in 1973, was considered to be difficult to ratify by the majority of countries.<sup>9</sup> Many governments denied they had a child labor problem or that child labor should even be considered a problem. There was little donor funding for projects and few initiatives on the ground anywhere aimed at eliminating child labor.

In the 1990's, debate over child labor intensified within the context of human rights and the identification of fundamental labor rights. The UN Convention on the Rights of the Child entered into force in 1990 with a provision calling for the right of the child to be protected from economic exploitation and work hazardous to his or her health.<sup>10</sup> In 1995, the Copenhagen World Summit for Social Development identified the elimination of child labor as key to sustainable development and poverty reduction, and for the first time, included the prohibition of child labor among "basic workers' rights."<sup>11</sup> In 1998, the Declaration on Fundamental Principles and Rights and its follow-up was adopted by the ILO. It identifies four sets of agreed upon rights and principles that are to be respected by all Member States regardless of whether the relevant Conventions have been ratified. The four principles and rights call for the abolition of child labor and of forced labor along with the right to freedom of association and collective bargaining, and the right to non-discrimination.

Within the context of the debate on identifying the fundamental labor rights to be included in the 1998 ILO Declaration, much discussion centered on the issue of child labor. Following numerous consultations, international agreement was reached to address child labor as a fundamental right and to prioritize action towards the elimination of all child labor. It was agreed to undertake new standard setting on the issue. After two years of discussion in the International Labour Conference, in 1999, the ILO adopted, by complete consensus, Convention No. 182 on the Worst Forms of Child Labour. The Convention requires action to be taken to eliminate the worst forms of child labor as a matter of urgency. It also requires international cooperation to be forthcoming to assist countries in the application of the Convention.

To promote international recognition and action, the ILO also established the International Programme to Eliminate Child Labour (IPEC) which attracted a very large donor base and quickly became the ILO's

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<sup>9</sup> Convention No. 138 was ratified by 40 countries in 1990.

<sup>10</sup> See U.N. Convention on the Rights of the Child, Art. 32 (Nov. 20, 1989).

<sup>11</sup> See Director-General of the Int'l Labour Office, Int'l Labour Conf. 90th Sess., *A Future without Child Labour: Global Report under the follow-up to the Int'l Labour Office Declaration on Fundamental Principles and Rights at Work*, at 7 (2002).

largest technical cooperation program. Furthermore, three major global conferences on child labor have been held (Amsterdam (1997), The Hague (2010) and Brasilia (2013)), and numerous surveys, reports, consultations, seminars and discussions have been undertaken on how to confront and eliminate child labor. Non-governmental organizations increasingly mount campaigns to reveal child labor in agricultural and mining supply chains in product lines such as cosmetics, fish, cut flowers, coffee, and chocolate.

Thus, child labor is no longer considered to be an “unmentionable” topic nor an acceptable practice in most parts of the world. Most national leaders, Ministers of Labor, government officials, trade unionists along with some business leaders and corporate executives now recognize that child labor exists in their countries or supply chains and that it must be addressed. Overall, there is greater public awareness which has led to “the invisible” largely becoming visible.

### *C. Development of international and national law*

International law prohibiting child labor has been established through the ILO International Labour Conventions Nos. 138 and 182 and the UN Convention on the Rights of the Child. These Conventions are well recognized and among the most highly ratified human rights conventions across the globe. These Conventions should and largely do set the minimum standards for national law.<sup>12</sup> There are also specific provisions on child labor contained in other international labor standards, including the standards recently adopted on domestic work and the new Protocol and Recommendation adopted in 2014 to bring up to date the forced labor standards, specifically in regard to trafficking and victim protection.<sup>13</sup>

Since 1999 there has been a dramatic and unprecedented rise in ratifications of both Convention Nos. 138 and 182. At this time in 2014, there are only 7 more ratifications needed to make universal ratification of Convention No. 182. Convention No. 138, the Convention once considered difficult to ratify, now has been ratified by 166 Governments.

Almost all countries have enacted national laws prohibiting child labor including in agriculture. Regulations to prohibit children working in specific types of hazardous work are under preparation or revision in over 40 countries. Most developing countries have national committees on child

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<sup>12</sup> See, e.g., Swepston Lee, *The International Labour Organization and Human Rights, in* INTERNATIONAL PROTECTION OF HUMAN RIGHTS (Krause et al. eds., 2012).

<sup>13</sup> See Int'l Labour Org., Domestic Workers Convention (No. 189) (June 16, 2011); Int'l Labour Org., Domestic Workers Recommendation (No. 201) (June 16, 2011); Int'l Labour Org., Protocol of 2014 to the Forced Labour Convention of 1930 (No.29) (June 11, 2014); Int'l Labour Org., Recommendation on Supplementary Measures for the Effective Suppression of Forced Labour (No. 203) (June 11, 2014).

labor and many have national action plans. Many labor inspectorate offices have units on child labor or have integrated the topic into general inspectorate duties. Community based child labor monitoring has been established in many areas and produced significant results.<sup>14</sup>

Both the ILO and the UN have supervisory systems that review the application of the Conventions at a national level.<sup>15</sup> For example over the last ten years the ILO Committee of Experts on the Application of Conventions and Recommendations has issued numerous observations of interest and satisfaction on action taken to address child labor. It has also raised a number of concerns regarding non compliance with the provisions of the Conventions.<sup>16</sup> Within the ILO, the supervisory system including its complaint processes have been used to deal with forced labor and child labor in Myanmar and most recently in Uzbekistan. In the Uzbekistan case, the practice of engaging child labor in cotton harvesting was addressed and largely improved through international action and discussion, international supervision and technical cooperation with the ILO, as well as other relevant action by UNICEF, OECD, the World Bank, and the European Union.<sup>17</sup>

#### *D. Research and analysis have improved understanding*

An impressive knowledge base has been built up about the causes of child labor, the costs of child labor and the multi-faceted ways in which child labor needs to be tackled – overall and in specific contexts.<sup>18</sup> Children engage in child labor because of poverty, hunger, tradition, lack of options, or other risks to households such as illness and death. Parents and business use child labor because they can get away with it due to lack of governance, and/or due to greed, ignorance and/or desperation.<sup>19</sup>

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<sup>14</sup> Int'l Labour Office, *Giving Globalization a Human Face: General Survey on the Fundamental Conventions Concerning Rights at Work in Light of the ILO Declaration on Social Justice and Fair Globalization 2008*, Rep. of the Comm. of Experts on the Application of Conventions and Recommendations, ILC.101/III(B), Int'l Labour Conf., 101st Sess. (2012), [http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@relconf/documents/meetingdocument/wcms\\_174846.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_174846.pdf).

