International Labour Conference

Third Session, 2020
First agenda item

Combating child labour in the chocolate and cocoa industry.

Introduction

1. In 1999, the governing body of the International Labour Office convened the general conference of the International Labour Organization to discuss the urgent need to establish a convention to deal with the total elimination and prohibition of the worst forms of child labour. They were guided also by the Convention on the rights of the Child that was adopted in 20 November 1989, which states that, “State parties should protect the child against all forms of exploitation prejudicial to any aspect of the child’s welfare”. (United Nations Treaty Collection. 1990)

2. For the purpose of the conference discussion in New York, the worst forms of child labour, was defines as “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children” they further went on to say that the worst forms of child labour should also comprise of, “Work, which by its nature or the circumstance in which it is carried out, is likely to harm the health, safety or morals of children”. (Geneva, 87th ILC session. 17 Jun 1999)
3. The general conference also went on to discuss the causes and the atmospheres that allow for child labour to live. They recognized that poverty is central to the existence of child labour and the long term solution being “sustained economic growth” which would lead to “poverty alleviation”. (Geneva, 87th ILC session. 17 Jun 1999)

4. Implementation of this convention was at the center of the discussion between members, they also stressed the importance of assisting one another through enhanced international cooperation. Some of the assistance discussed included supporting socio-economic development along with universal education. (Geneva, 87th ILC session. 17 Jun 1999)

5. The general conference went on to stress to members that, “Each member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to; prevent the engagement of children in the worst form of child labour, provide the necessary and appropriate direct assistance for the removal of all children from the worst forms of child labour” the members further went on to state the importance of rehabilitation and social integration. (Geneva, 87th ILC session. 17 Jun 1999)

Central questions

What is the extent and impact of Child Labour in the Cocoa Production Industry?

1. There are over 250 000 children who work in chocolate/cocoa industries in cocoa rich West Africa. These children work in inhumane working environments that put in risk their health and wellbeing. (ILO, Geneva , 2017)

2. Although child labour is on the decline, it is expected that by 2020 there will be about 100 million victims of child labour. Child labour deprives children education and in fact exposes them to violence, which is goes against the Convention on the rights of the child. Child labour also directly impacts the productiveness of the economy. (ILO, Geneva , 2017)
3. UNICEF explains that “Child Labour reinforces intergenerational cycle of poverty” because if one is a victim of this horrible act, they are most likely to pass down those material conditions which will undermine greatly the sustainable development goals. UNICEF. 22 May 2017)

Who is covered under national laws addressing child Labour and chocolate?

4. The minimum age convention, 1973 (No.138) states that the minimum age for any work that is hazardous or proves to compromise the health of young persons shall not be less than 18 years and if the young persons’ “health safety and morals are fully protected”. (58th ILC session. 26 Jun 1973)

5. The convention further goes on to discuss that national laws may according to this convention consider allowing labour for persons between the ages of 13-15 years on work that is considered light work. Light work is further described as work that is “not likely to be harmful to their health or development”. Further states that, this work should not hinder with attending of school. (58th ILC session. 26 Jun 1973)

Where does hazardous child labour occur?

6. Hazardous work exists in numerous sectors such as agriculture, which represents the most out of all sectors that have child workers, mining, construction and manufacturing among many other sectors. It is also rather worthy to note that part and parcel of the largest contributor to child labour in the agriculture sector is the cocoa production which occurs predominantly in West Africa. (IPEC)

7. Child labour is also prominent in areas with migrants. Migrant children in their desperation for employment tend to exaggerate their age in order to be allowed to work. This then automatically puts Migrant children at risk for being employed in hazardous working environments that will pose a risk to their health and wellbeing. (IPEC)
8. UNICEF states that “Children in hazardous work in all occupation groups amounted to 9.9 percent of all child labourers aged 5-17 years. The hazardous work was attributed to unhealthy conditions and long hours”. (IPEC)

Who is a victim of child labour?

9. When one evaluates jobs that need to be targeted for elimination, should note that not all work done by children should be classified under child labour. If this employment does not pose a health risk, does not interfere with the child’s education or infringe any rights, then that cannot be seen as child labour, and in fact should be promoted.

10. The Minimum age convention, 1973 states that “the general minimum age for admission to employment is 15 years, 13 for light work and the minimum age for hazardous work at 18, 16 under certain restrictions”. If any fall below this threshold then they are victims of child labour. (58th ILC session. 26 Jun 1973)

Child Labour Statistics in the cocoa rich region of West Africa

11. The number of children engaged in child labour in the cocoa production and hazardous work in the cocoa sector in both Ivory Coast and Ghana, increased by 24% and 21% respectively between 2008/09 and 2013/14. (ILAB Final Report.2015)

12. Children between the ages of 5 -17 in cocoa growing areas in the Ivory Coast increased by 5% and the number of children engaged in child labour in the cocoa production areas rose by 59% and the number of hazardous work in the cocoa production sector increased by 46%, (ILAB Final Report.2015) showing a relationship between the growing population of children in the cocoa production areas and the number of children working in the sector.

