

Introduction

UTZ Certified's mission is to work towards a world where sustainability is the norm. Through training programs, strict standards and certification, a transparent traceability system, on pack labeling as well as strong cooperation with farmer groups, industries and civil society, UTZ strives to make a vital change in the sectors of cocoa, coffee and tea to the benefit of farmers, their workers and families, their environment and thereby the planet as a whole.

A major challenge in this mission, is to work towards a world where child labor is no longer accepted. According to estimates of the International Labour Organization (ILO), over 130 million children between age 5 and 14 work in agriculture¹. UTZ Certified maintains a zero tolerance policy with regard to child labor and invests importantly in measures to prevent, detect, remediate and ultimately eradicate child labor in all UTZ certified farms. UTZ realizes however, that, no matter how strict the requirements and control mechanisms, it is impossible for any viable system to provide a 100% guarantee that no child is working at any certified farm at any time throughout the year. Therefore, for full eradication of child labor, UTZ Certified depends on all relevant stakeholders, including local communities and governments, to take an active role, while at the same time constantly assessing and where relevant fine-tuning its own policies and working methods.

The UTZ standards fully comply with the ILO standards concerning child labor and other social issues. The UN and ILO define child labor as work that deprives children of their childhood, their potential and their dignity, and that is harmful to their physical and mental development². This includes work done by children under the general minimum age for admission to employment, or children involved in the worst forms of child labor, including hazardous work or working on farms as a result of child trafficking. Underlying reasons that lead to child labor include poverty, lack of access to quality education, socio-cultural norms and low awareness of the risks involved. In most countries, child labor is prohibited by law. It is important to realize that an important distinction must be made between child work³ – being in accordance with national laws, not interfering with schooling and non-hazardous – and child labor, which is harmful.

As the ILO points out: "*Child labor is not children doing small tasks around the house, nor is it children participating in work appropriate to their level of development that allows them to acquire practical skills. Millions of young people legitimately undertake work, paid or unpaid, that is appropriate for their age and level of maturity. By so doing, they learn to take responsibility, they gain skills, they add to their families' and their own wellbeing and income, and they contribute to their countries' economies. Rather, child labor is harmful to children and does not contribute to their wellbeing*".⁴

Child labor is work that interferes with the child's opportunity to go to school or is hazardous, for instance as it involves working with dangerous equipment, carrying heavy loads and sometimes spraying agrochemicals. Child labor in its worst forms is exploitative, hazardous and inhibits the healthy development of the child, both physically and mentally.

¹ Source: <http://www.ilo.org/ipec/areas/Agriculture/lang--en/index.htm>

² International Labour Organisation, n.d. *What is child labour*. Available at: <http://www.ilo.org/ipec/facts/lang--en/index.htm>.

³ The Child Labour Platform, 2011. Report 2010-2011. Business practices and lessons learned on addressing child labour, Utrecht, The Netherlands: The Sustainable Trade Initiative (IDH).

⁴ ILO, "Rooting out child labour from cocoa farms," Paper Number 2, Safety and Health Hazards, Annex, 2007, p. 28. Document available at www.ilo.org/ipecinfo/product/download.do?type=document&id=6445

The issue of child labor is complex and widespread and needs to be viewed within the wider context of economic development, poverty and demography⁵. Research documents as well as information from the sector and media, underline that eradicating child labor is a complex process that requires efforts from the total sector as well as other stakeholders.

UTZ Certified maintains a zero tolerance policy with regard to child labor as part of its overall program in furthering sustainability in the cocoa, coffee and tea sectors. It means that clear requirements are outlined for UTZ certified farmers and their adherence is carefully audited by an independent organization. However, despite all strict mechanisms, no guarantees can be given, that child labor is completely eradicated from every single UTZ certified farm. We need to persevere in our efforts to ensure that child labor will eventually be eradicated, in close cooperation with all relevant stakeholders.

How does UTZ Certified address child labor?

The UTZ certification program addresses child labor in various ways: through requirements for successful certification as stipulated in our Codes of Conduct; through awareness raising and training; and through internal and external auditing.

1. *The UTZ Certified Codes of Conduct*

The UTZ Certified Codes of Conduct include explicit requirements that prohibit child labor based on ILO conventions. The two main ILO conventions on child labor are ILO convention 138 on Minimum Age and ILO convention 182 on Worst Forms of Child Labor. On family farms (small scale producers), UTZ Certified allows children to help their parents outside school time for a limited number of hours, and only if they do not undertake hazardous work that jeopardizes their health and safety.

