

**GETTING IT RIGHT FOR CHILDREN WHO WORK:
CORPORATE RESPONSIBILITY AND CHILD LABOUR IN
THE AGRICULTURAL SECTOR IN EGYPT**



CONTENTS

EXECUTIVE SUMMARY

1. INTRODUCTION
 2. INTERNATIONAL LEGAL STANDARDS REGARDING CHILD LABOUR
 3. NATIONAL LAW AND POLICY REGARDING CHILD LABOUR IN EGYPT
 - 3.1 National Laws relating to Child Labour
 - 3.2 Key Actors and Institutional Mechanisms
 - 3.3 Legal and Policy Gaps
 4. OVERVIEW OF AN ASSESSMENT OF CHILD LABOUR IN THE AGRICULTURAL SECTOR IN EGYPT
 - 4.1 Introduction
 - 4.2 Phases of Production and Company Profiles
 - 4.3 Stakeholders and dynamics
 5. HAZARDS AND REALITIES IDENTIFIED IN THE ASSESSMENT
 - 5.1 Some of the drivers for children to work in the agricultural sector
 - 5.2 Poverty, education and working children
 - 5.3 Health risks
 - 5.4 Violence, exploitation and abuse
 6. CORPORATE RESPONSIBILITY AND CHILD LABOUR
 - 6.1 Introduction
 - 6.2 Business has much to gain from addressing child labour
 - 6.3 Business has a responsibility to respect children's rights
 - 6.4 Corporate responsibility and child labour
 - 6.5 Initiatives to address child labour in the agricultural sector
 - 6.6 What can a business do to ensure it does not engage in or support the use of child labour in the agricultural sector?
 - 6.7 Developing a Toolkit to address child labour in agriculture in Egypt
 7. RECOMMENDATIONS
- ANNEXE ONE: RESOURCES FOR BUSINESSES

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BOXES

Box 1: Some Key Definitions used in this Report

Box 2: Minimum ages for admission to employment for different categories of work

Box 3: Phases of Production and Child Involvement at Jana farm

Box 4: Multi-stakeholder initiatives to address child labour in Ecuador

Box 5: IKEA's approach to preventing child labour

EXECUTIVE SUMMARY

Introduction

The agricultural sector is a very important part of the Egyptian economy both in terms of export and domestic markets: it accounts for around 16% of GDP and employs around 28% of the labour force¹. In Egypt, working children are found in both rural and urban areas but the majority – an estimated 64% - are found in the agricultural sector². These children are at significant risk of economic exploitation and of performing work that is hazardous, which interferes with their education and is harmful to their health, physical, mental and social development.

Save the Children and the Danish Embassy in Cairo are working together on a project³ to address child labour in the agricultural sector in Egypt. This project is framed by an understanding that the agricultural sector can be particularly hazardous for children and historically is an unregulated sector. It aims to address child labour by focusing particularly on how companies can build on their experience and knowledge constructively and by providing companies with practical and sustainable guidance which is rooted in international child rights law and standards. The project also aims to encourage companies to become role models and disseminators of good practice to others.

This report was developed in order to provide context and background to the project. In 2010, an assessment was conducted by the project partners to provide a comprehensive understanding of the realities of working children in the agricultural sector in two export oriented agricultural companies in Egypt both of which employ children⁴. This report analyses and summarises the findings of this assessment and also examines international standards on child labour as well as law and policy on child labour in the Egyptian context. It provides background information about current concepts and guidance regarding corporate responsibility and child labour in the agricultural sector. It contains good practice from other companies and multi-stakeholder groups who have addressed the issue of child labour in their operations and supply chains and concludes with recommendations for the project as a whole.

Implementation of national law and policy in Egypt regarding child labour

There are three sets of international legal standards that establish the framework for defining, identifying and addressing child labour: the UN Convention on the Rights of the Child (ratified

¹ For an overview of the agricultural sector in Egypt see:
<http://www.buyusa.gov/egypt/en/ccg04agri.html>

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

³ The title of this project is 'Developing a Toolkit to Address Child Labour in Agriculture in Egypt'

⁴ Mossallem, F 'Working Children and their Families Research Assessment Draft', Save the Children January 2011

by Egypt in 1990)⁵; ILO Convention No. 138, Concerning Minimum Age for Admission to Employment (ratified by Egypt in 1999)⁶; and ILO Convention No. 182, Concerning the Worst Forms of Child Labour (ratified by Egypt in 2002)⁷. In addition, the Government of Egypt has ratified the African Charter on the Rights and Welfare of the Child which also expressly prohibits the economic exploitation of children. However, domestication of these international standards into national law and implementation at a national level are poor and currently Egypt does not have a fully functioning and coherent government policy on child labour; the lack of effective governmental monitoring in particular is of concern.

Research findings

Working in close cooperation with the Danish Embassy's Business to Business (B2B)⁸ and Innovative Partnerships for Development (IPD)⁹ programmes, two companies were selected to participate in two field research assessments of child labour in the agricultural sector: Jana Company Farms and Centre Egyptien de Legumes et de Fruits (CELF). The second assessment was done during the harvesting, sorting and packing phase of production¹⁰. The research findings were that most children were working in these packinghouses and farms because of poverty – frequently their fathers were out of work and they were providing essential income for their families. There were violations of the children's right to education, health, survival and development because of unsafe working and transportation conditions. Furthermore, the children were being exposed to significant levels of physical and psychological abuse.

Of particular concern is the fact that many children are employed in the export oriented agricultural sector through labour contractors. 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 and in turn these contractors often recruit children. This can undermine the employer–employee relationship because it creates a “grey area” around the employer's responsibilities. It 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, the research found that conditions of work for contract labour were inferior to those of directly employed labour¹¹.

⁵ For the full text of the CRC see <http://www2.ohchr.org/english/law/crc.htm>

⁶ For the full text of the ILO Convention No. 138 see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138>

⁷ For the full text of the ILO Convention No. 182 see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>

⁸ The B2B programme aims to improve economic growth by strengthening the private sector and thus reduce poverty, through support to the establishment of long term and mutually committed partnerships between Danish and Egyptian companies.

⁹ www.pppprogramme.com

¹⁰ Mossallem, F 'Working Children and their Families Research Assessment Draft', Save the Children January 2011

¹¹ Mossallem, F 'Working Children and their Families Research Assessment Draft', Save the Children January 2011

The children interviewed for this research are economically exploited, the work they do interferes with their education and the nature of the work and the lengthy hours involved means that the work is harmful to their health and physical, mental, spiritual, moral and social development. The girls who constitute the bulk of the workforce in these companies face discrimination on the basis of their gender and in particular are denied their right to recreation because of their additional burdens of domestic work. Finally, they are rarely given the right to be consulted within the workplace about matters which affect them directly.

Corporate responsibility and child labour

There is no question that the primary obligation for respecting, protecting and fulfilling children's rights, lies with the State; however, all societal actors, including business, must also respect applicable national and 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.

There is a compelling moral argument and strong business case for companies to address child labour. Child labour is extremely damaging for children not least because it prevents them from attending school and becoming healthy, economically productive, well-educated citizens. The future sustainability of the private sector relies in large part on nurturing healthy, skilled, well-educated and creative workers and consumers. In the long term 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 have been seriously compromised by the use of child labour.

In the short-term it is also in companies' best interests to address child labour in their operations and supply chains. Association with child labour can be very damaging for a company's reputation nationally and internationally and within its own value chain. Experience shows that stakeholders will quickly reward companies that 'get it right' regarding children and punish those who get it wrong. 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 – amongst both adults and children of a legal age to work. 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.

What can a business do to ensure it does not engage in or support the use of child labour in the agricultural sector?

Companies, through their own employment practices, their procurement and sourcing and their distribution networks, have significant control over hiring practices and the hazard levels and working conditions for children within the agricultural sector. However, the challenge for companies is how to address child labour responsibly given the complex social and economic

context in which it occurs. Companies may try to respect international and national laws on minimum age but there is a significant risk that removing children from work may worsen their situation and compel them to seek work elsewhere in more hazardous and exploitative environments.

What is required is a responsible approach which respects and supports children's rights. There is a great deal of guidance available to businesses who want to ensure they are not engaged in or supporting the use of child labour¹². The following is an overview of the practical actions companies can take to address and prevent child labour and draws on this guidance.

a) *Assess the risk of child labour, adopt and implement a policy on child labour*

Policies on child labour should include the following elements:

- Adhere to minimum age provisions of national labour laws and regulations and, where national law is insufficient, take account of international standards including the ILO Conventions and the CRC.
- Adequate and verifiable mechanisms for age verification should be used in recruitment procedures.
- Develop and implement mechanisms to detect child labour.
- Ensure that salaries paid offer adequate living wages to workers so their families are less likely to resort to child labour.
- Ensure that child labour is not being used by subcontractors, suppliers and other business affiliates.
- Train key employees on how to implement the child labour policy

b) *Where child labour is identified, support children removed from the workplace*

- 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.

c) *Ensure that children who are allowed to work are not doing hazardous work*

d) *Work in partnership with others to prevent and address child labour*

Recommendations

There is enormous scope for more to be done to prevent and ultimately eliminate child labour in the agricultural sector in Egypt. It is vital that any intervention is undertaken working in cooperation with all stakeholders so that it is sustainable and ensures the best interests of working children are a primary consideration. The following are some recommendations for steps that Save the Children can take:

- Raise awareness with business of the impact, sometimes positive but often negative, of work on children.

