

TOOLKIT TO ADDRESS CHILD LABOUR IN THE AGRICULTURAL SECTOR IN EGYPT



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CHAPTER ONE: INTRODUCTION TO THE TOOLKIT

Introduction

The overall objective of this toolkit is to improve conditions for working children by increasing awareness and understanding of child labour issues in Egypt and providing practical guidance on how to identify and respond to child labour acting always in the best interests of the child. It also aims to encourage Egyptian companies to develop and discuss generic and industry specific solutions to the management and prevention of child labour.

This toolkit is aimed at companies, large and small, in the agricultural sector with specific reference to the agricultural sector in Egypt. It encourages companies to work in collaboration with a range of stakeholders - including farmers, suppliers, subcontractors, trade unions, children, families, civil society and government, especially the agricultural and labour ministries- in order to address child labour and improve working conditions for children and young people. It provides companies in the agricultural sector with practical and achievable guidance on how to:

- provide the best possible work conditions for children
- treat children in ways that respect and support their rights
- identify and address child labour.

Child work in agriculture

Not all children must be removed from work: the basic rules under international standards distinguish what constitutes acceptable or unacceptable work for children at different ages and stages of their development. Child work is a sensitive and complex issue for consumers, companies, trade unions, children, legislators and civil society. Save the Children takes the view that no child should be subjected to dangerous and exploitative work but also recognises that many children do not have a choice when it comes to deciding whether to work or not.

The ILO estimates that seventy per cent of working children are in agriculture - over 132 million girls and boys aged 5-14 years old. These children play an important role in crop and livestock production and age-appropriate tasks, that do not interfere with a child's schooling and leisure time, can be a normal part of growing up in a rural environment. Indeed, many types of work can be positive for children's development and provide them with useful and practical skills.

However, historically agriculture is an under-regulated sector in many countries. Children may be allowed to operate dangerous machinery and drive vehicles at a younger age in agriculture than in any other sectors. Agricultural work is characterised by weak labour law coverage and poor implementation, exacerbated by low levels of worker organization and

high levels of informal employment. Children may also be exposed to pesticides and fertilisers which can damage their physical and cognitive development. A lack of easily

accessible health and education services may exacerbate children's vulnerability in rural areas and an absence of legal enforcement can make available protection useless.

In Egypt, working children are found in both rural and urban areas but the majority – an estimated 70% - are found in the agricultural sector. They often work long hours in harsh conditions, they are mostly underpaid and can be at risk of physical and humiliating punishment. At times such work is hazardous to their physical and mental health; for example, they are often exposed to the use of pesticides and have to travel on dangerous transportation between farms.

Background to the toolkit

This toolkit has been developed by Save the Children and builds on approaches to address child labour developed by Save the Children in Bangladesh. Its development was informed by an initial assessment that examined the nature and extent of child labour in the agricultural sector. Furthermore, two export oriented agricultural companies in Egypt, Centre Egyptien de Legumes et Fruits (CELF) and JANA Company Farm, were part of the project peer group and were active and committed participants in the development of the toolkit. The Danish Embassy in Egypt has supported its development as a means of addressing issues surrounding the use of child labour in the context of the export oriented agriculture sector in Egypt where the Danish Embassy in Egypt is implementing Business to Business (B2B) and Public Private Partnership programmes with several agricultural co-operatives.

The toolkit is “work in progress” and we welcome feedback from anyone using it. If you have comments please contact Save the Children www.savethechildren.org.uk.

Some Key Definitions used in this Toolkit:

Child: a girl or boy under the age of 18.

Child work: viewed in its broader sense as activities children undertake to contribute to their own or family economy.

Harmful work: defined in relation to article 32 of the UN Convention on the Rights of the Child which states that: ‘State Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.’

Child labour: this is defined by ILO as work that ‘deprives children of their childhood, their potential and their dignity and that is harmful to physical and mental development.’ This includes work that is mentally, physically, socially or morally dangerous and harmful to children and interferes with their schooling. In its most extreme forms, child labour involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age. Whether or not particular forms of “work” can be called “child labour” depends on the child’s age, the type and hours of work performed and the conditions under which it is performed.

How to use the toolkit

CHAPTER 1 - Introduction – introduces the objectives and background of the toolkit and identifies its intended audience and use.

CHAPTER 2 - Work conditions for children in the agricultural sector in Egypt - provides a short sector specific overview of child work in agriculture looking at hazardous work processes as well as work processes or job functions that may be considered as light work.

CHAPTER 3 - Corporate responsibility and child labour - considers the responsibility of business to address and prevent child labour and how this can benefit business in the long and short term.

CHAPTER 4 – National and International Legal Standards Related to Child Labour in Egypt - Provides information on national and international legal standards relating to child labour in Egypt.

CHAPTER 5 - Tools - Seven practical tools aimed at specific problems and decisions related to addressing and preventing child labour

Tool A: Guidelines for assessing and analyzing the child labour situation in your company: This tool will help you address issues of child labour effectively by showing you how to identify these issues and leading you to the appropriate tools.

Tool B: How to conduct a child friendly interview: This tool provides guidance on how to conduct a child friendly interview and will help your company comply with minimum age laws and give children the opportunity to express their views on work, which is a right guaranteed by the UN Convention on the Rights of the Child (CRC).

Tool C: How to determine a child's age: Together with Tool B, this tool will help you determine the age of a child before recruiting him or her to work in your company or farm.

Tool D: Identifying minimizing and eradicating hazards and exploitation: This tool will help you to identify, minimise and eradicate hazards and exploitation from your company and/or farm if this exists.

Tool E: How to identify occupational safety and health risks: This tool provides a checklist to reduce occupational health and safety risks for children and employees generally in the work place.

Tool F: How to promote child centred corporate social responsibility: explains what Corporate Social Responsibility (CSR) is and will help you integrate CSR in your company.

Tool G: How to develop a code of conduct: provides a definition of a Code of Conduct (COC), a format guide and example of how your COC should address child labour issues.

CHAPTER 6 - Factsheet on Conventions, Laws and Standards – Provides an overview of international and national conventions, laws and standards for quick reference.

CHAPTER 7 – Additional Resources –provides links to additional resources on information discussed in the toolkit.

CHAPTER TWO: WORK CONDITIONS FOR CHILDREN IN THE AGRICULTURAL SECTOR IN EGYPT

Context

Agricultural child workers may be working as unpaid workers on family-owned farms, as hired labour on commercial farms and plantations or contracted for labour as a part of a migrant family work unit. In rural areas working in agriculture can be a normal part of children's lives and play an important role in their development. In general, girls and boys aged 13-15 are permitted to carry out "light work" under the ILO Minimum Age Convention No. 138 provided such work is not likely to be harmful to their health or development and doesn't violate their right to education.

However, agriculture is also a sector with a high incidence of hazards and risk and is historically and traditionally an under-regulated sector in many countries. This means that child labour laws – if they exist – are often less stringent than for other types of work. Furthermore, children often enter into agricultural work at a very young age.

Agricultural work can be physically demanding.

It can involve long periods of standing, stooping or carrying heavy loads. Children often work in high temperatures without appropriate protection from the sun or access to safe, clean water. Hazards can result in injuries from heavy work, cuts from tools, falls while picking fruit and accidents from working with or near heavy machinery or vehicles. Exposure to pesticides and other chemicals can damage brain function and reproductive systems. Pesticides and other chemicals may also be carcinogenic. Lack of proper pesticide

“Because the girls stand all day, it affects their back; but they don't take it seriously.”

- Supervisor at a participating packinghouse

storage and disposal puts children at further risk. Child labourers are often exposed to high levels of organic dust that can result in asthma and are at risk of injury and disease from livestock and wild animals. It should be emphasized that girls and boys exposure to specific hazards may be very different owing to the division of tasks by gender.

Children have particular survival and developmental rights that differ from those of adults as a result of their rapid

CASE STUDY:

Rehab is in the second grade at a technical high school. She works part time in the packinghouse of one of the companies visited in the assessment. The manager allows her to go to school every morning and to work in the afternoons from 1 to 5 PM. If there isn't too much work to do at the packinghouse her supervisor allows her to study during working hours.

physical and psychological development. For children working in the agricultural sector, exposure to hazards and risks can have an irreversible impact that can last for the rest of their lives. For example, deprivation of education, play and health care can dramatically reduce a child's opportunities as an adult and exposure to chemicals and pollutants can be more serious and long-lasting for children than adults.

Labour contracting of children in commercial agriculture

Many children are employed through labour contractors particularly in the context of commercial agriculture. Employers, who need to be able to count upon a supply of labour in periods of peak demand, call on the services of labour contractors as intermediaries. These contractors often recruit children. This can undermine the employer–employee relationship by creating a “grey area” around the employer's responsibilities and can lead to a disregard for compliance with national and international law since it allows employers to deny responsibility for knowing the ages of the children or the terms under which they were hired. Generally, conditions of work for contract labour are inferior to those of directly employed labour.

