



ENABLE Training Toolkit

Implementing Responsible Sourcing and Production
in Agricultural Supply Chains
MODULE 1: Setting Standards

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I. MODULE AT A GLANCE

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II. CHILD LABOR

a. Who is a child?

Objectives

- Define the concept of “child” (in context of the international community).
- Acknowledge that children are right holders.
- Understand how participants view the concept of “children.”

Description of activity

1. Ask participants to write a definition of the term “child” on a piece of paper.
2. Ask participants to share their definitions within their groups and come up with a common definition for the entire group.
3. Share the group definitions in plenary.
4. Explain U.N. Convention on the Rights of the Child’s (UNCRC) definition of child.
5. Questions to reflect over in plenary:
 - a. Were the definitions provided by the groups very different from each other?
 - b. How does national legislation treat the term “child”?
 - c. Does national legislation provide different ages to allow people to do different things (or example, voting, marriage, drinking, etc.)?
 - d. Do you think age is the best criteria to consider a person an adult?

Key learning points

- The UNCRC defines a “child” as a person below the age of 18 unless the laws of a particular country set the legal age for adulthood younger.
- National legislations determine at what age a child becomes an adult.

Time: 25 minutes

- Individual work: 5 minutes
- Group work: 10 minutes
- Plenary discussion: 10 minutes

Slides

- Slide 2 – 3

Materials

- Paper

Tips

- These initial activities are designed to help participants open up. It might take some time for people to feel comfortable with sharing ideas and reflections in plenary.
- There are no right or wrong answers; allow people to share their opinions, so they feel that this is a safe space and they are not going to be judged on what they know or don’t know or how they feel about certain subjects.
- Ensure that participants are not judged for their contributions.

- It is important that participants are aware of national legislation.
- Facilitators will need to read the full text of the United Nations Convention on the Rights of the Child. It is also advisable to bring a copy to sessions, as participants often ask questions about it.

Facilitator notes

Extracts from: THE CONVENTION ON THE RIGHTS OF THE CHILD

Definition of the child (Article 1): The Convention defines a “child” as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18.

[Read the full text of the United Nations Convention on the Rights of the Child.](#)

b. What are children’s rights?

Objectives

- Recognize that children need special protection.
- Review some of the rights that are recognized in international agreements.
- Start seeing how business can impact those rights.

Description of activity

1. Ask groups to come up with a list of rights children have just for being children.
2. In plenary, ask each group to call out one of the rights they have identified in their groups.
3. Write on the whiteboard or flip chart paper all rights called out, whether the right is included in the UNCRC or not.
4. Do as many rounds as needed until all groups have called out all rights identified.
5. Once all rights have been written down, discuss in plenary if all those rights are included in the UNCRC.
6. Questions to reflect over in plenary:
 - a. Are these rights included recognized in your local legislation?
 - b. Which do you think are harder to implement?
 - c. What do you think public administrations could do to better protect children and respect their rights?
 - d. Do you think that companies are respecting these rights?

Key learning points

- Children are both rights holders and stakeholders.
- The international community recognizes that children need special protection.
- The rights included in the UNCRC include survival rights, development rights, protection rights and participation rights.

Time: 15 minutes

- Group work: 5 minutes
- Plenary discussion: 10 minutes

Slides

- Slide 4 – 5

Materials

- Whiteboard or flip chart paper
- Markers

Tips

- Try to identify gaps in rights that have not been raised by the groups, as it will help understand the level of the group.
- The objective of this activity is not to define all the rights included in the convention, but rather make participants aware of the different rights that children are entitled to.
- It is important that the facilitator has read the whole text of the UNCRC.

Facilitator notes

Extracts from: UNCRC (https://www.unicef.org/crc/files/Guiding_Principles.pdf)

During the last two decades, there has been an unprecedented surge in the international community's concern for the welfare of children, and of child labor in particular. One of the most significant developments was the adoption of the United Nations Convention on the Rights of the Child (by the United Nations General Assembly in November 1989).

CRC is the most complete and comprehensive treaty on the rights of children ever put forward. It has now been ratified by almost every country in the world. Among the wide range of children's rights proclaimed by this Convention is the right to be protected from economic exploitation and any work that is likely to be hazardous; 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 Convention on the Rights of the Child (CRC) consists of 54 articles relating to five clusters of rights:

- Survival: include the child's right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate living standard, and access to medical services.
- Development: include the right to education, play, leisure, cultural activities, access to information, and freedom of thought, conscience and religion
- Protection: ensure children are safeguarded against all forms of abuse, neglect and exploitation, including special care for refugee children; safeguards for children in the criminal justice system; protection for children in employment, protection and rehabilitation for children who have suffered exploitation or abuse of any kind.

Participation and mobilization: encompass children's freedom to express opinions, to have a say in matters affecting their own lives, to join associations and to assemble peacefully. As their capacities develop, children should have increasing opportunity to participate in the activities of society, in preparation for adulthood.

Applying a "rights approach" involves understanding and formulating interventions that reflect all five clusters: no one cluster set takes precedence over the next. This concept of holism and holistic programming reflects the changing and enhanced mandate under the CRC.

Non-discrimination (Article 2): The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. It doesn't matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

Best interests of the child (Article 3): The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and lawmakers.

Right to life, survival, and development (Article 6): Children have the right to live. Governments should ensure that children survive and develop healthily.

Respect for the views of the child (Article 12): When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account. This does not mean that children can now tell their parents what to do. This Convention encourages adults to listen to the opinions of children and involve them in decision-making -- not give children authority over adults. Article 12 does not interfere with parents' right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child's participation in decisions must be appropriate to the child's level of maturity. Children's ability to form and express their opinions develops with age and most adults will naturally give the views of teenagers' greater weight than those of a preschooler, whether in family, legal or administrative decisions."

[Read simplified version of the CRC here.](#)

c. What is child labor?

Objectives

- Understand the concept of child labor.
- Identify the criteria for work performed by children that is considered child labor.
- Visualize children performing work that jeopardizes their health, morals or development.
- Begin to understand how child labor impacts children's lives.

Description of activity

1. Ask participants to draw their concept of child labor.
2. Ask participants to give the children they draw a name and imagine what their days might be like.
3. Have participants share their drawings and characteristics within their groups.
4. Ask groups to come up with a common definition of child labor.
5. Provide participants with the definition of child labor.
6. Questions to reflect over in plenary:
 - a. What do you think child labor is?
 - b. When does work become harmful to the child's education, health and development?
 - c. At what age is it O.K. for children to work in your country?
 - d. Does the legislation set different ages for different types of work?

Key learning points

- Not all work done by children is child labor.
- “Child labor” is defined as work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development.
- Whether or not particular forms of “work” can be called “child labor” depends on:
 - the child’s age;
 - the type of work;
 - hours of work performed;
 - the conditions under which the work is performed.
- Child labor refers to work that:
 - is mentally, physically, socially or morally dangerous and harmful to children; and
 - interferes with their schooling by
 - (i) depriving them of the opportunity to attend school;
 - (ii) obliging them to leave school prematurely; or
 - (iii) requiring them to attempt to combine school attendance with excessively long and heavy work.
- Such child labor can create irreversible damage to the child and violates international law and, usually, national legislation.
- In most countries, work performed by a child under 15 years of age or the age of finishing compulsory education is child labor, and therefore prohibited.

Time: 25 minutes

- Individual work: 5 minutes
- Group work: 10 minutes
- Plenary discussion: 10 minutes

Slides

- Slide 6 – 7

Materials

- Paper
- Markers

Tips

- Ensure that participants understand that their drawing skills are not being judged.
- This is the first activity where child labor is defined, meaning that many questions may come up, but it is important for them to understand that the following activities will help them clarify the concept and make them more prepared to identify child labor situations.
- Having a poster with the definition of child labor, ages, and elements that identify a child labor situation helps participants understand and retain the concept.

Facilitator notes

Extracts from: [Child Labor Resource Guide, UNICEF](#)

Drawing a line between “acceptable” work and “child labor” can be difficult in practice. Whether or not particular forms of work can be called child labor depends on the child’s age, the types of work and the conditions under which it is performed. In reality the answer varies from country to country and among sectors within countries.