<sup>15</sup> The U.N. Committee for the Convention on the Rights of the Child often refers to the Int'l Labour Office Conventions Nos. 138 and 182 when it examines States compliance with Article 32.

<sup>16</sup> See Int'l Labour Office, *Application of International Labour Standards*, Rep. of the Committee of Experts on the Application of Conventions and Recommendations (2014), [www.ilo.org/global/standards/lang--en/index.htm](http://www.ilo.org/global/standards/lang--en/index.htm).

<sup>17</sup> Int'l Labour Office, *Application of International Labour Standards 2014 (I)*, Rep. of the Committee of Experts on the Application of Conventions and Recommendations, at 286 (103rd Session, Geneva, 2014).

<sup>18</sup> Publications available at <http://www.ilo.org/ipecc> and <http://www.ucw-project.org>.

<sup>19</sup> See Int'l Labour Office, *World Report on Child Labour: Economic Vulnerability*,

Based on continuous improvement in statistical collection and analysis within national statistics offices and international organizations (ILO, UNICEF and the World Bank), the number of child laborers has been quantified and trends have been identified. The ILO has produced estimates of child labor since 2000.<sup>20</sup>

*E. A global strategy has been developed and endorsed*

An overall international strategy was set out in The Hague Roadmap of 2010 which in turn was included in the 2010 ILO Global Action Plan on Child Labour, the 2012 ILO Global Action Plan on Fundamental Rights and Principles at Work and the Brasilia Declaration of 2013.<sup>21</sup> The strategy spells out that governments have primary responsibility for eliminating child labor and that social partners, civil society and international organizations have important support roles. It calls on governments to assess the impact of relevant policies on child labor, to put in place preventive and time bound measures, and to make adequate resources available to fight the worst forms of child labor.

Recognition is given to the fact that the needs of countries and regions differ and that there is no single policy that by itself will end the worst forms of child labor. Thus the global strategy set out in The Hague Roadmap emphasizes the importance of taking a strategic integrated approach to eradicate child labor, and the importance of moving forward simultaneously on all four of the following priority areas: 1) Ensuring enactment and enforcement of adequate laws and regulations; 2) Promoting decent employment of adults and young persons – including the protection of fundamental principles and rights at work, fair wages, and occupational safety and health; 3) Improving and extending social protection to guard against economic and social risks and lack of income; and 4) Providing accessible, affordable, quality education or skill training for all children. The Brasilia Declaration reinforces this comprehensive strategy and stresses the importance of addressing the root causes of child labor and of targeting those children in the most vulnerable and hazardous situations.

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*Social Protection and the Fight Against Child Labour*, 11-25 (2013).

<sup>20</sup> For the detailed concepts and statistical definitions as well as the methodology used, see *Marking Progress Against Child Labour*, *supra* note 5.

<sup>21</sup> Int'l Labour Office, *IPEC Action Against Child Labour: Highlights 2010* (2011); Int'l Labour Office, *2012 ILO Global Action Plan on Fundamental Principles and Rights at Work* (2012), available at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_191159.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_191159.pdf); Int'l Labour Office, *2013 Brasilia Declaration* (2013), available at <http://www.ilo.org/ipeinfo/product/download.do?type=document&id=23480>.

*F. Global guidance for business has been issued*

Business action, corporate social and business responsibility guidance, and multi-stakeholder initiatives have been developed and expanded to address child labor. The roles, duties and responsibilities of the state and business have been carefully drawn up and endorsed within various international organizations. The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy was adopted in 1977 and revised in 2000 to enhance guidance to enterprises and governments to promote action, inter alia, against child labor in accordance with the international labor standards. The UN Global Compact, launched in 2000, included the effective abolition of child labor as Principle 5 among its ten principles to be upheld by businesses.<sup>22</sup> The Guidelines of the Organization for Economic Co-operation and Development (OECD) for Multinational Enterprises were adopted to clarify expectations from the business sector, including in global operations and throughout their supply chains and business relationships.<sup>23</sup> The Guidelines stipulate that business should contribute to the effective abolition of child labor, and take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labor as a matter of urgency.

Most recently, the United Nations Human Rights Council endorsed the UN Guiding Principles for Business and Human Rights proposed by the Special Representative on Business and Human Rights, John Ruggie.<sup>24</sup> This framework sets out the obligations and corresponding duties for governments and businesses to protect and respect human rights and for the remediation of business related human rights violations. It clarifies that business can no longer remain uninformed and thereby defend against inaction in their operations and supply chains based on lack of knowledge of the existence of human rights violations. Businesses must act with due diligence to avoid infringing rights and to address negative impacts with which they are involved. To apply the Business and Human Rights Principles to the specific situation of the human right to be free from child labor, ILO-IPEC and the International Organization of Employers (IOE) are engaged in a joint project to develop a child labor guidance tool that will provide guidance on how companies can avoid child labor and contribute to

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<sup>22</sup> See U.N. GLOBAL COMPACT, <http://www.unglobalcompact.org> (last visited Dec. 3, 2014).

<sup>23</sup> OECD Guidelines are annexed to the OECD Declaration on International Investment and Multinational Enterprises, adopted in 1976 and revised in 1982, 1984, 1991, 2000 and 2011. See OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES, <http://mneguidelines.oecd.org/text/> (last visited Dec. 3, 2014).