Child workers in the agricultural sector in Egypt

In Egypt, a large proportion of children are engaged in harsh and hazardous labour. The National Survey on Child Labour commissioned by the National Council of Childhood and Motherhood (NCCM) in 2001 estimates that 2.7 million or 20.5 percent of Egyptian children between the age of 6 and 14 years of age are involved in some form of labour.¹ Approximately 64 percent of children who work in Egypt are working in the agriculture sector often in hazardous and exploitative conditions with limited or no access to education.²

A research assessment commissioned by Save the Children in Fayoum Governorate in 2008³ found that over 40% of working children surveyed did not attend school at all. Many children working in the agriculture sector work during the school year, where they are more likely to miss classes and are often too tired to study, causing them to fall behind and eventually drop out of school completely. Not attending school affects not only children's future, but also their development. Children working in the agricultural sector endure hours of

CASE STUDY:

Faika began working at the packinghouse four years ago when she was 16, starting off as a cleaner and then becoming a member of the production staff. She continued her studies throughout and is now in her third year of nursing school. When the CELF packinghouse opened its clinic, she was the best candidate to run it. Faika is a role model for the girls working at CELF.

¹ The NCCM study was conducted in 2002 and published in 2005 in partnership with Central Agency for Public Mobilization and Statistics (CAPMAS). According to this study, the definition of employment includes work that can be permanent, temporary or seasonal whether paid or unpaid.

² Situation Assessment of Child Labour, National Council for Motherhood and Childhood and CAPMAS, 2001.

³ Study of the Child Work Phenomenon in Fayoum Governorate, Ahmed Hashem-SCUK 2008

repetitive and unstimulating tasks, often uninterrupted, and with little else going on in their lives before or after work. In addition, working closely with adults can often expose children to an alienating and unhealthy environment for their level of development.

“I have to work to help my father. He has cattle and he needs money to buy medicine for them.”

-A working girl from one of the farms in the assessment

For poor families the option of sending their children to work is often perceived as the only means to provide income for the household and over half of the children surveyed contributed 100% of their earnings to the household. ILO has underlined the need for a better understanding of the importance of child workers' contributions to household economies. At times a child's income can be the only source of income for a family. At other times a child's income is the only way for families to generate enough income to ensure at least partial schooling.

Employers and community member's lack of knowledge and understanding of a child rights based approach to child labour together with the absence of a community network that would link working children and their families to health and livelihood services are other causes of the problem.

CHAPTER THREE: CORPORATE RESPONSIBILITY AND CHILD LABOUR

Child labour violates children's rights

Child labour is a serious and widespread violation of children's rights. It damages children's physical, social, mental, psychological and spiritual development. It can deprive children of their childhood, an education, force them to be separated from their families and expose them to serious injury or illness. Children who do not complete their education miss out on a window of opportunity to become educated and it is extremely difficult for them to catch up on this later. They are likely to remain illiterate and never acquire the skills needed to get a job and contribute to the development of a modern economy. UNICEF estimates that 150 million children aged 5–14 years old worldwide are engaged in child labour and 115 million children aged 5-17 years old are engaged in the worst forms of child labour such as handling chemicals, heavy loads or enduring long hours.

Business has a responsibility to address and prevent child labour

The primary obligation for respecting, protecting and fulfilling children's rights, lies with the State. All societal actors, including business, must also comply with applicable national law, respect international law regarding children's rights and avoid complicity in children's rights abuses. In situations where the national law or its implementation does not provide for adequate safeguards for children, international norms must be respected.

Business responsibility to respect human rights has been widely accepted by governments, civil society and the business community itself. It is reinforced in the three-part framework – 'Protect, Respect, Remedy' – of the Special Representative of the Secretary-General on Business and Human Rights, which has been welcomed by the UN Human Rights Council. It is also recognized by nearly every voluntary corporate responsibility business initiative, such as the ISO 26000, and is stipulated in soft law instruments such as the ILO Tripartite Declaration, the OECD Guidelines for Multinational Enterprises and the UN Global Compact.

With regards to child labour, this responsibility implies that companies commit to:

- Compliance with national law on child labour and minimum age
- Compliance with the UN Convention on the Rights of the Child
- Not to use or support the use of child labour as defined in ILO Convention 138
- Prohibit and seek to eliminate the worst forms of child labour in accordance with ILO Convention 182.

Business has much to gain from addressing and preventing child labour

The future sustainability of the private sector relies in large part on nurturing healthy, skilled, well-educated and creative workers and consumers. It is in no-one's interests to do business

in an environment where the health, potential, development and education of future generations of workers and consumers is compromised by child labour. Adopting and implementing explicit policies regarding child labour can send a strong signal internally and externally about what a company stands for. It can improve recruitment, retention and motivation of the work-force. It can build confidence amongst investors that a business is working actively to mitigate risk and can attract investment from the growing socially responsible investment market. It also appeals to governments who view responsible business practice as a measure of suitability to operate in their territory.

Association with child labour can be very damaging for a company's reputation nationally and internationally. Experience shows that stakeholders will reward companies that 'get it right' regarding children and punish those who get it wrong.

Corporate social responsibility and child labour

As we have seen above, business must comply with national and international law regarding child labour and has a responsibility to avoid complicity with child rights abuses. Corporate social responsibility is the integration of environmental, social and governance in companies' operations and in relations with stakeholders on a voluntary basis. It is concerned with activities which go beyond compliance with national and international law. There is a compelling moral argument and strong business case for companies to go beyond their core responsibility to respect children's rights and to do their utmost to address the underlying causes of child labour on a voluntary basis in line with corporate social responsibility initiatives. Such activities might include for example, community programmes to strengthen girls' education or to provide playgrounds in local areas.

What can a business do to address and prevent child labour?

Companies, through their own employment practices, their procurement and sourcing and their distribution networks, have significant control over the hazard levels and working conditions for children within places of employment. Developing and implementing a code of conduct that addresses child labour is an effective way to exercise this control. The following are practical actions companies need to take to address and prevent child labour:

- Business should assess all areas where child labour may be present in their operations, including supply chains. They should see how existing corporate policies and processes take into account child labour and follow up on the results by revising policies and processes or adopting new ones to address and prevent child labour.
- Business code of conduct on child labour should be clear and publicly available and endorsed by senior levels of management.
- Staff at all levels must understand how to implement the code of conduct on child labour and be accountable for doing so.
- Implementation of policies on child labour must be tracked on an ongoing basis and performance transparently reported and communicated.

- Establish viable grievance mechanisms which are accessible for children.
- Policies on child labour should include the following elements as a minimum:
 - Business must adhere to minimum age provisions of national labour laws and regulations and, where national law is insufficient, take account of international standards.
 - Adequate and verifiable mechanisms for age verification should be used in recruitment procedures.
 - Business should develop and implement mechanisms to detect child labour.
 - If child labour is detected then business should work in close cooperation with a range of stakeholders including the children concerned, their families, local government departments and civil society to ensure that any action taken is in the child's best interest and assures the child's right to education.
 - Ensure that salaries paid offer adequate living wages to workers so their families are less likely to resort to child labour.
 - Ensure that subcontractors, suppliers and other business affiliates are not using child labour.

Many approaches have been developed by companies, multi-stakeholder initiatives, international organisations such as UNICEF and the ILO, and civil society including Save the Children to address the issue of child labour in company operations and particularly in supply chains. This Toolkit provides only a brief summary and more resources are found in Chapter Seven.

CHAPTER FOUR: NATIONAL AND INTERNATIONAL LEGAL STANDARDS REGARDING CHILD LABOUR IN EGYPT

The Government of Egypt has ratified the ILO Worst Forms of Child Labour Convention (No. 182), the ILO Minimum Age Convention (No. 138), the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, which also expressly prohibits the economic exploitation of children. The table below provides an overview of minimum legal age for different kinds of work based on the relevant international conventions and domestic legislation.

Overview of minimum legal ages for different kinds of work

TYPE OF WORK	MINIMUM AGE IN EGYPT			
	ILO No. 182 (Ratified in 2002)	ILO No. 138 (Ratified in 1982)	Egypt Child Law No. 126 (2008)	MOMM* Decree 118 (2003)
Light Work part-time work		12		
Normal full-time work		14		
Hazardous Work	18			18
Seasonal Work			12	
Permanent Work			15	
Vocational Training			13	
Night Work (7PM to 7AM)				18
Overtime (more than 6 hours per day)			18	
Holidays/Weekend				18

NATIONAL LAWS REGARDING CHILD LABOUR IN EGYPT

Although Egypt has ratified the international conventions relating to child labour, it does not have a coherent government policy on child labour. Companies should recall that where the national law or its implementation does not provide for adequate safeguards for children, international norms must be respected. The following summarises relevant national legal standards in Egypt regarding child labour in the agricultural sector.

* Ministry of Manpower and Migration

Minimum Age (Egyptian Child Law 126 (2008), Article 64)

- The Egyptian Child Law 126 (2008), Article 64, forbids the employment of children below the age of 15. It also states that they shall not be provided with training before the age of 13.
- The same law allows children between the ages of 12 and 14 to be employed seasonally, as long as the work has no harmful consequences on their health or growth, and does not interfere with their school attendance.