In general “child labor” refers to children who are engaged in work that could be harmful to them. This is in contravention of International Labor Organization (ILO) conventions. The term applies to all children under 18 involved in the “worst forms of child labor”, all children aged under 12 taking part in economic activity and all 12- to 14-year-olds engaged in more than light work. The ILO defines light work as work that is not likely to be harmful to children’s health or development and not likely to be detrimental to their attendance at school or vocational training. “Child work”, which can include simple household chores and other tasks which do not negatively affect children’s health or education.”

Extracts from: [USDA’s Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains: Practitioners’ Guide \(2018\)](#)

The narrow concept of “child labor” is defined as work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development. It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and
- interferes with their schooling by:
 - depriving them of the opportunity to attend school;
 - obliging them to leave school prematurely; or
 - requiring them to attempt to combine school attendance with excessively long and heavy work.

In its most extreme forms, child labor involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities – often at a very early age.

Whether or not particular forms of “work” can be called “child labor” depends on the child’s age, the type and hours of work performed, the conditions under which the work is performed, and the objectives pursued by individual country regulations. The answer varies from country to country, as well as among sectors within countries.

Extracts from: [Training Manual Workshop: The CHILD LABOR REMEDIATION Initiation Workshop Handouts, ILO](#)

Child labor is classified as children’s work which is of such a nature or intensity that it is detrimental to their schooling or harmful to their health and development. The concern is with children who are denied their childhood and a future, who work at too young an age, who work long hours for low wages, who work under conditions harmful to their health and to their physical and mental development, who are separated from their families, or who are deprived of education. Such child labor can create irreversible damage to the child and is in violation of international law and usually, national legislation.

International Conventions, Recommendations and Frameworks

- United Nations Convention on the Rights of the Child (UNCRC)
- ILO C138 — Minimum Age Convention, and R146 - Minimum Age Recommendation
- ILO C182 — Worst Forms of Child Labor Convention and R190 Recommendation on Hazardous Work
- International Labor Organization's (hereafter ILO) ICLS Resolution II concerning Child Labor
- ILO/IPEC-SIMPOC Framework on Child Labor Definitions
- European Social Charter

d. Are these examples of child labor?

Objectives

- Differentiate the concept of child labor by analyzing various examples.
- Practice using the four criteria (age, activity, time and conditions) to identify child labor.
- Reflect on different situations that could lead to child labor.
- Recognize activities that contribute to children's development and to the welfare of their families.

Description of activity

1. Explain to participants the different ages that apply when identifying a child-labor situation.
2. Ask them to draw a square on an A4 piece of paper and divide it into four quadrants.
3. Have them include one of the following titles on each quadrant:
 - a. House chore
 - b. Acceptable economic activity
 - c. Child labor
 - d. Hazardous work
4. Ask everyone to come up with an example of each categories (such as Maria, who is 11, is helping her mom harvest tomatoes).
5. Ask each group for examples.
6. Discuss in plenary if they have identified their examples correctly.
7. Ensure that at least 10-12 examples are reviewed.

Key learning points

- A child between 5-11 years of age (12 years in developed countries) cannot perform any type of work regardless of the nature of work or whether the work is considered light.
- A child between the ages 12-13 (13-14 years in developed countries) can perform only light work when local law permits, and if it is not interfering with the child's schooling and play and if the working environment is safe from risks.
- Children between 15-17 years (14-17 in developing countries) are allowed to work unless it is hazardous work.
- Some countries allow children aged 16-17 to engage work included on the hazardous work lists on the condition that their health, safety and morals are fully protected, and that the young persons have received adequate instruction or vocational training in the relevant activity.
- Even where work for 16-17 year olds is permitted, much farm work will remain off limits because adequate protection cannot be ensured.
- Not all work done by children should be classified as child labor and targeted for elimination.

Time: 45 minutes

- Work in pairs: 5 minutes
- Plenary discussion: 40 minutes

Slides

- Slides 8 – 9

Materials

- None

Tips

- The idea behind this activity is to work directly on the cases participants raise, rather than examples/case studies from other scenarios.
- Ask participants to provide details for their examples: ages, time and nature of work, etc.
- Ask for “fine line” examples (participants will learn most from more complicated examples).
- Some examples will fall into gray areas between acceptable work and child labor. In these cases, participants try to identify if the work is a threat to the child’s physical and mental well-being and development and his/her education.
- If you feel that the examples brought forth by participants are not varied enough for participants to understand key concepts, you may use the following examples or come up with different ones that are more local:
 - Maria, who is 11, is helping her mom harvest tomatoes.
 - Leo, who is 15, is spraying pesticides on crops on Sunday mornings while he is not at school.
 - Beth, who is 16, is hired by a farmer in her town as she continues her studies.
 - After dropping out of school, Lydia, who is 15, works on the family farm.
 - Zara supports her parent in the cotton field during the harvest season. She helps when school is over, and her teacher lets her take the exams early and leave school to help her family.
 - Remy, who is 10, takes water to her parents 10 while they are working on the farm.
 - John works for three hours a day after school every day.
 - Carlos, who is 17, is a very efficient worker. One of the tasks he does best is mixing and applying the chemicals used in the crop.

Facilitator notes

Extracts from: [USDA’s Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains: Practitioners’ Guide \(2018\)](#)

According to the International Labor Organization (ILO), not all work done by children should be classified as child labor that is to be targeted for elimination. Children’s or adolescents’ participation in work that does not affect their health and personal development or interfere with their schooling is generally regarded as positive and accepted. This includes activities such as helping their parents at home, assisting in a family business, or earning pocket money outside school hours and during school holidays. These kinds of activities contribute to children’s development and to the welfare of their families; they provide them with skills and experience and help to prepare them to be productive members of the society during their adult life.

Extracts from: Training Manual Workshop 2 The Child Labor Monitoring Initiation Workshop Handouts, ILO

Not all work is harmful to children. From a young age, many children help around the home, run errands, or assist their parents in the family farm or business. As they get older they take on light jobs or learn valuable traditional trades. In this way, children acquire the skills and attitudes they will need as future workers and useful members of the community. Light work, carefully monitored, can be an essential part of children's socialization and development process, where they learn to take responsibility, and gain pride in their own accomplishments. Work of this kind is not without risk, but it is not what is generally meant by child labor.

Extracts from: The Terms and Definition of Child Labor and Forced Labor in International Instruments

Definitions

Working Children is defined by the ILO, as pertaining to almost all economic activities performed by children, whether for the market or not, paid or unpaid, for a few hours or full time (for at least one hour during the reference week), whether on a casual or regular basis, in the formal (organized) sector or the informal sector and excludes chores undertaken in the child's own household; activities that are part of schooling; and children seeking work for which they are available, if it is offered. The ILO introduces a distinction between child work, which may be acceptable, and child labor, which needs to be eliminated. Although 'acceptable work' is not specifically defined in the ILO Conventions, it refers to work that is performed by children who are of legal working age, in accordance with national legislation and international standards; non-hazardous; non-exploitative; and does not prevent a child from receiving the full benefit of an education.

Children aged 13-15 are not considered to be in child labor if they work in unpaid light work in family enterprises that do not threaten their health and safety or hinder their education or vocational orientation and training for less than 14 hours per week. Unpaid light work must take place on the family farm and meet the following conditions:

- Child chores within their families and with adult supervision.
- Work that does not place a child's health, safety or morals at risk. Some work may be morally harmful, without being physically or socially qualified as such, neither disturbing a child's schooling.
- Activities that are not prohibited by law for underage children.
- Work that is appropriate for their age and maturity and by doing them they learn how to take responsibility, gain skills, and add to their family's income and well-being.
- Work that does not affect children's quality learning, including school or vocational training attendance.
- Work that does not exceed 4 hours per day on school days; or 6 hours per day on non-school days.
- Carrying goods and products manually should be in line with national regulation of manual handling in case of heavy load.

