CHILD LABOUR IN AGRICULTURE
A SURVEY OF NATIONAL LEGISLATION

"Developing National and International Trade Union Strategies to Combat Child Labour"
INT/96/M06/NOR

Bureau for Workers’ Activities
International Labour Office
Geneva
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“Developing National and International Trade Union Strategies to Combat Child Labour”, Project INT/96/M06/NOR

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1. Preface

This report is a summary of findings based on a questionnaire sent to 52 countries in Africa, 32 countries in the Americas, 33 countries in Asia, and 41 countries in Europe and Central Asia. The responses to the questionnaire give an indication of the basic minimum age for employment and the exceptions for light work, hazardous work, work in family undertakings, and in agriculture.

The purpose of the research project was to examine legislation on child labour in agriculture and its application. In order to disseminate the findings, the second part of the report has been summarized, providing details on examples of legislation in different countries.

A new ILO Convention on safety in agriculture is in preparation. It is hoped that the new Convention will be adopted at the International Labour Conference in 2001. Along with Convention 138 on the Minimum Age for Entry into Employment, and Convention 182 on the Worst Forms of Child Labour, the new Agriculture Convention will provide an impetus to extend a higher level of protection for children working in agriculture, as a step towards the complete elimination of child labour.

Some of the information in this report constitutes an article in Labour Education 2000/1-2, Nos 118/119, “Top on the agenda: Health and safety in agriculture”, page 102, A summary of findings on the basic minimum age for employment and the exceptions for light work, hazardous work, work in family undertakings, and in agriculture. Parts of the report were presented at the ILO Regional Meeting for Africa, Abidjan, 1999.

The report was prepared in cooperation with the ILO/ACTRAV Project INT/96/M06/NOR “Developing National and International Trade Union Strategies to Combat Child Labour”. It was written by Ms. Suzanne Nola and revised and updated by Mr. Steve G. Bosnick, Faculty of Law, University of Toronto, in 1999.

The ILO/ACTRAV Project has produced several other technical papers such as this one, and a set of booklets under the heading “Trade Unions and Child Labour”.

Geneva, December 2000

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2. Introduction

The majority of economically active children in the world work in the agricultural sector. In spite of this fact and the fact that agriculture is one of the most hazardous sectors of employment, agriculture is excluded from protective legislation regarding child labour in a number of countries. This paper explores the extent of this exclusion and implications of this for working children.1

3. The Agricultural Sector

Agriculture is a complex and heterogeneous sector comprised of a number of sub-sectors.2 While the meaning of the term may vary depending on the particular country context it can include such diverse areas as farming, animal husbandry, livestock food preparation, horticulture, viticulture, crop processing and packaging, poultry keeping, bee-keeping, pest management, irrigation and grain storage. It is estimated that half of the world’s labour force are engaged in agricultural production.3 The proportion of the workforce engaged in this sector in each country varies quite considerably, the proportion being higher in general terms in developing countries. Agricultural methods also vary from highly mechanised commercial production to traditional methods in small scale subsistence farming.4 The distinction which has traditionally been drawn between these two areas is slowly being eroded, however, with the increasing commercialisation and industrialisation of agriculture generally and the division of formerly large agricultural estates in several countries into smaller individually owned farms, contracted to a central entity.

4. The Number of Children Employed in Agriculture

Accurate statistics regarding the number of economically active children are notoriously elusive.5 Difficulties in obtaining data of this nature include: different perceptions of who constitutes a child and what equates to child labour6; difficulties in detecting what are, in many cases, illegal activities and difficulties in the design of statistical surveys which have, until recently, measured child labour from age ten and above. This latter issue is particularly problematic in terms of child labour in rural areas as evidence suggests that many children working in these areas, and particularly girls, start work at a much younger age.7