Hazardous Work (Egyptian Child Law 126 (2008), Articles 65 and 65-bis; Ministry of Manpower and Migration Decree 118)

- Hazardous work is regulated by both Article 65 and 65-bis of the same Law 126 (2008), which prohibits children from being involved in any type of work, that by its nature or by the circumstances in which it is carried out, is likely to harm the health, safety, and/or morals of children, in particular in any type of work set forth in the ILO Convention No. 182 of 1999 on the Worst Forms of Child Labour (no. 182).
- Article 65-bis states that the employer shall insure the child and protect him or her from work hazards while at work.
- The Manpower and Migration Decree 118 states that children under 18 are barred from hazardous occupations including work with pesticides and lifting heavy objects.
- Decree 118 also prohibits children younger than 17 from doing work that exposes them to physical, psychological, sexual exploitation, or chemical, biological, or mechanical dangers. It does not however define or give examples of these terms.

Working Hours (Egyptian Child Law 126 (2008), Article 65-bis and 66)

- Article 66 of Law 126 (2008) limits the working hours to six hours per day.
- The same article says that a child should not work for more than four continuous hours and should be provided with hour long breaks to eat and to rest.
- Again the same article specifies that children are prohibited from working overtime or during the weekends and cannot work between the hours of 7 pm and 7 am.
- According to Article 65-bis, children are entitled to seven additional days of annual leave than those granted to adults annual leave; and leave shall not be postponed or withheld from any child for whatever the reason.

Education

- The Constitution of Egypt guarantees the right of education and the Child Law makes it compulsory at the primary and preparatory stages between the ages of 6 and 14.

INTERNATIONAL CONVENTIONS REGARDING CHILD LABOUR

What are the main legal standards on child labour?

There are three sets of international legal standards that establish the framework for defining, identifying and addressing child labour:

- UN Convention on the Rights of the Child (ratified by Egypt in 1990)

- Minimum age – ILO Convention No 138 (ratified by Egypt in 1999)
- The worst forms of child labour – ILO Convention No 182 (ratified by Egypt in 2002).

What do the legal standards say?

- *UN Convention on the Rights of the Child (CRC)*

A specific article in the CRC is devoted to work (article 32). This recognises “the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development.” The article goes on to oblige States to “provide for a minimum age or minimum ages for admission to employment” and other key aspects of a regulatory regime. Other articles that relate to the exploitation of child labour include article 34 (protection from sexual exploitation); article 35 (protection from trafficking); and article 36 (protection against all other forms of exploitation).

Within its holistic framework for the upbringing, well-being and development of the child, the CRC covers a number of rights potentially at risk in cases where children work. These include article 2 (protection against discrimination); article 3 (primary consideration given to ‘the best interests of the child’); and article 8, the right to identity (working children may be denied the use of their own name). There are also rights to access to health (article 24), education (article 28), and recreation (article 29), which the working child frequently does not enjoy. Certain CRC articles apply to specifics of the working situation, especially when a child is working away from home and is under the control of some adult other than the parents. These include article 19 (protection from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment); article 27 (the right to an adequate standard of living); and article 37 (protection from torture, cruel and degrading treatment and arbitrary deprivation of liberty). Finally, the rights relating to civic participation apply to working children as to others: article 12 (the right to be consulted); article 13 (the right to seek and impart information and views); and article 15 (the right to freedom of association).

- *ILO Convention No. 138, Concerning Minimum Age for Admission to Employment*, This provides that signatories to the Convention pursue a national policy raising the minimum age of employment “consistent with the fullest physical and mental development of young persons.” Generally, children should not be working before they have reached the age for completing compulsory schooling, which is normally set at 15 for normal work and 13 for light work. However, in certain developing countries where educational facilities are less well-developed, lower ages can be permitted, at 14 and 12 respectively. Light work is the opportunity for children to be engaged in light part-time work that does not prevent the child from going to school, and which is not likely to be harmful to his or her health and development. Convention No 138 does not apply to work done by children and young persons in school for general, vocational or technical education.

- *ILO Convention No. 182, Concerning the Worst Forms of Child Labour*

This Convention defines as law types of labour which children below the age of 18 should never be subjected to. It provides definitions of the worst forms of child labour that include: all forms of slavery, trafficking, child prostitution, child pornography; use of children for illicit activities, such as for the production and trafficking of drugs; and using children for any work, which, by its nature or the circumstances in which it is carried out, are likely to harm the health, safety and morals of children (so called ‘hazardous work’). For companies and their suppliers’ it is probably hazardous work which is particularly relevant and will need to be addressed – see also Chapter Four on work conditions for children in the agricultural sector.

How are these standards relevant for governments?

Ratification of the above standards imposes an obligation on states to provide:

- A minimum age or minimum ages for admission to employment
- Appropriate regulation for the hours and conditions of employment
- Appropriate sanctions to ensure effective enforcement
- Assurance of the right of the child to express his or her views freely in all matters affecting the child.

The CRC also says that decisions affecting the child must be made with due consideration to the best interests of the child and the views of the child must be given due weight in accordance with his or her age and maturity.

The full text of each convention can be found at the websites indicated in the Resources Chapter.

CHAPTER FIVE: TOOLS FOR ADDRESSING AND PREVENTING CHILD LABOUR

This section contains seven different tools which are designed to provide companies with practical and sustainable guidance on addressing and preventing child labour.

Tool A: Guidelines for assessing and analyzing the child labour situation in your company

Tool B: Conducting a child friendly interview

Tool C: How to determine a child's age

Tool D: Identifying minimizing and eradicating hazards and exploitation

Tool E: How to identify occupational safety and health risks

Tool F: How to promote child centred corporate social responsibility

Tool G: How to develop a code of conduct

TOOL A:

Guidelines for assessing and analyzing child labour situation in your company

The aim of the Child Labour Toolkit is to help you address issues of child labour. To do this efficiently it is necessary first for you to identify the issues that exist within your company. The questions below will help you make this assessment.

→ **Does your company conduct a child friendly interview with every child before recruitment or promotion?**

Tool B provides guidance on how to conduct a child friendly interview. Not only will this help your company comply with minimum age law, it will also give children the opportunity to express their views on work, which is a right guaranteed by the CRC.

→ **Does your company have effective procedures to verify the age of a worker before recruitment?**

Tools C & B will help you determine the age of a child before recruiting him or her to work in your company or farm. This will significantly improve your ability to comply with international conventions and national law on minimum age.

→ **Do you employ children to work in hazardous working conditions?**

Tool D will help you to identify, minimise and eradicate hazards from your company and/or farm if these exist. Both international convention and Egyptian national law prohibit children under 18 from hazardous work, so it is in your interest to minimise or eradicate hazards from the work place.

→ **Are children working in your company being exploited?**

Tool D will also help you identify and address issues of exploitation in your company and/or farm if these exist. Again both international convention and Egyptian national law prohibit children from doing work that exposes them to physical or psychological exploitation.

→ **Is your company a healthy and safe place to work for all employees?**

Tool E provides a checklist to reduce occupational health and safety risks for children and employees generally in the work place. An unsafe work environment is a hazard and so increasing health and safety standards can help you comply with international conventions and national laws on hazardous conditions.

→ **Do you know how to promote child centred Corporate Social Responsibility (CSR) and what benefits doing so could bring to your company?**

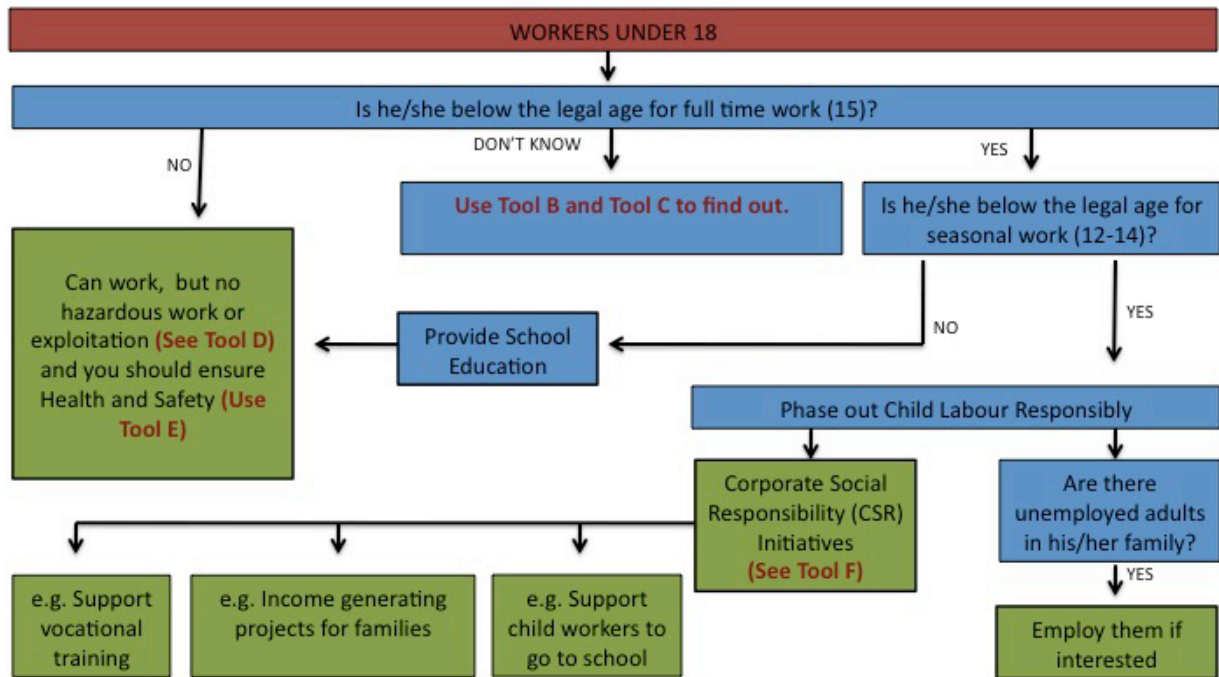
Tool F explains Corporate Social Responsibility (CSR) and will help you integrate CSR in your company. No one convention or law is exclusively resolved by CSR, but rather CSR is an approach to addressing several issues, including child labour and children's rights holistically.