The acceptable work for children below 13 is non-economic production, mainly unpaid household services. Unpaid household services must take place on the family farm and meet the following conditions:

- Children under 13 years old are allowed to perform only chores within their families and with adult supervision.

- Work does not hinder the education or vocational orientation and training of children and does not exceed 4 hours per day on school days a total of 14 hours per week; or 6 hours per day on non-school days (holidays and weekends)

Principles of employment of child and young workers: According to the European Social Charter, adopted in 1961 and revised in 1996, Article 7, signatory states are obliged to ensure that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education; the minimum age of admission to employment shall be 18 years with respect to prescribed occupations regarded as dangerous or unhealthy; persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education; the working hours of persons under 18 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training; the right of young workers and apprentices to a fair wage or other appropriate allowances is recognized; the time spent by young persons in vocational training during the normal working hours with the consent of the employer shall be treated as forming part of the working day; employed persons under 18 years of age shall be entitled to a minimum of four weeks annual holiday with pay; persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations; persons under 18 years of age employed in occupations prescribed by national laws or regulations shall be subject to regular medical control; there are special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work. The child's parents providing supervision and guidance is an essential principle in the case of employment of young and/or children workers. Employers shall ensure children and young workers are protected against every type of risk which may endanger their development linked to their lack of experience, ignorance of actual and probable risks or the fact they are not fully developed, and their health and safety. Children and young workers may work in jobs that do not impede those at school in their continuation and success at school, and do not impede their preparation for vocational choices and their participation in vocational training whose adequacy has been accepted by the authorized offices.

Children engaged in Worst Forms of Child Labor

ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, considers the following practices as worst forms of child labor:

- All types of slavery, including the sale and trafficking of children; forced labor to pay off a debt; any other type of forced labor, including using children in war and armed conflict.
- All activities which sexually exploit children, such as prostitution, pornography or pornographic performances.
- Any involvement in illegal activities, especially the production or trafficking of drugs.
- Any work which could by its nature damage the health, safety or well-being of children.

In this Convention, the word "child" refers to anyone younger than 18 years of age. While Convention No. 182 leaves to the discretion of the countries the establishment of criteria for the identification of hazardous work, Recommendation No. 190 specifies that particular consideration should to be given, inter alia, to:

- work that exposes children to physical, psychological or sexual abuse; work underground, under water, at dangerous heights, and in confined spaces;
- work with dangerous machinery, equipment, and tools, or which involves the manual handling or

transport of heavy loads;

- 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;
- work under particularly difficult conditions such as work for long hours or during the night, or work where the child is unreasonably confined to the premises of the employer.

Hazardous Child Labor (HCL)

The international legal framework for “hazardous child labor” stems from Part D of Article 3 of ILO Convention 182. Said convention defines “hazardous child labor” as:

work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

According to ILO Convention 182, hazardous work “shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards...” As this suggests, forms of work identified as “hazardous” for children [Article 3(d)] may vary from country to country.

Children at High Risk of Child Labor: Children at high-risk (CAHR) of engaging in child labor refers to children who are not yet in child labor but experience a set of living conditions and circumstances that make them prone to be working in child labor. Indicators include;

- Any child who was at one time engaged in child labor but is no longer engaged in any form of child labor, will be considered a CAHR of engaging in child labor.
- Children who are without work during a short reference period and are currently available for/seeking work.
- Any child aged 5-17 who meets at least one of the following criteria:
 - Child in families who have migrates with his/her family seasonally for agriculture work, one or more times in the last 12 months.
 - Child has a sibling engaged in child labor or former working child.
 - Child in families with single parent in the household.
 - Children who belong to a family who cannot afford social security
 - Children whose parents both lacked resources to attain education after high school.
 - Child is not attending school or has low attendance rate.

e. What are the causes of child labor?

Objectives

- Understand the underlying causes of child labor.
- Discuss different perceptions of child labor.
- Raise awareness over the difficulties of finding solutions all parties can agree to.
- Understand addressing the causes of child labor requires a multi-stakeholder approach at both the community and policy levels.

Description of activity

1. Divide participants into groups of four.

2. Assign each participant in the group one of the following roles:
 - a. A 14-year-old boy who wants to work in the orchard
 - b. The father who wants his child to work
 - c. The mother who does not want his child to work
 - d. The farmer who has offered the boy the job
3. Give participants 1 minute to prepare arguments to defend their case among their group.
4. Ask the groups to have an open discussion where everyone defends his or her position.
5. Questions to reflect over in plenary:
 - a. What are the main reasons for children to work?
 - b. What arguments are used by parents who want their children to work?
 - c. What reasons are used to prevent children from working before legal age?

Key learning points

- Child labor is a symptom of the underlying problem of widespread poverty and inequality in society.
- The reasons for child labor are varied and complex and they include poverty, parents' attitudes and knowledge, barriers to education, market demand, and the perceived and suitability of children for certain types of work.
- Efforts to address the root causes of child labor are unlikely to be effective without a multi-stakeholder approach.

Time: 20 minutes

- Individual work: 1 minutes
- Group work: 9 minutes
- Plenary discussion: 10 minutes

Slides

- Slides 10 – 11

Materials

- None

Tips

- This activity intends to have participants act out emotions, perceptions and realities. Encourage them to get emotional, to argue, to put themselves in the shoes of their characters and "fight" for what they believe.

Facilitator notes

Extracts from: [Training Manual Workshop 2 — The CHILD LABOR REMEDIATION Initiation Workshop Handouts, ILO](#)

Child labor is a symptom of the underlying problem of widespread poverty and inequality in society. It is also a cause of poverty, and in this context, it becomes self-perpetuating. The reasons for child labor are varied and complex.

- Poverty - Child labor is basically a symptom of the underlying problem of widespread poverty and inequality in society. It is also a cause of poverty, and in this context, it becomes self-perpetuating. Poverty is deep-rooted and natural calamities, man-made disasters (war and civil strife), illiteracy, powerlessness and the lack of viable options further exacerbate the deprivations confronting poor parents who feel compelled to put a child to work. Poverty is not, however, the only factor in child labor and cannot justify all types of employment and servitude.
- Parental attitudes and knowledge - Parents' preference is for children to acquire skills over receiving an education, which in their opinion holds few promising prospects for gainful employment. Many poorly educated parents remain unclear about the long-term significance and value of education over the short-term economic gains of child work. Adult perceptions influence children's school attendance and labor force participation. For example, the family's dependence on girls' labor at home and in the field, denies her access to educational and other opportunities.
- Barriers to education - Educational opportunities for poor children may be costly, inaccessible, of low quality or seen as irrelevant. Families resort to employing children to keep them busy and allow them to learn skills and earn money. Children may decide to work because of expectations in pooling resources of family members, since a major percentage of the child's income is generally remitted to the household head. Peer influence and being out of school also results in children joining their working friends on the streets or other locations.
- Market demand - Child labor is not accidental. Market demand for child labor determines children's employment in various enterprises and industries. Children are employed because they are docile, obedient, hired at cheaper rates than adults and dispensed off easily if labor demands should fluctuate. They involve no long-term investment on the part of industry in terms of insurances and social security or other benefits and low paid child labor may be seen as a significant element for industries wishing to maintain a competitive edge in the national and international markets. With financial profits as the goal, the practice to employ cheap labor—and children are paid low wages, is understandably in line. In those industries which can utilize unskilled labor the move may be towards the employment of child workers. It may not be a likely scenario with adult employees organized in trade unions. Children are unprotected, powerless and silent as far as their rights as workers are concerned. Vested interests prefer to maintain the status quo and child labor continues.
- Perceived suitability of children to certain types of work - Children are often preferred in industries that are labor intensive, function with rudimentary technology, and require laborious/repetitive work for long hours. Although largely disproved, the myth persists that in certain industries, such as carpet-making or flower-picking, children are needed because of the dexterity of their small fingers.
- Poor enforcement of existing legislation - Child labor persists because the laws that do exist are not strictly enforced and because social and political commitment is weak.