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1 See section 4.2 for sources and methods by which this study was carried out.
3 Ibid, p 55
4 Ibid, p 54
6 Ibid
7 Ibid, p 8
The International Labour Office’s Bureau of Statistics has devoted considerable attention to this area in order to obtain a clearer picture of the magnitude of child labour. It estimates that, in developing countries alone, there are at least 120 million children aged 5 to 14 years who are fully at work and a further 130 million children who work part time. There are considerable regional variations in the incidence of child labour. Sixty one percent of all economically active children aged 5 to 14 years are located in Asia (excluding Japan), 32% in Africa, 7% in Latin America and 2% in Oceania (excluding Australia and New Zealand). While the largest number of working children are located in Asia, Africa has the highest rate of participation by children in economic activity at 41.4%. This is followed by Oceania (excluding Australia and New Zealand) at 29.3%, Asia (excluding Japan) at 21.5% and Latin America and the Caribbean at 16.5%. While primarily a problem in developing countries child labour also exists in industrialised countries. Fyfe cites the example of the children of Mexican migrant labourers in the United States who help their parents to harvest fruit and vegetables. Industrialised countries cannot, therefore, afford to be complacent. Studies carried out in Russia and Kazakhstan also indicate that child labour has increased in these countries as the transition to a market economy has taken place. What percentage of economically active children are employed in agriculture? A number of studies have suggested that, in general, a greater percentage of rural than urban children work and that these children start work earlier (at 5, 6 or 7 years) and work longer hours. It is estimated that at least 90% of economically active children in rural areas in developing countries are employed in agriculture. The exact percentage of working children employed in agriculture varies, of course, from country to country. Recent ILO statistics from 20 developing countries put the proportion of economically active children aged 5 to 14 years employed in agriculture, animal husbandry and related work at 74% (73.3% boys and 78.8% girls). The implication of these figures is clear. If the majority of working children are located in developing countries and a large proportion of these children are employed in agriculture then the exclusion of agriculture from national legislation represents the exclusion of large numbers of children from the ambit of protective legislation.

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8 Ibid, p 7
9 Ibid
13 Ibid, Fyfe notes that girls, in particular, are likely to start earlier and to work longer hours.
15 Supra at note 10, p 8
5. Analysis of Legislation

5.1 International Labour Standards

Prior to considering national legislation it is useful to consider, albeit very briefly, existing ILO standards regarding child labour in Agriculture. In 1921 the ILO adopted Convention No. 10 Concerning the Age for Admission to Employment in Agriculture. This Convention did not set a minimum age for employment for agriculture in all circumstances but rather provided that children under the age of 14 years should not be employed in agricultural work except outside of school hours. Convention No. 10 has been superseded by The Minimum Age Convention 1973 (No. 138). The basic provisions of this Convention are well known and will not be repeated here. ILO Conventions regarding safety and health are also relevant to children working in agriculture and in particular Occupational Safety and Health Convention No. 155 (1981). There is no specific Convention, which concerns the occupational health and safety of agricultural workers although preparatory work has recently begun regarding new standards in this area. The Forced Labour Convention 1930 (No.29) is relevant to forced labour of children working in the agricultural sector.

5.2 Sources and Methods

Detailed information regarding the treatment of agriculture in child labour legislation of ILO member states is set out in the Table of National Legislation (“Table”) annexed to this paper. This report focuses on the treatment of agriculture in legislation regarding child labour. Legislation regarding the agricultural sector generally and occupational health and safety may also contain provisions regarding child labour in the agriculture. While legislation of this nature has been considered wherever possible and, where relevant, has been included in the table detailed consideration of these laws is beyond the scope of this study. The information contained in the Table is updated from the information contained in Targeting the Intolerable, and ILO: Conditions of Work Digest on Child Labour: Law and Practice Volume 10, No.2 (Geneva 1991). Research has been conducted using the International Labour Office’s database of national legislation, and separate legal resources from individual countries. The study has also considered Reports of the Committee of Experts on Convention No. 138 and individual country reports made pursuant to Article 22 of Convention No. 138. While every effort has been made to ensure the accuracy of the information contained in the table, laws change quickly and recourse should be had to national legislation before placing reliance on the information contained therein.

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5.3 The Structure of the Table

Legislation regarding child labour in the majority of countries tends to follow the basic pattern established by ILO Conventions whereby employment of children below a certain age is prohibited. This prohibition may apply in all sectors of the economy or in certain sectors only. In some countries different age limits apply to different sectors. Agriculture may be excluded from the ambit of protective legislation by its exclusion from protective legislation generally or because no basic minimum age for admission to employment is specified in this sector. The Table sets out the basic minimum age for admission to employment in each country (where this exists) and specifies the position in relation to agriculture.

A number of countries permit “light work” to be carried out by children at a younger age than the basic minimum age of admission to employment. Light work is defined, in some instances, to include light agricultural work. Information has, therefore, been included in the Table regarding the age at which light work is permitted (where this is specified) and whether or not this is defined to include light agricultural work.