¹² Please see Annexe One for more information on key resources for business regarding child labour

- Raise awareness with business, communities, children and local and national government of children's rights generally and national and international law and standards regarding children's work specifically.
- Support the development of multi-stakeholder initiatives to prevent and eliminate child labour.
- Advocate for national law and policy on child labour to comply fully, not only with the ILO Conventions Nos. 138 and 182, but also with the CRC. In particular advocate for increased monitoring within the agricultural sector regarding child labour.
- Advocate for child labour to be considered within agricultural reform programmes as well as closely linked in with child protection systems and mechanisms with a particular focus on girl workers who may face additional risks of violence, exploitation and abuse.
- Advocate for special educational or vocational programmes for child farmworkers who have dropped out of school and for an increase in fines for child labour violations and ask the government to consider dedicating a portion of the fine to the rehabilitation of child workers.
- Advocate for child agricultural workers who labour in hazardous conditions and/or suffer workplace accidents or illnesses to be provided with free health care.
- Encourage business to address the wider causes of child labour in the communities in which they operate; for example, through providing training courses for former child labourers or supporting community interventions which reinforce government efforts to provide accessible education in isolated, rural areas.
- Provide practical training and guidance on how business can ensure it does not engage or support the use of child labour. This training should include explicit reference to:
 - National and international law and standards regarding children's work including minimum ages and definitions of hazardous work
 - Effective procedures to verify the age of workers before recruitment
 - How to conduct a child friendly interview before recruitment
 - How to ensure children who are of a legal age to work are protected from hazardous work particularly in relation to the areas highlighted in the assessment report; for example, ensuring children do not work long hours, they have time for recreation and education and have adequate health and safety provision. In particular ensure that pesticides potentially harmful to children are not used on farms where children are working.
 - How to develop and implement a corporate policy on child labour
 - How to ensure children who are underage or working in hazardous conditions are removed from work and supported in their return to schooling and remediation.
 - How to provide all workers, including children, with appropriate protective equipment and training for ways of protecting themselves from workplace hazards such as excessive exposure to sunlight.

- How to provide support for children's participation in the workplace including provision of effective grievance mechanisms which are accessible for children as well as adult workers.

1 INTRODUCTION

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, children and their families, trade unions, legislators and civil society alike. Save the Children takes the view that no child should be subjected to dangerous and exploitative work which interferes with their education but also recognises that many children do not have a choice when it comes to deciding whether to work or not. The complexity of the issue of child labour means that companies need to address the issue sensitively, and must not take action which may force working children into more exploitative forms of work (please see Box 1 below for the definitions used in this report for ‘child labour’, ‘child work’ and ‘harmful work’).

Save the Children and the Danish Embassy in Cairo are working together on a project to address child labour in the agricultural sector in Egypt. It was inspired by the finding that there was a significant risk of child labour being present in agricultural cooperatives in the Egyptian countryside which were being supported by the Danish Embassy in Cairo as part of its Business to Business (B2B)¹³ and Innovative Partnerships for Development (IPD)¹⁴ programmes. Save the Children in Egypt was a natural partner for Danida to work with, since child labour is a priority area of work and Save the Children has extensive, long-standing experience in addressing the issue from a child rights perspective. The project draws specifically on Save the Children’s recent work on child labour in the textile sector in Bangladesh.

This project is framed by an understanding that the agricultural sector can be particularly hazardous for children and historically is an unregulated sector. In Egypt, working children are found in both rural and urban areas but the majority – an estimated 64% - are found in the agricultural sector¹⁵. They often work long hours in hazardous and exploitative conditions with limited or no access to education in a context where business is not properly regulated or indeed monitored. This project aims to address child labour by focusing particularly on how companies can build on their experience and knowledge constructively and by providing companies with practical and sustainable guidance which is rooted in international child rights law and standards. The project also aims to encourage companies to become role models and disseminators of good practice to others.

This report was developed in order to provide context and background to the project. In 2010, an assessment was conducted by the project partners to provide a comprehensive understanding

¹³ The B2B programme aims to improve economic growth by strengthening the private sector and thus reduce poverty, through support to the establishment of long term and mutually committed partnerships between Danish and Egyptian companies. For more information see: www.b2bprogramme.com

¹⁴ www.pppprogramme.com

¹⁵ Situation Assessment of Child Labour, National Council for Motherhood and Childhood and CAPMAS, 2001.

of the realities of working children in the agricultural sector in two export oriented agricultural companies in Egypt both of which employ children¹⁶. A participatory approach was taken to this research which involved fieldwork in two packinghouses and farms with mainly working girls but also some boys, administrative staff, supervisors, families and labour contractors. A variety of different research techniques were used including interviews, focus group discussions and drawings. The research findings were that most children were working in these packinghouses and farms because of poverty – frequently their fathers were out of work and they were providing essential income for their families. There were significant violations of the children’s right to health, survival and development because of unsafe working and transportation conditions. Furthermore, they were exposed to significant levels of physical and psychological abuse.

This report aims to put this research into context. It analyses and summarises the findings of this assessment and also examines international standards on child labour as well as law and policy on child labour in the Egyptian context. It provides background information about current concepts and guidance regarding corporate responsibility and child labour in the agricultural sector. It contains good practice from other companies and multi-stakeholder groups who have addressed the issue of child labour and concludes with recommendations from the assessment report for the project as a whole.

¹⁶ Mossallem, F ‘Working Children and their Families Research Assessment Draft’, Save the Children January 2011

Box 1: Some Key Definitions used in this Report

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. 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.

2. INTERNATIONAL LEGAL STANDARDS REGARDING CHILD LABOUR

There are three sets of international legal standards that establish the framework for defining, identifying and addressing child labour: the UN Convention on the Rights of the Child (ratified by Egypt in 1990)¹⁷; ILO Convention No. 138, Concerning Minimum Age for Admission to Employment (ratified by Egypt in 1999)¹⁸; and ILO Convention No. 182, Concerning the Worst Forms of Child Labour (ratified by Egypt in 2002)¹⁹.

- *UN Convention on the Rights of the Child*

The UN Convention on the Rights of the Child (CRC) came into force in 1990 and articulates the basic, non-negotiable human rights that all children have. It is the most widely ratified human rights instrument in the world and is a core human rights treaty within the international

¹⁷ For the full text of the CRC see <http://www2.ohchr.org/english/law/crc.htm>

¹⁸ For the full text of the ILO Convention No. 138 see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C138>

¹⁹ For the full text of the ILO Convention No. 182 see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>

human rights system²⁰. It recognises children as all those under 18 and represents a strong consensus and a shared agenda on children's rights across different cultures, and legal and political systems. As such it offers business an ideal framework to use in order to understand and analyse its impact upon children and in particular on children who work. Ratification of the CRC places obligations on States to respect, protect and fulfill all of the rights it contains. This includes an obligation to incorporate the CRC into national legislation. The following is an overview of the key articles in the CRC which are most relevant to the question of child work and which Egypt is obliged to fulfill.

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 also 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 well 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)²¹.

- ILO *Convention No. 138, Concerning Minimum Age for Admission to Employment*

This provides that signatories to the Convention pursue a national policy which raises the minimum age of employment “consistent with the fullest physical and mental development of young persons.” As of March 2011, 138 States Parties have ratified this Convention including

²⁰ The United States and Somalia are the only countries in the world not to have ratified the CRC although both have signed it.

²¹ For more information about the CRC and child work see the UN Study on Violence against Children which provides a good overview <http://www.unviolencestudy.org/>

Egypt²². Generally, children should not be working before they have reached the age for completing compulsory schooling. The normal age limits are 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 defined as 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 types of labour which children below the age of 18 should never be subjected to. As of March 2011, 182 States have ratified this Convention, including Egypt²³. Ratifying parties are expected to take “immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.” Worst forms of child labour are categorized into two groups, the unconditional worst forms, these are the types of child labour that cannot under any circumstance be tolerated, for example child prostitution, recruitment of children in armed conflict, engaging children in illicit activities such as the sale of drugs, and forced labour. These economic activities are often illegal.

The second category concerns 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 most companies, and their suppliers, it is probably hazardous work which is particularly relevant and will most need to be addressed. For example, it is relevant in situations where older children (above the legal working age) are employed but their working conditions are hazardous and immediate improvements are required to remove the hazardous elements.

