

# Child Labour in the West African Cocoa Sector

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# 1 Executive Summary

## 1.1 Background

This report, *Child Labour in the West African Cocoa Sector*, is one of two desk-based reviews commissioned by Norges Bank Investment Management (NBIM) on the topic of child labour in high-risk sectors and high-risk countries.<sup>1</sup>

NBIM manages the Government Pension Fund Global on behalf of the Ministry of Finance, which owns the fund on behalf of the Norwegian people. NBIM has been entrusted with safeguarding and building financial wealth for future generations. The fund is large, global and with a long-term investment horizon. The fund is invested in most listed markets, sectors and companies in order to capture global value creation and diversify risk.

NBIM promotes international principles and standards, express expectations as an investor, and exercise active ownership through voting and engagement with companies. Environmental, social and governance issues are integrated into the investment process and into risk management. This can lead to adjustments to the portfolio and decisions to divest, or not to buy, specific securities.

NBIM has published expectations documents on climate change management, water management and children's rights. NBIM expect companies to protect children's rights in their operations and supply chains. Companies should demonstrate that they have adequate systems in place to manage the risk of violations of children's rights.

The aim of the report is three-fold: firstly, to understand the status quo of child labour in specific high-risk sectors or geographic areas (India, Côte d'Ivoire, and Ghana); secondly, to identify how child labour practices vary across sectors and between international and domestic companies; and, thirdly, to ascertain how other wider social issues either impact on, or are impacted by child labour.

## 1.2 Introduction

Child labour is a complex phenomenon and discussions on the topic often move into moral dilemmas or 'grey' areas.<sup>2</sup> This is especially true in countries where there is widespread and abject poverty. The linkages between child labour and poverty is disputed; it is often assumed that poverty means that children must work by necessity. Others, however, hold that child labour is a root cause of poverty and contributes to upholding a cycle of poverty because children who work do not get an education.<sup>3</sup>

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<sup>1</sup> The second report examines child labour in India's cottonseed sector.

<sup>2</sup> For an overall global overview of developments and trends concerning child labour, see the International Labour Office and

<sup>2</sup> For an overall global overview of developments and trends concerning child labour, see the International Labour Office and The International Programme on the Elimination of Child Labour (IPEC) report 'Making Progress Against Child Labour, Global Estimates and Trends 2000-2012'.

<sup>3</sup> See for example Global March Against Child Labour, see website: <http://www.globalmarch.org/issues/Education>.

The concept of child labour outlined in this report is consistent with definitions provided by the International Labour Organization (ILO) and the Convention on the Rights of the Child (CRC), as well as by the African Charter on the Rights and Welfare of the Child. This covers (i) work that is performed by children under the minimum working age; (ii) 'hazardous' work or work that is likely to interfere with or jeopardize the child's physical, mental, spiritual, moral, or social development, (iii) other worst forms of child labour, including practices so detrimental that they should be eliminated as a matter of urgency (slavery, trafficking, debt bondage, forced or compulsory labour and the use of children in illicit activities).

The focus of this report is on three key areas. The first of these is how child labour manifests itself in the cocoa production in Ghana and Côte d'Ivoire. The report then goes on to explore various (related) causes and effects of child labour practices. Thirdly, it considers whether (and how) corporate practices in relation to child labour and children's rights vary amongst domestic and multinational enterprises.

### 1.3 Findings

West Africa supplies two-thirds of the world's total cocoa crop, and much of that comes from two countries: Ghana and Côte d'Ivoire. Production is fragmented with crops being grown predominantly by smallholder farmers on plots of land that average five hectares. Cocoa farming is labour-intensive and poor farmers are typically unable to afford hired workers. They rely instead on their families as the only viable means of help. As of 2013-14 an estimated 2 million children were working in the cocoa sector in Côte d'Ivoire and Ghana. Of these, 1.15 million could be found in Côte d'Ivoire and approximately 880,000 in Ghana.

Child labour is most prevalent in the southern parts of Côte d'Ivoire and Ghana, and child labour movements occur from northern poorer regions of these two countries or from neighbouring countries to the south regions. Children working on the cocoa plantations perform a number of activities (both hazardous and non-hazardous), such as collecting cocoa pods, clearing fields, spraying or working around pesticides and engaging in the harvesting, drying and fermenting of beans.

Côte d'Ivoire and Ghana have since 2009 taken several positive steps with regard to creating a legal and regulatory framework with regard to their cocoa sectors. Both countries have now ratified the key ILO conventions on child labour. Moreover, they have put in place national and regional policies to implement these provisions. The countries' efforts to combat child labour have been described as 'moderately advancing.' Governance of the cocoa sector in both countries is improving with increased management and regulation from the governments. This has helped stabilize prices for growers and direct more attention towards issues of sustainability.

Cocoa has a highly complex value chain, characterised by a large number of small-scale producers and a small number of downstream traders and manufacturers with high degree of market power. Most cocoa is purchased directly (or indirectly) by a small number of chocolate producers, due to a highly concentrated marketplace with 6-8 core players. These actors have initiated measures to address child labour in their supply chains through *inter alia*: multi-stakeholder initiatives, certification schemes and voluntary international guidelines. A key voluntary initiative concerns the 2001 Harkin-Engel Protocol, which is an international voluntary public-private agreement aimed at

ending the worst forms of child labour and forced labour in the production of cocoa. Despite these initiatives, figures for child labour actually increased by 18% over the period 2008/09 to 2013/14.

Many commentators attribute the lack of progress to weak monitoring and enforcement mechanisms. Others argue that this misses the root causal factors for the persistence of child labour: the very low prices paid to farmers. Poverty and the lack of sustainable livelihoods for families create a predictable supply of child labour. Some NGO reports found evidence of, in the most extreme cases, thousands of children are being trafficked to labour on cocoa farms as well as the selling of children by the poorest of families. Low cocoa prices for farmers (over which they have little control) and their resulting economic vulnerability, creates the demand for child labour. Until it is possible to eliminate the need for children to work, child labour is likely to remain entrenched in the cocoa sector as in other sectors.

A large number of reports underline the importance of a better engagement of companies at the local level, in part due to the cultural and social level of the problem. By engaging with multi-stakeholder groups and dialogues, companies may be better able to address the problems than by only building schools and teaching farmers how to increase their productivity.