In addition to the basic minimum age, almost all countries set a higher age limit or limits below which either dangerous or hazardous work generally, or work with certain agents or in certain conditions or occupations, is prohibited. The age (or ages) at which hazardous or dangerous work is prohibited is also set out in the Table. Due to constraints of space, particular occupations, agents or hazards prohibited in each country are not listed in the Table. Detailed analysis of this topic was, however, carried out in preparation for the proposed convention on extreme forms of child labour and appears in chapter four of the ILO publication, *Targeting the Intolerable*. The type of occupations, agents and working conditions which are commonly included in such provisions and the implications of this for agricultural work are discussed in section 4.3 below.

The Table also includes information regarding the exclusion of family undertakings, or children working with their parents or family members, from national legislation on child labour. While exact figures are unknown it is estimated that a considerable proportion of children working in the agricultural sector work either in family undertakings or alongside their parents or other family members. A study on child labour in commercial agriculture carried out by the ILO in selected African countries put the figure as high as 75% in some countries in this area alone. Where a piece rate system operates children may be called in by parents or other family members to assist in order to increase the output and so increase income. In many cases it is assumed that children will work even though they are not formally hired. In a study carried out by the ILO in South Africa it was noted that children on some farms are required to work if they wish to live with their parents. Children may also accompany parents to work because of inadequate child care or educational facilities. In these circumstances children quickly begin to work with their

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17 Supra at note 5
parents. With the increasing commercialisation and industrialisation of agriculture and the restructuring of large commercial plantations into smaller individually owned units in a number of countries, the assumption that these children are somehow less at risk seems highly questionable. As Fyfe has pointed out small farms may be just as likely as larger ones to rely on pesticides and are just as likely to misuse chemicals through lack of education and training.²⁰

ILO Convention No.138 on Minimum Age requires the application of legislation to commercial agriculture. It does permit, however, exceptions to be made for ‘family and small scale holdings mainly producing for local consumption and not regularly employing hired workers’.²¹ While this exception may have been included for practical reasons regarding enforcement as much as any other reason, exceptions of this nature in national legislation have the potential to exclude many children working in agriculture from the ambit of protective legislation. While acknowledging the sensitivity of this issue and the fact that such exceptions may, at times, be legitimate, provisions of this nature can open avenues for abuse. Given the number of children potentially affected by this exception it is important that this issue be discussed. Acknowledgement of the risks posed by this exception can lead to discussions regarding ways in which abuse of provisions of this nature can be avoided. This can result, for example, at the very least, in tighter drafting of exceptions of this nature in national legislation.

The exception for family undertakings is not, of course, the only exception to national legislation which has the potential to exclude children working in the agricultural sector from the protection offered by legislation. Where protective provisions regarding child labour are included in labour legislation generally, the exclusion of workers on temporary and casual contracts, small enterprises and employees who work for no remuneration may also have a similar effect. This issue is discussed in section 4.4 below.

5.4 Specific Findings

The Table contains information regarding the treatment of agriculture in child labour legislation of 157 ILO Member States. In just over 40 countries agricultural work by children is permitted at any age. This is as a result of the exclusion of agricultural workers generally from labour legislation containing protective provisions, the exclusion of agriculture from child labour legislation or because no minimum age has been set in this sector. In approximately half of the above countries some restrictions are placed on work. These include restrictions on the type of agricultural work which may be carried out, hours of work, and provisions regarding schooling and parental consent and supervision. In a further two countries work is permitted where schooling is not available or with parental consent. In 4 countries work is permitted where economic circumstances compel it. In a number of other countries agriculture is permitted at a younger age than industrial work. The majority of countries which exclude agriculture from protective legislation regarding child labour or which allow agricultural work at any age subject to restrictions are located in Africa and Asia where the rate of participation by children in

²⁰ Supra at note 11, p 8

²¹ The Minimum Age Convention, 1973 (No.138), Article 5(3)
agricultural work is, in general, highest. In other words protection is often lacking where the greatest numbers of children require it. These figures represent substantial numbers of children, often very young, who work in agriculture with either no or little protection.

In almost 30 countries included in the study light agricultural work is permitted at a younger age than the basic minimum age for admission to employment. Light agricultural work is, in fact, one of the most common forms of light work specified in child labour legislation. The majority of countries which allow light agricultural work at a younger age are located in Africa where the most common age specified for work of this nature is 12 years. Countries in Europe and Central Asia, Asia, and the Americas also contain provisions of this nature in national legislation. In Europe work of this nature is most commonly permitted from ages 13 - 14, while ages range from 12 - 14 in the Americas. While these provisions clearly state that light agricultural work only is permitted and some set quite stringent restrictions on the types and hours of work permitted it seems possible that the number of provisions of this nature, compared to the number of provisions regarding hazardous agricultural work (discussed below) may have influenced general perceptions regarding the dangers posed by agricultural work. Agriculture is a diverse sector in which both light and hazardous work exists. It is the lighter aspects of agricultural work, however, which appear to have been emphasized in many cases.