Each signatory State is expected to stipulate what constitutes hazardous work in national legislation and conditions that make the work hazardous must also be made clear. The ILO's Recommendation 190²⁴ recommends that such stipulations include "a) work which exposes children to physical, emotional or sexual abuse; b) work underground, under water, at dangerous heights or in confined spaces; c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads; d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels or vibrations damaging to their health; or e) work under particularly

²² For full list of States Parties see <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConv.cfm?hdroff=1&conv=C138&Lang=EN>

²³ For full list of States Parties see <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConv.cfm?hdroff=1&conv=C182&Lang=EN>

²⁴ ILO Recommendation 190 Recommendation concerning the prohibition and immediate action for the elimination of the worst forms of child labour. Recommendations are not binding on States but provide influential guidance.

<http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chir.htm>

difficult conditions such as work for long hours or during the night or work which does not allow for the possibility of returning home each day."

Box 2: Minimum ages for admission to employment for different categories of work

	Developed countries	Developing countries
<u>Light work</u> Children between the ages of 13 and 15 years old may do light work, as long as it does not threaten their health and safety, or hinder their education or vocational orientation and training.	13	12
<u>Normal work</u> The minimum age for work should not be below the age for finishing compulsory schooling, which is generally set at 15.	15	14
<u>Hazardous work</u> Any work which is likely to jeopardize children's physical, mental or moral health, safety or morals should not be done by anyone under the age of 18.	18	18

3. NATIONAL LAW AND POLICY REGARDING CHILD LABOUR IN EGYPT

3.1 National Laws relating to Child Labour

As we have seen, the Government of Egypt has ratified the ILO Worst Forms of Child Labour Convention (No. 182), the ILO Minimum Age Convention (No. 138) and the UN Convention on the Rights of the Child. In addition, it has ratified the African Charter on the Rights and Welfare of the Child which also expressly prohibits the economic exploitation of children. However, domestication and implementation of these international standards at a national level are poor and currently Egypt does not have a fully functioning and coherent government policy on child labour. In such a context, it is very important that companies are aware that where the national law or its implementation does not provide for adequate safeguards for children, international norms, outlined above in section Two, must be respected.

Egypt's parliament adopted a Child Law in 1996 in order to domesticate the CRC and relevant ILO Conventions into national law. This law was amended in 2008 and is now known as Law No. 126 of 2008. It forbids the employment of children below the age of 15 for permanent employment and prohibits any person under 18 from being employed in the worst forms of child labour as identified in ILO convention No. 182.²⁵ Law No. 126 of 2008 forbids the training of children under the age of 13, but allows for children between the ages of 12 and 14 to be hired for seasonal work. Article 66 of the law limits the number of hours children can work to 6 hours a day, to no more than 4 hours of consecutive work and stipulates that they must have at least one break within the 6 hours lasting an hour. The law also requires that the child be given seven more annual days of leave than that provided for adults; and states that leave should not be withheld or postponed from a child under any circumstances²⁶.

In addition, in 1997 right after the Child Law was first adopted, the Egyptian Prime Minister imposed several additional obligations and statutes in promulgating the law, including requiring that employers provide children with articles of personal protection and training on how to use these and ensuring that children comply with all safety instructions. Under the decree, employers are further required to conduct medical examinations of children before hiring them in order to ensure their physical ability to perform the type of work required of them.²⁷

The national Labour Law No. 12 (2003) also provides similar regulations for child work²⁸. It prohibits children still enrolled in compulsory, elementary education and children below the age of 14 from being permanently employed, but allows children to receive vocational training and take part in seasonal employment from the age of 12²⁹. The law forbids children from working overtime, between the hours of 7PM and 7AM, during public holidays and on weekends; it limits working hours for children to six hours total, with a maximum of four consecutive hours, and requires that employers provide at least one break lasting a minimum of one hour³⁰. It also requires establishments employing children to prominently display a list of these rights in the places where children work³¹.

²⁵ US Department of Labour's Bureau of International Labour Affairs. (2009) "Country Profiles: Egypt" in "2009 Findings on the Worst Forms of Child Labour"
<http://www.dol.gov/ilab/programs/ocft/2009OCFTreport.htm>

²⁶ This analysis of Law No. 126 of 2008 is drawn from Mossallem, F 'Working Children and their Families Reseach Assessment Draft', Save the Children January 2011

²⁷ Human Rights Watch (2001) "Legal Protections for Child Labor" in *Underage and Underprotected: Child Labor in Egypt's Cotton Fields*. Human Rights Watch Publications

²⁸ US Department of Labour's Bureau of International Labour Affairs. (2009) "Country Profiles: Egypt" in "2009 Findings on the Worst Forms of Child Labour"
<http://www.dol.gov/ilab/programs/ocft/2009OCFTreport.htm>

²⁹ Egypt Labour Law No.12, Article 99

³⁰ Ibid., Article 101

³¹ Ibid., Article 102

However, the Labour Law explicitly excludes domestic workers and members of the employer's family³² and children "working in sheer agricultural labour"³³ from these regulations. Interestingly, it also specifically excludes women working in agriculture from the rights provided to female workers in Chapter 2 of the same Labour Law, including for example the requirement that establishments employing more than 100 women provide child care services³⁴.

The Ministry of Manpower and Migration's Decree 118 of 2003 also contains provisions on the conditions and circumstances of working children. Article 1 forbids anyone under the age of 18 from working in specific hazardous occupations and lists several of these, including working with pesticides. Article 2 prohibits children younger than 16 from work that "exposes them to physical, psychological, sexual exploitation, or chemical, biological, or mechanical danger"³⁵. The decree further requires employers to conduct a medical examination of the child before recruitment and to provide information to children on safety equipment and precautions³⁶.

3.2 Key Actors and Institutional Mechanisms

Prior to the events in Egypt of January 25th 2011, the Ministry of State for Family and Population had a General Committee for Child Protection, made up of representatives from the Ministries of Justice, Interior, Education, and Health. This Committee coordinated the national child protection programme and had a mandate to identify and monitor children at risk of exploitative labour. In addition, the Ministry of State for Family and Population had an office dedicated to implementing pilot programmes and awareness raising campaigns in order to fight child labour.³⁷ At the time of writing the Ministry of State for Family and Population no longer exists and it is not certain which Ministry has taken over responsibility for these tasks.

The Ministry of Manpower and Migration (MOMM) is the office responsible for enforcing child labour laws. Labour inspectors from that ministry have the authority to search businesses, industrial enterprises and commercial agriculture enterprises for child labour violations. In addition, in 2009 the MOMM began piloting a central database to monitor child labour and formed a committee made up of government, union and employee representation, to develop a National Action Plan to combat the worst forms of child labour.³⁸

³² Ibid., Article 4

³³ Ibid., Article 103

³⁴ Egypt Labour Law No. 12, Articles 96 & 97

³⁵ US Department of Labour's Bureau of International Labour Affairs. (2009) "Country Profiles: Egypt" in "2009 Findings on the Worst Forms of Child Labour" <http://www.dol.gov/ilab/programs/ocft/2009OCFTreport.htm>

³⁶ Fahmy, N. (2010) *Assessment Research: Child Labour Conditions in Export-Oriented Agriculture Sector*, Part One

³⁷ US Department of Labour's Bureau of International Labour Affairs. (2009) "Country Profiles: Egypt" in "2009 Findings on the Worst Forms of Child Labour" <http://www.dol.gov/ilab/programs/ocft/2009OCFTreport.htm>

³⁸ US Department of Labour's Bureau of International Labour Affairs. (2009) "Country Profiles: Egypt" in "2009 Findings on the Worst Forms of Child Labour" <http://www.dol.gov/ilab/programs/ocft/2009OCFTreport.htm>

The Egyptian Vocational and Health departments monitor the degree to which companies and institutions provide occupational safety and health equipment in various sectors, including agriculture. In addition, an Industrial Security Office is responsible for making sure that workers specifically in the agricultural sector, including children, are provided with the appropriate safety equipment required for their tasks.³⁹

3.3 Legal and Policy Gaps

Broadly speaking, Egyptian law is in conformity with international child labour standards. The Child Law and the Labour Law provide very similar dictates on standards for child work but the fact that the latter specifically excludes children in the agricultural sector is very problematic. There is also a problem in relation to the exclusion of “family farms” from the remit of the Labour Law. For the ILO the terms “commercial farm” and “family farm” are not mutually exclusive; family farms can be very large, commercial family-held corporations with numerous full time employees.