Extracts from: [Children's Rights in Impact Assessments: A Guide for Integrating Children's Rights into Impact Assessments and Taking action for Children, UNICEF, Danish Institute for Human Rights, 2013](#)

Child labor is a complex issue with social, economic and cultural roots. Addressing the causes of child labor requires a multi-stakeholder approach at both the community and policy levels. The corporate contribution to eliminate child labor includes working with governments, social partners and others to promote education and sustainable solutions to the root causes of child labor. Working in collaboration with other companies, suppliers, sectoral associations and employers' organizations can help develop an industry-wide approach to address child labor and create a common culture for positive change.

As part of the fight against child labor, take an active role in eliminating poverty in the communities where the company is operating. Efforts to address the root causes of child labor are unlikely to be effective without a multi-stakeholder approach. In addition to ensuring that the company's supply chain is based on payment of living wages to those who work in it, support social protection programmes that assist families in generating income.

f. Where are children typically working in supply chains?

Objectives

- Raise awareness over the diversity of the agriculture sector.
- Recognize that child labor is present in all developing countries and most industrialized countries.

Description of activity

1. Ask the working groups to take a flip chart paper
2. Draw in the center a circle where they write "children typically work in...."
3. Ask the groups to draw a "mind map" where they include different elements including tasks, working conditions, sector, type of employment contract, etc. (The easiest way to draw a mind map is simply to start adding keywords and branching out without too much contemplation (or people will begin to think in a linear fashion).
4. Collect all mind maps and hang them on the walls of the training room.
5. Ask participants to walk around and see what other groups have written/drawn.
6. Wrap up the activity by having participants share their views and learning points.
7. Questions to reflect over in plenary:
 - a. What type of work do you think children are doing in the agriculture sector?
 - b. Do they work both in the formal and informal economy?
 - c. What types of activities are they involved in?

Key learning points

- In the immensely diverse agriculture sector, which includes everything from multinational agribusinesses to family units, child workers may be permanent, seasonal, piece workers, slaves or family workers.
- In the informal sector, children may be found as paid workers, "apprentices," unpaid workers without contracts, domestic servants, home workers, and subcontractors.
- In the formal sector, children may be employed as permanent workers, seasonal or daily workers, apprentices with or without contracts, and children who are on the premises with a parent and may be asked to help.

Time: 30 minutes

- Group work: 10 minutes
- Viewing other groups work: 10 minutes
- Plenary wrap-up: 10 minutes

Slides

- Slide 12 – 13

Materials

- Flip chart paper

- Markers

Tips

- Encourage participants to use images, symbols or codes throughout their mind map, select keywords and print them using upper- or lower-case letters, different colors, etc.
- Have participants connect ideas with lines to ensure associations.
- Encourage participants to include anything that comes to their minds freely.

Facilitator notes

Extracts from: [Child Labor Monitoring, Training Manual Workshop: The CHILD LABOR REMEDIATION Initiation Workshop Handouts, ILO](#)

Identifying where children work and what they do

Classifying children by sector or trade says little about the relationship between the children and the persons (clients, employers or members of the family) who, in one form or another, employ them. Thus, in the immensely diverse agriculture sector, which includes everything from multinational agribusinesses to family units, the child workers may be permanent, seasonal, pieceworkers, slaves, or family workers.

In the informal sector, which includes a vast range of traditional, unstructured, family, artisanal, and generally unregistered businesses, children may be found as paid workers, “apprentices,” unpaid workers without contracts, domestic servants, home workers or subcontractors.

In the formal sector, which includes private, semi-public or state enterprises of varying sizes, children may be employed as permanent workers, seasonal or daily workers, apprentices with or without contracts, and children who are on the premises with a parent and may be asked to help.

Lastly, there are sectors on the margins of society which consist of illegal or quasi-illegal activities, where children may get a cut of the profits, be paid in kind, or have an informal “contract” with a supplier or manager.

These classifications can help to evaluate the constraints upon children arising out of their employment relationship and to establish priorities for action by taking account of the pressure suffered by children as a result of their legal or economic dependence. Classifying and understanding the precise employment status of the child is also important in unraveling the legal fictions commonly invoked to deny the existence of the employment of child labor.

Agriculture, hunting, forestry and fishing

- in all developing countries and in most industrialized countries
- in the cultivation of food crops and in large commercial plantations
- for all agricultural work, whether manual or mechanical: including clearing and working the land and planting; looking after crops, weeding and watering; preparing and spreading fertilizers and pesticides; replanting rice; irrigations; gathering, harvesting, sorting, threshing, preparing and the preliminary processing of products, etc.
- guarding the fields (against robbers, birds and monkeys)

- all work in the following plantations:
 - sugar cane
 - tobacco
 - cotton, hemp, jute, flax
 - hevea (rubber tree)
 - tea, coffee, cocoa
 - rice
 - bananas
 - pineapples
 - coconuts, palm oil, ground-nuts
 - plants for perfume (jasmine, ylang, cloves, basil, vanilla)
- market gardening, horticulture and forestry: tending, watering and gathering fruit and vegetables;
 - green beans, tomatoes, melons, peas, carrots, lettuce
 - strawberries, cherries, apples, pears
 - grapes onion, garlic
 - flowers
- cultivating crops:
 - rice, maize, millet, sorghum, wheat
 - root crops: manioc, yams, sweet potatoes
 - green vegetables: peas, beans
- rearing cattle and other animals, aviculture, all the tasks undertaken by shepherds, including looking after and guarding herds, gathering fodder, milking
- driving and caring for oxen and draught animals
- industrial, artisanal and traditional sea fishing, inshore fishing, and in lakes and rivers
- cutting firewood and timber
- digging and maintaining irrigation channels

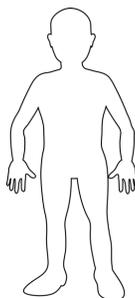
g. What risks exist for children?

Objectives

- Use body mapping to identify injuries, occupational diseases and ill health related to the engagement of children in hazelnut growing.
- Identify common safety and health problems affecting children who are engaged in agricultural activities.

Description of activity

1. Ask working groups to use the following illustration to draw in hazards that can afflict children working in the agriculture sector.



2. Ask them to use different colors to identify different symptoms. For example:
 - aches and pains – blue
 - breathing difficulties, coughing – red
 - stress related disorders – green
 - any other problems such as skin rashes, runny eyes and nose, dizziness, reproductive disorders, etc. – yellow
3. Ask them to indicate the problem and its cause(s) and the specific area of the body affected, and indicate with an asterisk (*) dangers and ill effects that may not be immediately apparent but have long-term consequences.
4. Ask a representative of each group to share the hazards they have identified.
5. Wrap up the activity by summarizing the main physical and psychological risks that children can be exposed to.
6. Questions to reflect over in plenary:
 - a. What hazards are children exposed to while working in the agriculture sector?
 - b. Are risks for girls the same as for boys?

Key learning points

- Occupational health and safety experts consider agriculture to be among the most dangerous of occupations.
- Children are more susceptible to and more adversely affected by specific work hazards than adults because children differ from adults in their physiological and psychological make-up.
- The effects of hazardous working conditions on children's health and development can be devastating.
- Children are also much more vulnerable than adults to physical, sexual and emotional abuse.

Time: 25 minutes

- Group work: 5 minutes
- Presentations of groups: 10 minutes
- Plenary discussion: 10 minutes

Slides

- Slides 14 – 15

Materials

- Flip chart paper
- Markers

Tips

- Ensure that participants include not only physical but also psychological impacts that work in the agriculture sector has on them.

Facilitator notes

Extracts from: Training Manual Workshop 2: The CHILD LABOR REMEDIATION Initiation Workshop Handouts, ILO

Because children differ from adults in their physiological and psychological make-up, they are more susceptible to and more adversely affected by specific work hazards than adults. Because they are not yet matured mentally, they are less aware of the potential risks involved in the workplace.

The effects of hazardous working conditions on children's health and development can be devastating. The impact of physically strenuous work, such as carrying heavy loads or being forced to adopt unnatural positions at work can permanently distort or disable growing bodies. There is evidence that children suffer more readily from chemical hazards and radiation than do adults, and that they have much less resistance to disease.