The report outlines other wider social issues linked to child labour. Education is seen as a deterrent to child labour and is often at the forefront of measures to address the issue. The report found that children in both Ghana and Côte d'Ivoire typically combine both work and school. The result is that school *enrolment* rates are high but school *attendance* tends to be quite low. Working on cocoa farms, therefore, jeopardizes schooling and often leads to cases of children dropping out of school. The report also found that children working in the cocoa sector are exposed to activities detrimental to their health or safety. The report also finds that the gender balance in the cocoa sector is skewed towards males. Although women are engaged in crucial tasks, cocoa farming in West Africa is largely male-dominated.

Both countries now face a number of constraints in the cocoa sector. Production has started to decline, as farmers turn to crops that are higher priced, less labour-intensive and less volatile to price fluctuations. An ageing farmer population is accompanied by the reluctance of newer generations to enter cocoa farming due the high level of risks and low returns. Increased governance of the sector will be required in both countries in order to help stabilize prices for growers and to address the longer-term issue of cocoa sustainability.

A general finding of the report concerns a lack of data and information available on child labour in the cacao sector. Even when there is documentation and data available it offers two distinct challenges. Firstly, there are often diverging findings and results with regard to child labour. Different actors come to different conclusions. The second challenge concerns source bias and reliability. Much of the material in the public realm concerning child labour is produced by actors who could be said to have a vested interest. This includes governments and companies who, generally, have an interest in seeing positive developments while civil society organisations and activists tend to focus on the more negative aspects. The University of Tulane survey (commissioned by the US Department of Labor) on child labour in the cocoa sector, which provides regular and authoritative data, is a welcome effort in this regard.

## 2 Background

Norges Bank Investment Management (NBIM) manages the Government Pension Fund Global on behalf of the Ministry of Finance, which owns the fund on behalf of the Norwegian people. NBIM has been entrusted with safeguarding and building financial wealth for future generations. To do so, NBIM aims to exploit the fund's unique characteristics. The fund is large, global and with a long-term investment horizon. The fund is invested in most listed markets, sectors and companies in order to capture global value creation and diversify risk.

The fund is invested in more than 9,000 companies across the world and invests in bonds issued by the governments of more than 50 countries. The fund has, therefore, as significant global ownership and holds on average more than 1.3% of all listed company shares globally. The fund has an upper limit of 10 percent ownership in any given listed company.

Responsible investment is an integral part of NBIM's management mandate. NBIM's work on responsible investment has evolved as the fund has grown. NBIM published an annual report on responsible Investment for the first time in 2014. The report describes the variety of tools NBIM uses in its work on responsible investment. NBIM promotes international principles and standards, express expectations as an investor, and exercise active ownership through voting and engagement with companies. Environmental, social and governance issues are integrated into the investment process and into risk management. This can lead to adjustments to the portfolio and decisions to divest, or not to buy, specific securities.

NBIM has published expectations documents on climate change management, water management and children's rights. The documents set NBIM's expectations for how companies should manage risk in these areas. NBIM expect companies to protect children's rights in their operations and supply chains. Companies should demonstrate that they have adequate systems in place to manage the risk of violations of children's rights.

To further NBIM's efforts to assess risk and compliance with respect to child labour, the International Law and Policy Institute (ILPI) was commissioned to write two desk-based reports on child labour, one focused on the cottonseed sector in India and the other on the cocoa sector in West Africa. The aims of both reports are three-fold: firstly, to understand the status quo of child labour in specific high-risk sectors or geographic areas (India, Côte d'Ivoire, and Ghana); secondly, to identify how child labour practices vary across sectors and between international and domestic companies; and, thirdly, to ascertain how other wider social issues either impact on, or are impacted by child labour.

## 3 Method

ILPI's assessment of child labour in the cocoa sector has been conducted through stand-alone desk-based research. This entailed consulting existing resources (secondary data) such as academic literature, analytical reports and publicly available data which met the criteria of being accessible online, and in English.

This report focuses on the cocoa sector in Côte d'Ivoire and Ghana using the following research questions as defined by NBIM in their terms of reference:

1. What is the status quo of child labour in Côte d'Ivoire and Ghana, where is child labour most prevalent, and in what form?
2. What are the differences between- multinational and domestic companies, sectors, types of child labour, child labour in supply chains and the informal economy?
3. Can other – wider – social issues be identified with regard to child labour, e.g. does child labour affect children's ability to receive an education? What is the effect on health and families in a more general sense?

During September and October 2015, ILPI reviewed and collected material from the international, regional, national and sector levels (see Annex 1) The sources cover a wide range of types including legal documents, UN documents, government statistics, NGO reports, company statements and research studies. The mapping is intended to provide an adequate, not exhaustive, information basis on the issue of child labour in the concerned countries and sectors.

### 3.1 Methodological advantages of a desk review

A stand-alone desk review has the advantage of being an effective, relatively inexpensive and quick tool in comparison to more in-depth approaches such as field research. A desk review on child labour can also help:

- Clarify the context of the research, define the depths and breadth of the problem;
- Identify relevant socio-economic groupings, main actors and stakeholders that are part of and confronted by the issue;
- Identify long-term trends and short-term policy activities;
- Outline the key indicators that can be used for continued assessment of the issue.

Desk-reviews are also often used to further identify and investigate research issues for more in-depth analysis.<sup>4</sup>

### 3.2 Methodological limitations and challenges

Evaluating the problem of child labour and welfare, especially in the agricultural sector, are associated with multiple methodological challenges, *inter alia*:

- **Definition of child labour.** The interpretation of what constitutes child labour differs across cultural, legal and sector-specific factors. For example, international legal (e.g. ILO) definitions of child labour sometimes differ from national legal frameworks;

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<sup>4</sup> United Nations Development Program (UNDP) Bratislava Regional Centre (2008) 'Guideline for a Qualitative Research Methodology to Assess the Social Impacts of HIV and Identify Priorities for Advocacy Action' (written by D. Operario), p. 13.