In nearly 20 other countries light work of a non specified nature may be carried out at a younger age than the basic minimum age. In some of these countries provision exists for types of permissible light work to be specified by regulation. The majority of these countries are located in Europe where ages 13 - 14 once again dominate.

Nearly half (73 out of 157) of the countries included in the study allow exceptions to the basic minimum age for admission to employment in family undertakings or where work is carried out in the company of family members. This includes half of the countries located in Africa and Asia, over one third of the countries located in the Americas, over three quarters of the Arab states and approximately one quarter of the countries in Europe and Central Asia. Exceptions of this nature demonstrate considerable variety in their rigour. While some require strict supervision of children in enterprises employing family members only and define family members with considerable precision, others simply require children to be accompanied by a member of their family. Exceptions of this nature are important because of the large numbers of children working in agriculture who fall under this exception.

As stated above a detailed analysis of the types of hazardous industries, occupations and agents most frequently cited in legislation regarding child labour is included in Targeting the Intolerable. Despite increasing international recognition of the dangers posed by agricultural work (discussed in section 5 of this paper) these provisions show a clear bias towards hazards posed by industrial work. While specific provisions regarding mining and underground work are included in child labour legislation in 101 countries for example, regulations regarding specified agricultural tasks appear in only 14 countries. The only exceptions to this general rule are provisions regarding machinery, chemicals and heavy loads. Greater attention must be paid in national legislation to the hazards posed by agricultural work for children. While a large number of countries include general provisions in child labour legislation prohibiting dangerous work for children, and these provisions should, in theory at least, apply to certain hazards posed by agricultural work,
inadequate enforcement and a lack of perception of agricultural work as hazardous means that in many cases they are not. While the great variety of tasks involved in agricultural work may, to some extent, be responsible for this position, the time has come for increased legislative recognition that agriculture is in many cases a dangerous occupation.

5.5 Practical Problems

The specific inclusion of children working in the agricultural sector in national legislation regarding child labour is not, of course, a universal panacea for problems regarding the protection of children working in this sector. There is a poor enforcement record of child labour legislation in many countries and this is often particularly problematic in rural areas. In addition many children work in the informal sector. The growth of contract labour in many countries, with the result that workers are no longer protected by labour laws has also operated against efforts to curb child labour. Exceptions to legislation such as the exception for family undertakings, or exceptions for casual or non salaried employees may also operate to exclude children from protection.

Some of these problems may be addressed by better drafting of legislation regarding child labour. Where, for example, protective provisions regarding child labour are located in general labour legislation then exceptions to the statute as a whole such as those for temporary employees or non salaried employees should not apply (at the very least) to the provisions regarding child labour. Legislation regarding child labour should also apply to children who do not receive remuneration and the self employed as well as to employees. On a more general level these problems demonstrate that wide coverage of labour legislation generally and better working conditions for all employees can help efforts to curb child labour.

Many problems cannot, however, simply be solved by better legislation. They require additional resources, re-ordering of priorities, and, in many cases, a change in attitude regarding the dangers posed by agricultural work for children. The complete and immediate suppression of child labour in agriculture in certain areas without assistance to children and their families may also adversely effect children. Measures adopted in this area must therefore be introduced in a sensitive manner. Without legislation or policy guidelines, however, it can be difficult for those working in this area to even begin to tackle problems of this nature.
6. Why the Position must Change –
The Hazards Posed by Agricultural Work

Agriculture is beginning to be recognised as one of the most hazardous sectors of employment. The ILO’s 1996 Yearbook of Labour Statistics notes that out of a total of 330,000 fatal workplace accidents worldwide, approximately 170,000 occur in the agricultural sector.\(^{22}\) While this reflects, in part, the large numbers of people employed in this sector, agriculture is also dangerous in terms of the rate of accidents per number of workers. The changing nature of agricultural production - including the increased use of chemicals and machinery - is aggravating risks.\(^{23}\) This is particularly true in a number of developing countries where education, training and occupational safety and health services are largely inadequate.\(^{24}\) Health and safety risks for agricultural workers are by no means confined to developing countries however. In the United States the National Safety Council has ranked agriculture as one of the three most dangerous industries, alongside mining and construction.\(^{25}\) While accident rates in agricultural work are high, the coverage of hazards posed by agricultural work in national legislation regarding safety and health is generally low.\(^{26}\) Provisions regarding machinery and chemicals are notable exceptions to this rule. Agricultural workers are also omitted from workers’ compensation schemes in many countries.