→ **Does your company have a Code of Conduct that includes a section specifically dedicated to child labour?**

Tool G provides a definition of a Code of Conduct (COC), a format guide and example of how your COC should address child labour issues. A COC will clarify your company's values and principles and link them with minimum standards covering conditions connected to working children to create instructions for professional conduct.

→ Does your company employ anyone under the age of 18?

Whereas the questions above should help you assess your company's overall situation in terms of child labour, the Action Tree below is designed to help you assess child workers' situations. The Tree will help you come to concrete decisions about individual children and lead you to all the appropriate tools you will need to take action.



KEEP IN MIND:

- The Action tree should be used on a child to child basis.
- The legal definition of a child is anyone under 18, so to be sure apply the Action Tree process to anyone working in your company under that age.
- It is essential if you want to comply with legal standards that you come to an informed decision about each child's situation in relationship to each step of the Action Tree and each tool.



Golden Rules of Child Friendly Interviewing:

1. Create a trusting and relaxed environment.
2. Treat the child with respect.
2. Always listen.
3. Do not jump to conclusions.

TOOL B: CONDUCTING A CHILD FRIENDLY INTERVIEW

Interviews are a necessary part of responsible recruitment of child workers.



The objective of the interview is to make an overall assessment of the child and his/her family and work situation.

Through a successful, child friendly interview:

- you will be able to better assess or verify a child's age in connection with Tool C.
- you can allow the child to express his/her views in relation to recruitment, working, etc, which is a right guaranteed by the CRC
- you can gauge the child's past work experience and therefore his/her level of expertise and the types of work he/she can carry on.



There are two types of information you need to know about the child:

1- Child profile

Where you need to look for answers to broader questions such as:

- Why does the child work?
- What are the circumstances of the child's family (e.g. unemployment, disease, etc)?
- What is his or her role in the family? Does the child contribute to the family income?
- How does the child feel about working and what is his understanding of it?
- What are the child's long term goals?

2- Concrete information that is legally linked to the child's ability to work:

This includes assessing

- His or her age
- His or her education status
- Any existing health concerns

Overall assessment means that you will consider all of these questions together. Each question should inform the others.



HOW TO...

There are several methods for conducting a successful, child friendly interview. The most important thing is that you keep in mind the golden rules.



Start the interview by asking the child factual questions:

Name:

Age: (consult tool C)

School:

Work Experience:

KEEP IN MIND:

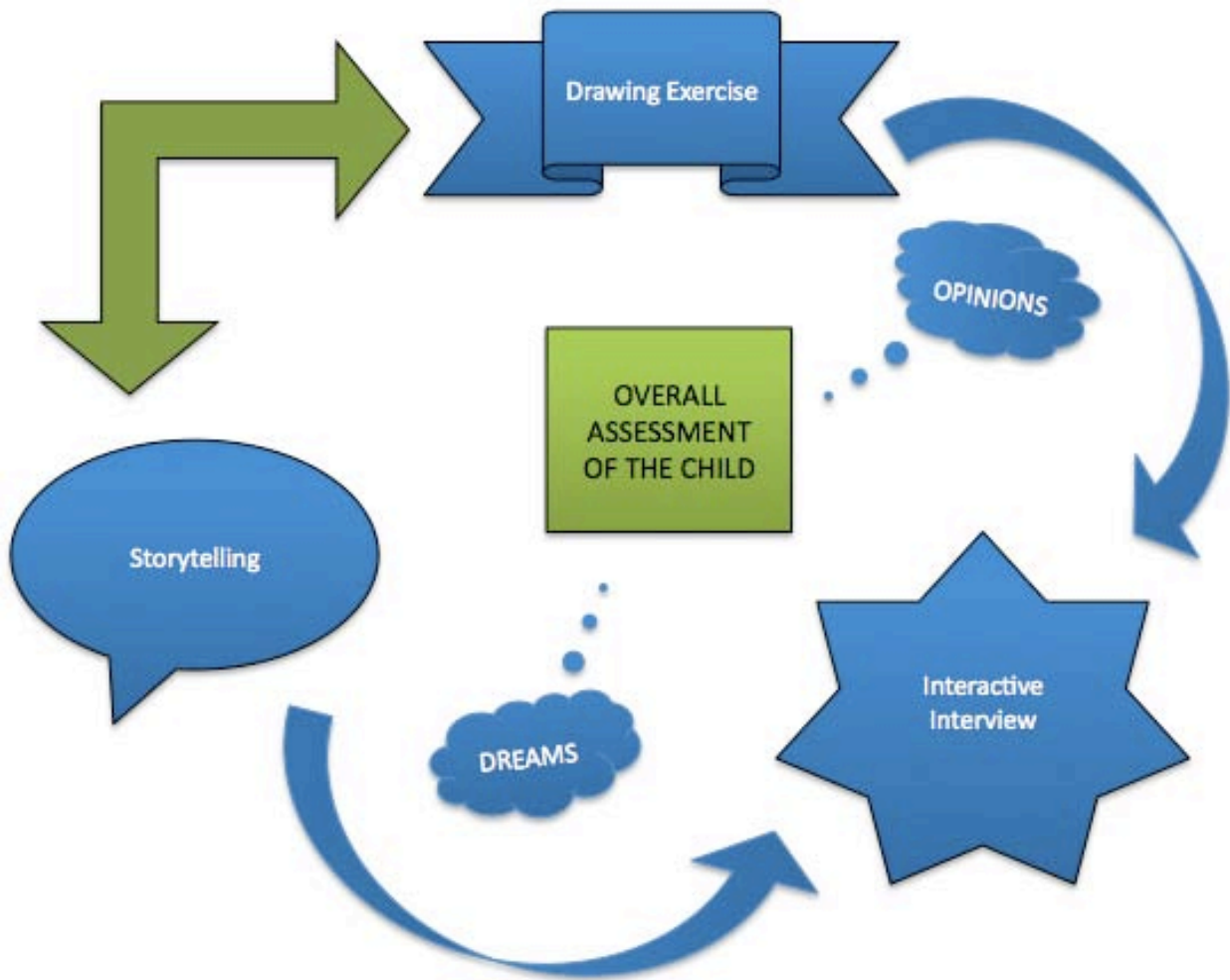
*Observing the child is very important. Continuously ask yourself if he or she seems comfortable, truthful, etc

*When interviewing a girl, there should always be a woman present.

*It is advisable to invite the child's parents or guardians to the interview.

2

Adopt a combination of these approaches for the most effective way of reaching the objective of the interview:



Ask the child to tell you a story about his/her life. When telling you the story, he or she will be more comfortable and spontaneous, as opposed to giving prepared answers to expected questions. While he/she is speaking keep in mind your objectives and extract the information you need from his/her story.

Drawing exercises are a very effective technique that put children at ease while and gives them the opportunity to express his/her opinion/point of view comfortably, Ask the child to make a drawing about him/herself or his/her family, life, school or house, and then elaborate with questions.

Asking a child to explaining/discribe his their dreams and aspirations will also help you to find out how you can support them.

When you have completed your overall assessment you will be in much better position to judge which kinds of work are appropriate for the child and should you choose to do so, what kind of initiatives you might engage in to motivate him/her.

Both this tool and Tool C can also be used to evalutate children who are already employed by your company and who did not go through the recruitment practice above when they were hired.

TOOL C: HOW TO DETERMINE A CHILD'S AGE

A huge challenge in addressing issues of child labour is the difficulty companies/farms have in determining and verifying a child's age. According to the CRC and international standards on child labour, children can legally perform different kinds of work at different ages (See Fact Sheet).