- **Implementation gap:** a study can readily identify frameworks and mechanisms intended to regulate child labour. To identify and assess the gap between, for example, an applicable legal framework and its actual enforcement are much more challenging. Likewise, verifying whether company mechanisms for detecting child labour actually work is challenging.
- **Externalities:** the cocoa and cottonseed sectors are influenced by many factors operating at different scales (from local to national to international) and the utilization and incidence of child labour depend on many other aspects that may have nothing to do with direct efforts to reduce child labour or the actions by the companies. Examples of externalities include, but are not limited, to violent conflict, changes in the prices of crops, conditions in the rural labour market affecting the availability of adult labour that can be hired locally, governmental programmes that increase school attendance, innovation in agricultural practices, reforms of the sector etc.
- **‘Needle in a haystack phenomenon’:** detecting and mapping child labour in vast agricultural value chains with thousands of small-scale farms is extremely challenging. To date, neither government authorities, companies, civil society nor researchers have been able to provide comprehensive documentation of child labour across the agricultural sector.
- **Diverging information and source bias:** Even when there is documentation and data available it offers two distinct challenges. Firstly, there are often diverging findings and results with regard to child labour. Different actors (e.g. UN, governments, NGOs and companies) often come to different conclusions. The second challenge concerns source bias. Most of the material in the public realm concerning child labour is produced by actors who could be said to have an interest in how things are reported. This includes governments and companies who, generally, have an interest in seeing positive developments while civil society organisations and activists tend to focus on the more negative aspects.

### 3.3 Establishing a baseline

In order to evaluate the current status of child labour in the cocoa sector, it was necessary to define baseline (i.e. pre-existing) conditions of child labour. With regard to the cocoa industry in Côte d’Ivoire and Ghana, the baseline is set at the cocoa season 2008/09. This baseline marks the first noticeable efforts of NBIM engaging on the issue of child labour in the cocoa sector. More importantly, this is also the baseline established by the Tulane University West Africa Child Labor survey.<sup>5</sup> This survey focuses on the worst forms of child labour in the cocoa sector and quantifies the number of children affected. With a first follow-up survey in 2013/14, it is well-suited to describe the on-going trends in the sector.<sup>6</sup> This survey will be used as a reference point to identify possible changes and developments in connection to child labour issues within the sector since the baseline; moreover, they will, at least in part, be relied on as to establish the magnitude of child labour in the sector nowadays, i.e. the status quo.

<sup>5</sup> Tulane University (2009) ‘Annual Survey of Child Labor in the Cocoa-Growing Areas in Côte d’Ivoire and Ghana’ Payson Centre for International Development.

<sup>6</sup> W. Bertrand and E. de Buhr (2015) ‘Survey Research on Child Labour in West African Cocoa Growing Areas’ Final Report Payson Centre for International Development, Tulane University (30 July 2015).

### 3.4 Evaluating the data

After the mapped information had been reviewed and a baseline was established, we used the parameters given through the terms of reference to cluster the issues to be covered:

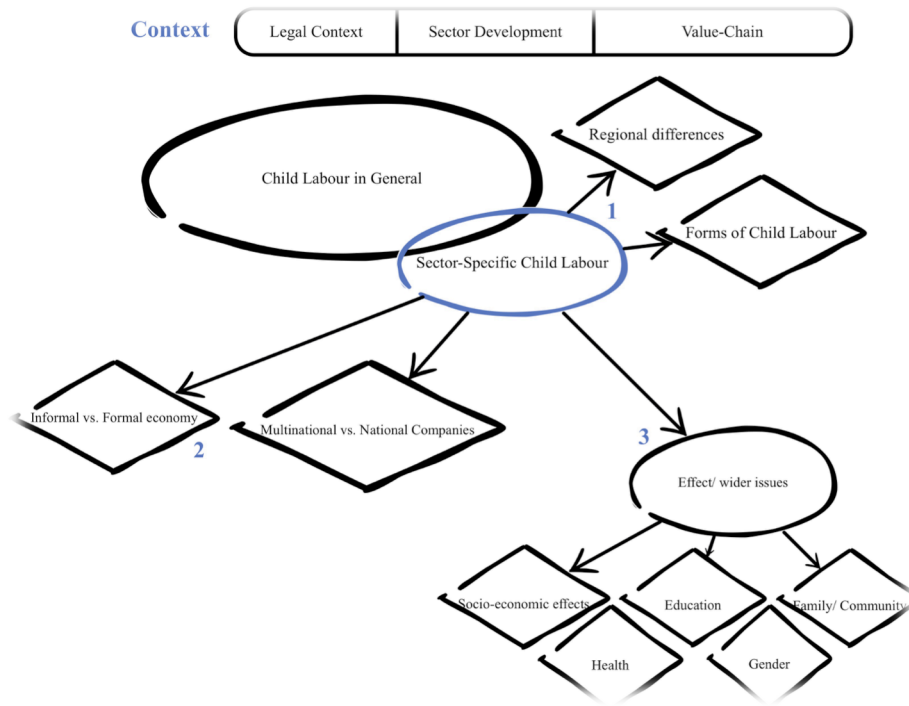


Figure 1: Conceptual framework of terms of reference.

## 4 Introduction

Child labour is a complex phenomenon characterized by challenges that are simultaneously ethical, economic, legal and political in nature. Child labour often deprives children of the opportunity to attend school or compels them to leave school prematurely, and is often associated with poor pay and working conditions that are detrimental to children's physical, mental or social wellbeing and development. On the other hand, the income generated by underage workers is often critical to families' livelihoods and formal bans or punitive measures may have unintended consequences such as driving children into underground sectors and their families deeper into hardship and poverty. It is no wonder then that the topic of child labour remains the subject of longstanding discussion.

Several instruments under international law offer overlapping but not mutually exclusive definitions. The UN Convention on the Rights of the Child<sup>7</sup> recognizes in Article 32 the right of the child to be protected from economic exploitation and from performing work that is *“likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.”* The African Charter on the Rights and Welfare of the Child also defines child labour as *“any work that is likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral, or social development”*.<sup>8</sup>

The International Labour Organisation (ILO) has, in two key conventions, defined child labour. Child labour is, as a point of departure, work carried out by children (persons under 18 years). The ILO Convention on Minimum Age specifies that:

*“The minimum legal working age ‘should not be less than the age of completion of compulsory schooling, and under no circumstances less than 15 years of age’ (or 14 years of age for a specified time if a country's economy and educational status are insufficiently developed). Children may do “light work” when they are 13-15 years old,<sup>9</sup> which is defined as work that is non-hazardous to their health or development, no more than 14 hours per week, and which does not interfere with the child's schooling. The Convention further stipulates a minimum age of 18 years for work, “which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons.”<sup>10</sup>*

Child labour is said to exist in cases where children are too young to work (under the minimum age of 14 or 15 years and employed in more than ‘light work’), and where children aged 15-17 are engaged in hazardous work or work too many hours (43 hours or more). The schematic diagram in figure 1 below further illustrates the nuances in determining whether working children are child labourers or not.