<sup>24</sup> See U.N. *Guiding Principles*, BUSINESS AND HUMAN RIGHTS RESOURCE CENTER, <http://business-humanrights.org/en/un-guiding-principles> (last visited Dec. 10, 2014).

child labor remediation, whether in their own operations or in their supply chains.<sup>25</sup>

To further strengthen and support the work in the area of corporate social and business responsibility and social dialogue, the Child Labour Platform was established, in 2012 as a joint initiative by the ILO, the International Trade Union Confederation (ITUC), the International Organization of Employers (IOE) and the United Nations Global Compact Office. Its objective is to serve as a cross-sector forum to identify obstacles and solutions to the implementation of the international labor standards related to child labor in supply chains and surrounding communities.<sup>26</sup>

*G. Numerous projects and programs have been implemented*

IPEC, established by the ILO to lead the global fight against child labor, has operated technical cooperation programmes and projects and provided technical advisory assistance in well over one hundred countries.<sup>27</sup> Donors, including the United States government, have provided millions of dollars to support child labor projects in developing countries. There have been hundreds of relevant projects implemented in urban and in rural areas by national and local authorities, social partners and nongovernmental actors, supported by the ILO, and other UN agencies such as UNICEF, and more recently, the Food and Agriculture Organization of the UN (FAO). Some of these projects entailed direct action to withdrawal and rehabilitate child laborers. Other projects addressed child protection, education, law enforcement, and decent work. Many of these projects have targeted child labor in agriculture production in crops such as sugar cane, rubber, cotton, tobacco, tea, coffee, and cocoa as well as in fishing and livestock-raising.<sup>28</sup>

*H. Improvement in education*

Improvement in educational opportunities for boys, and even more so for young girls, has been an important factor in reducing the number of children in child labor. The progress that has been marked in meeting the Millennium Development Goal (MDGs) No. 2 to achieve universal primary

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<sup>25</sup> See SHIFT PROJECT, <http://www.shiftproject.org> (last visited Dec. 3, 2014).

<sup>26</sup> For more information see *Child Labour Platform (CLP)*, INT'L LABOUR ORG., <http://www.ilo.org/ipecc/Action/CSR/clp/lang--en/index.htm>.

<sup>27</sup> See Annual and Biannual Implementation reports on IPEC action against child labour; e.g., Int'l Labour Office, *IPEC Action Against Child Labour 2010-2011: Progress and Future Priorities* (2012); Int'l Labour Office, *IPEC Action Against Child Labour 2012: Highlights* (2013); Int'l Labour Office, *IPEC Action Against Child Labour 2012-2013* (2014).

<sup>28</sup> For numerous documents and publications on projects, see *supra* note 27; see also *Special Feature on Twenty Years of IPEC*, in IPEC ACTION AGAINST CHILD LABOUR: HIGHLIGHTS 2012 (2013).

education has paralleled the reduction in child labor. Between 2000 and 2011, the number of children out of school declined by almost half – from 102 million to 57 million. However, progress in reducing the number of children out of school has slowed recently and there is fear that the MDG target will not be met.<sup>29</sup> While it is not possible to attribute causation in all cases, it is clear that achieving Education for All and eliminating child labor are closely linked objectives and both must be addressed for each objective to be attained. It is not only a matter of access to schools, but of attendance, school leaving practices, quality of instruction and relevant learning outcomes.<sup>30</sup>

### *I. Some lessons learned*

All of the above mentioned efforts have contributed to the successful reduction in the number of child laborers worldwide. Child labor is now an issue that demands attention from a rights, development, and good business perspective. The extensive amount of international and national discussions, projects, surveys and research have produced a wealth of knowledge and lessons learned in how to effectively tackle and eliminate child labor generally, and in specific settings. Experience has shown that child labor cannot be effectively tackled in isolation, and that projects, while important, are no substitute for national policy development and coherent public authority action in partnership with parents, teachers, employers, trade unions, businesses and other local organizations. Sustainable child labor elimination requires addressing its root causes in a strategic and coordinated manner.

The overall global strategy as set out in The Hague Roadmap and included in the ILO action plans and the Brasilia Declaration appears to be sound and providing effective strategic policy direction. The integration of action being taken in legislation and enforcement, education, social protection, and promotion of decent work opportunities at the national and community levels appears to be a formula for achieving progress. Policies, action plans and monitoring mechanisms can and do make a difference when they are locally owned and implemented. It is the engagement of local stakeholders and the establishment of a local environment where the causes of child labor are addressed – along with all the other elements that go into

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<sup>29</sup> See Executive Summary, *U.N Millennium Development Goals Report 2013* (2013).

<sup>30</sup> See Understanding Children's Work, *Joining Forces Against Child Labour: Interagency Report for the Hague Global Child Labour Conference of 2010* (2010), available at [www.ucw-project.org](http://www.ucw-project.org). For details on what more needs to be done, see Gordon Brown, *Child Labor & Educational Disadvantage—Breaking the Link, Building Opportunity*, OFFICE OF THE UN SPECIAL ENVOY FOR GLOBAL EDUCATION 40-46 (2012), available at [http://www.ungei.org/files/child\\_labor\\_and\\_education\\_US.pdf](http://www.ungei.org/files/child_labor_and_education_US.pdf).

sustainability of results – that are key to success. Indeed this progress in the fight against child labor must be recognized, welcomed and built upon. However, despite this progress, ending the scourge of child labor in the foreseeable future is going to require a substantial acceleration of efforts at all levels.