The lack of protection of agricultural workers in law, and, in particular in safety and health has been noted by the ILO and particular attention is to be devoted to this sector in the next two years. This includes preparatory work regarding the possibility of new standards to cover appropriate working methods and practices in the agricultural sector.

Thus far we have discussed statistics and risks posed by agricultural work generally. It is not strictly correct, however, to examine data based largely on adult workers and apply this to children.\(^{27}\) Child workers frequently carry out different tasks to adults.\(^{28}\) In addition, children differ from adults in their anatomical, physiological and psychological characteristics.\(^{29}\) These differences can make children more susceptible to hazards at the workplace. There is evidence, for example, that children suffer more readily from chemical hazards and have less resistance to disease.\(^{30}\) Children may also be more vulnerable to accidents because they do not perceive danger correctly or take necessary precautions.\(^{31}\)

\(^{22}\) Supra at note 2 p 56
\(^{23}\) Ibid
\(^{24}\) Ibid
\(^{26}\) Ibid p 57
\(^{27}\) Supra at note 14 p 10
\(^{28}\) Ibid
\(^{29}\) Ibid
\(^{30}\) Supra at note 5 p 9
\(^{31}\) Ibid p 12
Statistics on occupational injuries and work related diseases suffered by working children are limited. Forastieri, in her book, *Children at Work: Health and Safety Risks*, notes the dearth of information regarding mortality rates, non-fatal injuries, short and long term toxic exposures and the effect of ergonomic hazards on health and development. The ILO has made attempts to ameliorate this problem. Recent ILO research in developing countries has examined the distribution of illnesses and injuries of child workers both in terms of the actual number of illnesses/injuries per industry and the rate of illness/injury per 100 economically active children. The great majority of illnesses/injuries for children in this study occurred in the agricultural sector (approximately 70%). In terms of the rate of injury/illness per 100 economically active children agriculture also ranks highly - being one of four sectors with an injury/illness rate of over 10%. The three sectors with higher rates of injury/illness were: construction, mining and transport.

Physical hazards posed by work in agriculture may arise as a result of: the nature of the work; exposure to substances; the nature of working conditions or any combination of these factors. The following does not purport to be an exhaustive list of hazards but rather examples of the type of dangers which may arise. Within different activities it is possible to identify specific hazards which arise in relation to the particular activity at issue.

One of the most serious risks posed by agricultural work is exposure to toxic chemicals, including fertilizers, pesticides, herbicides and organic dusts. Children in many countries mix and apply these chemicals, often with little training or protective clothing. Among the more extreme effects of exposure to certain substances of this nature are: skin, eye and respiratory problems; increased risk of cancer, immune system abnormalities and, in some cases, death. In one study carried out in Sri Lanka more children were found to have died from exposure to pesticides than from the most common childhood diseases put together. In some countries it is common practice to carry out aerial spraying while people are working. In others children work as marker beacons using flags to guide planes spraying pesticides. Children, and indeed adults, who work in processing plants located on or near farms and those who live on farms may also be exposed to risk. In some developing countries farms and plantations may lack even basic washing facilities for workers to remove chemical residues.

Children working in agriculture in all parts of the world are liable to be exposed to dangerous machinery (including vehicles) and tools. Injuries suffered by children as a result of accidents with machinery or tools include: lacerations, cuts, hearing loss, amputations and death. Forastieri notes that in many countries children load hay onto high wagons, work around corn loaders, grain augers and other large farm machinery and indeed operate machinery such as tractors.
themselves. In Australia and the United States almost 30% of farm boys are driving tractors between the ages of 7 and 9 and many more are riding as passengers. Children working with machinery and tools may in many cases be using equipment designed for adults which may increase fatigue and the risk of injury.

Children working in the agricultural sector mainly work outdoors. In doing so they may be exposed to inclement weather including both hot and cold conditions. Children working inside processing plants, for example, those located on tobacco plantations, may also suffer due to thermal stress. In general terms, children have a lower heat tolerance than adults and therefore maximum permitted heat levels (where these exist) should be lower for children.