The Ministry of Manpower and Migration, who is responsible for enforcing child labour laws and who has the authority to inspect workplaces for labour law violations, at present does not have the authority to investigate non-commercial farms⁴⁰. Therefore it appears that it is the Labour Law which provides the legal basis for enforcement rather than the Child Law. This is very problematic since the Labour Law does not apply to children working in the agricultural sector and yet the majority of children who work in Egypt do so on farms or in domestic service. In addition, the Ministry of Manpower Migration’s (MOMM) Decree 118’s list of hazardous occupations is missing many hazardous tasks that children perform, for example it prohibits children from spraying pesticides but does not stop them from working in the fields directly after the pesticides have been sprayed.⁴¹

A preliminary research assessment into the role of government authorities in addressing violations of national law relating to child labour, revealed that the departments responsible for monitoring the child labour situation do not adequately play their role in terms of follow-up, especially in the agricultural sector. In cases where issues are addressed, ministries tend to contact headquarters rather than deal directly with actual farms.⁴²

³⁹ Fahmy, N. (2010) *Assessment Research: Child Labour Conditions in Export-Oriented Agriculture Sector*, Part One

⁴⁰ US Department of Labour’s Bureau of International Labour Affairs. (2009) “Country Profiles: Egypt” in “2009 Findings on the Worst Forms of Child Labour”
<http://www.dol.gov/ilab/programs/ocft/2009OCFTreport.htm>

⁴¹ US Department of Labour’s Bureau of International Labour Affairs. (2009) “Country Profiles: Egypt” in “2009 Findings on the Worst Forms of Child Labour”
<http://www.dol.gov/ilab/programs/ocft/2009OCFTreport.htm>

⁴² Fahmy, N. (2010) *Assessment Research: Child Labour Conditions in Export-Oriented Agriculture Sector*, Part One

4. OVERVIEW OF AN ASSESSMENT OF CHILD LABOUR IN THE AGRICULTURAL SECTOR IN EGYPT

4.1 Introduction

The agricultural sector is a very important part of the Egyptian economy both in terms of export and domestic markets: it accounts for around 16% of GDP and employs around 28% of the labour force⁴³. In Egypt, working children are found in both rural and urban areas but the majority – an estimated 64% - are found in the agricultural sector⁴⁴. Children working in the agricultural sector in Egypt are at significant risk of being subject to economic exploitation and from performing work that is hazardous and which interferes with their education and healthy physical and social development.

A research assessment commissioned by Save the Children in Fayoum Governorate in 2008⁴⁵ indicated that over 40% of the working children surveyed did not attend school at all and the majority of these had dropped out. 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. Many children working in the agriculture sector work during the school year, so they are likely to miss classes and are often too tired to study, causing them to fall behind and eventually drop out of school completely.

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 and in turn these contractors often recruit children. This can undermine the employer–employee relationship by creating a “grey area” around the employer's responsibilities and 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.

The following two sections of the report analyses and summarises the findings of an assessment which was conducted in 2010 to provide a comprehensive understanding of the realities of working children in the agricultural sector in two export oriented agricultural companies in Egypt both of which employ children⁴⁶. It first gives an overview of the companies involved in the

⁴³ For an overview of the agricultural sector in Egypt see:
<http://www.buyusa.gov/egypt/en/ccg04agri.html>

⁴⁴ Situation Assessment of Child Labour, National Council for Motherhood and Childhood and CAPMAS, (2001)

⁴⁵ Hashem, A ‘Study of the Child Work Phenomenon in Fayoum Governorate’, Save the Children (2008)

⁴⁶ Mossalem, F ‘Working Children and their Families Reseach Assessment Draft’, Save the Children January 2011

research and then examines the realities and hazards for the children, mostly girls, working in these companies.

4.2 Phases of Production and Company Profiles

Working in close cooperation with the Danish Embassy’s B2B programme, two companies were selected to participate in two field research assessments of child labour in the agricultural sector: Jana Company Farms and Centre Egyptien de Legumes et de Fruits (CELF). The second assessment was done during the harvesting, sorting and packing phase of production. For the work involved in this phase, companies prefer to hire girls, as they are seen to be more delicate and skilled when handling the crops. More information on the individual companies follows in the company profiles but the table below provides an overview of the phases of production happening at the farms and child involvement in these phases.

Box 3: Phases of Production and Child Involvement at Jana farm

Phase of Production	Activities	Location	Child involvement
Phase 1 – Prior to Cultivation	Fertilizing the land; Planting seedlings	Farm	15 to 25 children employed daily from ages 9 to 18
Phase 2 – Post Cultivation	Removal of grass/weeds; fertilizing the land; combating diseases using pesticides	Farm	10 to 20 children from age 9 to 18 employed for removing weeds and fertilizing the land; 5 to 10 children from age 15 to 18 involved in pest control
Phase 3 – Harvesting	Gathering the crop	Farm	10 to 25 employed, girls age 9 to 15 are preferred

Jana Agricultural Company

The Jana Agricultural Company was established in 2003 and exports fresh fruits, vegetables and herbs to Europe and the Gulf countries. The company’s head office is in Cairo, but for the research purposes of the assessment the consultant visited the company’s farm and packinghouse, both of which are located in the Sharqia Governate about 30 kilometers from each other.

Packinghouse

The Jana Packinghouse is run by a Manager who works in collaboration with the executive manager of the company based in Cairo. The Packinghouse Manager oversees a team of six administrators, two supervisors, labour contractors and at the time of the assessment, a total of 33 working girls and women. Of these 33, 31 are employed in sorting and packing and:

- 15 girls were permanent staff. They have a contract with the farm, which entitles them to a monthly salary of 450 LE (approximately US\$75) and four days off per month. The youngest age amongst this group of permanent staff was 17.
- The remaining 18 girls work seasonally and their daily wage is 28 LE (approximately US\$4.75). Because these girls are generally hired through a labour contractor, they do not get paid directly; the farm pays the contractor monthly, depending on how many days they have worked. The contractor then settles the payment with the girls after deducting his commission and the transport expenses, which are around five to eight LE (approximately US\$0.80 to US\$1.30). The age amongst this group was younger and more varied. The youngest girls were about 13 years old and according to Jana's Business Development Executive, during the summer season, the company hires girls who are as young as 12 years old.

According to the assessment report, the management team in the packinghouse generally has a 'good relationship' with the working girls. On the other hand, there is a great deal of tension between the girls and their supervisor and a lack of respect shown towards the working girls, both towards those seasonally and permanently employed. The seasonal working girls complain about this to their labour contractor, while the permanent ones complain to the packinghouse manager.

Farmhouse

At the Jana Farmhouse there is also a manager who leads production and collaborates directly with the executive manager of the company based in Cairo. The management structure at the farm is similar to that of the packinghouse, though larger: the manager oversees a team of two accountants, two supervisors, three technical workers, one guard and ten employees. The majority of child workers on the farm are seasonally employed and they are all recruited through a labour contractor; the number of seasonal employees varies greatly from day to day, depending on the work needed at the farm. According to the farm manager and "The Production Process Mapping and Child Work" document provided by Jana Agriculture Company, the age of the child labour employed in each process of the production line per crop is different. For instance, the composting process in the four main crops (green beans, snap peas [mange tout], dry onions and spring onions [shallots]) requires both girls and boys, whose ages range from 10 to 18 years. Children of the same age are needed for the planting and trimming of dry and spring onions, but green beans and snap peas do not need child workers in the trimming process. The youngest children working in the harvesting process for all crops are 12 years old; the majority of children working in the harvesting of all crops are girls.

According to Jana's business development executive, Jana has made some efforts to improve working conditions for both farm and packing house workers. It has improved the working girls' conditions by for example, renovating the toilets, providing the girls with literacy classes and allowing girls to discuss their problems openly with the management.

Centre Egyptien de Legumes et de Fruits (CELf)

CELf was established in 2000 but had previously worked in the export oriented agriculture business for 35 years under a different name. CELf grows, packs and exports fresh fruits and vegetables to Holland, the UK, France, Italy, Germany and Denmark. CELf believes labour contracting is unfair and unethical. Therefore CELf management does not deal with labour contractors at the farm and the packinghouse. Instead the company has a partnership with the VALUE-CHAIN Training (VCT) Project, a transformative educational program that creates a highly skilled workforce in agriculture through educating, empowering and employing rural youth. VCT is a four-year project implemented by the Midwest Universities Consortium for International Activities, (MUCIA) and funded by USAID-Egypt. The labour force on the farm is mostly made up of students participating in this project as interns in addition to 29 permanent staff members (mostly men).

Packinghouse

The packinghouse manager is responsible for 32 workers (25 women and girls plus seven men and boys for handling and loading the products) and six administrative staff, including the quality engineer, the operational accountant, the supplier accountant, and the operational manager (supervising two production supervisors). There are 29 working women and girls in the packinghouse. Of these, 20 work in sorting and packing, nine of whom are children age 14 to 18.

The packinghouse manager at CELf has personal experience in community development, through time spent volunteering with a well-known NGO. The CELf packinghouse therefore has a different business culture than Jana and presents itself as being socially responsible. As previously described, CELf does not deal with labour contractors; most of the women and girls were hired either through advertisements in the village or through word of mouth among the community. CELf provides free and safe transportation for people not living near the packinghouse.

Working and studying in the CELf packinghouse is considered an advantage for working girls. The management team ensures that there is a good environment for the girls who want to study, by either reducing their working hours, or allowing them to bring their homework and study in the packinghouse. The case of Rehab is a good example. She is in the second grade at a technical high school, going to school in the morning and working in the packinghouse from 1.00 pm until 5.00 pm. The production supervisor allows her to study if there is no workload. The company also provides summer classes, such as literacy classes, drawing classes and awareness classes, to all employees free of charge.

4.3 Stakeholders and dynamics

In the companies above, the main stakeholders concerning child labour are children, labour contractors, supervisors, managers and the children's families. Each of these has the potential to play a key role in ensuring that underage children are not recruited, that conditions of work for children are not hazardous and do not interfere with education and that where child labour is

identified the company works closely with other stakeholders to assure the child's right to education.

