**Migration and child labour in agriculture**

**Food and Agriculture Organization of the United Nations (FAO)**

*Submission for consideration in the drafting of the general comment on the rights of the child in the context of migration, specifically the theme on the right to be protected from all forms of exploitation, including child labour.*

**Where migration negatively impacts the realization of children’s rights, it is an issue of high concern for the Food and Agriculture Organization of the United Nations (FAO)**. Around one third of all international migrants from developing countries are between 12 and 24 years of age[[1]](#footnote-1). A majority of them originate from rural areas. Children migrate, unaccompanied or with their families, to work in agriculture. Likewise, they also migrate due to lack of opportunities in agriculture and rural areas. In both cases children may end up in situations of exploitation and face significant challenges in realizing their rights to health and education. FAO is taking action on both the sending and receiving end, and working to reduce rural poverty while protecting child rights.

**FAO is working to better manage rural migration and reduce distress migration**[[2]](#footnote-2), prevent its harmful consequences and harness its potential for rural areas of origin. It does so by generating knowledge and awareness on the determinants of distress migration – including of children – and its impacts on local areas; building the capacities to incorporate migration and the rights of migrants – including migrant children - into agricultural and rural development planning; organizing policy consultations to promote innovative solutions for decent youth employment and for harnessing the potential of migration (e.g. social or productive investment of remittances); and facilitating partnerships.

**FAO is also working to prevent and reduce child labour in agriculture**, including in farming, fisheries and aquaculture, livestock and forestry. Worldwide, nearly 60% of child labour takes place in agriculture[[3]](#footnote-3). This is a human rights abuse and also damaging the agricultural sector and the achievement of zero hunger for all, including children’s right to food. FAO is working globally, regionally, in countries, and in communities to address child labour in agriculture by building and strengthening partnerships between labour and agricultural stakeholders, developing capacities of agricultural stakeholders, developing capacity building and guidance material, generating knowledge on the issue affecting agriculture, integrating child labour issues in agricultural strategies, programmes, policy and legislation, and by promoting good agricultural practices that can reduce child labour in agriculture. When addressing child labour issues, FAO faces a critical gap in implementation of the conventions protecting children’s rights affected by migration: the perspective of rural areas and the agricultural sector.

**Child labour in agriculture is a violation of the Convention on the Rights of the Child** concerning children’s right to education, health, and protection from exploitation, and also of the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**. When countries seek to address the issues at stake, these Conventions do not provide guidance on how to tackle the problem concretely in agriculture. **ILO Convention 138 on the Minimum Age and the ILO Convention 182 on the Worst Forms of Child Labour** provide concrete guidance to countries on their commitments in terms of translating the Conventions into national legislation, policies and programmes. With regard to agriculture specifically, C138 explicitly states that commercial agriculture cannot be excluded from coverage by the Convention under any circumstances. Even subsistence agriculture is included for most countries, according to how the Conventions were ratified. However, at national level this commitment is often unclear and certain forms of agriculture are explicitly excluded from labour legislation, and implementation of the Conventions in rural areas presents additional challenges given the remoteness and informality of agricultural work. In the cases where national labour legislation fails to protect child rights in rural areas, child protection legislation should cover all children, regardless of the form of agriculture or status of the business, but this is not always clear to national policy makers and programme designers in the agricultural sector. Moreover, labour and child protection legislation should also further account for refugee and displaced children working in agriculture who have less or limited rights recognized by their host countries. Child rights should apply and be implemented everywhere, including agricultural and rural areas.

How do migration and child labour in agriculture impact each other?

**When families migrate seeking better opportunities, children can be at risk of being exploited as child labourers**. Children are even more vulnerable when they are migrating alone and can be trafficked into child labour in agriculture. Children can be easily trapped into child labour in agriculture because there is a demand for various reasons: the work involves tasks that adults do not wish to undertake, can be labor-intensive, children are considered cheap labour, or because child labour is less visible as it often takes place in remote areas.