#### IV. REMAINING CHALLENGES

In all of the areas of progress outlined above – awareness, law, governance, policy, corporate social responsibility, action plans, projects, education and practice – there exist gaps, or areas where there has been less progress, less understanding, and greater challenges. The remaining 168 million child laborers are going to be harder to reach and more difficult to address than the beneficiaries of earlier action. Approximately 100 million of these children are engaged in child labor in agriculture – most in the informal economy. Many of these children are still largely “invisible” as they are considered to be “helping out” and their engagement in labor goes unrecognized. The laws, policies, and plans adopted at international, regional, national, organizational and corporate levels need to be extended and more fully put into practice in the rural areas and agricultural workplaces from plantations to small family farms. These are the places where there are children that the passage of laws did not reach, that labor inspectors did not see, where awareness did not change behavior, or where real change was not realistic or possible due to economic circumstances, traditional practices, informality or geographic isolation.

#### V. PROMOTING A LONG TERM STRATEGIC FOCUS ON CHILD LABOR ELIMINATION IN AGRICULTURE SUPPLY CHAINS

Within the global fight against child labor, the socio-economic root causes of child labor in agriculture need to be brought into focus and addressed – particularly in agriculture supply chains. The large number of children affected, the seriousness of the health risks to them, and the deep rooted causes justify making child labor in agriculture a higher priority on international, national, and corporate agendas.

##### *A. The nature and extent of child labor in agriculture*

Agriculture is the largest employer and the sector in which the most child laborers work. There are almost 100 million girls and boys estimated to be engaged in child labor in agriculture. They are working on farms and plantations, often from sun up to sun down, planting and harvesting crops, spraying pesticides, tending livestock or fishing with explosives. They are working on all types of undertakings ranging from small family farms, to

large farms, plantations and agro-industrial complexes. They are working in units that are part of product supply chains in the global food chain as well as in other commodities supply chains such as garments, textiles, and leather goods. The list of agricultural goods identified as being produced with child labor is a long one.<sup>31</sup>

These child laborers may be the children of local farmers, children of migrant workers or may even be working as the result of trafficking in persons when underage workers are supplied through labor contractors and sub-contractors. Some child laborers may be the victims of forced labor or debt bondage.<sup>32</sup> As mentioned earlier, the majority are in family run farms and workplaces in the informal economy.<sup>33</sup> Nevertheless, these family farms and the children working on them are largely engaged in some form of commercial activity and thus fall within the scope of relevant international labor standards on minimum age in employment.<sup>34</sup>

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<sup>31</sup> See Office of Child Labor, Forced Labor and Human Trafficking, Bureau of Int'l Labor Affairs, *List of Goods Produced by Child Labor or Forced Labor*, U.S. DEP'T OF LABOR (2013), available at <http://www.dol.gov/ilab/reports/child-labor/list-of-goods>.

<sup>32</sup> See *Global March Against Child Labour*, Child Labour In Agriculture (Working Paper 2012).

<sup>33</sup> The ILO has described the "informal economy" in the Resolution concerning decent work and the informal economy adopted by the International Labour Conference at its 90th Session in 2002 which states that it "refers to all economic activities by workers and economic units that are-in law or practice-not covered by *formal* arrangements. Their activities are not included in the law, which means they are operating outside the formal reach of the law; or they are not covered in practice, which means that –although they are operating within the formal reach of the law, the law is not applied or not enforced; or the law discourages compliance because it is inappropriate, burdensome or imposes excessive costs." Int'l Labour Office, *Transitioning from the Informal to the Formal Economy, Report V(2)*, Int'l Labour Conf., 103st Sess. (2014). This description is currently under discussion in the International Labour Conference discussions on standard setting. See, Int'l Labour Office, *Facilitating Transitions from the Informal to the Formal Economy: Report of the Committee on Transition from the Informal Economy*, Int'l Labour Conf., 103st Sess. (2014).

<sup>34</sup> ILO Conventions No. 182 and Convention No. 138 apply to all sectors of economic activity and cover all forms of employment or work, whether or not there is a contract, whether the work is paid or unpaid in the formal or informal economy. This includes workers in family enterprises and farms, domestic workers, agricultural workers and self employed workers. Convention No. 138 provides flexibility through permitting exclusions of limited categories of employment (Articles 4) and entire economic sectors (Article 5). These exclusions can only be invoked by a government immediately upon ratification and must be reported in writing. Less than ten countries have excluded work in family enterprises or work in small-scale agriculture under Article 4. Article 5 does not permit the exclusion of plantations and other agricultural undertakings mainly producing for commercial purposes. However it does permit the exclusion of family and small-scale holdings producing for local consumption. Less than ten countries have exercised this exclusion. See Int'l Labour Office, *Giving globalization a human face: General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice and Fair Globalization 2008*, Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III,

It must be noted here that not all work that children undertake in agriculture would qualify as child labor under the ILO Conventions Nos. 138 and 182. Age appropriate tasks that are of low risk and do not interfere with a child's schooling and leisure time can be a normal part of growing up in a rural environment and provide a positive experience. Millions of children undertake work, paid or unpaid, that is safe, appropriate for their age and level of maturity, and that does not constitute child labor.

*B. Hazardous child labor in agriculture*

However, much of the work that children do in agriculture is hazardous and thus constitutes a worse form of child labor. It jeopardizes their health, and their future personal and economic development. Whether child laborers work on their parents' farms, are hired to work on the farms or plantations of others, or accompany their migrant farm-worker parents, and whether this work is in a global supply chain or for local consumption, it is considered dangerous because of the immediate risk of injury and illness and the long term risk of disability. Among the main risks are: exposure to chemicals and biological hazards, use of unguarded machinery, carrying of heavy loads over long distances, long periods of stooping and repetitive movements and work in extreme temperatures. These risks and hazards are worse for children than for adult workers. Children are particularly at risk because their bodies and minds are still developing and they are more vulnerable to the hazards such as exposure to chemicals in pesticides.<sup>35</sup> Most smaller and informal agricultural workplaces do not have occupational health and safety systems in place that could lower the exposure to these risks and hazards. Even where children are working with their families, this does not mean they are protected from these risks and hazards or that their schooling is not jeopardized.<sup>36</sup>

*C. Impact of child labor on education and employment opportunities*

In addition to being hazardous, agriculture is also a sector where many children are effectively denied a meaningful education. Child labor interferes with schooling in terms of lower enrolment, higher dropout rates and lower performance. The availability of and access to schools is often limited in the rural areas, and curricula are often not relevant to the needs of

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(Part B), 148-50 (ILC, 101 Session, Geneva, 2012).