Do's

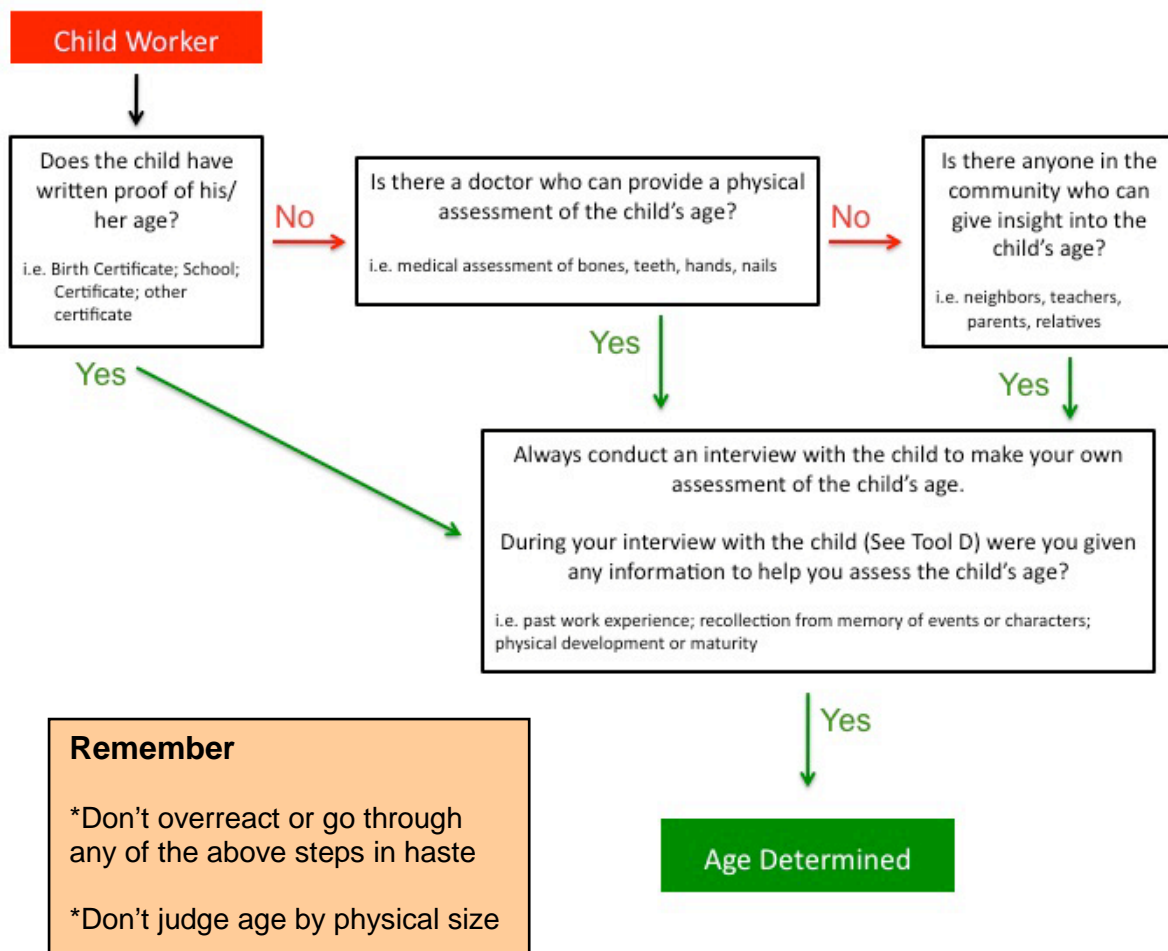
*When trying to determine age, create an environment where the child can feel safe and is therefore more likely to be honest

It is fundamental for your company/farm to have a system in place for determining a child's age to:

- **avoid harming children;**
- **reduce the risk of your company not complying with legal conventions;**
- **increase the children's ability to acquire interpersonal and vocational skills and implement their required tasks.**

We have created this simple tool to help your managers know what they need to do to determine a child's age. There is no one way to verify the age of a child. Using two or three approaches that supplement and support each other is better than using only one method.

This flow chart will lead you through reliable methods for assessing the age of a child.



As you can see in the chart, we recommend that you always conduct an interview before hiring a child. This will help you assess their age and/or verify whether or not their certificates are truthful.

Tool D: Identifying minimizing and eradicating hazards and exploitation

International convention and national law specifically forbids children from working in certain hazardous conditions. In addition, hazardous and/or exploitative child work violates several rights guaranteed to children by the CRC. This tool will help you address these issues.

The table on the following page should help you to identify:

- the hazards and exploitation that children are exposed to in your company based on what is outlawed in International and national conventions.
- the severity of these problems in your company.

You will notice some spaces have been left blank at the bottom of the table. These are for you to identify hazards or forms of exploitation that may be particular to your company situation.

REMEMBER:

It is your company's responsibility to comply with the law and ensure that children are not working in hazardous conditions. It is NOT the children's responsibility.

EXAMPLE:

If children argue that they do not need breaks between long hours, you should increase awareness:

- amongst children about the implications of excessive work on their health and their rights;
- amongst supervisors about the legal requirements and the rights of children.

In order to complete the blank sections, take the opportunity to talk to children about their views. This will:

- ❖ give the children a chance to be involved in decision making (a CRC right);
- ❖ provide a time for children to speak freely and safely about any issues they have not been able to report;
- ❖ give you a better sense of the issues;
- ❖ give you a chance to explain to children the concepts of hazardous labour and exploitation, which are important for them to understand for their well-being and will make it easier for you to comply with labour laws.

HOW TO USE THE TABLE:

- The first column in the table includes the most common categories of hazards, however you need to identify the categories and examples that exist at your Farm and/or Packinghouse. (We have listed some examples under the first two categories to help you understand the general idea.)
- The second column includes some indicators for these categories, check these indicators in your working environment (these are just examples, you may come up with other indicators) in order to be able to determine whether these categories of hazards are exist in your Farm/Packinghouse.
- The third column is for you to judge how prevalent each issue/indicator is in your Farm/ Packinghouse. **Rate each on a scale of 1 to 5:**
 - *Depending on severity you should prioritize addressing certain hazards first. If your rating for a category is between 1-3 then you have to take immediate action, if it's between 4-5 then you need to remain alert and continue to monitor the situation.
- The fourth column has some examples for recommendations for minimising or eliminating hazards and intervening where exploitation may be occurring.

HAZARD/ EXPLOITATION	INDICATOR	SCALE OF PROBLEM					RECOMMENDATIONS FOR MINIMISING/INTERVENING
		1	2	3	4	5	
Hazardous working environment: e.g. over-exposure to sun; field work; standing for too many hours, excessive workloads	-over heating; dehydration; sun-stroke; sunburns; -bug bites; cuts; skin problems -affected physical development; neck and spine problems/malformations; varicose veins						-Reduce exposure time by providing and ensuring that children take breaks and stay hydrated. -Provide a sheltered place for resting. - See Tool F for Health and Safety tips for the workplace.
Dangerous tools/materials e.g. machetes and knives for weeding and trimming braches; pesticides and fertilizers	-cuts; Injuries; -allergies; chest diseases; headaches;						-Always provide training about the safe and correct way to use tools/materials. -During recruitment (Tool C & D) makes sure that a child is physically and mentally mature enough to be handling this kind of work.
Machinery e.g. gears, hand pallet, loading	Repeated accidents and injuries						-Provide training on using the tools and machines and placing signboards and guidelines on how to use them. -Designing specific, protective uniforms for the people using the machines
Excessive working hours/days	-children working longer than 6 hours per day, without days off and/or without regular breaks during the day -exhaustion; back problems; varicose veins -lack of leisure time						-Provide and insist on either one one-hour break or two breaks for half an hour for meals and rest. - Assign a feasible workload for child's day of work. -Increase awareness about effects of excessive work amongst both children and supervisors.
Misleading recruitment	-children not aware of what kind of work they will be doing when they are hired						-Provide brief orientation sessions for newcomer children, especially seasonal workers, so that they know what kind of work they will be conducting.
Wage manipulation	-labour contractors deduct commission from children's wages -children contribute all their earnings to their families; no control over their wages						-Develop a contract/deal with labour contractors to compensate them directly, rather than having them deduct a commission from working children. -Conduct CSR initiatives (see Tool B): *Help employed children pay for school so that they are not in debt to their family *Improve families'/communities' ability to sustain themselves so they are not so reliant on the child
Legally Underage workers	-children under 15 working as permanent staff -children under 12 working as seasonal staff						-Do not just fire children who are too young to work as they will probably go elsewhere, where conditions may be worse, but try to responsibly phase out underage child labour through CSR (See Tool B).
Ideas: Travel hazards? Hazards specific to girls?							

KEY FOR SCALE				
1	2	3	4	5
Widespread	Very Prevalent	Prevalent	Not very prevalent	Rare occurrence

Tool E: How to identify occupational safety and health Risks

Research carried out by both the ILO and others leads us to conclude that agriculture is one of the most hazardous sectors of work, it clearly requires special and priority attention. Safety and health risks in the sector are numerous and diverse.

An unsafe work environment is a hazardous situation to be in as referred to in Tool E.