UTZ Certified develops its Codes of Conduct and control points through a process of extensive stakeholder consultation. International as well as local experts actively participate in these consultations. Although UTZ Certified Codes are crop-specific, they all include the following points:⁶

- Children below the age of 15 are not employed whether as permanent, seasonal or casual workers. Persons of less than 18 years old do not conduct heavy or hazardous work or any work that could jeopardize their physical, mental or moral wellbeing.
- On small scale/ family run farms, children are allowed to help their families during harvesting season, but ONLY under the following circumstances:
 - The work does not interfere with schooling.
 - The work is not physically demanding/strenuous or hazardous.
 - The child is always accompanied by an adult relative
- Records are kept of age or date of birth of workers⁷
- No forced, bonded or trafficked labor is allowed in any shape or form
- Since child-trafficking is identified as a problem specifically, but not exclusively, in the cocoa sector, the UTZ Certified Code of Conduct for Cocoa includes an additional requirement with specific reference to this problem.⁸

⁵ International Cocoa Initiative, 2011. Emerging good practices combating the worst forms of child labour in West African cocoa growing communities, s.l.: SWAC/OECD.

⁶ For an overview of all points dealing with Child Labor in the UTZ Certified Codes of Conduct per commodity please see the [annex](#) for individual and [annex](#) for groups.

⁷ In order to verify that a worker is not under the minimum age stipulated by ILO convention 138, the producer must document the birth date or age of the workers. UTZ Certified does not demand birth certificates, as this is not applicable or possible in many rural areas, but does ask certificate holders to note down name, age and gender. UTZ Certified does not require the certificate holder to document all children's birth or age.

2. *Training, awareness raising*

UTZ Certified works with an extensive network of partners to provide training and awareness raising to farmers and their communities, including organizations specialized in child labor issues. Local trainers, NGOs and extension agents receive information about child labor in general and specifically on hazards and worst forms of child labor and are trained according to the requirements of the UTZ Certified Codes. For cocoa producer groups, training of the group members on the issue of child labor is a requirement in the code (control point 124 and 146).

The Codes prevent, through requirements for awareness-raising of producers and communities and the assignment of labor focal people at both farmer group and community level.

UTZ Certified will further extend its network of specialized partners, particularly in regions with a high risk of child labor, to ensure alignment with the national legal frameworks and with complementary initiatives on child protection.

3. *Internal and external auditing*

Standards, like the UTZ Certified Codes of Conduct, can only be effective with sufficient training and through a robust monitoring system. The primary monitoring instrument in certification systems to prevent non-compliance by farmers is auditing. The UTZ Certified auditing approach consists of two levels:

- a. internal inspections as part of the 'Internal Control System' (ICS)
- b. external auditing by approved certification bodies (CBs).

Sub a. Internal inspections

A key instrument in the certification of small farmers is the internal control system (ICS). The ICS is a documented system of quality management that addresses all aspects of the UTZ Certified Code of Conduct. It also controls the producer group's achievement of the UTZ Certified Code of Conduct according to the internally defined procedures. The objective of the ICS is to ensure that the producer groups are organized in a way that easily detects the errors or non-compliances of the production systems. It also includes preventive or corrective measures to eliminate any weakness or shortcoming, before the external audit. An ICS gives a clear definition of the responsibilities of individual members and the organization as a whole.

The ICS enables efficient certification of groups of small farmers. The group coordinator (e.g. cooperative) creates an internal inspection team. Each group member is inspected by an internal inspector before inclusion in the certificate. Every certified member of the group is re-inspected at least once a year. If non-compliance is found, the member has to take corrective measures immediately.

Sub b. External auditing

As a sustainability program that develops Codes of Conduct for responsible production, we believe it is more credible to use independent certification bodies (CBs) for auditing. Every farm or group applying for UTZ certification receives an audit from an approved CB and is re-inspected annually. UTZ Certified only approves CBs that follow the requirements of ISO 65 or EN45011, the international quality norms for certification bodies, and have relevant experience in the relevant

⁸ Where there are indicators of exploitation/trafficking of children (children working under threat, not free to leave etc.), the certificate holder reports these cases to the relevant authorities. Actions and reports are documented (point 75). When Certification Bodies collect evidence during the audits, they report it to UTZ Certified and prescribe the corrective actions.

product sectors and with corresponding sustainability issues, including social issues⁹. To improve the quality, reliability and independence of the audits, UTZ Certified performs shadow audit. When the external auditor comes, s/he checks the ICS system and documentation as well as physically visits a number of farmers (the size of the sample depends on the total number of farmers belonging to the farmer group).