<sup>35</sup> Int'l Labour Office, *Children in Hazardous Work: What We Know What We Need to Do* (2011), available at [http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms\\_155428.pdf](http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_155428.pdf).

<sup>36</sup> For more detailed lists on hazards in agriculture, see *Global March Against Child Labour* (Working Paper), *supra* note 33.

agricultural communities. In addition most agricultural work is seasonal or migratory and incompatible with school calendars.<sup>37</sup>

The existence of child labor also has an impact on the local labor market – it undermines the availability of decent work for adults and for youth/older children. In some instances, children are replacing adult labor in the fields. In other situations they are working for very low wages or for nothing to help their parents meet harvesting quotas. Their engagement in work can suppress wages and discourage the implementation of more productive methods of technologies to improve farm productivity. Permitting child labor also undermines the efforts to promote decent work for youth. When hazards are permitted to exist, children who have reached the minimum legal age for employment are denied employment opportunities. The elimination or protection against the hazards would serve to promote more decent work opportunities and allow older children above the minimum employment age to be able to engage in such work without risk to their health.

#### *D. The causes of child labor in agriculture*

The persistence of child labor in agriculture is not surprising given the deep rooted causes. Poverty, few livelihood alternatives, insufficient education systems, seasonal work, migratory lifestyles, cultural practices, low levels of awareness, low unionization, inadequate or unenforced labor laws, lack of decent work for adults, unfair labor contracts, low productivity, and labor intensive technology are among the main causes of child labor in agriculture.<sup>38</sup>

#### *E. Why a greater focus is needed*

Despite the evidence of how many children are affected, how hazardous the work can be, and its negative consequences on development, all too often the issue of child labor in agriculture is inadequately addressed in law, policy and practice. In debates and policy-setting on labor markets, the informal and rural economies and agricultural issues are marginalized. Within agriculture debates and policy-setting, issues of child labor as well as other principles and rights at work are completely absent. Within child protection discussions, even in agriculture based areas, the subject of child

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<sup>37</sup> FAO-IFAD-ILO, *Breaking the Rural Poverty Cycle: Getting Girls and Boys Out of Work and Into School*, GENDER AND RURAL EMPLOYMENT POLICY BRIEF NO. 7 (2010), available at <http://www.fao.org/docrep/013/i2008e/i2008e07.pdf>.

<sup>38</sup> Int'l Labour Office, *Eliminating child labour in rural areas through decent work*, RURAL POLICY BRIEFS (2011), [http://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/documents/publication/wcms\\_165305.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/publication/wcms_165305.pdf).

labor is rarely addressed. And within many child labor discussions – at both international and national levels – the agricultural context is underdeveloped. Moreover, children and youth working in agriculture have received surprisingly little research attention.

To address these gaps in research, analysis, training, capacity building, and country level direct action, the International Partnership for Cooperation on Child Labour in Agriculture was launched by the ILO and FAO in 2007.<sup>39</sup> This Partnership has supported activities to raise awareness of child labor and decent work issues within agricultural based institutions such as the FAO, agricultural ministries and research institutions. It has carried out research and held a number of workshops to bring agriculture and labor specialists together to discuss ways to eliminate child labor in local contexts or in specific types of agricultural production. As a result of this work, it has produced guidance materials to assist stakeholders in the agriculture sector in more effectively eliminating child labor.<sup>40</sup> The necessity, importance and potential of this Partnership are great and it could provide useful guidance and leadership on the long term strategic focus on eliminating child labor in agriculture. However, at present the Partnership is under-resourced and therefore unable to undertake many of the tasks it had set out to accomplish.

All of the above factors make child labor in agriculture particularly challenging to tackle. Yet, it is precisely because of these factors that agriculture should be a priority sector for the elimination of child labor. The difficulty and complexity of the endeavor cannot be an excuse for inaction.

*F. Applying the global strategy to the elimination of child labor in agriculture*

As more fully elaborated in the section above – *A global strategy has been developed and endorsed* – the global strategy set out in The Hague Roadmap called for action to be taken in four strategic areas to address the root causes of child labor: law, decent work opportunities for adults and youth, social protection, and education. Applying this strategy to the agriculture sector would mean improving rural livelihoods and incomes of parents through providing decent work opportunities, extending the

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<sup>39</sup> The International Partnership includes the International Labour Organisation (ILO), Food and Agriculture Organisation (FAO), International Fund for Agricultural Development (IFAD), International Food Policy Research Institute (IFPRI), the International Union of Food, Agriculture Hotel, Restaurant, Catering Tobacco and Allied Workers Union (IUF) and agricultural producers' organizations. *See generally*, INT'L LABOUR OFFICE, <http://www.ilo.org/ipec> (last visited Dec. 3, 2014).

<sup>40</sup> *See, e.g.*, Food and Agric. Org. of the U.N. & Int'l Labour Office, *Guidance on Addressing Child Labour in Fisheries and Aquaculture* (2013), <http://www.fao.org/docrep/018/i3318e/i3318e.pdf>.

application and enforcement of the prohibition of child labor to agricultural undertakings, including small and family farms, and extending public services, including education, and social protection to working families and their children in the village and on the farm. These elements are indeed key to removing family reliance on child labor and addressing many of its root causes. They cannot be fully accomplished without the engagement of global and local actors in the agriculture supply chains.