HOW TO USE THE CHECKLIST:

- 1-Identify areas to be checked.
- 2-Before filling it in read the checklist well and walk around your farm to make sure the information you're using is accurate.
- 3-Check "No" if the element is being followed or isn't needed.
- 4-Check "Yes" if the item is something you'd be wanting to try out. Use the "Remarks" section to write down your proposed method of applying it.
- 5- Once you've finished the whole checklist, go through the items you've checked "Yes" and identify the items where benefits are maximum and mark these items as "Priority".
- 6-At the end of the assessment make sure you've gone through every single item either checking "Yes" or "No" and that for the item you've checked "Yes" make sure you've checked the ones you think are your priority.

Some of the main areas you may want to focus on for reducing the occupational health and safety risks for children include:

- ★ **Workstation design**, e.g. Well-designed stations for children's work prevent back, neck, arm and leg pains, resulting in increased work efficiency. They also reduce the risk of varicose veins and spinal problems in the long term.
- ★ **Work environment**, e.g. For children work in hot, humid, or cold work environments, it is important to reduce exposure to strong sunlight, heat, or cold.
- ★ **Welfare facilities**, e.g. Children should take regular breaks for resting and meals, both of which require adequate facilities. This will prevent fatigue and increase productivity.
- ★ **Work organization**, e.g. Designing the work layout in a way to facilitate/shorten the transport route to reduce worker fatigue, improve work time, efficiency and productivity.

The following is a proposed version of a checklist you can use to identify areas where occupational health and safety interventions are needed. You can update it according to your needs.

WORKSTATION DESIGN:

Adjust the work height so that work is done at elbow level or slightly lower than elbow level.

Do you propose action?

No Yes Priority

Remarks:-.....

Provide stable chairs or benches with sturdy back seats.

Do you propose action?

No Yes Priority

Remarks:-.....

Choose work methods to alternate standing and sitting and to avoid bending and squatting postures as much as possible.

Do you propose action?

No Yes Priority

Remarks:-.....

Provide containers or baskets of appropriate sizes and with good grips to carry materials and farm products.

Do you propose action?

No Yes Priority

Remarks:-.....

Use carts or vehicles to carry heavy material.

Do you propose action?

No Yes Priority

Remarks:-.....

Provide a closed and secure area for the motors and electric generators.

Do you propose action?

No Yes Priority

Put up signboards in case of emergencies

Do you propose action?

No Yes Priority

WORK ENVIROMENT:

Use proper protective devices such as clothes, gloves, boots, shoes, hats, helmets to protect from injuries or contact with hazardous substances.

Do you propose action?

No Yes Priority

Remarks:-.....

Provide a tent/shelter for those who work in the open air to avoid excessive exposure to the sun and heat.

Do you propose action?

No Yes Priority

Remarks:-.....

Increase the use of natural ventilation to improve indoor climate.

Do you propose action?

No Yes Priority

Remarks:-.....

Use daylight and bright walls to light up the work place.

Do you propose action?

No Yes Priority

Remarks:-.....

Avoid continuous exposure to excessive heat or cold.

Do you propose action?

No Yes Priority

Remarks:-.....

Select safer pesticides and use the minimum amount.

Do you propose action?

No Yes Priority

Remarks:-.....

Make the emergency controls clearly visible.

Do you propose action?

No Yes Priority

Remarks:-.....

WELFARE FACILITIES:

Provide adequate supply of drinking water and refreshment at the farm.

Do you propose action?

No Yes Priority

Remarks:-.....

Ensure regular timing of meals and a nutritious variety of foodstuff.

Do you propose action?

No Yes Priority

Remarks:-.....

Ensure the presence of clean hygienic toilets and washing facilities.

Do you propose action?

No Yes Priority

Remarks:-.....

Provide resting areas/facilities to recover from fatigue.

Do you propose action?

No Yes Priority

Remarks:-.....

Pay special attention to pregnant women and working children with disabilities.

Do you propose action?

No Yes Priority

Remarks:-.....

Provide first aid equipment.

Do you propose action?

No Yes Priority

Remarks:-.....

It is fundamental for ensuring the safety and health of child (and all other) workers to develop a company Code of Conduct that clearly states the rules relating to safety, hazards and exploitation. **To develop your company Code of Conduct, see Tool G.**

WORK ORGANISATION:

Organize a better work layout to reduce the distance for carrying materials

Do you propose action?

No Yes Priority

Remarks:-.....

Insert and enforce frequent work breaks.

Do you propose action?

No Yes Priority

Remarks:-.....

Take regular weekly holidays.

Do you propose action?

No Yes Priority

Remarks:-.....

Develop a clear code of conduct to limit the work activities performed (See Tool G)

Do you propose action?

No Yes Priority

Remarks:-.....

REMEMBER:

* The actions decided by this checklist should be long lasting. It is important to evaluate and ensure safety regularly and it may be a good idea to select a manager or supervisor who can act as a health and safety officer.

TOOL F:

HOW TO PROMOTE CHILD CENTERED CORPORATE SOCIAL RESPONSIBILITY

Corporate social responsibility (CSR) is an approach that will make your company more sustainable. It will ensure that you work in a balanced manner on economic, social and environmental aspects and strengthen your company's market and societal position. (See Chapter 3)

When starting to think about CSR it is fundamental to ask yourself:

- 1- Why am I working on CSR and
- 2- What are my motives and ambitions from a strategic point of view?

It may be helpful to follow the following process of consideration...



The first and most obvious consideration concerns legislation:
“What do I need to do to comply with the laws and regulations?”

This is the starting point for CSR: the legal responsibility of companies to respect conventions and laws on human rights by both avoiding direct infringements on child rights and addressing company impacts on child rights. (See text box in chapter X or in fact sheet)



The second consideration is to find out what kind of initial ideas you and your senior staff have regarding CSR concerns
“What impacts need to be addressed?”

This will entail discussion with senior staff about:

- What child rights impacts may be caused or contributed to by the company?
- Where do you see the possibility for improvement in the company's consideration of child rights?

This also means looking at specific competencies within your company. Many times the frameworks for a specific CSR initiative may already be in place, e.g. perhaps a farm manager has wide experience and keen interest in organizing civic awareness sessions – then this might be a good starting activity.



The point is to ultimately address the question:
“What issues can feasibly be addressed and what initiatives would have the greatest overall benefit for you, children and the community?”


These may include issues, such as:

- the lack of skills or expertise development;
- the complicated relationship between child worker's families and labour contractors and the company;
- the shortcomings of management and leadership staff in successfully respecting the rules set out in the Code of Conduct;
- or, more practically, the safety gaps identified using this toolkit.

You can see that initiatives that address these issues will in fact be a proactive approach on the part of your company to maintain its responsibility to respect international and national law on child rights.

Do's

- *Identify your key stakeholders, e.g. labour contractors, working children's families, supervisors
- *Identify your key secondary stakeholders, e.g. suppliers, subcontractors
- *Maintain good relations with and the active involvement of stakeholders
- *Your employees' well-being is fundamental to the sustainability and success of your business.
- *Engage and motivate your workforce, both in the short and long term
- *Create employee ownership: try to get employees involved in decision-making and other processes

 Your next logical consideration therefore is through what means will you address the issues you've identified:

“What can be done about these issues? How can we address them?”

Don'ts


*Don't assess CSR needs and opportunities in isolation of all stakeholders' opinions and views.

*Don't undermine existing good employee conditions/ good relationships with the community;


*Never ignore the responsibility to respect the entire list of child rights as they are defined by legal parameters and in the company's Code of Conduct.

As we said above, the answers to this question will depend very much on your own company context, but some relevant examples from the companies we were able to speak with include:

- ✓ setting up a recruitment process through a vocational training programme that creates highly skilled agricultural workers, while also employing and empowering rural youth; for example, a partnership with VALUE-CHAIN Training (VCT) (See pg. ___)
- ✓ providing child care for working mothers;
- ✓ providing other employee facilities, such as lockers, changing rooms;
- ✓ recreational areas and a canteen;
- ✓ implementing a company policy that allows children attending school to work around their academic schedule;
- ✓ including time for homework;
- ✓ providing safe transport for child workers;
- ✓ making available an insurance policy;
- ✓ providing regular health check ups, for example every 6 months and making a doctor available to workers ever month or couple of weeks.

 It is important to consider your ideas practically to ensure that they are achievable. Practical questions are important because Corporate Social Responsibility is ultimately about sustainability and ongoing involvement and engagement. It is important to consider from the beginning how you will measure the success of you initiative. Helpful leading questions include:

- ❖ **How are we going to do this?**
- ❖ **Who is going to do what? What are the specific tasks of general management, the farm/packinghouse manager, the supervisors, the workers, etc?**
- ❖ **When are we going to start doing it?**
- ❖ **How are we going to sequence the required activities?**
- ❖ **What is the duration?**
- ❖ **What will be the timelines?**
- ❖ **What are the milestones?**

 **Remember:** The initiatives need not be restricted to affecting child labourers directly. Consider how your company affects families and communities and how this impact child rights. For example micro-loans for the community could be a CSR initiative that addresses one of the underlying causes of child labour: poverty.