While child labour may take different forms, there is broad agreement that certain types are so detrimental to children's wellbeing that they must be eliminated as a matter of urgency. The ILO's *Worst Forms of Child Labour Convention* (Convention No. 182, 1999) urges States to take

<sup>7</sup> The UN Convention on the Rights of the Child, adopted 20 November 1989.

<sup>8</sup> The African Charter on the Rights and Welfare of the Child (1990) CAB/LEG/24.9/49, adopted by the Organization of African Unity (OAU) 11 July 1990: Article 15.

<sup>9</sup> States may substitute the age 12 – 14 years of age, if their minimum age of work is 14 years.

<sup>10</sup> International Labour Organization (ILO) Minimum Age Convention No. 138 (1973): Articles 1 – 3.

‘immediate and effective measures’ to secure the prohibition and elimination of the following ‘worst forms’ of child labour specified as:

*“All forms of slavery including the trafficking and sale of children and/or debt bondage; forced or compulsory labour including recruitment of children for use in armed conflict; and the use of children for prostitution, pornography or other illicit activities such as the production or trafficking of drugs, and work that is likely to harm the health, safety of morals of children”.*<sup>11</sup>

The objective of Convention No. 182 is to focus on priority action areas to be eliminated ‘as a matter of urgency’<sup>12</sup> without losing sight of the long-term goal of the effective elimination of all forms of child labour.

Ghana and Côte d’Ivoire are both party to these conventions. It should be noted that they are also party to ILO Convention No. 29 on Forced or Compulsory Labour, which defines forced labour as: “all work or service which is exacted from a person under the menace of any penalty and for which the said person himself has not offered voluntarily.”<sup>13</sup> This rule extends to children.

These international instruments form the basis of the international legal framework on child labour.

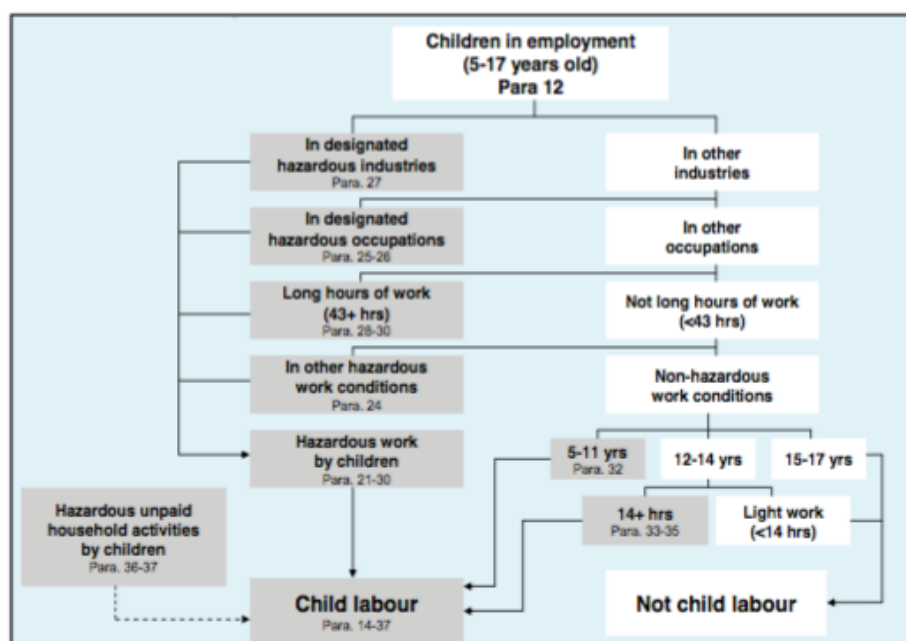


Figure 2: Conceptual framework of the ILO Global Estimation of Child Labour (ILO 2014).<sup>14</sup> The schematic diagram above illustrates the variables that help differentiate child labour from children in employment. Age, hours of work, and whether the work activities are considered hazardous or not form the main considerations.

<sup>11</sup> International Labour Organization Worst Forms of Child Labour Convention No. 182 (1999).

<sup>12</sup> Ibid: Article 1.

<sup>13</sup> International Labour Organization Forced Labour Convention No. 29 (1930): Article 2 (1).

<sup>14</sup> International Labour Organization (ILO) (2014) ‘The Twin Challenges of Child Labour and Educational Marginalisation in the ECOWAS region – An Overview’, a joint ILO, World Bank and UNICEF project under Understanding Children’s Work (UCW), p. 53.

The grey-shaded columns (to the left) denote child labour, which is not permissible under the ILO conventions. The white-shaded columns (to the right) denote child labour, which is permissible according to the ILO conventions.

## 4.1 Child labour in the agriculture sector

Child labour is prevalent across many sectors including manufacturing, agriculture and domestic services.<sup>15</sup> According to ILO's global estimates for 2012, the vast majority of child labour (58.6%) is situated in the agriculture sector.<sup>16</sup> The specificities of the agriculture sector make child labour especially difficult to address. The ILO describes the situation as follows:

*“Limited coverage of agriculture and family undertakings in national labour legislations, limited unionization, fragmentation of the labour force, low capacity of labour inspectors to cover remote rural areas, majority of child labourers working as unpaid family labour without formal contracts, continuity between rural household and the workplace, and traditions of children participating in agricultural activities from a young age make the problem difficult to address”.*<sup>17</sup>

## 4.2 Defining child labour in the cocoa sector

Cocoa farming in West Africa supplies two-thirds of the world's total cocoa crop. Most of the cocoa comes from two countries - Côte d'Ivoire and Ghana – and smallholder farmers predominantly grow the crop. Earning less than \$2 a day, many farmers are unable to afford hired labour and rely instead on family farming as the only viable means of help. Children represent a key source of labour in West Africa's cocoa growing sector. It is extremely common for children in West Africa's rural communities to work in fields and so their participation in cocoa farming is not deemed unusual or unfavourably. Aside from contributing to families' livelihoods, it is generally held that “not all this work is harmful to the child or prevents him or her from attending school,”<sup>18</sup> and moreover that “some participation of children in non-hazardous activities can be positive as it contributes to the inter-generational transfer of technical and social skills”.<sup>19</sup> Traditional perspectives also hold that the involvement of young boys in cocoa farming symbolises a rite of passage.<sup>20</sup> These social, cultural and traditional factors coincide with economic necessity and low prices that cocoa fetches to explain the widespread use of children in cocoa-related tasks.<sup>21</sup> Therefore, one has to be careful examining the issue of child labour in the cocoa sector in West Africa because not every child found working in plantations is necessarily what is understood by ‘child labourer’.