## VI. ENHANCING ACTION IN AGRICULTURE SUPPLY CHAINS

### A. *Mandate and responsibility for taking action*

Indeed the importance of taking action to combat child labor in supply chains was recognized in The Hague Roadmap as a means of implementing the global strategy. While it is true that governments have the primary responsibility for the implementation of the global strategy across all sectors in their countries, including agriculture in global or local supply chains, businesses, employers, multi-national companies and workers' organizations have important roles to play. Specifically, the global strategy calls on employers and workers organizations to ensure that effective systems are in place to combat child labor in supply chains, and emphasizes that social dialogue among workers and employers and other relevant stakeholders is useful in the design and implementation of such systems.<sup>41</sup> The Brasilia Declaration of 2013 reiterates this message.

Moreover, business has a responsibility to address and eliminate child labor in their own operations and supply chains, as was more fully described above under the heading *Guidance for business has been issued*. The UN Guiding Principles for Business and Human Rights sets out the obligations and corresponding duties for governments and businesses to protect and respect human rights and for the remediation of business related human rights violations. Businesses must act with due diligence to avoid infringing rights and to address violations. The question for business in the context of child labor elimination is not only what action is required to be taken, but what action can be most effective.

Many large enterprises subcontract their production and purchase their inputs from smaller enterprises operating in both the formal and the informal economies. A large enterprise may not employ child labor itself but it may knowingly or unknowingly source from enterprises that do. In the same way, "large agriculture buyers, often supermarkets, and processing firms source

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<sup>41</sup> Global Child Labour Conf., May 10-11, 2010, *The Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016*, ILO Doc. ILO/10/20 (2010), <http://www.fao.org/docrep/018/i3318e/i3318e.pdf>.

from small producers further up the supply chain. It is in these small farms, often known as out-growers, that child labour is most prevalent in the agriculture sector.<sup>42</sup>

The main stakeholders involved in agriculture supply chains include: large, often multinational food or commodity product suppliers, smallholder farmers and their out-grower associations, cooperatives, food processing companies, retailers, agriculture input industries (i.e. pesticides, seed, and feed), industry and trade associations, restaurants and catering companies, consumer associations, and private social auditing firms.<sup>43</sup>

The reality is that supply chains offer important avenues to reach all types of agriculture undertakings to address the causes as well as the existence of child labor. Thus business has and should use this comparative advantage. The following suggestions for action are directed mainly at businesses who are product buyers and suppliers.

*B. More responsible business action needs to be taken*

A business can influence farming and labour practices in its operations and supply chains as an employer, or through its business relationships with contractors, subcontractors, smallholders, growers, agents or suppliers. In these capacities it has the opportunity to significantly implement the global strategy in the agriculture sector. This means going beyond the important first steps of prohibiting child labor in its own policies and agreements and requiring the withdrawal of child labor from the agricultural worksites to also address the root causes. To have more effective and sustainable results, businesses need to improve their ethical standards to be in accord with international law, support removal of child labor with rehabilitation and regular child labor monitoring, ensure and promote decent work, address informality, improve productivity, support coordinated community based approaches to child labor, and support community empowerment.

*C. Ensuring and promoting decent work*

In the role of employer, a business can comply with the relevant national labor laws on child labor and the other fundamental principles and rights. Where the national labor law is inadequate or non-existent, the international labor standards can be used to guide employment practices. As

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<sup>42</sup> Int'l Labour Office, *Guide One: Introduction to the Issue of Child Labor*, ELIMINATING CHILD LABOUR GUIDES FOR EMPLOYERS 14 (2007).

<sup>43</sup> For information on action to be taken by these various stakeholders, see Global March Against Child Labour, *Working Paper on Child Labour In Agriculture*, International Conference on Child Labour in Agriculture, Global March Against Child Labour, India (Working Paper 2012).

the employer, it can offer decent employment opportunities, establish fair labor contracts, promote gender equality and pay fair wages to its employees and contractors. It can provide training and skill development for workers, in particular young persons. It can transform hazardous child labor into youth employment. It can ensure adequate conditions of work and occupational safety and health protection and take measures to prevent risks to health and hazards in the working environment. It can ensure that all the fundamental principles and rights at work are respected. Trade unions, workers organizations and farmers associations can be recognized and engaged in social dialogue. As a responsible employer it should ensure that all of these measures are taken.

To further support the application of the global strategy in agriculture, a business can pay taxes to support the financial base for the extension of social protection measures to the families in the farming communities. It also can support the provision of childcare and education for the children of employees and workers.

This action should supplement the direct action that needs to be taken to withdraw children engaged in child labour from the farms and plantations and to prevent their return to such work. In order to be effective, such direct action requires rehabilitation of the children after they are withdrawn and some form of child labor monitoring to ensure that the children go to school and do not return to hazardous work. Any withdrawal of children needs to be accompanied by income substitution measures for the family. In the best case scenario this would take the form of higher wages for the parents.

Within its business relationships, while acknowledging the complexity of supply chains and management within them, supply chain management also offers an avenue to promote decent work among adults, improve skills, raise wages, improve occupational safety and health protection, and to implement international labor standards and labor laws. The shorter the supply chain and the more direct the employment relationship, the greater the control that the business can exert in their supply chains.

Contracts with suppliers can set out the minimum age of employment, the hazardous tasks that cannot be undertaken by those under 18 years of age, and other necessary labor conditions. The consequences of breaching the contract, including termination of the contract, can be stated clearly. Moreover business can go beyond inserting clauses against child labor in contracts and instead opt for constructive engagement to address the problem and its causes. For example, it can provide incentives to eliminate child labor to out-growers and establish a program to tackle the child labor.

#### *D. Corporate codes and auditing*

As indicated above in regard to the responsibility of business to

eliminate child labor, international guidance exists for how businesses should address human rights including child labor issues. The UN Guiding Principles on Business and Human Rights state that the business responsibility to respect human rights is a global standard of expected conduct. It further clarifies that the responsibility refers to internationally recognized human rights which are understood, at a minimum, as those expressed in the International Bill of Human Rights and the ILO Declaration on Fundamental Principles and Rights at Work, which refers to the relevant ILO Conventions. The Guiding Principles further call for business to have in place policies and processes including, a policy commitment to meet their responsibility, and a due diligence and remediation process.