Child labour in agriculture can also be a consequence of **seasonal migration with parents who work in agriculture**. For instance, migration is a common livelihood strategy in many fishing communities, which results in children transferring from one place to the other depending on the movements of the fish. Children working in agriculture can also migrate for seasonal agricultural work. In the case of forestry, most child labour is found in the collection of non-wood forest products such as berries, fruits, lichen, nuts, honey, mushrooms etc., which is often seasonal work as the produce is only available during certain periods of the year. In farming, a wide range of crops are also harvested seasonally, and children leave their homes, with their families or unaccompanied for the harvesting season. There may not be schools in the remote areas where children migrate for agricultural work, or systems to support their reintegration when they return. In many communities boys, and sometimes girls, are responsible for herding and children may herd away from home for months at a time, working in isolation and not attending school. In nomadic pastoralist communities, the whole family may move together along with the livestock, posing challenges to children’s participation in formal education that need to be addressed.

**Children who are left behind** may also become involved in child labour in agriculture, substituting for the adult’s labour in productive activities, or become more heavily involved in care responsibilities, which may result in children abandoning school. For example, in the livestock sector, in herding communities, fathers often migrate, **leaving the child behind to take responsibility for the work**, causing also child labour in agriculture.

Any strategy that aims to prevent the exploitation of children in international migration needs to target also their increased vulnerability to child labour in agriculture, as **agricultural work has certain peculiarities**. Most work in agriculture entails exposure to numerous **hazards**, including exposure to toxic pesticides and fertilizers, extreme weather conditions and dangerous machinery. These conditions are associated with various health problems, such as cancer, respiratory diseases, and injuries. The negative effect of agricultural work is further exacerbated because it is usually undertaken in remote and rural areas, with potentially **inadequate health infrastructures and services, lack of information and inadequate training and education**. Agricultural work is often **informal**, with no written contracts and little or no protection. These circumstances and conditions hinder the healthy development of a child.

Another characteristic of the work in agriculture are the living conditions of waged migrant workers (no appropriate lodging and facilities for children and families) and remoteness from services. In the most severe cases, children are working to repay the living facilities provided by the landowner/tenant/intermediary. Bonded labour represents another worst form of child labour taking place in agriculture.

Lastly, in some regions, borders are not monitored and are covered by cultivated land. Movements of workers across neighbouring countries according to the seasons to look for job opportunities in farm settings are important but almost invisible. We can assume that the numbers of children migrating to work in agriculture are underestimated and that the conditions in which they work are under-documented.

Another critical issue is protecting children who have migrated (with or without their families) to escape conflict from exploitation; **refugee children and children who have been displaced are likely to become child labourers** as families are impoverished with limited livelihood opportunities and depend on their children to survive. The current Syrian refugee crisis is an unfortunate example. Syrian refugees are escaping to neighbouring countries where children are engaged in child labour in agriculture. Despite protection under international conventions, migrant children and their families face additional challenges as the national legislation in their host country may not apply to them or adequately protect their rights, for example they may be excluded from labour legislation and access to education and health services. Involvement in child labour may also further jeopardize these rights.

**The agricultural perspective in issues related to migration and child rights should be considered when providing guidance to State Parties through the General Comment.** Agricultural stakeholders have a key role to play in protecting children’s rights as often migrant children end up working in agriculture. Also, the sector has specific circumstances and conditions that need targeted action. Agricultural and rural development could reduce migration. The agricultural world is taking action; acknowledging and facilitating the work can contribute to the global efforts on migration and children.

**International regulation aiming to protect child rights in the context of migration**

**could be more explicit and provide guidance regarding agricultural and rural perspectives**

**to have an integrated and comprehensive impact on the lives of children.**

For more information, please visit **FAO’s website on Decent Rural Employment**: [www.fao.org/rural-employment](http://www.fao.org/rural-employment), or contact **FAO’s Focal Point on Child Labour in Agriculture**: [Bernd.Seiffert@fao.org](mailto:Bernd.Seiffert@fao.org).

1. World Bank, World Development Report 2007: Development and the Next Generation (World Bank, Washington D.C., 2006). [↑](#footnote-ref-1)
2. The root cause of distress migration of rural youth are manifold and interrelated: poverty, limited income generating opportunities, food security, inequality but also globalization and climate change, which are likely to increase migration pressures within and across countries. When properly managed, migration can have far-reaching potential for migrants as well as their communities, in both countries of origin and destination, but there are also major challenges. In particular, some forms and conditions of migration can negatively impact the realization of children’s rights. [↑](#footnote-ref-2)
3. International Labour Organization, Marking progress against child labour: Global estimates and trends 2000-2012 (International Labour Organization, Geneva, 2013). [↑](#footnote-ref-3)