<sup>15</sup> See also N. Doytch et al. (2014) on a cross sectoral empirical analysis on 100 countries on the effect of foreign direct investment (FDI) in the years from 1990 to 2009, 'The impact of FDI on child labor: Insights from an empirical analysis of sectorial FDI data and case studies' *Children and Youth Services Review*, Vol. 47 (2) (December 2014): 57-167.

<sup>16</sup> International Labour Organization (ILO) and The International Programme on the Elimination of Child Labour (IPEC) (2015).

<sup>17</sup> International Labour Organization (ILO) 'Child labour in Agriculture'.

<sup>18</sup> M. Boàs and A. Huser (2006) 'Child Labour and Cocoa Production in West Africa – The Case of Côte d'Ivoire and Ghana' *FAFO Research Programme on Trafficking and Child Labour*, p. 11.

<sup>19</sup> International Labour Organization (ILO) 'Child labour in Agriculture'.

<sup>20</sup> OECD/Sahel and West Africa Club Secretariat & International Cocoa Initiative (2011) 'Emerging good practice in combating the worst forms of child labour in West African cocoa growing communities', p. 13.

<sup>21</sup> L. Griek, J. Pennikett and E. Hougee (2010) 'Bitter Harvest: Child Labour in the Cocoa Supply Chain' *Sustainalytics*.

The International Institute of Tropical Agriculture (IITA) has distinguished between different groups or types of child labour, according to the relation between the child and the household/ farm in which he/she works. They distinguish between:

- Family labour (children of the farmer or close relatives of the farmer who live on the farm);
- Foster labour (children with well-established kinship or communal ties to the household);
- Salary labour (children who work for a salary without any kind of family, kinship or communal ties).

Experts believe that the worst forms of child labour and hazardous activities, in general, are far more likely in salary labour: “One argument for making this distinction between different forms of labour in relation to the famer family is that ‘exploitation’ is limited in the two first categories, through kin obligations, but can be extreme in the latter”.<sup>22</sup> Children employed as salary workers by non-related households constitute a low proportion of children in cocoa agriculture. In an absolute sense, therefore, child labour can be quantitatively more important in the former two categories.

## 5 Report Analysis

The sources identified for this research allow for a well-based discussion of aspects of the cocoa sector, in general, and specifically, in Côte d’Ivoire and Ghana.<sup>23</sup> In order to understand how child labour manifests itself across the sector, it is necessary to address the legal and economic developments that have taken place in the sector as well as important features of the cocoa supply chain. This report tries to outline the current status quo of child labour in both countries, describing, for example, the number of children being involved in child labour, and which activities they perform. It further tries to review differences between international and national companies as well as formal and informal activities within the supply chain. It also aims to reflect on how the children and their families are impacted by child labour in the cocoa sector.

### 5.1 Recent developments in Ghana’s and Côte d’Ivoire’s legal and policy framework pertaining to child labour

Since 2008, Ghana and Côte d’Ivoire have become party to a number of international agreements pertaining to child labour. Both countries are parties to the UN Convention on the Rights of the Child (CRC). Both countries are also parties to the African Charter on the Rights and Welfare of the Child. Ghana ratified the ILO Conventions on Minimum Age (No. 138) and on the Worst Forms of Child Labour (No. 182) in June 2011 and June 2000 respectively. It also ratified the UN CRC Protocol on (Children in) Armed Conflict in December 2014. Côte d’Ivoire has also ratified both ILO conventions on Minimum Age and Worst Forms of Labour in June 2003. Most recently, it ratified the two CRC

<sup>22</sup> Bøås and Huser (2006) ‘Child Labour and Cocoa Production in West Africa’, p. 12.

<sup>23</sup> It must be emphasized that this report is not an exhaustive review of all studies produced by NGOs, IOs or researchers occupied with the topic.

Protocols on Armed Conflict and Sale of Children, Child Prostitution and Child Pornography in 2011. Both countries are party to the ILO Convention on Forced or Compulsory Labour (No 29).

The minimum age for work set out in Ghana's national legislation is 15 years of age while it is 14 years of age in Côte d'Ivoire. Both countries have listed those activities that they consider to be hazardous in the agriculture sector,<sup>24</sup> which according to ILO is important since it forms the basis for a wide range of activities both from governments and the civil society, such as advocacy, services, policies and enforcement in the national context.<sup>25</sup>

The US Department of Labor continuously evaluates the national efforts of both countries in their global annual reports on the elimination of the worst forms of child labour. They describe both countries' efforts as 'moderately advancing' (Ghana reports from 2011 to 2014, Côte d'Ivoire reports from 2011 to 2012) and 'significantly advancing' (Côte d'Ivoire reports 2013 and 2014).<sup>26</sup> As an example, the US Department of Labor refers to a number of areas of progress in Côte d'Ivoire such as the adaptation of a National Policy Document on Child Protection, the establishment of a national committee for fight against trafficking and the pilot phase of a child labour monitoring system (SOSTECI). It also cites positive advancements in Ghana such as the increasing the number of investigators for the Anti-Human Trafficking Unit of the Ghana Police Service.

Both the Ghanaian and Ivorian governments have integrated the issue of child labour into key national policies and regional agreements. One concern expressed in the US Department of Labor's reports<sup>27</sup> with respect to the legal and policy measures developed to tackle child labour pertains to the lack of coordination on child labour across the many government units. There have been, for example, separate child labour units in both the Ministry of Labour as well as executive units to tackle child labour in the presidential office. Table 7 shows the wide array of institutions and actions put in place in order to combat child labour (see below).

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<sup>24</sup> International Labour Organization (2014) 'The Twin Challenges of Child Labour and Educational Marginalisation in the ECOWAS Region'.

<sup>25</sup> International Labour Organization and The International Programme on the Elimination of Child Labour (IPEC) (2015) 'World Report on Child Labour 2015: Paving The Way To Decent Work For Young People' (10 June 2015).

<sup>26</sup> United States Department of Labor (2008-14) 'Findings on the Worst Forms of Child Labor. Annual Report: Ghana'; United States Department of Labor (2008-14) 'Findings on the Worst Forms of Child Labor. Annual Report: Côte d'Ivoire'.