However, more businesses need to take action to comply with the above referred to guidance. Too many companies and organizations still develop their own private “standards” rather than using the internationally recognized standards and definitions contained in international labor standards or national law. There is no need to redefine the worst forms of child labor set out in ILO Convention No. 182. There is no justification to limit the scope of application of a corporate code of conduct or a claim of a product not being made with child labor to not cover family farms engaged in commercial activity. Failure to incorporate the international and national law definitions into corporate codes is not only a breach of responsibility, it promotes incoherence. It can also run the risk of exposing businesses to engaging child labor by international law definition.

Measures taken to promote a business’s corporate social responsibility (CSR) can be positive. Indeed they are important for accountability purposes. However CSR, including social auditing and labeling is not a credible alternative to legal compliance, equitable business practice, and encouraging the development of proper labor relations.<sup>44</sup> Businesses, understandably, want social audits for reporting purposes, but they need to ensure they are credible, that they do not exempt workplaces and farms where children are working, that they do not mistake diagnosis for remedy, and that they do not confuse quick fixes with long term sustainable solutions.

#### *E. Linking CSR and business plans*

Businesses have a responsibility to address child labor throughout their business operations. This responsibility is not offset by other actions or activities that business may engage in to promote the enjoyment of human

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<sup>44</sup> See, e.g., *Social Audits No Substitute for Strong Unions and Government Regulation*, INT’L UNION OF FOOD, AGRIC., HOTEL, RESTAURANT, CATERING, TOBACCO AND ALLIED WORKERS UNION (IUF) (Sept. 21, 2012), <http://www.iuf.org/w/?q=node/1943>.

rights.<sup>45</sup> To facilitate having a greater impact on reducing child labor, businesses need to do much more to integrate their corporate social responsibility policies into their business plans and practices. This means ensuring that their investment, purchasing, or subcontracting practices do not contribute to or exacerbate the child labor situation of a particular country. There is no point making demands on a supplier if the company's purchasing policy means they will seek the lowest possible labor costs and provide poor working conditions. Such a business practice only serves to perpetuate family poverty, risks safety and health, and encourages child labor.

Some companies like Mars are standing out in their efforts to address child labor: investing long term; establishing stable supplier relationships; shortening supply chains or seeking stronger controls on subcontracting; paying fairer prices; supporting the development of labor relations systems; investing in training and skills; and supporting nationally determined development priorities. They have integrated child labor elimination into their business plan and aim to make it compatible with their sustainable business strategy.

#### *F. Addressing informality and improving productivity*

The strategic focus on eliminating child labor in agriculture needs to address the informality of work processes and activities in agriculture – in particular small holder farming. For businesses engaged in the global supply chains, the informal economy is a key issue.<sup>46</sup> The bigger it is, the greater the absence from the workplace of the rule of law and of mature systems of labour relations – two essential vehicles to protect and realise fundamental rights at work and to remedy any violations.

The Brazilia Declaration of 2013 acknowledges the need for reinforced national and international action and cooperation focused on the informal economy. Recent discussion in the International Labour Conference on the setting of a standard on the informal economy calls for the transition to formalization of the informal economy in order to protect fundamental workers' rights and principles including child labor.<sup>47</sup>

Informality is related to a low level of productivity and investment. In

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<sup>45</sup> Office of the High Comm'r, U.N. Human Rhts. Council, *U.N. Guiding Principles on Business and Human Rights*, U.N. Doc. HR/PUB/11/04 (2011), [http://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr\\_en.pdf](http://www.ohchr.org/documents/publications/GuidingprinciplesBusinesshr_en.pdf).

<sup>46</sup> It is important to note that even informal family enterprises and workers, paid or unpaid, fall under the scope of the ILO Conventions Nos. 182 and 138.

<sup>47</sup> See generally, Int'l Labour Office, Int'l Labour Conf., 103rd Sess., *Facilitating Transitions from the Informal to the Formal Economy: Report of the Committee on Transition from the Informal Economy*, U.N. Doc. ILC.103/V(1) & U.N. Doc. ILC.103/V(2) (2014).

agriculture, *inter alia*, this relates to the cultivation and harvesting practices. Through supply chain management, investments in skills and equipment, innovation, and improvements in techniques can serve to enhance productivity. Child labor is often found in types of work characterized by low productivity. Therefore raising levels of productivity in supply chains should serve to greatly reduce child labor in many areas. However such improvements in productivity need to be accompanied by fair distribution measures through raises in income and improvements in working conditions for the adult workers along with contributions to the local tax base and community development. Otherwise there would be a risk of substituting the exploitation of child labor with the exploitation of more productive adult replacements. The withdrawal of child laborers under such a circumstance requires monitoring and remediation to ensure that the protection and the best interest of the children are safeguarded. Much more attention needs to be paid to such win-win solutions in agriculture supply chains within the global fight against child labour and the global initiatives to promote the formalization of the informal economy.

*G. Supporting rural community development*

The action taken in business operations and through supply chain management should link to promoting community development.<sup>48</sup> As agriculture is mainly a rural activity, this means promoting rural development and empowerment of communities, producers, and workers. The “potential of rural areas to drive the economy, create productive jobs, improve food security. . . and generally to promote sustainable and balanced growth is now widely recognized.”<sup>49</sup> Rural communities have the potential of becoming the hub for the economic and social development process and for establishing an integrated approach to eliminate child labor. For this reason IPEC advocates using an area or community-based approach which entails a sustained engagement with the community to change attitudes and practices concerning child labor and to empower the community members to address its root causes so that they no longer need to rely on child labor for their livelihoods. Based on local needs, business can support the extension of public services, education, skill development, social protection, and the application of law through community-based child labor monitoring.

Community-based child labor monitoring of all units of production

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<sup>48</sup> See, e.g., U.N. Indus. Dev. Org., *Corporate Social Responsibility and the Development Agenda: Should SMEs Care?* (Small and Medium Enterprise Branch Technical Working Paper Series, Working Paper No. 13, 2004).