Your effectiveness in addressing underlying causes will ultimately make it easier for you to comply with your own Code of Conduct (Tool G). Creating partnerships with companies in your industry who are also working on CSR will increase the reputation of your industry in your area, making your company a more attractive partner/investment.

The three P's of people, planet and profit should be your guiding principles throughout the process. “Doing No Harm” often entails positive steps as well as respecting Codes and ultimately, you may find as you consider CSR, that you have an interest in pursuing a more “Do Good” approach that can benefit both your employees and your business as you achieve harmony between the three P's.

ACTION SUMMARY

1→ “What do I need to do to comply with the laws and regulations?”

2→ “What impacts need to be addressed?”

3→ “What issues can feasibly be addressed and what initiatives would have the greatest overall benefit for you, children and the community?”

4→ “What can be done about these issues? How can we address them?”

5→ “How? What? Who? When?”

TOOL G:

HOW TO DEVELOP A CODE OF CONDUCT

What is a Code of Conduct (COC)?

A company Code of Conduct is a reference document in support of day-to-day decision making for staff at all levels. (See Chapter 3)

It should be more than a list of rules; it should clarify your company's values and principles, and link them with instructions for professional conduct. It will help make clear how the company operates and how it relates to stakeholders.

Of course your company's values extend beyond just child rights, so this tool provides guidance on how to compose your general company COC as well as specific information about how it should address child labour.

COC FORMAT:

The manner in which the code is written and presented must be simple so that employees will understand and refer back to it. Clearly defining why and how the code was developed will also increase employees' understanding of it and will make it more likely that they will use and respect it.

Below is an example of a COC table of contents:

I. LEADERSHIP LETTER

-Commitment to the code on the part of directors and upper staff is essential. A leadership letter will let employees know that the highest levels of the company are dedicated to the values of the code and the rules that it dictates.

II. INTRODUCTION

-This should explain what the code is; why it has been developed; who it is for; and how it was developed.

III. CORE VALUES OF ORGANIZATION

-Develop or review your company's mission. Consider its goals and the values behind why it does what it does.
-Solicit input from employees at all levels of your company (including children) regarding the rules or information that they feel should be included in the code of conduct.

IV. CODE

-Consider and consult national and international standards, laws and conventions on labour, agriculture, and business.
-Develop a specific set of rules for company behaviour based your values, input from staff and legal standards.
-You may consider dividing these rules into sections based on what issues they address.

REMEMBER:

Write as simply and clearly as possible. Be brief and to the point.

The code must be user-friendly in all ways, including structure and language.

Continuous awareness raising, promotion, and updating of the COC are an extremely important part of making it effective.

While putting together the first version of your COC:

- establish a fixed frequency for revisiting the toolkit, e.g. every 6 months
- designate a manager responsible for the COC, including being a focal point for questions about and overseeing its evolution.

CHILD LABOUR ISSUES

- ☆ Make sure to include children in the employee input phase of developing your COC (Step 2 in “How To”). This will provide numerous benefits:
 - You will be respecting the views of children, a right ensured by the CRC
 - You will increase children’s awareness of their rights
 - You will ensure that children are aware of and understand the COC and therefore that both they and other employees are more likely to respect it and comply with its rules
- ☆ Make explicit in the value statement of your company COC (Chapter III) that the company will avoid and, if already existing, combat forms of child labour conflicting with ILO conventions, the CRC or Egyptian national law (see Fact Sheet).
- ☆ Keep in mind: Respected COCs build-up the trust between companies and stakeholders

★ **Developing the company COC is a long exercise. Therefore, it is recommended that until you have finalised a complete COC, you in the meantime develop your set of rules (“Chapter IV CODE”) which address and focus on working children. The following is an example of a code addressing child protection*:**

CODE

All X company staff and others agree to abide by this Code of Conduct.

Staff and others must never:

- **hit or otherwise physically assault or physically abuse children.**
- **develop relationships with children which could in any way be deemed exploitative or abusive.**
- **act in ways that may be abusive or may place a child at risk of abuse.**
- **use language, make suggestions or offer advice which is inappropriate, offensive or abusive.**
- **act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse.**
- **discriminate against, show unfair differential treatment or favour to particular children to the exclusion of others.**

This is not an exhaustive or exclusive list, but more of an example. The idea is that staff should avoid actions or behaviour that may constitute poor practice, be abusive and most importantly, be in conflict with articles of the CRC or other international standards.

* International Save the Children Alliance Code of Conduct
http://www.savethechildren.net/alliance/about_us/accountability/ChildProtectionProtocol1.doc

CHAPTER 6: LEGAL FACT SHEET

This fact sheet provides information on:

- ★ International conventions on children’s rights and child labour, ratified by Egypt;
- ★ Egyptian legislature relating to child labour;
- ★ UN Global Compact’s Ten Principles
- ★ Social Accountability Standard

INTERNATIONAL LEGAL FRAMEWORK

This table below shows which international conventions relating to child labour have been signed by Egypt and when.

International Standard	Ratification Status
Convention on the Rights of the Child (CRC)	Ratified in 1990
ILO Worst Forms of Child Labour Convention (No. 182)	Ratified in 2002
ILO Minimum Age Convention (No. 138)	Ratified in 1982
UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (Article 1 (d) relates to child exploitation)	1958 Accession (When a state agrees to be bound by a treaty it hasn’t signed)

Convention on the Rights of the Child (CRC)

The CRC includes 54 articles, the first 42 of which each guarantee a particular right to children, who are defined as people less than 18 years of age.

The rights most related to or most likely to be threatened by child labour in the agricultural sector include:

- **Article 3 (Best Interests of the Child):** “The best interests of children must be the primary concern in making decisions that affect them.”
- **Article 6 (Survival and Development):** Children have the right to live and develop healthily.
- **Article 12 (Respect for the Views of the Child):** When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.
- **Article 15 (Freedom of Association):** Children have the right to meet together and to join groups and organisations, as long as it does not stop other people from enjoying their rights.
- **Article 19 (Protection from All Forms of Violence):** Children have the right to being hurt and mistreated, physically or mentally. The Convention does not specify what kinds of discipline should be used, but any form of discipline involving violence is unacceptable.
- **Article 24 (Health and Health Services):** Children have the right to the best health care available, safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy.
- **Article 27 (Adequate Standard of Living):** Children have the right to a standard of living good enough to meet their physical and mental needs.
- **Article 28 (Right to Education):** All children have the right to a primary education. The convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.

- **Article 29 (Goals of Education):** Children have a right to an education that develops their personalities, talents and abilities to the fullest.
- **Article 31 (Leisure, Play and Culture):** Children have the right to relax and play, and to join a wide range of cultural, artistic and other recreational activities.
- **Article 32 (Child Labour):** Children should be protected from work that is dangerous or might harm their health or their education. Children's work should not jeopardize any of their other rights, including the right to education, or the right to leisure, relaxation and play.
- **Article 36 (Exploitation):** Children should be protected from any activity that takes advantage of them or could harm their welfare and development.
- **Article 37 (Detention and Punishment):** No one is allowed to punish children in a cruel or harmful way.
- **Article 41 (Respect for superior national standards):** If the laws of a country provide better protection of children's rights than the articles of the CRC then those laws should apply.
- **Article 42 (Knowledge of Rights):** The convention should be made known to adults and children. Adults should help children learn about their rights as well.

ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182); and Recommendation (No. 190)

The International Labour Organisation's (ILO) Convention No. 182 of 1999 was ratified by Egypt in 2002.

- The worst forms of child labour should be abolished as a priority.
- The worst forms of work include "work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."
- Some hazardous child labour activities which should be prohibited are described in ILO Worst Forms of Child Labour Recommendation No. 190, which accompanies Convention No 182, namely: "work that exposes children to physical, psychological or sexual abuse; "work in an unhealthy environment" and "work under particularly difficult conditions, such as work for long hours."

Convention concerning Minimum Age for Admission to Employment, 1973 (No. 138); and Recommendation (No. 146)

The International Labour Organisation Minimum Age Convention 138 was ratified by Egypt in 1982. It indicates that:

- "The minimum age for admission to any type of employment or work which is by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years."
- Generally girls and boys aged 13 to 15 may carry out "light work" but allows developing countries to substitute the ages of 13 and 15 for 12 and 14.
- It defines this "light work" as work which is "not likely to be harmful to their health or development" and which does not "prejudice [children's] attendance at school, their participation in vocational orientation or training programmes... or their capacity to benefit from the instruction received."

UN Supplementary Convention to the Abolition slavery, the Slave Trade and Institutions and Practices Similar to Slavery, Article 1(d)

This convention, which Egypt agreed to abide by in 1958, outlaws any institution or practice whereby a child (person under the age of 18 years) is delivered by either his/her parents or

guardian “to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour”.

NATIONAL LEGAL FRAMEWORK

The table below shows the national age requirements set by Egyptian law.