In general, when the producer does not comply with a control point, the CB and the producer need to agree on corrective actions and on the period within which the producer needs to address these non-compliances. The CB will evaluate the corrective actions, which may include additional audits. The CB decides if the organization will remain certified and will inform UTZ Certified accordingly.¹⁰ If CBs identify any case of child labor, they must always notify UTZ Certified. UTZ Certified and its partners will then act immediately on the notification to see if specific actions need to be taken for the sake of the child or children, such as remediation or rehabilitation.

The UTZ Certified system of control through compulsory internal inspections as well as yearly external audits, allow farmer groups to monitor if the preventive measures were put in place to identify- and act upon- child labor among members.

Finally, achieving certification against the UTZ Certified Codes of Conduct involves commitment and effort from the farmer across a very wide range of topics, from farm (business and agricultural) practices and environmental care to social issues, and brings the farmer economic value. On the economic side, UTZ Certified puts emphasis on teaching good agricultural practices, which leads to higher productivity, quality and efficiency and thus a better income. These economic benefits normally substantially outweigh the perceived economic benefits of using child labor and are as such an important additional incentive for farmers to no longer consider child labor¹¹. This integrated approach increases the chances of compliance on issues like child labor, because a farmer that has chosen to be part of the certificate does not want to risk losing the broader benefits for something that is clearly under his control.

What if child labor is found?

Should at any time, child labor again be identified at any of the UTZ certified farms, serious action would be undertaken. Depending on the situation, case by case action is taken. In the case of child trafficking or child slavery, the relevant authorities are to be informed and relevant organizations involved to make sure the children are well taken care of. Tailor-made decisions would in such a case be taken in cooperation with locally based, credible governmental or non-governmental organizations, with the interest of the child as focal point of all decisions made, with the goal to make sure that the child can go to school, gets the care he/she needs and opportunities for a better future.

Next Steps

A vital basis for any effort to further fine-tune the way in which UTZ addresses child labor is insight and understanding the effectiveness of the systems that are currently in place and the way child labor is currently being addressed in the certification of cocoa groups today. Long term impact studies, either commissioned by UTZ or by third parties, can be an important way to get better

⁹ For a full list of approval requirements for Certification Bodies and qualification requirements for auditors, please see the Certification Protocol

¹⁰ UTZ Certified Certification Protocol 2010, page 24.

¹¹ Findings based on quotes of UTZ Certified farmers (available on request through UTZ). Further reference <http://www.internationalealambassadeur.nl/81>

insight into the results achieved and the challenges remaining, and can shed a light on the often hidden and invisible practices of child labor in agriculture. Qualitative and quantitative impact studies in various countries and for various products are regularly being commissioned by UTZ, for instance an upcoming study carried out by the Wageningen University LEI in the cocoa sector in Cote d'Ivoire in the last quarter of 2012-first quarter of 2013.

Another, more short term way to analyze how the UTZ certification addresses child labor is to document and monitor the non-compliances found by external auditors, with specific attention given to signals that may lead in the direction of child labor. Such a review can show the (in-) effectiveness of some of the preventive measures, as well as the capacity of the system to identify (and remediate) child labour, the latter by giving non-complying farmers the chance to change their behaviour and find a solution in the best interest of the child or children involved.

A third approach to achieve better understanding of the effect of certification on child labor, is to get a better understanding of the way and degree in which child labor is identified and remediated through internal inspections, for instance through interviews with ICS managers and internal inspectors or a review of internal inspection forms.

UTZ Certified constantly seeks to aims fine-tune and sharpen its systems in this regard, either by adjusting requirements (three-yearly revisions of the Codes of conduct, reviews of protocols, fine-tuned ICS systematics) and guidance, strengthening the capacity among auditors, internal inspectors, and/or by developing tools (training materials, Guides for setting up ICS etcetera).

For full eradication of child labor on cocoa farms, UTZ Certified is in contact with and dependent of all relevant stakeholders, including local communities and governments. We therefore are in close contact with these stakeholders to seek cooperation where possible.

Conclusion

By comprehensively addressing child labor in the Codes of Conduct, the training programs and the audit approach, UTZ Certified programs provide a framework for prevention, reduction, monitoring and intervention of child labor. The Codes of Conduct themselves and the processes around certification provide an array of checks and balances that jointly prevent child labor occurring on UTZ certified farms. It is important to state that although UTZ Certified maintains a zero tolerance approach to child labor, it is impossible for any viable system to provide a 100% guarantee that no child is working on any certified farm at any time throughout the year. Therefore, for full eradication of child labor, UTZ Certified depends on all relevant stakeholders, including local communities and governments, to take an active role.