13. Ghana’s children population (5-17) in the cocoa production areas increased by approximately 3% but unlike the Ivory Coast, the number of children working in the
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cocoa production between 2008/09 and 2013/14, decreased by almost 4% and by 6% in the hazardous work in the cocoa sector (ILAB Final Report.2015). Showing no relationship between the growing population of children in the cocoa production areas and the number of children working in the sector.

14. Overall the number of children engaged in child labour in the cocoa production sector, increased by 6% in 2013/14. (ILAB Final Report.2015)

**Methods of Preventing Child Labour.**

15. Corporations should check the age of their workers to ensure that it meets the minimum age requirements by international standard. Almost every country in the world has made the minimum working age to 14, 15 or 16, which is in line with international standards. It cannot be possible to verify someone’s age without proof, such as birth certificate. (ILO 2016) Especially since 49% of the world’s children under 5 are unregistered globally, with 3rd world countries being more vulnerable to this (UNICEF 2013).

16. Some reliable techniques to ensure that even when no documentation is present, especially amongst immigrants, is medical examination to verify age before a child is admitted to work. School enrolment certificates for the children admitted to light work is also a good tool to verify age and whether the children are schooling. (ILO 2016)

17. There is a need for employers to start an identification process of hazardous work. Once that has been identified by employers both in the private and in the public sector, young people working there would not be considered as victims of child labour, if indeed the conditions are not hazardous and does not interfere with their education then that will be known as youth employment rather than child labour. (ILO 2016)

18. The Private sector has an incredible role to play in the work to eliminating child labour. Part of the methods they can use is to “carry out workplace risk assessments” This will ensure the safety off all workers and the replacing of hazardous work with non-hazardous work. (ILO 2016)
19. Furthermore, education is an extremely vital mechanism in ensuring that young people withdraw from work. However, basic literacy skills will not ensure that, hence the importance of enrolling young people especially those who are most vulnerable to child labour into formal schooling and the expansion of public schooling (ILO.org)

Achievements in combating Child Labour

20. Ivory Coast has made numerous achievements in combating child labour, such as; a significant percentage decrease in child labour in cocoa agriculture based on working hours. It was found that less children were engaged in child labour in terms of working hours. (ILAB. Fourth Annual Report 2010)

21. There has been a significant decrease in exposure to different types of hazardous work in cocoa agriculture; “A smaller percentage (-8%) of children in cocoa reported exposure to individual variables measuring hazardous work. (ILAB. Fourth Annual Report 2010)

22. The number of children in Ivory Coast that reported more than two variables measuring hazardous work fell from 80% to 60% between 2008/09 and 2013/14. “While not completely removed from hazardous work, the quality of life of children experiencing fewer hazards may be considerably improved” (ILAB. Fourth Annual Report 2010)

23. “Higher percentage of children with access to basic education.” The percentage of children from agricultural homes who attended school in 2013/14 increased by 10 percentage points and 12 percentage points among children working in the cocoa production. (ILAB. Fourth Annual Report 2010)

Methods of Monitoring Child labour

24. The International labour organization established some guidelines called the child labour monitoring (CLM). This process is aimed at removing young people from child
labour and refer them to some form of rehabilitation centers. These guidelines are also intended for governments and NGO’s that work towards ending child labour. The CLM ensures that if implemented successfully could lead to child labour being found/identified and places of work are consistently monitored. (ILO 2015)

25. The CML model is divided into two phases, namely the Monitoring phase and the follow-up phase. The monitoring phase is where reports are made and crosschecking with “actual situations at the workplace under scrutiny. Then the follow-up phase, avails the information collected for further use such as “policy review or social planning”. (ILO 2015)

26. Furthermore, the main elements of Child Labour Monitoring include referral. This speaks unto a child being referred to services corresponding to the needs of the children who have been identified as child labourers and “assessed to be at risk”. Another important element is the “data management and analysis”, there has to be constant observations of suspected workplaces and this will likely prevent employers from employing young people (ILO 2015)

Works Cited

ILO.org, Checkpoints for Companies Eliminating and Preventing Child Labour
UNICEF.org ‘Child protection from violence, exploitation and abuse’
ILO.org ‘Facts and figures, child labour”
Unglobalcompact.org ‘Principle Five: Labour’
ILO.org ‘Worst Forms of Child Labour Convention, 1999 (No. 182)’
ILO.org ‘Minimum Age Convention, 1973 (No. 138)’
ILO.org ‘International Programme on the Elimination of Child Labour (IPEC)’
ILO.org ‘What is child labour’
ILO.org ‘International Labour Standards on Child labour’
U.S Department of Labor ‘Final Report: Survey Research on Child Labor…’
U.S Department of Labor ‘Fourth Report: Survey Research on Child Labor…’