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WITH RESPECT



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GUIDELINES ON CHILD RIGHTS

Principle 6 of the UEBT Standard promotes respect for rights of actors involved in BioTrade activities. Criterion 6.2 focuses on child rights..

The UEBT standard aligns and recognises child rights as established in the United Nations Convention on the Rights of the Child (UNCRC, 1989) and International Labour Organisation (ILO) Conventions such as ILO Conventions 138 and 182.

The UEBT standard promotes child rights and strives to address child labour.

Who is this document for?

- **Local suppliers** (also known as organisations at source)
- **Companies not located in sourcing areas** that wish to guide their suppliers

Who do requirements pertain to?

Requirements in the UEBT standard regarding child protection apply to any size companies, their suppliers and sub-suppliers, workers and field collectors. They apply to any kind of worker, including subcontracted workers.

UEBT defines child rights as:

The United Nations Convention on the Rights of the Child considers **children** to be anyone below the age of 18, unless under the law applicable to the child, majority is attained earlier.

UEBT defines **child labour** as work that harms children's well-being or hinders their education, development or future livelihoods. It is work which, by its nature or the way it is carried out, harms, abuses and exploits the child or deprives the child of an education.

For more information

Child Labour, Global Estimates 2020: Trends and the Road Forward Published by the International Labour Organization and United Nations Children's Fund 2021.

This report shows that as of 2020 reporting, 160 million children are engaged in child labour; 79 million of them are performing hazardous work, and that global progress on child labour has stalled since 2016.

A DEEPER LOOK AT CRITERION 6.2 IN THE UEBT STANDARD

6.2 Children's rights are respected

What this means in brief:

- The minimum age for employment is 15 years old, or higher if defined by national law.
- Young workers¹ (between age 15 and 18) may perform light work that does not interfere with schooling or vocational orientation and training.
- Family labour² is acceptable in some situations for agricultural activities if minimum criteria are adopted to protect the children.
- Children below the minimum working age who accompany parents to the workplace are protected, safe and supervised by an adult.

Let us look at the indicators for 6.2 in detail and explore some additional guidance:

6.2.1 Minimum requirement The minimum age for employment is 15 years, or higher if defined by national law.

For example

A local supplier employs workers that are possibly too young to work, but no one yet in a supervisory or management role has approached these workers about the possibility that they are too young to work. At the time of hiring, the workers had been asked for their age, but no official documents have been recorded.



Tips and guidance

- Make sure to know the minimum age for employment in the country.
 - Some countries may adopt higher ages as the minimum age for employment (e.g., 16 years old) and in this case, the higher age defined by law prevails.
 - Some countries may adopt lower ages as the minimum age for employment (e.g., 14 years old) and in this case, the age contained in this standard prevails, which is 15 years old.
- Ask suppliers to have a list of employees or workers that includes their ages.
- In case of young workers, ask for proof of age where this can be shown by use of identification such as a birth or school certificate or medical document, etc.
- Ensure suppliers are not contracting child workers in their activities.
- Have policies in place concerning child labour and its worst forms. Assess these policies and ensure there are specific measures in place to prevent the recruitment or engagement of children in company or suppliers' operations and by private employment agencies.

6.2.2 Critical Young workers may perform work which, by its nature or the circumstances in which it is carried out, is unlikely to harm the health, safety or morals of children. This means in particular that young workers are unable to perform work which takes place in a hazardous environment, is performed at night or over long hours (over 8 hours), is excessively difficult, or interferes with schooling or vocational orientation and training.

For example

A local supplier has a 16-year-old worker that works after school and during school breaks in their facility. This worker has the same duties as their older colleagues, including the operation of a dehulling machine where the beating takes place in an open area of the machine and therefore requires special training in safety methods to use.



Tips and guidance

- Ensure an up to date and separate list of the young workers contracted by your suppliers or your company, including information on: gender, age, wage, type of work hours worked and name and contact information of parents or legal guardians.
- Have policies in place concerning the type of work that young workers may do, the hazards they may be exposed to and the hours that they may work. These policies should consider the need to safeguard young workers' time for school, protect their health and safety and reduce their risk of suffering occupational injury and disease, considering young persons' rapid growth, lack of experience and greater vulnerability to exploitation.

REFERENCES

¹ UEBT defines **young workers** as workers between 15 and 18 years of age, performing non-hazardous and age-appropriate work, in line with ILO Conventions 138 and 182.

² UEBT defines **family labour** for rural production as the cultivation or wild collection activities done by children to support family members, which consist of light, age-appropriate duties that give children an opportunity to develop skills.



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6.2.3 Critical Family labour is only accepted if:

- It concerns work that does not jeopardize children’s physical and/or moral well-being
- It does not hinder children’s education and personal development, including the right to play and to participate in recreational activities, as defined in the UN Convention on the Rights of the Child
- Children below 15 years old are accompanied by an adult

6.2.4 Critical If workers are allowed to have children younger than the applicable minimum working age accompany them to the workplace, measures are in place to ensure the children:

- Are not helping their parents in their work
- Are provided with a place to stay that is clean and safe for their age
- Are always under adult supervision

For example

Local supplier allows workers to bring their children to field collection sites during school holiday periods. These children are found to be helping their parents in the collection of the ingredient during these periods.



Tips and guidance

- Try to understand the local culture in which family labour occurs. For example, in many cultures, families support each other in cultivation or collection activities and children may be encouraged to participate in these activities to strengthen relationships and learn to support others. If the requirements described are met, these situations may be acceptable.
- Make sure there is no work done by the children that can jeopardize their physical well-being, e.g., applying agrochemicals; climbing trees, carrying heavy things, working in isolated or dangerous areas or at night, working in conditions making them vulnerable to violence, and so on.
- Avoid risks by ensuring there is a responsible adult accompanying a working child. In case of local contexts in which close and permanent supervision of an adult may be considered not necessary, assess the risks carefully. For example, in some contexts, children may go alone to cultivation or collection sites because the crop is surrounding the family house. If there is no risk for their physical well-being this can be acceptable but consider seriously whether this is the case.



Tips and guidance

- This indicator refers to situations in which parents bring their children to their workplace (e.g., a farm where they are hired to implement certain work; or a warehouse/facility; etc.). This indicator is not related to family labour.
- Make sure to offer a minimum protective environment in case the parents need to bring their children to their workplace. This includes:
 - A safe and clean space for children to stay
 - Adult supervision always
- Ensure children are not helping their parents at their workplace. In addition, in case children are brought to a factory/warehouse, make sure they do not enter the production area.

For more guidance and training, please contact UEBT at certification@uebt.org



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