<sup>27</sup> US Department of Labor (2014) 'Findings on the Worst Forms of Child Labor: Annual Report Ghana', p. 9; US Department of Labor (2014) 'Findings on the Worst Forms of Child Labor: Annual Report Côte d'Ivoire', p. 8; International Labour Rights Forum (2014) 'The Fairness Gap', p. 7.

Policy	Description
National Plan of Action (NPA) for the Elimination of the Worst Forms of Child Labor (2009-2015)	Provides a comprehensive framework to significantly reduce the worst forms of child labor by 2015 and identifies specific roles for various ministries, NGOs, and civil society.(2, 27) Aims to reduce all forms of child labor but prioritizes nine key sectors: child trafficking; <i>trokosi</i> ; mining and quarrying; fishing; commercial sexual exploitation; <i>kayayes</i> and carrying heavy loads; agriculture; domestic work; and street vending.(27) Creates a framework for the new GCLMS that addresses all sectors in which the worst forms of child labor are present.(17, 27, 39) Helps coordinate 23 institutions and government agencies to combat child labor through data collection and analysis.(6, 67) Led by the CLU under the supervision of the NSCCL.(17)
Hazardous Child Labor Activity Frameworks	Comprises both the Hazardous Child Labor Activity Framework and the Hazardous Child Labor Activity Framework for the Cocoa Sector, which were developed in consultation with workers' and employers' organizations and prohibit hazardous activities for children. The existing framework extends protection to all child workers and supplement Ghana's existing laws on child labor.(68, 69)
ECOWAS Regional Action Plan for the Elimination of Child Labor, Especially the Worst Forms (2013-2015)	Aims to eliminate worst forms of child labor in West Africa by 2015 through the implementation of a regional action plan with 14 other ECOWAS countries.(70) In 2014, met to discuss actions taken since Ghana's 2013 Peer Review, progress of the Regional Action Plan's implementation, and the ILO's Study on "Child Labor and Educational Marginalization in West Africa."(71, 72)
2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol (2010 Declaration) and Its Accompanying Framework of Action	Under this joint declaration, the Governments of Ghana, Côte d'Ivoire, the United States, and the International Cocoa and Chocolate Industry provide resources and coordinate with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas.(73, 74) The Governments take steps to ensure that all project efforts implemented under the Declaration and Frameworks align with Ghana's national action plans in order to promote coherence and sustainability.(62, 73, 74)
Ministry of Food and Agriculture's Child Labor Strategic Plan (2013-2015)	Aims to improve coordination and monitors implementation of efforts to address child labor in the agriculture, cocoa, and fishing sectors by 2015. Works with farmers and fishermen to increase their livelihoods and their awareness of child labor.(75, 76)
UNDAF (2012-2016)	Aims to provide education or vocational training opportunities to children ages 5 to 17 withdrawn or prevented from engaging in child labor as part of Ghana's National Development Priority for Human Development, Productivity, and Employment.(77)
Education Strategic Plan (2003-2015)*	Seeks to improve access to and the quality of education by 2015, particularly at the primary level, by increasing opportunities for out-of-school and hard-to-reach children, providing scholarships to needy students, and improving education infrastructure.(38)
Free Compulsory Universal Basic Education (F-CUBE)	Aims to enable all children in Ghana to attend primary school by improving educational quality, improving access to education, raising the enrollment of hard-to-reach and out-of-school children, and increasing the management efficiency of the education sector.(17, 38)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

Figure 3: Policies relating to child labour in Côte d'Ivoire.<sup>28</sup>

Policy	Description
National Action Plan Against Trafficking, Exploitation, and Child Labor (2012–2014)	Aims to prevent children from involvement in trafficking and other worst forms of child labor, provide support to victims of child trafficking, pursue the prosecution and punishment of offenders, and implement SOSTECL.(14, 16, 36, 39, 68) Received a budget of approximately \$27 million over 3 years.(34)
PRSP (2012–2015)	Aims to increase access to effective education, train youth and adults with trade skills, enhance agricultural production and certified agriculture products, ensure food security, and strengthen the country's capacity to combat the worst forms of child labor.(49)
UNDAF (2009–2015)*	Aims to increase access to education, with the goal of reducing the number of children without access to primary school by half. Extended for 2 years until 2015 to fully align UN support with national priorities.(78-80)
Medium-Term Plan of Actions for Education (2012–2014)*	Aims to increase access to education, particularly in rural areas, provide high-quality universal primary school education, promote vocational education, and restore the educational system in areas most heavily affected by conflict following the 2010 election.(32, 81)
ECOWAS Regional Action Plan for the Elimination of Child Labor, Especially the Worst Forms (2013-2015)	Aims to eliminate worst forms of child labor in West Africa by 2015 through the implementation of a regional action plan with 14 other ECOWAS countries.(82) In 2014, met to discuss actions taken since Ghana's 2013 Peer Review, progress of the Regional Action Plan's implementation, and the ILO's Study on "Child Labor and Educational Marginalization in West Africa."(83, 84)
Joint Declaration Against Cross-Border Trafficking	Joint declaration against cross-border trafficking signed by the First Ladies of Côte d'Ivoire and Burkina Faso.(85, 86) The implementing decree for the Trafficking and Worst Forms of Child Labor Law was passed as part of this declaration. Additionally, the Government has established measures to systematically verify the identities of all children and accompanying adults at border crossings.(32)
2010 Declaration of Joint Action to Support the Implementation of the Harkin-Engel Protocol (2010 Declaration) and Its Accompanying Framework of Action	Under this joint declaration, the Governments of Ghana, Côte d'Ivoire, the United States, and the International Cocoa and Chocolate Industry provide resources and coordinate with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas.(87, 88) The Governments take steps to ensure that all project efforts implemented under the Declaration and Frameworks align with Côte d'Ivoire's national action plans in order to promote coherence and sustainability.(36, 87, 88)
Joint Declaration of Commitment to Combat Child Labor†	Joint declaration between regulatory bodies and the media to improve efforts to fight against the worst forms of child labor.(29) In 2014, conducted a capacity building workshop for 100 journalists and media professionals to raise awareness of the role of the media in combatting child labor.(32, 39) As a result of this training, educational materials on child labor issues were broadcasted at the national level.(32)
National Policy Document on Child Protection†	Led by the MSFWC; seeks to reduce the incidence of violence, abuse and the exploitation of children.(29)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.  
† Policy was approved during the reporting period.