<sup>49</sup> See, Int’l Labour Office, *Unleashing Rural Development Through Productive Employment and Decent Work*, ILO Doc. GB.310/ESP/1, ILO, 310th Sess., at iii (March 2011).

including the family farms and small holder units throughout the agriculture supply chain is a necessary element of child labor elimination. It provides an avenue through which business can support community oversight of the issue. It essentially involves: a) identification of children in child labor or at risk; b) prevention or withdrawal; c) referral to appropriate services; and d) tracking progress to ensure that the children concerned have sustainable alternatives. Child labor monitoring in the agriculture sector involves observing and reporting on a range of indicators related to a child's work, family, health and education. By regularly repeating the cycle of observations, reporting and follow-up action, child labor monitoring becomes a means of both eliminating and preventing child labor in a given community or geographic area.<sup>50</sup> In carrying out these responsible business practices to tackle child labor, business can also benefit beyond being in compliance with the law.

#### VII. THE IMPORTANCE OF COHERENCE AMONG PUBLIC AND PRIVATE ACTORS TO ADDRESS ROOT CAUSES OF CHILD LABOR

The ILO global estimates do not contain figures on the number of children engaged in international or national supply chains. It is thought that most children engaged in agriculture are linked to some commercial activity. Nevertheless, attention often turns to child labor in agriculture in global supply chains with which consumers feel a direct link. Little attention is paid to child labour in neglected sub-sectors of agriculture such as vegetable cultivation, cattle raising, or wood production.<sup>51</sup> The media are interested in child labor in coffee, in sugar, in cocoa, in cotton and garments, in mining such as blood diamonds. These are indeed important areas that deserve more concerted effort to tackle the child labor issues. Companies engaged in these areas are at high risk of exposure and have tended to join multi-stakeholder initiatives and other associations and to take a myriad of uncoordinated actions to address child labor in their supply chains. However, little attention is paid to the root causes of child labor and the attendant development issues: rural under-development and poverty, and lack of access to land, services and rights. Well intended corporate contributions are often ad hoc, disconnected from public services, or duplicative. This is why more strategic action and coordination is required.

Within the strategic focus on the elimination of child labor in agriculture, coherence of policy and action among public and private actors

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<sup>50</sup> Global March, Background Paper, *From Fields to Classrooms, A Report of the International Conference on Child Labour in Agriculture*, GLOBAL MARCH AGAINST CHILD LABOUR (2012) (on file with author).

<sup>51</sup> *Id.*

and other stakeholders is needed. This means recognizing that action taken to address child labor in global supply chains alone, even if done more effectively, is insufficient to fully tackle the problem. Children move from harvesting to fishing to domestic work and many are not only working in global supply chains but are producing for local and national markets. The corporate driven supply chain responses need to dovetail with wider locally based and owned policies addressing child labor and the responses to the causes of child labor. Business cannot be considered to be complying with its obligation to eliminate child labor if it is only displacing children out of one situation of child labor into another.

#### VIII. CONCLUSION

Significant progress has been made in the fight against child labor over the last twenty-five years. The experience gained has provided many lessons learned which need to be applied to the elimination of child labor in agriculture. It takes more than isolated, ad hoc project interventions and good intentions to achieve the level of progress needed. To remove the 100 million children from child labor in agriculture and to prevent others from entering into this situation, governments and business, working in partnership with trade unions, civil society, farmers as well as labor and agriculture experts and research institutions, must attack the root causes of child labor in agriculture and rural areas. An integrated, coherent and locally owned approach that includes supply chains management is needed. Business must take up their role and address child labor more diligently and effectively within their own operations and throughout their supply chains. This supply chain work needs to dovetail and support public policy to promote social justice in rural economies, sustainable livelihoods and food security, enhanced productivity in crop quality and yields, decent work for adults, safer agricultural practices, and better access to education for children. This longer term coordinated approach also can benefit business interests. Business security, productivity and sustainability can be enhanced from improving farm and labor practices throughout supply chains and investing in the improvement of local communities.

Greater effort needs to go into developing, documenting and sharing the win-win experiences where the existence and causes of child labor were confronted successfully and in the process the business benefited as well. The new Child Labour Platform and the tools currently being prepared under its direction should provide important guidance to business. Hopefully this Platform will be utilized and supported into the future by business representatives, companies and trade unions. Conferences which bring together an interdisciplinary group of global experts to assess and identify current challenges and chart more innovative paths forward in undertaking

2014] *Addressing Child Labor in Agriculture Supply Chains* 155

the fight against child labor in agriculture, such as the International Conference on Child Labour in Agriculture organized by the Global March and the Symposium on Confronting Child Labor in Global Agriculture Supply Chains, organized by the UC Davis School of Law, need to be held more regularly. More resources need to be allocated to support the work of the International Partnership for Cooperation on Child Labour in Agriculture by its own members and other donors.

The ILO remains committed to the importance of its engagement in the elimination of child labor and it will continue to play a strong leadership role to support the implementation of relevant international labor standards through technical cooperation and advisory services; to continue to develop knowledge and analysis on child labor; to support capacity building and institutional development to address child labor; and to facilitate the exchange of good practices.

The ILO has identified eight areas of critical importance to target its resources and technical assistance for 2014 to 2015.<sup>52</sup> One of the critical areas is to promote action towards formalizing the informal economy and another is aimed at promoting decent work in the rural economy. An international labor standard is expected to be adopted in 2015 on promoting transitions from the informal to the formal economy. For the first time a discussion on supply and value chains will be held in the International Labour Conference in 2016. It is expected that these new initiatives will be seized to strengthen the global fight against child labor.

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<sup>52</sup> See generally, Int'l Labour Office, *Programme and Budget Proposals for 2014 -2015*, Governing Body, 317th Sess., Geneva Mar. 2013, GB.317/PFA/1 (2014).