Children are also much more vulnerable than adults to physical, sexual and emotional abuse and suffer more devastating psychological damage from living and working in an environment in which they are denigrated or oppressed. This is particularly true in the case of the very young and girls. Girls are more likely to:

- begin working at an earlier age than boys;
- be paid less than boys for the same work;
- be concentrated in sectors and areas that are characterized by low pay and long hours;
- be working in industries which are hidden and unregulated, making them more vulnerable to exploitation and abuse;
- be concentrated in industries which pose excessive dangers to their health, safety and welfare;
- be either excluded from education or suffer the triple burden of housework, school work and economic work.

Occupational health and safety experts consider agriculture – the sector which has the highest percentage of child labor – to be among the most dangerous of occupations. Climatic exposure, work that is too heavy for young bodies, and accidents, such as cuts from sharpened tools, are some of the hazards children face. Modern agricultural methods bring further hazards in their wake, for example, the use of toxic chemicals and motorized equipment. Many children are killed by tractors overturning, or by trucks and heavy wagons brought into the fields for transport.

In many countries, the hazards and risks to health are compounded by poor access to health facilities and education, poor housing and sanitation and the inadequate diet of rural workers. Protective legislation is limited in agriculture. In many countries, the places where children work are excluded from legislation as family undertakings. Even when there is legal protection, enforcement of child labor legislation is difficult given the geographically dispersed nature of the agricultural industry.

Extracts from: Training on Eliminating Child Labor and Promoting Decent Work in Seasonal Agriculture for Stakeholders from Turkey

Background

- According to the FAO, family farms account for almost 90 % of the world's farms...
- Most of work is done by family members
- Women and children carry an important burden

- Long, arduous and often hazardous work is the norm in order to cut costs and compensate farm's low productivity
- Low income and/or distress situation may push them into hazardous non-farm employment
- In West/Central Africa 1 in 4 children 5-14 and 1 in 10 children 15-17 years is in child labor (UCW, 2013)
- In East and South East Asia 1 in 8 children 5-14 years and 1 in 9 children 5-17 years is in child labor (UCW, 2014)

Child while working in farm exposed to following risks;

- Toxic pesticides, unsanitary conditions
- Isolated locations unsafe for young children particularly girls (sexual harassment)
- Sharp tools, heavy loads, dangerous machinery and tools
- Sun, extreme temperatures
- Danger to falls from trees, snake bites
- Long hours often bent over or in a crouched position

Why are child laborers at greater risk than adult workers in the same work situation?

There are three aspects:

- Physical/Biological development
- Cognitive/Mental development (Thought/Learning)
- Emotional growth"

Extract from: ILO Training Resource Pack for Cooperatives on the Elimination of (Hazardous) Child Labor

General

Per kilogram of body weight, children breathe more air, drink more water, eat more food and use more energy than adults. These higher rates of intake result, for example, in greater exposure to diseases (pathogens) and toxic substances/pollutants.

They also need more sleep than adults. They drink two and a half times more water than adults per kilogram of body weight. They eat three to four times more food per kilogram of body weight. Their small physical size and being asked to do tasks beyond their physical strength may pose additional risks. As children's tissues and organs mature at different rates, it is not possible to specify precise ages of vulnerability for children to specific workplace hazards and risks.

Skin

A child's skin area is 2.5 times greater than an adult's (per unit body weight), which can result in greater skin absorption of toxics. Skin structure is only fully developed after puberty.

Respiratory

Children have deeper and more frequent breathing and thus can breathe in more substances that are hazardous to their health. A resting infant has twice the volume of air passing through the lungs compared to a resting adult (per unit of body weight) over the same time period.

Brain

Maturation can be hindered by exposure to toxic substances. Metals are retained in the brain more readily in childhood and absorption is greater (e.g., lead and methyl mercury).

Gastrointestinal, endocrine and reproductive systems and renal function

The gastrointestinal, endocrine and reproductive systems and renal function are immature at birth and mature during childhood and adolescence, thus the elimination of hazardous agents is less efficient. Exposure to toxic substances in the workplace can hinder the process of maturation. The endocrine system and the hormones it generates, and controls play a key role in growth and development. The endocrine system may be especially vulnerable to disruption by chemicals during childhood and adolescence.

Enzyme system

The enzyme system is immature in childhood, resulting in poorer detoxification of hazardous substances.

Energy requirements

Children require greater energy consumption because they are growing, and this can result in increased susceptibility to toxins.

Fluid requirements

Children are more likely to dehydrate because they lose more water per kilogram of body weight through the greater passage of air through their lungs, the larger surface area of their skin, and their inability to concentrate urine in their kidneys.

Sleep requirements

10-18 year-olds require about 9.5 hours sleep per night for proper development.

Temperature

Children have increased sensitivity to heat and cold, as their sweat glands and thermo-regulatory systems are not fully developed.

Physical strain/repetitive movements

Physical strain, especially combined with repetitive movements, on growing bones and joints can cause stunting, spinal injury and other life-long deformations and disabilities.

Auditory/Noise

In principle, the effects of excessive noise apply to children as well as adults, though at present it is not unequivocally clear whether children are more vulnerable to noise than adults.

Cognitive and behavioral development

A child's capacity to recognize and assess potential safety and health risks at work and make decisions about them is less mature than that of adults. For younger children this ability is particularly weak. The ability to generate options, to look at a situation from a variety of perspectives, to anticipate consequences and to evaluate the credibility of sources increases throughout adolescence. By mid-adolescence, most youngsters make decisions in similar ways to adults.

III. Forced Labor

a. What is forced labor?

Objectives

- Review and explain the concept of forced labor.
- Introduce the concepts of involuntariness and penalty as indicators of forced labor.
- Understand the difference between forced labor and trafficking of persons.

Description of activity

1. Explain to participants the ILO's definition of forced labor.
2. Questions to reflect over in plenary:
 - a. Do you think forced labor is currently a problem in supply chains?
 - b. Who do you think could be exposed to forced labor on a farm?
 - c. What is the difference between trafficking and forced labor?

Key learning points

- Forced labor is work that a person has not engaged in voluntarily (concept of "involuntariness") and that is performed under the threat of penalty (concept of "coercion") from an employer or a third party.
- The penalty may take place during the recruitment process or on the job.
- The penalty (coercion, violence or intimidation) can be physical or psychological.
- Forced labor exists in industrialized as well as in developing countries.

Time: 10 minutes

- Plenary discussion: 10 minutes

Slides

- Slides 16 – 17

Materials

- None

Tips

- This activity is only an introduction to the concept that allows participants to analyze the concept and indicators in the following activities, so there is no point in trying to go into much degree of detail.

Facilitator notes

Extracts from: [Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labor of Adults and Children, ILO, 2012](#)

Forced labor of adults is defined, as work for which a person has not offered him or herself voluntarily (concept of "involuntariness") and which is performed under the menace of any penalty (concept of "coercion") applied

by an employer or a third party to the worker. The coercion may take place during the worker's recruitment process to force him or her to accept the job or, once the person is working, to force him/her to do tasks which were not part of what was agreed at the time of recruitment or to prevent him/her from leaving the job.

Extracts from: [Identifying, Managing, Mitigating and Preventing Forced Labor and Modern Slavery, ETI, Auret van Heerden](#)

According to the ILO, "forced labor refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as accumulated debt, retention of identity papers or threats of denunciation to immigration authorities." It notes that this definition covers most situations of slavery or human trafficking. The term "modern slaver," on the other hand, also encompasses slavery, servitude, forced and compulsory labor and human trafficking. Human trafficking, for its part, can be defined as a process of bringing a person into a situation of exploitation.

One way of making sense of this complex set of issues is to make a distinction between:

- types of labor or employment relationship (forced, bonded, enslaved) on the one hand, and
- the channels into them, which include trafficking, slave trading, migration, displacement and, in some societies, birth.