Figure 4: Policies regarding child labour Ghana.<sup>29</sup>

<sup>28</sup> US Department of Labor (2014) 'Annual Report 2014: Côte d'Ivoire', p. 6.

<sup>29</sup> US Department of Labor (2014) 'Annual Report 2014 Côte d'Ivoire', p. 6.

## 5.2 Recent efforts by companies to address child labour in the cocoa sector

A number of voluntary reporting efforts initiated by companies and governmental agencies also exist on an international level. A key mechanism concerns the voluntary protocol, introduced by United States senators Tom Harkin and Eliot Engel,<sup>30</sup> to shape an international standard between chocolate manufacturers. The agreement was signed September 2001 between the Chocolate Manufacturers Association, the World Cocoa Foundation and the governments of Ghana and Côte d'Ivoire. The intention of the Harkin-Engel Protocol was the creation and implementation of a sector-wide standard certifying chocolate that was child labour free. The initial goal (to eliminate the worst forms of child labour from the sector) was to be met in July 2005, but extensions were granted in 2008 and 2010. According to the International Labour Rights Forum, "the industry repeatedly failed to reach the objectives of the protocol and in 2010 a new agreement called the 2010 Joint Declaration and Framework of Action was signed, creating new objectives for the industry."<sup>31</sup> The main objective of this Joint Declaration is the reduction of the worst forms of child labour by 70% by the year 2020. A Child Labour Cocoa Coordinating Group (CLCCG) was created to increase transparency over the different activities by companies and the two countries. Companies need to report all monetary and policy efforts to eliminate child labour in Ghana and Côte d'Ivoire. Even though the Harkin-Engel Protocol has so far failed to achieve its goal of eliminating the (worst forms of) child labour from the cocoa value chain, the establishment of the CLCCG has "helped increase transparency about the way companies are spending money to reduce child labour." Furthermore, the requirement for chocolate companies to publish how they seek to achieve their goals with the money they pledged further "enabled civil society organizations to engage Ghanaian and Ivorian government representatives and to ask critical questions about brands' initiatives".<sup>32</sup>

International standards for businesses with a view to protect human rights extend beyond national legislation. The United Nations Guiding Principles for Business and Human Rights (UNGPR) has stated that companies should:

1. Comply with all applicable laws and respect internationally recognized human rights, wherever they operate;
2. Seek ways to honour the principles of internationally recognized human rights when faced with conflicting requirements; and
3. Treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue wherever they operate.<sup>33</sup>

The implementation of the UNGPR by companies can potentially enhance the protection of human rights, including the prevention of child labour. For instance, where national laws or their enforcement falls below internationally recognized human rights standards, companies are expected to respect the higher standard. Furthermore, where national laws conflict with international standards, companies

<sup>30</sup> The 'Harkin-Engel Protocol'.

<sup>31</sup> International Labour Rights Forum (2014) 'The Fairness Gap – Farmer Income and Root Cause Solutions to Ending Child Labour in the Cocoa Industry' edited by A. Lambert, p. 6.

<sup>32</sup> F. Hütz-Adams and A.C. Fountain (2015) 'Cocoa Barometer 2015', p. 15.

<sup>33</sup> UN Special Representative on Business and Human Rights (2011) 'Guiding Principles on Business and Human Rights: Implementing the United Nations Protect, Respect and Remedy, Framework' HR/PUB/11/04: principle 2, 3 (a-c).

are still expected to find ways to respect the UNGP. Thus, the Guiding Principles ask business enterprises to go beyond mere compliance with the law.

Another international standard on business and social responsibility is the UN Global Compact (the world's largest sustainability and corporate citizenship initiative). The Global Compact provide companies with guidance on adopting policies and reporting on their implementation in areas such as human rights, labour, environment, and anti-corruption. Of the ten principles that all companies must seek to comply with, five are potentially relevant for child labour: 1) respect for human rights, 2) avoid complicity in human rights abuses, 4) avoid forced labour, 5) effective abolition of child labour, and 10) avoid corruption.<sup>34</sup>

### 5.3 Characteristics of the cocoa sector

Cocoa plants require tropical conditions with high temperatures and rainfall to thrive and most production is therefore concentrated around the equator in Africa, Asia and the Americas. Côte d'Ivoire has been the world's largest cocoa producer since the late 1970s, when it overtook Ghana.<sup>35</sup> Together Ghana and Côte d'Ivoire remain the two largest global producers, accounting for between 56 % and 60% of all traded cocoa.<sup>36</sup> Most of the cocoa is sold to Europe (63.8%) and 10.7% is sold to North America.<sup>37</sup>

About 40% of the cocoa processing where cocoa is ground for products (cocoa paste, cocoa butter or cocoa powder) or manufactured into chocolate confection is located in Europe, especially the Netherlands. This marks a division of labour and value, where the most labour-intensive aspects (planting, harvesting, fermenting and drying cocoa) are executed in the producing countries while activities that add the most value (exporting and processing) are conducted in more developed countries. The asymmetry in this relationship is captured by the African Centre for Economic Transformation:

*"... Cocoa bean production accounts for a relatively small low share of the overall value of chocolate, constituting an industry of \$9bn versus a global chocolate industry of \$87bn".<sup>38</sup>*

<sup>34</sup> United Nations Global Compact 'The Ten Principles of the UN Global Compact'.

<sup>35</sup> World Cocoa Foundation (2014) 'Cocoa Market Update as of 2014' (1 April 2014).

<sup>36</sup> L. Grieck, J. Pennikett and E. Hougee (2010) 'Bitter Harvest: Child Labour in the Cocoa Supply Chain', p. 2.

<sup>37</sup> African Center for Economic Transformation (2014) 'The Cocoa Agri-Processing Opportunity in Africa', p. 13.

<sup>38</sup> African Center for Economic Transformation (2014) 'The Cocoa Agri-Processing Opportunity in Africa', p. 9.