The labour contractor is one of the most important stakeholders relating to child labour in the agricultural sector. Employers need to be able to count on a large supply of labour during peak demand periods. They call on labour contractors to fill this demand and so these should be seen as suppliers, specialized in the recruitment, transport and management of agricultural workers. The problem is that involving an intermediary can undermine the employer-employee by relationship by creating a gray area around the employer's responsibilities and leading to a disregard for labour legislation. For example, employers can claim not to be responsible for verifying a child's age when he or she is recruited from a contractor.

In order to better understand the power dynamics among these different parties, the research assessment conducted semi-structured interviews with all stakeholders. Interestingly the research assessment found that the relationship between the labour contractor and the farm/packinghouse manager and the labour contractors is perceived as a win-lose relationship. The labour contractors manipulate the farm/packinghouse managers by not providing them with the same working children to ensure that the farm/packinghouse managers do not develop direct relationships with the working children and hire them as permanent workers instead of seasonal/daily workers. The Jana manager claimed not to know that the contractors charge a commission on working children's wages.

Another important relationship is that between the supervisors and the working children. As mentioned above, this can be very supportive for working children, as in the case of the CELF packinghouse, or very strained like at the Jana farm and packinghouse. Any successful child labour initiative must target supervisors as they are the figures most immediately and directly involved with children while they work, especially in terms of safety and awareness; they can play a very large role within a farm or packinghouse in terms of eliminating hazards and protecting child rights. It is therefore essential that managers hire competent supervisors and train them with the information they need to be respectful and protective of children.

5. REALITIES AND HAZARDS

5.1 Some of the drivers for children to work in the agricultural sector

One of the most important factors contributing to children working among families in rural and urban areas is poverty and child labour is both a result and a continuing cause of poverty. The prevalence of child labour in agriculture undermines decent work for adults and undermines any possibility of breaking the cycle of poverty for children. In the words of the ILO, "it is now widely acknowledged that child labour cannot be tackled in isolation from addressing the

problem of rural poverty.⁴⁷ Furthermore, 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 the only way to generate enough income to ensure at least partial schooling.

The importance of children's economic role within families is very clearly highlighted in the assessment conducted. The majority of the girls interviewed during the research assessment at both Jana and CELF declared that the main reason for work was to support their families financially and 65 % of them said they were working to support themselves and consequently reduce their financial burden on their parents. There are different kinds of financial contributions made by working children. 39 % of the sample population of children said that they contribute directly to their families' living expenses by giving all of their wages to their mothers. They then take pocket money daily and ask their parents to pay for any extra expenses. Some children said they pay contributions to their parents to minimize the cost of their own expenses; for example, about 6% of the sample pay their own school fees, 30 % were working to pay off their families' debts, and 43% were saving money for their own wedding or for their siblings' wedding.

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

-A working girl from Jana Farm

"I come here to enjoy myself. I prefer to work rather than staying at home; there is nothing to do at home except house work."

-A common comment from working girls in both Jana and CELF

Another factor, mentioned by the interviewees, that drives children to start working was peer pressure. Once a friend has a job and has started earning money and becoming relatively independent, others start imitating her. Many of the girls also view work as a way to be independent and get out of the house; they see it as an opportunity to meet friends and have fun.

5.2 Poverty, education and working children

Children living in rural areas often find it difficult to access education owing to a lack of available schools. The consequences for rural children are that they often have poor rates of attendance and lower standards of educational performance and achievement than their urban counterparts⁴⁸. Lower levels of education increase the likelihood of children becoming engaged in child labour, particularly in the agricultural sector, and further reduce children's chances of breaking the cycle of poverty by finding better jobs or becoming self-employed. Of the sample

⁴⁷ International Labour Organisation. (2006) "Overview of Child Labour in Agriculture" in *Tackling Hazardous Child Labour in Agriculture: Guidance on Policy and Practice*, ILO Publications: Geneva. pg 19

⁴⁸ Evidence demonstrating the lack of education opportunities for children living in rural areas is well established. See for example, resources on

<http://www.savethechildren.org.uk/assets/php/library.php?Topic=Education>

at the Jana Farm, 31% of working children dropped out between the ages of 11 to 14, while they were at preparatory school, and 40% are illiterate or dropped out between the ages of six and ten, while they were at primary school. Whereas in the CELF packinghouse, 42% dropped out at preparatory school level and 36% are illiterate. This means that over two thirds of the children working for these companies no longer attend school.

In interview, the children were asked why they did not attend school and why they had dropped out. They explained that they had little faith in the education system, which appeared to them to

“Other girls are educated, but they are not better than me. Being a good person does not necessarily relate to education. I don’t read and write but I’m proud of myself. I work and I’m independent.”

-A Working girl from Jana farm

offer few prospects. 63% of the sample in the Jana Farms said that they did not succeed within the formal education system. Very few of those who had dropped out of schools – 22% from the sample in the Jana farm and 15% in the CELF packinghouse – attended the literacy classes that were held in both packinghouses. In interview, the rest of the children who had dropped out of school expressed little interest in

receiving an education; they were more interested in working, earning money and getting married, even at as young as 14.

The question of education often raises issues of gender bias as families who cannot afford for all of their children to be in school often prioritise male children as a better investment with greater possibilities after an education⁴⁹. This idea manifested itself in the interviews amongst the working girls. Most of the girl interviewees who had brothers, explained that their brothers didn’t work in agriculture, sometimes they worked in other sectors but they were often enrolled in school. The girls believed that this was right; that boys should take the opportunity

“We are five sisters and two brothers, all of us working except my brothers. They are studying in school, we can handle the troubles but they don’t deserve to be humiliated.”

-A working to girl from the Jana Farm

to be educated and not have to degrade them-selves by working. There are some girls who work and study successfully at both companies, though there are more at CELF. A very good example is the nurse at CELF, Faika. She 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. Unfortunately, she is more of an exception, than the rule.

⁴⁹ International Labour Organisation. (2006) “Overview of Child Labour in Agriculture” in *Tackling Hazardous Child Labour in Agriculture: Guidance on Policy and Practice*, ILO Publications: Geneva.

Not attending school affects not only children's future, but also their development. Children working in the agricultural sector endure hours of 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.

5.3 Health Risks

Working Hours and Work Loads

Article 66 of the Law No. 126 of 2008 limits the number of hours children can work to 6 hours a day, to 4 hours of consecutive work with at least one break lasting an hour. An important finding which emerged from the research assessment is the excessive number of hours worked by the children in both companies. The legal limitation of six maximum hours per day is regularly violated, especially during peak season, as well as the requirement that children take a break of at least one hour between shifts to rest and eat. This is particularly a problem for the working girls, rather than the boys, as they often have to perform household duties at home in addition to their agricultural work. This is a common pattern world-wide; for example, the International Programme on the Elimination of Child Labour (IPEC) assessments have found that while boys working in the agricultural sector in Ghana often spoke of leisure activities that they enjoy when they are not in the fields, girls spoke mostly of household duties and when they were enrolled in school, of homework on top of that. Often girls are also expected to assist their mothers with taking care of younger siblings⁵⁰.

Most of the girls interviewed working for Jana and CELF work six days a week if they are employed in the packinghouses and seven days if they work on the farms. The assessment found that on average working girls from each site follow this daily routine, more or less:

- they start their day at dawn and end at dusk;
- they spend at least two hours running errands and/ or doing housework before they start; their journey to work, which for some takes between two to three hours;
- they spend 8 hours working in the packinghouse or on the farm; and
- they are exhausted by the time they reach home, where they eat, pray and sleep.

As described by most of them, they spend their free time – when it is available – resting at home or working at home or on the family's farms.

In addition to working longer hours than that stipulated in national legislation, children are given excessive quotas to complete during their working hours. As a consequence, although children

⁵⁰ Girl child labour in agriculture, domestic work and sexual exploitation: Rapid assessments on the cases of the Philippines, Ghana and Ecuador (Girl child labour studies, vol.1) IPEC (2004)

are provided with breaks for resting and lunch, they have a strong incentive to skip these in order to be able to complete their quota and be paid adequately.

Hazardous Work

During the field research and the interviews conducted at both sites, different types of labour activities were identified. The kinds of activities performed in the two packinghouses are less hazardous than the activities performed on the farm. These included: sorting and packing different types of crops, bagging, sealing the bags and cleaning the herbs. The children are required to stand for a long time while completing these tasks, in addition to being required to perform very repetitive activities for many hours. After spending a day working in the packing house, the girls complained of headaches, back aches, anxiety, migraines and depression; in the long run, the girls risk neck and back deformities.