Trafficking is the forced transition of people into an exploitative situation. According to the Palermo Protocol: "Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs." This rather complex definition covers the entire cycle of trafficking, the means and the purpose, which may include slavery, forced labor or servitude but also non-labor objectives such as the harvesting of organs. It is to be distinguished from people smuggling, which is the illegal movement of people across borders for a fee, usually with their consent.

Extracts from: [USDA's Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains: Practitioners' Guide \(2018\)](#)

The internationally recognized definition of forced labor is found in ILO Convention No. 29 (1930). According to this Convention, forced labor is "all work or service which is demanded from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." The USDA Guidelines further elaborate that forced labor is also work or service performed as a result of coercion, debt bondage, or involuntary servitude.

The key elements of the definition of forced labor are:

All work or service: It includes all types of work, service, and employment, regardless of the industry, sector or occupation, and encompasses legal and formal employment as well as illegal and informal employment.

Any person: It refers to adults as well as children, regardless of their nationality; it is considered irrelevant whether the person is a national or not of the country in which the forced labor instance has been identified.

Menace of any penalty: Penalties may refer to criminal sanctions as well as various forms of coercion such as threats, violence, retention of identity documents, confinement, or non-payment of wages. Penalties may also take the form of a loss of rights or privileges.

Voluntariness: Workers must consent to enter into employment and must enjoy freedom to leave employment at any time, with reasonable notice, in accordance with national law or collective agreements.

In essence, persons are in a forced labor situation if they enter into a work or service situation against their freedom of choice and cannot leave it without penalty or the threat of penalty. Penalties do not have to take the form of physical punishment or restraints; they can also take other forms, such as the loss of formal rights.

Migrant workers are vulnerable and are more often subject to forced labor than local workers. In some instances, migrant workers may also be linked to human trafficking practices.

International Conventions, Recommendations and Frameworks

- ILO C29 – Forced Labor Convention,
- ILO P029 – Protocol of 2014 to the Forced Labor Convention,
- ILO C105 – Abolition of Forced Labor Convention,
- ILO R203 – Forced Labor (Supplementary Measures) Recommendation, 2014
- The League of Nations Slavery Convention, 1926
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, November 2000
- European Convention on Human Rights

b. Can we give examples of involuntariness and penalty for adult workers?

Objectives

- Explore different possibilities of involuntariness and penalty in cases of recruitment and work under duress, or impossibility of leaving employment.
- Discuss different indicators to determine if a situation is forced labor.

Description of activity

1. Remind participants of the concepts of involuntariness, lack of consent, and penalty or threat of a penalty as indicators of forced labor.
2. Ask participants to stand up and form a circle.
3. Throw a ball to participants.
4. Each time a participant catches the ball, he or she must provide an example of involuntariness or coercion.
5. Write the examples in two lists on a flip chart paper, one under the category of involuntariness and another under coercion
6. Questions to reflect over in plenary:
 - a. What could be indicators of involuntariness in the case of recruitment?
 - b. What could be indicators of penalty or menace of penalty in the case of recruitment?

- c. What could be indicators of involuntariness in the case of working conditions?
- d. What could be indicators of penalty or menace of penalty in the case of working conditions?
- e. What could be indicators of involuntariness in the case of termination of the labor relationship?
- f. What could be indicators of penalty or menace of penalty in the case of termination of the labor relationship?

Key learning points

- Involuntariness implies to work entered into work involuntarily or work that cannot be freely terminated.
- The penalty or threat of penalty can be physical or psychological.
- The three phases of forced labor are recruitment; work; deployment (post-work phase).

Time: 30 minutes

- Facilitators input: 5 min
- Plenary discussion: 25 minutes

Slides

- Slides 18 – 19

Materials

- Flip chart paper
- Markers
- A small soft ball

Tips

- Be careful about safety issues and make sure that no chairs, glasses or breakables are nearby before starting the game.
- Ensure all participants give at least one example.
- As you write the examples down in the flip chart, evaluate if they are a clear case of forced labor with strong indicators or could be a gray area.

Facilitator notes

Extracts from: [Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labor of Adults and Children, ILO, 2012](#)

Indicators of Unfree Recruitment

A. Involuntariness

Strong Indicators

- *Tradition, birth (birth/descent into “slave” or bonded status)*
- *Coercive recruitment (abduction, confinement during the recruitment process)*
- *Sale of the worker*
- *Recruitment linked to debt (advance or loan)*
- *Deception about the nature of the work*

Medium indicators

- *Deceptive recruitment (regarding working conditions, content or legality of employment contract, housing and living conditions, legal documentation or acquisition of legal migrant status, job location or employer, wages/ earnings)*
- *Deceptive recruitment through a promise of marriage*

B. Penalty or Menace of Penalty

Strong Indicators

- *Confiscation of identity papers or travel documents*
- *Sexual violence*
- *Physical violence*
- *Other forms of punishment*
- *Removal of rights or privileges (including promotion)*
- *Religious retribution*
- *Withholding of assets (cash or other)*
- *Threats against family members*

Medium indicators

- *Exclusion from future employment*
- *Exclusion from community and social life*
- *Financial penalties*
- *Informing family, community or public about worker’s current situation (blackmail)*

Indicators of work and life under duress for adults

A. Indicators of involuntariness

Strong indicators

- Forced overtime (beyond legal limits)
- Forced to work on call (not formally on duty - day and night)
- Limited freedom of movement and communication
- Degrading living conditions

Medium indicators

- Forced engagement in illicit activities
- Forced to work for employer's private home or family
- Induced addiction to illegal substances
- Induced or inflated indebtedness (by falsification of accounts, inflated prices for goods/services purchased, reduced value of goods/services produced, the excessive interest rate on loans, etc.)
- Multiple dependency on employer (jobs for relatives, housing, etc.)
- Pre-existence of a dependency relationship with employer
- Being under the influence of employer or people related to employer for non-work life

B. Indicators of penalty and menace of penalty

Strong indicators

- Denunciation to authorities
- Confiscation of identity papers or travel documents
- Confiscation of mobile phones
- Further deterioration in working conditions
- Isolation
- Locked in workplace or living quarters
- Sexual violence
- Physical violence
- Other forms of punishment (deprivation of food, water, sleep, etc.)
- Violence against worker in front of other workers
- Removal of rights or privileges (including promotion)
- Religious retribution
- Constant surveillance
- Withholding of assets (cash or other)
- Withholding of wages
- Threats against family members

Medium indicators

- Dismissal
- Financial penalties
- Informing family, community or public about worker's current situation (blackmail)
- Exclusion from community and social life
- Extra work for breaching labor discipline

Indicators of impossibility of leaving for adults

A. Indicators of Involuntariness

Strong indicators

- *Reduced freedom to terminate labor contract after training or other benefit paid by employer*
- *No freedom to resign in accordance with legal requirements*
- *Forced to stay longer than agreed while waiting for wages due*
- *Forced to work for indeterminate period in order to repay outstanding debt or wage advance*

B. Indicators of Penalty or Menace of Penalty

Strong indicators

- *Denunciation to authorities*
- *Confiscation of identity papers or travel documents*
- *Imposition of worse working conditions*
- *Locked in work or living quarters*
- *Sexual violence*
- *Physical violence*
- *Other forms of punishment (deprivation of food, water, sleep, etc.)*
- *Removal of rights or benefits (including promotion)*
- *Religious retribution*
- *Under constant surveillance*
- *Violence imposed on other workers in front of all workers*
- *Withholding of assets (cash or other)*
- *Withholding of wages*
- *Threats against family members (violence or loss of land or jobs)*

Medium indicators

- *Dismissal*
- *Exclusion from community and social life*
- *Extra work for breaching labor discipline*
- *Financial penalties*
- *Informing family, community or public about worker's current situation (blackmail)*

The operational definition of forced labor can be split into the four principal dimensions detailed below:

1. Unfree recruitment covers both forced and deceptive recruitment. Forced recruitment is when, during the recruitment process, constraints are applied to force workers to work for a particular employer against their will – it being understood that poverty and a family's need for an income are not recognized as indicative of such coercion; the coercion or constraints must be applied by a third party. Deceptive recruitment is when a person is recruited using false promises about the work. This represents involuntariness insofar as, had the worker been aware of the true working or other conditions, he or she would not have accepted the job.