Other common hazards include exposure to poisonous snakes, insects and, in some cases, dangerous animals and heavy lifting or carrying of materials. The latter can result in permanent skeletal damage. Ergonomic hazards such as constant bending or stooping, or sitting in one position for long periods are also a feature of certain agricultural tasks carried out by children.

Studies on commercial agriculture in a number of African countries demonstrate that children often work long hours. In addition, working hours are only one factor in the length of the working day. Not all casual workers live on plantation premises and so time taken going to and from work is an added consideration. Some children are provided with transport by workers while others walk - even where transport is provided children must often wake up early in order to reach central collection points.

Physical risks posed by agriculture are, in many countries, compounded by the fact that rural workers have poor access to health facilities, poor housing and sanitation and an inadequate diet.

Risks posed by child labour in the agricultural sector are not purely physical. Work may also put psychological stress on children. Where children work long hours this can make school attendance impossible. Where children combine work and school they may be too exhausted to concentrate on their studies. Research has shown that education is one of the best ways to curb child labour. Access to educational facilities both in terms of cost and availability is particularly problematic in rural areas in a number of countries. In addition access to facilities may not always be enough where families are poor and can see little benefit in education. Programmes and policies, which provide income replacement and incentives for schooling may therefore be necessary in some circumstances.

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37 Ibid
38 Ibid
39 Supra at note 18
40 Ibid
41 Supra at note 5
42 Ibid p 106
7. Conclusions

Agriculture is expressly excluded from the coverage of protective legislation regarding child labour in a significant number of countries. In some countries children working in this sector are excluded because labour legislation in which protective provisions are included does not apply to agricultural workers. In others no basic minimum age for employment is set for agricultural work. The majority of countries which expressly exclude agricultural work from protection are located in Africa and Asia where participation rates of children in economic activity, and agricultural work, are, in general highest. In other words in those countries where the greatest number of children require protection it is often missing. Exceptions also exist in industrialised countries, however, and these countries cannot afford to be complacent.

There is increasing international recognition of the dangers posed by agricultural work generally and for children working in this sector. Legislation regarding child labour does not, in many countries, however, reflect this increasing recognition. There are some notable exceptions to this rule. Some countries have tightened legislation in this area quite considerably in recent years. In others measures such as codes of practice have been introduced either in particular types of plantations or generally to protect young workers in the agricultural sector. In Great Britain, for example, a code of practice for young agricultural workers is in force. In many countries, however, increased attention needs to be paid to specific hazards posed by agricultural work for children, in provisions regarding dangerous or hazardous work.

Attention should also be paid to ways in which children working in this sector are excluded from legislation by other, more general, exceptions - such as those which exist for family undertakings, small businesses, employees who do not receive remuneration and temporary and casual workers. Legislation should also apply to children who are self employed. Legislation is, as noted earlier, only one part of the equation. It can however represent the beginning of efforts to improve the situation of children working in this sector. Other measures such as improved educational facilities and improved working conditions generally are also vital in efforts to curb child labour in agriculture.

Why have children in this sector been neglected in legislation? Fyfe identifies four factors which may have contributed to their neglect. The first is many national and international policy makers assume that family based work in “idyllic” rural surroundings cannot possibly be harmful to children. Secondly those who study child labour and develop programmes and policies to deal with this issue are frequently urban based and are more likely to focus on problems which are close at hand. Thirdly, rural areas are remote, both physically and culturally, and fourthly, the influence of powerful interest groups. The neglect of children working in the agricultural sector may also be seen as part of a broader pattern of neglect of agricultural workers in national legislation. It is not uncommon for workers in this sector to be excluded from the protection of labour laws generally or more specific areas such as social security or safety and health regulations. Apprehended difficulties in enforcing legislation in rural areas may also have been

43 Supra at note 11 p 1-2
influen
tial. Another important factor is that work in this area provides many children with vital
economic support for themselves and their families. If this source of income was denied then
some other forms of assistance would have to be provided to many families. It is not only policy
makers who fail to see this form of activity as harmful to children. Many parents and indeed child
workers themselves view work of this nature as beneficial or, at the very least, as a better
alternative to delinquency.

The reasons for neglect of children working in this sector in national legislation regarding child
labour are, therefore, many and complex and the above list does not purport to be exhaustive.
Whatever the reasons, greater knowledge regarding the numbers of children employed in this
sector and the dangers posed by work in this area demonstrates that greater attention must be
paid to this area both in terms of legislation and in national policies regarding child labour.