As previously described, on the farm children are involved in activities throughout the production process, including fertilising, weeding, planting the seedlings, and gathering the crop. For these activities the primary health concerns are related to the number of working hours and the fact that children are standing for long hours under the sun with nowhere to rest, no proper protection, and insufficient hydration. These working conditions can lead to exhaustion, skin problems related to the sun, and dehydration. In addition, working with fertilisers in the heat, weeding, and gathering the crops, are all activities that carry risks if the children are not given the appropriate safety materials they need in order to perform these tasks. After spending a day working in these conditions children risk neck and back problems and even deformities, cuts on their legs and hands, insect bites, skin rashes, blistering, and sun stroke.

5.4 Violence, exploitation and abuse

The assessment found that children are most at risk from exploitation and abuse from the labour contractors who hire them and from the supervisors with whom they work. Labour contractors abuse their position and frequently take advantage of child workers by deducting a commission from their wages, charging over priced fees for travel and with-holding wages as a punishment. Both assessments in this project found that the norm among labour contractors is to deduct their commission from the children's wages. In some cases the difference between the wages of seasonal working girls and the permanent ones is about five to 10 LE daily (approximately US\$0.8 to US\$1.60). Child labourers can also be verbally and physically abused; one labour contractor working with Jana made a reference to a "rubber tube" he uses to keep control over the girls. In addition, the assessment found that the transport provided by one contractor for workers at Jana was unsafe and placed girls at further risk of abuse from travelling with older male colleagues.

Children also risk physical and/or psychological harm resulting from the harsh and aggressive discipline of the supervisors. The assessment found that supervisors at Jana especially are very aggressive with the working girls; regularly insulting and swearing at them is the norm, especially during the periods of peak demand. The exploitative nature of their work subjects children to

constant anxiety and this threatens their moral and social development. The children working in Jana, for example, have little or no opportunity to express their feelings and this aggravates their anxieties further. It is very important, especially considering the proportion of their day that is spent working, that children find outlets for expressing themselves.

6. CORPORATE RESPONSIBILITY AND CHILD LABOUR

6.1 Introduction

We have seen that there are important provisions in international law protecting children from harmful work which States parties are obliged to fulfill. We have also seen that there are significant gaps in Egypt's national law and policy regarding the protection of children from harmful work in the agricultural sector and that existing law and policy is not properly implemented. The findings from the field research are that working children interviewed for the assessment face serious violations of their rights and are still not adequately protected from harmful work in the agricultural sector in Egypt.

They are economically exploited, the work they do interferes with their education and the nature of the work and the lengthy hours involved means that the work is harmful to their health and physical, mental, spiritual, moral and social development. The girls who constitute the bulk of the workforce in these companies face discrimination on the basis of their gender and in particular are denied their right to recreation because of their additional burdens of domestic work. Finally, they are rarely given the right to be consulted within the workplace about matters which affect them directly.

There is no question that the primary obligation for respecting, protecting and fulfilling children's rights, lies with the State; however, this section of the report looks in more detail at the scope and nature of corporate responsibility to address child labour. It examines what responsibilities business has under international and national law. It provides information about core Corporate Social Responsibility (CSR) guidance and initiatives regarding child labour and looks at why it is in companies' interests to adhere to this guidance. It also provides good practice from elsewhere by way of illustration for what companies are able to achieve in ensuring that children are no longer subject to harmful work.

6.2 Business has much to gain from addressing child labour

There is a compelling moral argument and strong business case for companies to address child labour. Child labour is extremely damaging for children not least because it prevents them from attending school and becoming healthy, economically productive, well-educated citizens. The future sustainability of the private sector relies in large part on nurturing healthy, skilled, well-educated and creative workers and consumers. In the long term 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 have been seriously compromised by the use of child labour.

In the short-term it is also in business' best interests to address child labour. Association with child labour can be very damaging for a company's reputation nationally and internationally and within its own value chain. Experience shows that stakeholders will quickly reward companies that 'get it right' regarding children and punish those who get it wrong. 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 – both adults and children of a legal age to work. 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.

Tackling child labour is difficult, but companies that are transparent and accountable and demonstrate leadership in recognising it as a problem will, in the longer term, benefit from the trust and loyalty of a wide range of key stakeholders including children themselves.

6.3 Business has a responsibility to respect children's rights

The primary obligation for respecting, protecting and fulfilling children's rights, lies with States. However, all societal actors, including business, must also respect applicable national and 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.

The term "corporate responsibility to respect human rights" has been defined by the Special Representative of the Secretary-General on Business and Human Rights as "avoiding the infringement of the rights of others and addressing adverse impacts that may occur⁵¹." It demands that companies "undertake human rights due diligence to become aware of, prevent and address adverse human rights impacts." This is the common expectation of all companies in all situations however large or small. In short business has a responsibility to ensure that no child is worse off in terms of his or her rights because of their actions. This requires proactive efforts on the part of business to identify the impact it has on boys and girls. This responsibility applies to a business' own activities and throughout its relationships connected to those activities; for example, in relation to suppliers and sub-contractors of products and services.

⁵¹ Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie: Business and Human Rights: Further steps toward the operationalization of the "protect, respect and remedy" framework A/HRC/14/27, April 2010.

<http://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.13.pdf>

Business responsibility to respect human rights has been widely accepted by governments, civil society and the business community itself. The responsibility is reinforced by the ‘Respect, Protect, Remedy’ framework proposed by the Special Representative of the Secretary-General on Business and Human Rights, which was approved by the UN Human Rights Council in 2008. It rests on three pillars:

1. the state duty to protect against human rights abuses by third parties, including business;
2. the corporate responsibility to respect human rights; and
3. greater access by victims to effective remedy, both judicial and non-judicial.

This framework is elaborated on extensively by draft Guiding Principles for implementation which have been finalised and will be presented to the Human Rights Council for adoption in 2011⁵². The responsibility for companies to respect human rights, including children’s rights, is also stipulated in soft law instruments such as the ILO Tripartite Declaration of Principles concerning Multinational Enterprises⁵³, the OECD Guidelines for Multinational Enterprises⁵⁴ and the UN Global Compact.

The UN Global Compact is “a strategic policy initiative for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the areas of human rights, labour, environment and anti-corruption⁵⁵”. It calls on businesses to support and respect the protection of internationally proclaimed human rights (Principle 1); to make sure that they are not complicit in human rights abuses (Principle 2); to eliminate all forms of forced and compulsory labour (Principle 4) and the effective abolition of child labour (Principle 5). Business responsibility to respect human rights, including children’s rights, is also recognized by nearly every voluntary CSR business initiative. The ISO 26000 for example is a standard setting initiative which states that: “an organization should respect human rights and recognize both their importance and their universality⁵⁶.”

6.4 Corporate responsibility and child labour

There can be no doubt that child labour represents a serious 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

⁵² See this website for extensive and continually updated coverage of the John Ruggie mandate, framework and guiding principles <http://www.business-humanrights.org/SpecialRepPortal/Home/Protect-Respect-Remedy-Framework>

⁵³ Full text can be found at: http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_094386.pdf

⁵⁴ The 2001 text can be found here:

http://www.oecd.org/document/18/0,3343,en_2649_34889_2397532_1_1_1_1,00.html Please note that an updating process was launched in 2011 and it is anticipated that there will be a stronger focus on corporate responsibility to respect human rights in line with the SRSG’s framework.

⁵⁵ See <http://www.unglobalcompact.org/for> the full text of the 10 Principles.

⁵⁶ ISO 26000 (2011) Guidance on Social Responsibility - www.iso.org/iso/iso_catalogue/.../social_responsibility.htm

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. In short, business has a responsibility to respect children's right to be protected from harmful work and to ensure that they comply with ILO Conventions on minimum wage and the worst forms of child labour.

Corporate social responsibility is the integration of environmental, social and governance issues 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. Many CSR initiatives deal directly with the issue of child labour with a common formulation being that companies must not engage in or support the use of child labour or hazardous and unsafe labour. The principle is firmly rooted in recognised CSR standards, instruments and best practice principles⁵⁷. Some initiatives go further and discuss broader steps that companies can take to prevent child labour such as the importance of paying wages to parents and caregivers which are sufficiently high to cover basic living expenses so that families are less likely to have recourse to child labour. Below are some examples of relevant and widely used CSR initiatives which focus on what business can do to ensure they do not engage in or support the use of child labour:

Social Accountability 8000: 2008⁵⁸ is an auditable standard for a third-party verification system, setting out the voluntary requirements to be met by employers in the workplace, including workers' rights, workplace conditions, and management systems. All of these criteria apply to children as employees as much as adults. There are also criteria which explicitly refer to children including not engaging in or supporting the use of child labour or hazardous and unsafe labour for children and remuneration that represents a 'living wage' for employees and their families: "1. *The company shall not engage in or support the use of child labour as defined above.* 2. *The company shall establish, document, maintain, and effectively communicate to personnel and other interested parties policies and procedures for remediation of children found to be working in situations which fit the definition of child labour above, and shall provide adequate support to enable such children to attend and remain in school until no longer a child as defined above.* 3. *The company shall establish, document, maintain, and effectively communicate to personnel and other interested parties policies and procedures for promotion of education for children covered under ILO Recommendation 146 and young workers who are subject to local compulsory education laws or are attending school, including means to ensure that no such child or young worker is employed during school hours and that combined hours of daily transportation (to and from work and school), school, and work time does not exceed 10*

⁵⁷ For example it is included in: Global Reporting Initiative, SA8000 Social Accountability Standard, ISO14001 Environmental Management System, the FTSE4Good Index Series, the Dow Jones Sustainability Index, the Equator Principles and the OHSAS18001 Occupational Health and Safety Management System standard amongst others.