2. Work and life under duress covers adverse working or living situations imposed on a person by the use of force, penalty or menace of penalty. "Work under duress" may entail an excessive volume of work or tasks that are beyond what can reasonably be expected within the framework of national labor law. "Life under duress" refers to situations where degrading living conditions, limitations on freedom or excessive dependency are imposed on a worker by the employer.

3. Although the impossibility of leaving an employer is a form of limitation on freedom, it is treated as a separate dimension here, as it is such a key ingredient of forced labor. The difficulty to leave one's employer is a characteristic of forced labor when leaving entails a penalty or risk to the worker. While the deliberate retention of wages is recognized as a form of coercion (as the worker has to stay because outstanding wages will be lost if he or she leaves, hence there is a penalty for leaving), a worker who cannot leave a job because of poverty or lack of alternative income opportunities is not in a situation of forced labor, unless specific elements of coercion or involuntariness are also present.

4. Penalty or menace of penalty (means of coercion) may be applied directly to the worker or to members of his or her family. The "coercion" dimension can be further divided into the six sub-categories presented below:

- Threats and violence encompass all forms of punishment or threat of punishment, which put the worker in a position of subordination to the employer. Violence may be physical, sexual or psychological. Deprivation of food or sleep is included in this sub-category.
- Restriction of workers' freedom of movement due to isolation, confinement or surveillance. Workers may be locked in the workplace or living quarters or their freedom of movement outside be otherwise restricted or under constant surveillance. All means used by an employer to make it dangerous or very difficult for a worker to leave the workplace fall under this category.
- Debt bondage or debt manipulation and any accompanying threats against a worker or his or her family members.⁸ The debt may have been contracted at any time during the work history of the worker, whether at the time of recruitment (where an advance payment or loan is given and the debtor has to repay it through his or her work and/or that of a family member) or when the person is already employed. For operational purposes, it is suggested that the sub-category includes all cases where a debt is imposed on a worker without his or her consent, for example when an employer "creates" an inflated debt for travel, for the use of work tools or for other costs. This category also covers the absence of accounts and a lack of transparency or deliberate manipulation in the repayment of the worker's debt.
- Withholding of wages or other promised benefits may be used by an employer to retain a worker longer than agreed. As the worker does not want to leave without being fully remunerated, and in the absence of access to legal means of recourse, he or she is obliged to remain with the employer in the hope that

eventually this will happen. Retention of passport, identity papers or travel documents refers to all situations where workers do not have access to their documents upon request. Cases in which an employer holds the documents for safe-keeping, but the worker can retrieve them at any time, do not fall under this category. On the other hand, if an employer confiscates the documents upon the worker's arrival and refuses to return them, this effectively prevents the worker from leaving and clearly represents a means of coercion; this is especially true for migrant workers, who are often required by law to have their identity documents in their possession at all times.

- Abuse of vulnerability, including threats of denunciation to the authorities, is a means of coercion where an employer deliberately and knowingly exploits the vulnerability of a worker to force him or her to work. The threat of denunciation is used especially in the case of irregular migrant workers. Other instances of abuse of vulnerability include taking advantage of the limited understanding of a worker with an intellectual disability and threatening women workers with dismissal or with being forced into prostitution if they refuse to comply with the employer's demands. As noted above, the obligation to stay in a job due to the absence of alternative employment opportunities, taken alone, does not equate to a forced labor situation; however, if it can be proven that the employer is deliberately exploiting this fact (and the extreme vulnerability which arises from it), to impose more extreme working conditions than would otherwise be possible, then this would amount to forced labor.

c. Can we give examples of involuntariness and penalty for child workers?

Objectives

- Explore different possibilities of involuntariness and penalty in cases of unfree recruitment, work, and life under duress, and the impossibility of leaving an employer.
- Discuss different indicators to determine if a situation involving child workers qualifies as forced labor.

Description of activity

1. Have participants call out examples of lack of consent or threat of penalty in cases of children.
2. Questions to reflect over in plenary:
 - a. Would the indicators of lack of consent be similar or different for adults?
 - b. Would the indicators of threat of penalty be similar or different for adults?

Key learning points

- Involuntariness applies to work that is not entered into freely as well as work that cannot be terminated freely.
- The penalty or threat of penalty can be physical or psychological.

Time: 30 minutes

- Plenary discussion: 30 minutes

Slides

- Slide 20

Materials

- Flip chart paper
- Markers

Tips

- If this activity seems too long, combine it with previous exercise, asking participants to give one example for adults and another for children.

Facilitator notes

Extracts from: [Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labor of Adults and Children, ILO, 2012](#)

Indicators of unfree recruitment for children

A. Involuntariness

- *Child is born into a bonded family and is forced to work for his or her parents' employer*
- *Recruitment as collateral for a loan given to parents or relatives*
- *Recruitment as part of the employer's agreement to employ the parents or relatives*
- *Recruitment in exchange for a cash advance or loan to the parents*
- *Recruitment of the child in the context of a tradition perpetuated by those in power*
- *Deception about:*
 - *access to education*
 - *living conditions*
 - *location of the job*
 - *wages*
 - *quantity of work*

B. Indicators of penalty

- *Family would lose benefits (land, housing, etc.)*
- *Other family members would lose their job*
- *Exclusion of family members from future employment*
- *Violence against child*
- *Violence against family members*
- *Exclusion of family members from access to loans*

A. Indicators of involuntariness

- *Forced overtime (beyond legal limits)*
- *Forced to work for the employer's private home or family*
- *Forced to work when sick or injured*
- *Limited freedom of movement outside the workplace*
- *Food, clothing and housing provided by employer in lieu of a wage*
- *Degrading living conditions*

B. Indicators of penalty

- *Physical violence*
- *Psychological violence*
- *Wage deductions*
- *Threat of dismissal*
- *Threats against Family*
- *Punishment/violence inflicted on other children in front of child*
- *Constant surveillance*
- *Withholding of wages*
- *Detention of identity paper*

Work and life under duress for children

Indicators of impossibility of leaving for children

A. Indicators of Involuntariness:

- *Limited or no freedom to leave the employer*

B. Indicators of Penalty:

- *Under constant surveillance*
- *Family would lose benefits (land, housing, etc.)*
- *Other family members would lose their job*
- *Exclusion of family members from future employment*
- *Threats or violence against child*
- *Threats or violence against family members*
- *Exclusion of family members from access to loans*
- *Withholding of wages*
- *Confiscation of identity papers*
- *Punishment inflicted on other children in front of child*
- *Threat of further deterioration in working conditions*
- *Threat of forced sexual exploitation*

d. Are these cases of forced labor?

Objectives

- Practice recognizing forced labor situations.

Description of activity

1. Distribute different cases of forced labor among the groups.
2. Ask participants to read the cases and identify forced labor situations.
3. Questions to reflect over in plenary:
 - a. Was there lack of consent in the case?
 - b. Was it an example of a threat to penalty?
 - c. Were these cases examples of strong indicators?
 - d. What were the medium indicators?

Time: 50 minutes

- Group work: 10 minutes
- Plenary discussion: 40 minutes

Slides

- Slide 21

Materials

- Case studies

Tips

- The case studies may be adapted to the local realities and particularities, including names, currency, region and crop. More details can be added so long as the main elements of the forced labor indications (or lack of them) remain in the case.
- Focus should be on identification of indicators and combination of medium and strong indicators.

Facilitator notes

Case studies

1. David was recruited in his village along with his family by a labor broker to work in a farm. He had to pay the labor broker an equivalent of five months salary to start working. David is not paid directly but through the labor broker.
2. Sean gave his passport (and those of family members) to the labor broker who hired him. The labor broker told him it was for the best for security purposes and that once the harvest season ends he can get his documents back.
3. Albert, his wife, and their underage children are working on a farm and housed in temporary camps that lack basic sanitation and water supply. The entire family to go to the farms every day to collect nuts. Albert is paid for the work done by the whole family.
4. David gets paid at the end of the harvest season. To get by, he borrows money from his employer.
5. Abigail's employer, a farmer, asks her to help clean his house and do other chores after she has finished her regular work. She is not offered additional pay.
6. Armed men guard the plantation where workers labor. To leave the plantation, workers must ask permission.
7. Laura is paid with food and accommodation but no cash.
8. Felicity is a non-registered migrant and doesn't speak much of the local language. She lives in a remote area. She knows she is getting paid very little for the work she does, but every time she complains to her employer. He tells her that if she doesn't continue to work, he will report her to authorities, and she could risk deportation.