NATIONAL AGE LAWS	
Minimum Age for Full Time Work	15
Minimum Age for Seasonal Work	13
Minimum Age for Hazardous Work	18
Compulsory Education Age	14

Minimum Age (Egyptian Child Law 126 (2008), Article 64)

- The Egyptian Child Law 126 (2008), Article 64, forbids the employment of children below the age of 15. It also states that they shall not be provided with training before the age of 13.
- The same law allows children between the ages of 12 and 14 to be employed seasonally, as long as the work has no harmful consequences on their health or growth, and does not interfere with their school attendance.

Hazardous Work and Exploitation (Egyptian Child Law 126 (2008), Articles 65 and 65-bis; Ministry of Manpower and Migration Decree 118)

- Hazardous work is regulated by both Article 65 and 65-bis of the same Law 126 (2008), which prohibits children from being involved in any type of work, that by its nature or by the circumstances in which it is carried out, is likely to harm the health, safety, and/or morals of children, in particular in any type of work set forth in the ILO Convention No. 182 of 1999 on the Worst Forms of Child Labour (no. 182).
- Article 65-bis states that the employer shall insure the child and protect him or her from work hazards while at work.
- The Manpower and Migration Decree 118 states that children under 18 are barred from hazardous occupations including work with pesticides and lifting heavy objects.
- Decree 118 also prohibits children younger than 17 from doing work that exposes them to physical, psychological, sexual exploitation, or chemical, biological, or mechanical dangers.

Working Hours (Egyptian Child Law 126 (2008), Article 65-bis and 66)

- Article 66 of Law 126 (2008) limits the working hours to six hours per day.
- The same article says that a child should not work for more than four continuous hours and should be provided with hour long breaks to eat and to rest.
- Again the same article specifies that children are prohibited from working overtime or during the weekends and cannot work between the hours of 7 pm and 7 am.
- According to Article 65-bis, children are entitled to seven additional days of annual leave than those granted to adults annual leave; and leave shall not be postponed or withheld from any child for whatever the reason.

Education

- The Constitution of Egypt guarantees the right of education and the Child Law makes it compulsory at the primary and preparatory stages between the ages of 6 and 14.

UN GLOBAL COMPACT: THE TEN PRINCIPLES

The UN Global Compact asks companies to embrace, support and enact, within their sphere of influence, a set of core values in the areas of human rights, labour standards, the environment and anti-corruption.

Human Rights

- Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and
- Principle 2: make sure that they are not complicit in human rights abuses.

Labour

- Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;
- Principle 4: the elimination of all forms of forced and compulsory labour;
- Principle 5: the effective abolition of child labour; and
- Principle 6: the elimination of discrimination in respect of employment and occupation.

Environment

- Principle 7: Businesses should support a precautionary approach to environmental challenges;
- Principle 8: undertake initiatives to promote greater environmental responsibility; and
- Principle 9: encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

- Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.

INTERNATIONAL SOCIAL ACCOUNTABILITY STANDARD (SA8000)

The aim of the SA8000 is to provide a standard based on international human rights norms and international rights laws.

According to SA8000:

“Complying with the requirements for social accountability will enable a company to:

A) Develop, maintain and enforce policies and procedures in order to manage those issues which can control and influence;

B) Credibly demonstrate to interested parties that existing company policies, procedures and practices conform to the requirements of this standard.”

The SA8000 includes requirements specifically for Child Labour, and also relevant to child workers, criteria for Health and Safety, Disciplinary Practices, Working Hours, Remuneration, Management Systems. The relevant sections are listed below.

1. Child labour:

- 1.1. The company shall not engage in or support the performance of work by a child younger than 18, except as provided by the ILO Convention and Recommendation on Minimum Age (No. 138 and No. 146)
- 1.2. The company should establish and communicate policies and procedures for addressing incidents where children are working under the age of 18 and not in compliance with exceptions provided by ILO Convention on minimum age.

- 1.3 Legal child workers, or those who fit the provisions of ILO conventions, may work but where subject to compulsory education laws, they may only work outside of school hours. Under no circumstances should their total school, work and transportation time exceed a combined 10 hours, and they should never work more than 8 hours a day or at night.
- 1.4 The company will not expose child workers (under the age of 18) to any situations – in or outside the workplace – that are hazardous or unsafe to their physical and mental health and development.

3. Health and Safety:

- 3.1 The company will provide a safe and healthy work place and environment. It will minimise as much as possible the causes of hazards inherent in the work or workplace.
- 3.2 The company will appoint a senior management representative responsible for ensuring the health and safety of the work place and environment.
- 3.3 The company will regularly provide to personnel effective health and safety instructions, including job-specific instructions. These will be given to all new personnel and repeated in the event of any accident.
- 3.4 The company will develop a way of detecting potential health or safety risks or threats.
- 3.5 The company will provide at its own expense the appropriate safety gear for any work, first aid in the case of an accident, and follow-up medical treatment in the case of an accident.
- 3.7 The company will provide, for use by all personnel, access to clean toilet facilities, access to portable water, and where needed, sanitary facilities for storing food.

6. Disciplinary Practices

- 6.1 The company will treat all employees with dignity and respect. The company will not engage in or tolerate the use of corporeal punishment or physical or verbal coercion or abuse.

8. Remuneration

- 8.1 The company will ensure that wages are not deducted as a disciplinary measure.
- 8.5 The company shall not use labour-only contracting arrangements, consecutive short-term contracts, and/or false apprenticeship schemes.

9. Management Systems

- 9.1 & 9.7 Top management will define in writing in simple, worker-accessible language, the company's policy for social accountability and labour conditions and display this in an easy to view place on the company's premise. The policy will include the company's commitment to conforming to SA8000 and its commitment to ensuring that suppliers, subcontractors, and sub-suppliers also conform to all the requirements of the standard.
- 9.11 The company will provide a confidential means of reporting non-conformances to the SA8000 and investigate and respond to concerns and reports.

Please note that the full text of each convention and standard can be found at the websites indicated in the Resources Chapter.

CHAPTER SEVEN: ADDITIONAL RESOURCES ON CHILD LABOUR

Core international standards

UN Convention on the Rights of the Child (1990) <http://www.unhchr.ch>

ILO Convention 138 on Minimum Age (1974) <http://www.ilo.org>

ILO Convention 182 on the Worst Forms of Child Labour (1999) <http://www1.umn.edu>

How to research child labour

- How to research and map child labour as part of the supply chain. Save the Children has produced a resource pack: Business Benefits. How companies can take positive action on education, child labour and HIV/AIDS. The resource pack is an instructive guide with business briefings on child labour, education and HIV/AIDS. Comes with a CD-rom.

How to direct corrective action at working children

- Big Business, Small Hands. Responsible Approaches to Child Labour, Save the Children, First Published 2000. The guide answers common questions to which business people are seeking answers, and suggests means and measures that a socially responsible company and its suppliers can take to address child labour.

Example of a Child Labour Code of Conduct

- Maplecroft Child Labour Policy

http://human-rights.unglobalcompact.org/doc/MCPolicy_UNGC_Child.pdf

Tackling child labour in agriculture

- ILO, IPEC Tackling hazardous child labour in agriculture: Guidance on policy and practice (2006)

This toolkit contains extensive and detailed background and policy information, an overview of child labour in agriculture and guidance on how to eliminate child labour in agriculture as well as initiatives to tackle hazardous child labour in agriculture.

UNICEF Child Labour Resource Guide

<http://www.unicef.org.uk/publications/clrg/index.asp>

This guide has been designed to help businesses establish an appropriate response when they suspect or find that children might be working for them or their suppliers. For a detailed description of different initiatives that can help a company understand how it should frame and understand its responsibility in relation to child labour see Appendix Two.

Relevant ILO materials

- ILO Global Report (2010)

http://www.ilo.org/global/About_the_ILO/Media_and_public_information/events/hague/lang--en/docName--WCMS_126752/index.htm

- ILO Roadmap for achieving the elimination of the worst forms of child labour by 2016

<http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=13453>

- Three Guides for Employers drafted by the IOE in collaboration with ILO (ACT/EMP)

<http://www.ioe-emp.org/en/policy-areas/child-labour/guides-for-employers/index.html>

These Guides for Employers are designed to help businesses and their organizations understand and take action against child labour. The guides were also reviewed by a wide range of experts of different employers' organizations and the ILO's International Programme on the Elimination of Child Labour (IPEC). The three practical guides provide ideas, advice and examples for the prevention of child labour, the withdrawal of children from work and the protection of young workers from hazardous conditions.

Corporate social responsibility initiatives

- UN Global Compact - www.unglobalcompact.org/.../thetenprinciples/principle5.html
- ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy- www.ilo.org/wcmsp5/groups/public/---ed.../wcms_101234.pdf
- OECD Guidelines for Multinational Enterprises - www.oecd.org/dataoecd/56/36/1922428.pdf (NB these are under review during 2010/11)

Corporate social responsibility monitoring and reporting standards

- Global Reporting Initiative (GRI – G3 indicators version 3) - www.globalreporting.org/
- SA8000 Social Accountability standard - <http://www.sa-intl.org/>
- ISO14001 Environmental Management System (EMS) standard - www.iso14000-iso14001-environmental-management.com
- OHSAS18001 Occupational Health and Safety Management System standard - www.ohsas-18001-occupational-health-and-safety.com