⁵⁸ www.iqnet-ltd.com/userfiles/SA8000/2008StdEnglishFinal.pdf

hours a day. 4. The company shall not expose children or young workers to situations in or outside of the workplace that are hazardous, unsafe, or unhealthy.”

The Ethical Trade Initiative (ETI) is a multi-stakeholder alliance promoting respect for workers. It has a base Code of Conduct for partners to sign up to on a voluntary basis which includes provision on eliminating child labour as well as provision for non-discrimination in the workplace. Its resources also emphasise the important connection between paying a living wage and families being able to send their children to school and not to work: ‘*All of us in ethical trade need to do much more to help drive up wages worldwide, so that more parents can send their children to school - not out to work*⁵⁹.’

ISO 26000 is a standard setting instrument to guide companies on their social responsibility. It has an extensive section on child labour: “*Organizations should not engage in or benefit from any use of child labour. If an organization has child labour in its operations or within its sphere of influence, it should, as far as possible, ensure not only that the children are removed from work, but also that they are provided with appropriate alternatives, in particular, education. Light work that does not harm a child or interfere with school attendance or with other activities necessary to a child's full development (such as recreational activities) is not considered child labour*⁶⁰.”

The Global Reporting Initiative (GRI) is a network-based organization that has developed the foremost corporate sustainability reporting framework. This framework sets out the principles and indicators that organizations can use to measure and report their economic, environmental, and social performance. The cornerstone of the framework is the Sustainability Reporting Guidelines which reference children in relation to the elimination of child labour

The FTSE 4Good is an index for social responsibly investors⁶¹. It includes criteria relating to company commitments to ILO conventions on child labour. It also makes some reference to child issues in its equal opportunities indicators, namely, ‘*flexible working arrangements and family benefits (meaning at least three of the following – flexible working time, child care support, job sharing, career breaks, or maternity or paternity) pay beyond the legal requirements*’.

There is of course a large difference between the visibility of child labour as an issue in CSR initiatives and implementation of guidelines by business on the ground particularly in the context of supply chains. In 2008, the CSR organisation Riskmetrics produced a report looking at the extent to which large firms set standards within supply chains. It found that there was a large disparity between what the CRC and ILO Conventions Nos. 138 and 182 state regarding child labour and the standards that companies adopt internally. It found that only a fifth of the

⁵⁹ For more information about the ETI see <http://www.ethicaltrade.org/eti-base-code>

⁶⁰ ISO 26000 (2011) Guidance on Social Responsibility p 32
www.iso.org/iso/iso_catalogue/.../social_responsibility.htm

⁶¹http://www.ftse.com/Indices/FTSE4Good_Index_Series/Downloads/FTSE4Good_Inclusion_Criteria.pdf

companies have codes which address their suppliers' compliance with child labour standards and that these standards were often less stringent than ILO Conventions⁶².

6.5 Initiatives to address child labour in the agricultural sector

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.

Great progress has been made in many countries in reducing child labour overall but the ILO finds that a number of factors make the agricultural sector particularly difficult to tackle. These include: the large numbers of girls and boys, starting work young, hazardous nature of the work, lack of regulation, the invisibility of their work, denial of education, the effects of poverty, and ingrained attitudes and perceptions about the roles of children in rural areas.

International agricultural agencies and other organizations concerned with agriculture can play important roles in addressing child labour. These organizations represent an important conduit to the national level because of their close contacts with national ministries or departments of agriculture, agricultural extension services, farmers' organizations and cooperatives, agricultural producer organizations, agricultural research bodies and so on. To strengthen efforts, the ILO has joined forces with key international agricultural organizations to launch the International Partnership for Cooperation on Child Labour in Agriculture (IPCLA)⁶³. It has also released a Convention on Safety and Health in Agriculture (No. 184) which includes, for example, protective measures required when working with chemicals (e.g. pesticides) and agricultural tools (Egypt has not signed this Convention).

In recent years there has been a move towards multi-stakeholder initiatives to address child labour which aim to enhance dialogue and cooperation between different actors for example,

⁶² http://www.riskmetrics.com/system/files/private/csir_april2008_excerpt_kc.pdf

⁶³ For an introduction to the International Partnership for Cooperation on Child Labour in Agriculture see http://www.ilo.org/ipcc/areas/Agriculture/International_Partnership_IPCLA/lang-en/index.htm



civil society, children and their families, local government, labour representatives, schools and businesses.

Box 4: Multi-stakeholder initiatives to address child labour in Ecuador

In Ecuador, child labour is prevalent in the banana and flower sectors, although it has at times been difficult for companies in these sectors to acknowledge this.

Banana production

The Social Forum for the Banana Production Sector, (Forum), set up in 2003, was the banana industry's response to a 2002 report by the human rights advocacy group Human Rights Watch, about child labour and obstacles to trade union membership in Ecuador's banana plantations. The report resulted in international pressure for banana certification, particularly for the American and European markets, to guarantee that bananas are produced without child labour and labour rights are respected. In May 2004, a Banana Sector Plan for the elimination of child labour was launched. Spin-off activities include private sector initiatives to improve family and community living standards in banana producing areas, which reflect the increased emphasis on social responsibility fostered by the Forum's activities.

Cut flower production

In 2002, following Ecuador's ratification of ILO Convention No. 182, EXPOFLORES, the country's association of flower producers and exporters, became a signatory of a statement on eradicating child labour. International and consumer concern about the use of child labour in flower production in Ecuador and Colombia provided additional impetus for setting up the Social Forum for Flower Production in 2005. As in the banana sector, one of the Forum's main successes is the promotion of social dialogue by getting government, companies and trade unions together around the same discussion table. Though it is too early to evaluate the Forum's effectiveness in tackling child labour, an increasing number of flower growers are now enforcing regulations in their enterprises regarding child labour.

The two fora have been useful in developing social dialogue and consensus building between business and labour interests. Child labour provides a relatively easy area to achieve dialogue-based consensus, which could in turn stimulate consensus building on other labour topics. There is growing understanding that solving social problems is not solely a government function and that multi-stakeholder activities may be the most suitable way for dealing with the problem of child labour. It should be noted that a period of capacity building and strengthening of the actors involved was an essential prerequisite for creation of the Forums. The role of the ILO and other international organizations in providing support for capacity building was crucial. Strong Ministerial support, especially during the process of creation, is also critical.

Source: Tackling hazardous child labour in agriculture (IPEC) (2006)

There are a number of CSR codes and initiatives specific to the export oriented agricultural sector. The FAO's Global Principles of Good Agricultural Practices (GAP) include social aspects of production, such as labour standards and use of child labour⁶⁴. The GLOBALG.A.P is a private sector body that sets voluntary standards for the certification of production processes

⁶⁴ http://www.fao.org/prods/gap/home/principles_10_en.htm

of agricultural products around the globe. Formerly known as EurepGAP, the GLOBALGAP standard primarily targets food safety: for example, regarding the use of pesticides during the production of food. At the end of the 1990s, leading European food retailers agreed to the GLOBALGAP standard and have since applied it on the international level as an instrument for quality control. It is continually revised and updated. In 2011, it produced a risk assessment for Social Practice which includes some components on child labour including compliance with minimum age legislation, not to engage children in work that endangers their health or safety, development or jeopardises their education and provision of access to compulsory school education.

The advantages of the GLOBALGAP certification procedure is that it is designed for application in micro-scale operations as well as in specialised large-scale operations. In addition, indicators are formulated in a manner that would make them useful in a variety of agricultural sectors – from fruit and vegetable cultivation, to flower farming, to aquaculture. However, due to reasons of cost and the limited applicability of many agricultural codes to small-holders such codes often do not reach far ‘downstream’⁶⁵.

6.6 What can a business do to ensure it does not engage in or support the use of child labour in the agricultural sector?

Companies, through their own employment practices, their procurement and sourcing and their distribution networks, have significant control over hiring practices and the hazard levels and working conditions for children within the agricultural sector. However, the challenge for companies is how to address child labour responsibly given the complex social and economic context in which it occurs. Companies may try to respect international and national laws on minimum age but there is a significant risk that removing children from work may worsen their situation and compel them to seek work elsewhere in more hazardous and exploitative environments.

