

International labour standards and child labour in agriculture

It is a challenge to eliminate child labour in agriculture because agriculture is an under-regulated sector in many countries. This means that the regulations on child labour – if they exist – are often less stringent in agriculture than in other sectors. In some countries, adult and child workers in agriculture are not covered by or are exempt from general safety and health laws. For example, in breach of ILO Conventions, children are sometimes not prohibited to operate dangerous machinery and drive tractors in agriculture while restrictions exist in other sectors. National labour legislation sometimes does not extend to work on family farms, where the majority of child labour is found.

Child labour

The [ILO Minimum Age Convention No. 138 \(1973\)](#), ratified by 161 out of 183 Member States, sets the minimum age for children to work generally at 15 years of age and not lower than the end of compulsory education (however, the convention allows for certain flexibilities in specific circumstances, including 14 years for developing countries). For work considered hazardous, the minimum age is 18 years. Convention No. 138 leaves many decisions to national level (e.g. some set the minimum age at 16). Some countries exclude some branches of activity on the basis where it would be difficult to apply the Convention, e.g. in family undertakings. Article 5 of Convention No. 138, allows developing countries to exclude some sectors or industries, but gives a list of the minimum compulsory coverage including commercial agriculture. This exception, which must be notified at the moment of ratifying Convention No. 138, however, has been used only by a very small number of member States.

The [ILO Worst Forms of Child Labour Convention No. 182 \(1999\)](#), ratified by 174 out of 183 Member States, defines the worst forms of child labour as all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, or compulsory recruitment of children for use in armed conflict; the use, procuring or offering of a child for prostitution or for the production of pornography; the use, procuring, or offering of a child for illicit activities; and a child's involvement in hazardous work. Hazardous work is 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, and has to be determined nationally after consulting employers and workers. Convention No. 182 has universal coverage, which means it applies to all sectors of the economy and status in employment (for example including unpaid family labour on family farms) with no exception possible. Hazardous Work Lists are established at national level by a competent authority and after tripartite consultation with employers' and workers' organizations. The [ILO Worst Forms of Child Labour Recommendation No. 190 \(1999\)](#) supplements Convention No. 182 and provides guidance, including on how to appropriately define hazardous work.

Labour inspection in agriculture

The [ILO Labour Inspection \(Agriculture\) Convention No. 129 \(1969\)](#) sets international standards providing for labour inspection in agriculture. Convention No. 129 defines the term agriculture undertakings as undertakings and parts of undertakings engaged in cultivation, animal husbandry including livestock production and care, forestry, horticulture, the primary processing of agricultural products by the operator of the holding or any other form of agricultural activity. Fishing and aquaculture are therefore not covered by this Convention. The national competent authority is responsible for defining the line which separates agriculture from industry and commerce so as to not exclude any agricultural undertaking from the national system of labour inspection. The system of labour inspection in agriculture shall apply to agricultural undertakings in which work employees or apprentices, however they may be remunerated and whatever the type, form a duration of their contract. Labour inspection in agriculture includes the following functions: to secure the enforcement of the national legal provisions relating to conditions of work and the protection of workers, such as provisions relating to hours, wages, weekly rest and holidays, safety, health and welfare, the employment of women, children and young persons.

Occupational safety and health in agriculture

The [ILO Safety and Health in Agriculture Convention No. 184 \(2001\)](#) aims to prevent occupational accidents and injury to health by controlling hazards in the agricultural working environment. It includes provisions on preventive and protective measures, machine safety and ergonomics, handling and transport of materials, sound management of chemicals, and coverage in case of occupational injuries and diseases. It specifies 18 years as the minimum age for assignment to hazardous work, or “work that is likely to jeopardize the health, safety, or morals of young persons.” This confirms the principle of Convention No. 138 and Convention No. 182 that, even after reaching the minimum working age, children below 18 years of age need protection from hazardous tasks and assignments.

Work in fishing

The [ILO Work in Fishing Convention No. 188 \(2007\)](#) establishes labour standards relevant to all fishers, whether on large vessels on international voyages or in small boats operating in domestic waters close to shore. It addresses the particular working situations and conditions faced in the fishing industry. Minimum age for admission to work on board a fishing vessel is specified. The general minimum age is 16 years. However, a minimum age of 15 years for children who are no longer subject to compulsory schooling may be authorized by national authorities. From the age of 15 years, light work may be authorized to children who are still subject to compulsory schooling under certain conditions. A minimum age of 18 years is set for hazardous work, defined as “work likely to jeopardize the health, safety or morals of young persons”.

Additional information

[ACTRAV: Child labour in agriculture: a survey of national legislation](#) (ILO, 2000)