Extracts from: *Hard to See, Harder to Count: Survey Guidelines to Estimate Forced Labor of Adults and Children*, ILO, 2012

How to decide the presence of forced labor situation:

Adults: The dimension “unfree recruitment” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension are present, and at least one of these indicators is strong.

The dimension “work and life under duress” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present, and at least one of these indicators is strong.

The dimension “impossibility of leaving employer” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present, and at least one of these indicators is strong.

Any adult worker for whom the dimension of unfree recruitment OR life and work under duress OR impossibility of leaving the employer is positive, can be considered a victim of forced labor.

Children: The dimension “unfree recruitment” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present. The dimension “work and life under duress” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present.

The dimension “impossibility of leaving employer” is positive when at least one indicator of involuntariness and one indicator of penalty (or menace of penalty) relating to that dimension is present. Any child worker for whom the dimension of unfree recruitment OR life and work under duress OR impossibility of leaving the employer is positive, can be considered a victim of forced labor.

IV. The Business Case

a. How child labor and forced labor impact business?

Objectives

- Identify the impact human rights violations can have on a company.
- Discuss any impact these issues have had on training participants and how they addressed them.

Description of activity

1. Ask groups to fill in the table below:

How can supply chains free from child labor and forced labor raise a company's bottom line?	How can supply chains burdened with child labor and forced labor reduce the bottom line?
1.	1.
2.	2.
3.	3.
4.	4.

5.	5.
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2. Have each group call out one of their examples and write them on a flip chart paper. Go around the room several times to get all participants's example.
3. Questions to reflect over in plenary:
 - a. What are the main reasons to make sure that supply chains are free from human rights abuses?
 - b. Have you experienced these issues in your supply chains?
 - c. How did you address them?
 - d. Do you think that these problems persist in your supply chains?

Key learning points

- Financial, legal and other considerations provide incentives to take human rights seriously.

Time: 30 minutes

- Group work: 10 minutes
- Plenary discussion: 20 minutes

Slides

- Slides 22 – 23

Materials

- Flip chart paper
- Markers

Facilitators notes

Extracts from: [USDA's Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains: Practitioners' Guide \(2018\)](#)

Global supply chains in the food and beverage sector encompass primary production in different locations and often include many different structures (from informal, near- subsistence farming and smallholder entities to commercial-size agribusiness enterprises). Agricultural production tends to be more subject to child and forced labor issues than most other economic sectors. Cultural patterns combined with situations of extreme poverty often lower the threshold of compliance with basic human rights and lead to the use of child or forced labor in early stages of the supply chain.

Extracts from: [Child Labor Resource Guide, UNICEF](#)

There are clear business benefits for companies openly and actively seeking to address and minimize the potential for child labor to exist in their supply chains. They include:

- Increased brand capital
- Higher consumer/customer reputation and loyalty
- Improved customer relations
- Improved employee morale

- Higher quality of goods
- Reduced health and safety risks
- Reduced investor activism
- Minimized risk of “anti” campaigning
- Reduced risk of governmental intervention
- Support of global socially responsible investors
- Support of NGOs”

Extracts from: [Children’s Rights In Policies And Codes Of Conduct: A Tool for Companies, Save the Children and UNICEF, 2013](#)

Key reasons for integrating children’s rights in business policies and codes of conduct

Including respect and support for children’s rights in core strategies and operations can strengthen corporate sustainability initiatives while ensuring benefits for business. Respecting and supporting children’s rights requires business to both prevent harm and actively safeguard children’s interests. Integrating children’s rights in policies and codes of conduct is vital in order to:

- Embed specific children’s rights considerations within the company’s business functions.
- Ensure that children are regarded as equal stakeholders and that children’s rights are considered within broad company human rights programs.
- Address and mitigate risks in areas of potential impact on children’s rights that are not considered under broader human rights programs.
- Ensure that respecting and supporting children’s rights become part of the company culture and provide guidance for managers and employees in relation to matters that may impact the rights of children.
- Alert suppliers, customers and other business partners of the special considerations required to protect children from potential risks.
- Communicate both externally and internally the company’s greatest risks related to children’s rights.
- Promote children’s rights in the value chain by specifying proper, and improper, product use by customers and other users to ensure respect for children’s rights.
- Provide protection for children where staff have direct contact through their paid or philanthropic work.

Extracts from [Business & Human Rights Initiative \(2010\), “How to Do Business with Respect for Human Rights: A Guidance Tool for Companies,”](#) The Hague: Global Compact Network Netherlands.

How Not Respecting Human Rights Can Reduce the Bottom Line
• Costs of strikes when workers feel their rights are not respected
• Litigation costs from lawsuits related to human rights abuses (eg. discrimination)
• Lowered employee morale due to implication of their company in human rights abuses
• Public relations and brand image cost arising from human rights abuses
• Financing costs, eg. increased project financing costs or withdrawal of financing
• Force majeure claims by contractors forcing renegotiation of price upwards or cancellation
• Inability to get products on the market at the planned time
• Restricted opportunities for growth because of the reluctance of governments to grant new licenses and permits
• Possibility of write-offs and restatement of earnings in the event of project cancellation or delay
• Restricted access to equity capital markets as a result of concerns of Socially Responsible Investors

How Human Rights Can Raise the Bottom Line
• Employees are more motivated, leading to increased productivity and higher retention rates
• Maintaining a diverse workforce makes the company better equipped to compete in the global economy
• A company that respects human rights is an attractive employer on the job market
• Proper human rights due diligence leads to positive news and attention (even when things have gone wrong)
• Less external restrictions related to financing of a project may be imposed because the company has a positive rating on incorporating human rights concerns
• The company may become more attractive as a client for contractors, suppliers and other business partners
• Increased knowledge and capacity to tailor products to the needs and preferences of consumers
• Management time that currently goes to dispute resolution can be dedicated to entrepreneurship and strategy
• Increased access to government contracts (eg. Dutch Government requires 100% sustainability for public contractors, including ensuring respect for human rights)
• Increased likelihood that projects will finish in time or ahead of schedule

Extract from: ILO-IOE Child Labor Guidance Tool for Business

Preventing and addressing harm to children is a compelling human rights issue that many companies do not need to be persuaded to commit to. What many companies do need help with is understanding what action to take (beyond having a policy), how to assess the effectiveness of existing company approaches, and how to change approaches that are not working. However, in the face of competing priorities and limited resources, internal champions may need additional arguments. Points that some champions within companies have found helpful include:

Improved risk management: involvement with child labor can expose a company to public criticism and campaigning by civil society organizations and in the press, leading to reputational harm and harm to employee retention and recruitment;

Impacts on markets: child labor hampers the economic development of a country and the income of consumers that are needed for long-term business success;

Greater access to business opportunities: business customers increasingly recognise the reduced risk to themselves when working with a company that effectively manages its human rights risks, especially as government procurement requirements integrate human rights considerations with greater frequency;

Positive recognition: investors are increasingly concerned about human rights issues and also willing to acknowledge company efforts to address challenges;

Growing disclosure requirements: national laws and stock exchanges are imposing greater demands on companies with regard to disclosure of their human rights management systems, as the box below summarises.

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About the Fair Labor Association

Since 1999, Fair Labor Association has helped improve the lives of millions of workers around the world. As a collaborative effort of socially-responsible companies, colleges and universities, and civil society organizations, FLA creates lasting solutions to abusive labor practices by offering tools and resources to companies, delivering training to workers and management, conducting due diligence through independent assessments, and advocating for greater accountability and transparency from companies, factories, farms, and others involved in global supply chains.