What is required is a responsible approach which respects and supports children’s rights. Often individual businesses have been at the forefront of finding innovative ways of addressing and reducing child labour. Often these are the same businesses which have an overall commitment to CSR and a deep understanding of the communities in which they operate. There is a great deal of guidance available to businesses who want to ensure they are not engaged in or supporting the use of child labour⁶⁶. The following is an overview of the practical actions companies can take to address and prevent child labour and draws on this guidance. It has a particular focus on health and safety aspects, ensuring access to education and the right to recreation and to be consulted.

a) Assess the risk of child labour, adopt and implement a policy on child labour

⁶⁵ <http://www.eldis.org/vfile/upload/1/document/0708/DOC19592.pdf>

⁶⁶ Please see Annexe One for more information on key resources for business and child labour

- Business should assess all areas where child labour may be present in their operations, including supply chains.
- They should analyse 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 identify, respond and eliminate child labour.
- Corporate policy 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 policy on child labour and be accountable for doing so.
- Implementation of corporate 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:

- Business must adhere to minimum age provisions of national labour laws and regulations and, where national law is insufficient, take account of international standards including the ILO Conventions and the CRC.
- 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 child labour is not being used by subcontractors, suppliers and other business affiliates.

b) Train key employees

Training is a key component of responsible approaches to addressing child labour in the agricultural sector. Company managers and suppliers can benefit from ongoing training in the following areas:

- Understanding the relevant child labour laws within the country
- Understanding and implementing company policy
- Ascertaining the age of workers and training on how to detect falsified documentation
- Health and safety procedures for young workers (which often differ from those required for adults)

c) Where child labour is identified, support children removed from the workplace

In many cases, children found to be working may require some form of rehabilitation from the effects of their labour and steps might need to be taken to ensure these children do not re-enter the workforce. Appropriate support may be tailored after a child's interview and include: providing access to schooling so children can achieve a basic education; assessing their health and providing treatment for illnesses such as malnutrition or workplace injuries; providing training to assist former child labourers find jobs once they are of working age.

d) Ensure that children who are allowed to work are not doing hazardous work

Children who are of a legal age to work may do so, as long as they are not engaged in the worst forms of child labour as specified in ILO Convention 182. Business should take the following steps to ensure that children who are allowed to work are not doing hazardous work⁶⁷:

- confirm that children aged 13-15 (12-14 in developing countries) are only doing light work outside school hours.
- make sure that all workers under 18 are not undertaking hazardous work which is likely to jeopardize children's physical, mental or moral health, safety or morals.
- check whether there is a list of prohibited activities for under 18s under national law. Companies can also decide not to hire (or allow sub-contractors to hire) children for certain work that is not nationally agreed on but which is nonetheless considered hazardous by the company itself; for example, work in agriculture is often not on the agreed list of hazardous work but may in fact be extremely hazardous for children.
- make sure that young workers are not exposed to verbal or physical abuse in the workplace
- keep a register of all workers under 18
- make sure that all workers under 18 are not working overtime or over night

e) Work in partnership with others

It is becoming increasingly clear that programmes to address child labour which are designed and run in participation with others in the country or community concerned are more sustainable in the long term than those designed and imposed "top down" by a business which is based in another country or continent. Potential partners include other businesses operating in similar areas or retailing similar products, representatives of the communities where a business has factories or sources its products, and representatives of workers in the form of trade unions. Civil society is also a vital asset for businesses who are keen to ensure they do not engage in or support the use of child labour.

⁶⁷ For more information see Better Work Guidance on Child Labour

<http://www.betterwork.org/EN/resources/Documents/Guidance%20-%20Child%20Labour.pdf>

Better Work is a cooperation between the ILO and the International Finance Corporation. It focuses on collaboration between employers, workers and governments.

Box 5: IKEA's approach to preventing Child Labour

IKEA is an international household manufacturer and retailer. It bases its work on child labour on the CRC and ILO Convention Nos 138 and 182. It has a special code of conduct called "The IKEA Way on Preventing Child Labour". Monitoring of compliance with this code is done by IKEA trading service offices and with unannounced visits by the management consultants KPMG to suppliers and sub-contractors in South Asia. During their daily contact with IKEA suppliers in relation to production issues, co-workers from the trading services officers are able to observe social and working conditions and highlight the prevention of child labour. IKEA holds workshops at suppliers to encourage workers and sub-contractors to discuss problems that they encounter on an everyday basis. This strengthens IKEA's understanding of the circumstances that lead to child labour.

If child labour is found, IKEA requires the supplier to act in the best interests of the child. The supplier must implement a corrective and preventive action plan, including education and training. IKEA visits the school the child attends and makes unannounced visits to the supplier. If corrective action is not made within an agreed timeframe, or if further violations occur, IKEA terminates all business with the supplier.

The IKEA Foundation, IKEA's social investment initiative, supports a project, run by UNICEF, promoting child rights in northern Indian, from where IKEA sources many of its carpets. The aim is to prevent and eliminate child labour in the carpet belt by addressing root causes such as debt, poverty, lack of access to education, disability and ill health. It also cooperates closely with UNICEF and Save the Children to tackle the root causes of child labour and achieve a sustainable solution.

Source:

http://www.ikea.com/ms/en_US/about_ikea/our_responsibility/working_conditions/preventing_child_labour.html

6.7 Developing a Toolkit to address child labour in agriculture in Egypt

A primary objective of the project between Save the Children and the Danish Embassy in Egypt focussing on child labour in the agricultural sector was to develop a Toolkit to address child labour in agriculture in Egypt. This Toolkit aims to improve conditions for working children by increasing awareness and understanding of child labour issues in Egypt and by 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. It is aimed at companies, large and small, in the agricultural sector with specific reference to the agricultural sector in Egypt.

The Toolkit takes into account the findings of the field research and 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.

It contains seven very practical tools which focus on how to go about assessing and analysing the child labour situation in a company; how to conduct a child friendly interview so that companies comply with minimum age laws; how to determine a child's age before recruiting them to work in a company or farm; how to identify, minimise and eradicate hazards and exploitation faced by children; how to identify and reduce occupational safety and health risks; how to promote child-centred CSR within a company and how to develop a code of conduct which incorporates child labour issues and concerns.

7. RECOMMENDATIONS

Children engaged in harmful work experience serious violations of their rights – the findings of the field research are that the working children interviewed experienced violations of amongst others, the right to be protected from economic exploitation, the right to education, the right to health and to survival and healthy development, the right to non-discrimination and to participate. There is enormous scope for more to be done to address and ultimately eliminate child labour in the agricultural sector in Egypt and it is vital that this is undertaken working in cooperation with all stakeholders so that interventions are sustainable and ensure the best interests of working children. The following are some recommendations for steps that Save the Children can take:

- Raise awareness with business of the impact, sometimes positive but often negative, of work on children.
- Raise awareness with business, communities, children, business organisations such as the Horticulture Export Improvement Association and local and national government of children's rights generally and national and international law and standards regarding children's work specifically.
- Support the development of multi-stakeholder initiatives to prevent and eliminate child labour.
- Advocate for national law and policy on child labour to comply fully, not only with the ILO Conventions Nos. 138 and 182, but also with the CRC. In particular advocate for increased monitoring within the agricultural sector regarding child labour and clarity about which ministry has responsibility for child protection issues.

- Advocate for child labour to be considered within agricultural reform programmes as well as closely linked in with child protection systems and mechanisms with a particular focus on girl workers who may face additional risks of violence, exploitation and abuse.
- Advocate for special educational or vocational programmes for child farmworkers who have dropped out of school and for an increase in for child labour violations and ask the government to consider dedicating a portion of the fine to the rehabilitation of child workers.
- Advocate for child agricultural workers who labour in hazardous conditions and/or suffer workplace accidents or illnesses to be provided with free health care.
- Encourage business to address the wider causes of child labour in the communities in which they operate; for example, through providing training courses for former child labourers or supporting community interventions which reinforce government efforts to provide accessible education in isolated, rural areas.
- Provide practical training and guidance on how business can ensure it does not engage or support the use of child labour. This training should include explicit reference to:
 - National and international law and standards regarding children's work including minimum ages and definitions of hazardous work
 - Effective procedures to verify the age of workers before recruitment
 - How to conduct a child friendly interview before recruitment
 - How to ensure children who are of a legal age to work are protected from hazardous work particularly in relation to the areas highlighted in the assessment report; for example, ensuring children do not work long hours, they have time for recreation and education and health and safety provision. In particular ensure that children are not present when using or after using pesticides that could be harmful to their health.
 - How to develop and implement a corporate policy on child labour
 - How to ensure children who are underage or working in hazardous conditions are removed from work and supported in their return to schooling and remediation.
 - How to provide all workers, including children, with appropriate protective equipment and training for ways of protecting themselves from workplace hazards such as excessive exposure to heat and sun.
 - How to provide support for children's participation in the workplace including provision of effective grievance mechanisms which are accessible for children as well as adult workers.
- Disseminate the Toolkit to address child labour in agriculture in Egypt and ensure it is widely used and understood.

ANNEXE ONE: RESOURCES FOR BUSINESSES

Toolkit to address child labour in agriculture in Egypt

This Toolkit has been developed by Save the Children and provides small, medium sized and large companies operating in the agricultural sector in Egypt with practical guidance on how to address child labour from the perspective of identifying and responding to child labour as well as of ensuring children's working conditions are safe and not hazardous or exploitative. It provides background information about international and legal standards regarding child labour in Egypt as well as analysis of the situation of working children.

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 Policy

- 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.

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.