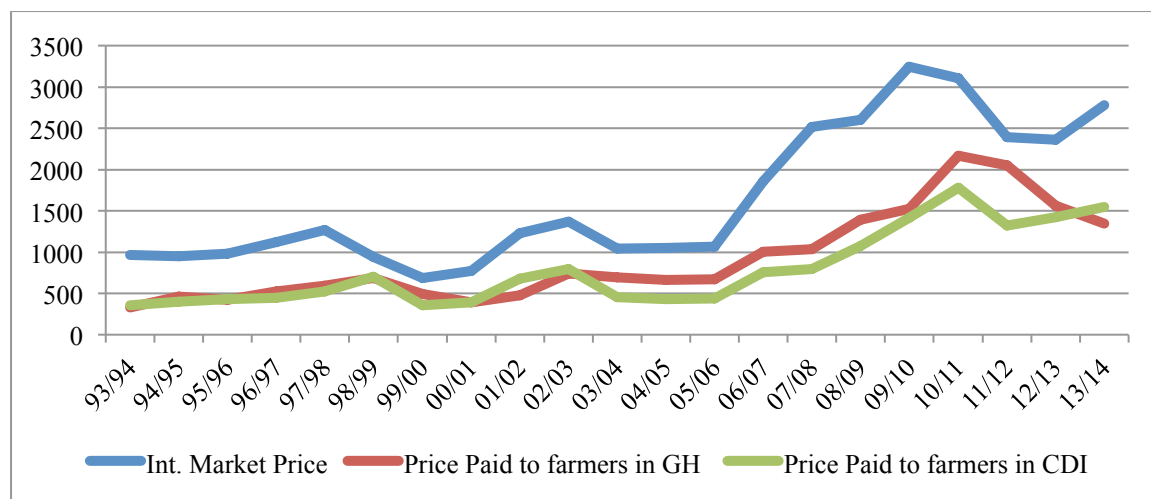


Figure 5: Farm gate prices in USD (International Labour Rights Forum, 2014) Note that this price overview in the report from the International Labour Rights Forum does not indicate whether these prices are based on a constant or a current USD or what the conversion of the local currency price was based on.

The overall price development in cocoa, as shown in figure 6 illustrates a slight rise in cocoa prices, which peaked internationally in 2009/10 and regionally the season after. Farm gate prices (the price of cocoa paid to farmers) in Ghana have over time been slightly higher than in Côte d'Ivoire, but have been declining since the 2010/11 season.<sup>39</sup>

The large quantities of cocoa beans exported (roughly 5 million metric tons from both countries) are typically produced by about 1.3 million small-scale farms:

*“The cocoa industry is characterized by fragmented production of cocoa beans, with the most volume produced by smallholder farmers, and a highly consolidated supply and processing chain, with the majority of large-scale players active across multiple stages of the value chain”.*<sup>40</sup>

As can be seen in the figure below, average farm sizes in both countries barely exceed five hectares with yields of approximately 500kg of cocoa per ha. The estimated annual net income range per farmer is slightly lower in Côte d'Ivoire, starting at \$755.30 up to \$888.25. In Ghana, net income starts at \$983.12 and ranges up to \$2672.81.<sup>41</sup>

<sup>39</sup> The price overview in the report from the International Labour Rights Forum does not indicate whether these prices are based on a constant or a current USD or what the conversion of the local currency price was based on.

<sup>40</sup> African Center for Economic Transformation (2014) ‘The Cocoa Agri-Processing Opportunity in Africa’, p. 10; International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 2.

<sup>41</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 4.

	Côte d'Ivoire	Ghana
<b>Regulated farmgate price for 2013/14 (season) in local currency</b>	850 CFA/ kg	5.12 GHS/kg
<b>Regulated farmgate price for 2013/14 (season) per kg/ in USD</b>	\$1.61	\$1.60
<b>Average productivity</b>	500 kg/ ha	500 kg/ha
<b>Standard farm size</b>	2-5 ha	2-5 ha
<b>Est. Annual Gross income range</b>	\$1.610-\$4.025	\$1.600-\$4.000
<b>Labour costs</b>	\$400-\$2000	\$430-\$860
<b>Input costs</b>	\$454.70-\$1136.75	\$186.88-\$467.19
<b>Est. Annual NET income range</b>	\$755.30-\$888.25	\$983.12-\$2672.81

Figure 6: Income at farm-level (International Labor Rights Forum, 2014).

In contrast to the fragmented production of cocoa beans across multiple small-scale farms, the cocoa trading structure is far more concentrated. One report notes that:

*“The majority of exported cocoa beans are handled by a small number of trading houses that include pure traders (e.g. Armajaro based in London) and integrated traders and processors such as ADM and Cargill, which are involved in agro-processing across a broad range of agricultural commodities”.*<sup>42</sup>

## 5.4 Current production status and challenges

After first introducing the cocoa plant in West Africa during colonial times, cocoa farming spread and increasing amounts of land were used to cultivate the cash crop by the time of independence in both countries. However, the limits of land expansions have been reached and there are a number of challenges and constraints with respect to increasing or maintaining the current status of production.<sup>43</sup> Firstly, there is an ageing of farmers and lack of incentives for young farmers to grow cocoa. Economic constraints include lack of access to finance, infrastructure and agricultural inputs as well as problems in cooperative organisation. Thirdly, there are environmental problems such as land degradation, ageing of cocoa trees and pests as well as political problems (see figure 7).<sup>44</sup> Some of these factors are specific to West African production, and others are universal constraints on cocoa farmers:

<sup>42</sup> African Center for Economic Transformation (2014) ‘The Cocoa Agri-Processing Opportunity in Africa’, p. 10.

<sup>43</sup> Bøås and Huser (2006) ‘Child Labour and Cocoa Production in West Africa’; F. Ruf (2007) ‘Background Note: The Cocoa Sector’ Overseas Development Institute (ODI).

<sup>44</sup> A. Hatløy, T.A. Kebede and P.J. Adabe (2012) ‘Towards Côte d’Ivoire Sustainable Cocoa Initiative’; Hütz-Adams and Fountain (2015) ‘Cocoa Barometer 2015’.

*“African production has started to decline, partly due to a shift in allocation or arable land toward other crops (such as rubber) as farmers respond to crops that are higher priced, are less labour input intensive or have lower price volatility”.*<sup>45</sup>

Some of the current social, environmental and economic challenges that cocoa farmers face are shown in the figure below:

<b>Issues for Smallholders</b>		
<b>Economic</b>	<b>Social</b>	<b>Environmental</b>
<ul style="list-style-type: none"> <li>• Low income for farmers (living income, diversification of crops on income, rising costs of living as well as of agricultural inputs, taxes, price volatility, and speculation)</li> <li>• Land tenure</li> <li>• Position of sharecroppers</li> <li>• Hired labour costs</li> <li>• Limited access to markets (credit, market information, investment risks)</li> <li>• Farming practices (farmer training, yields, low quality cocoa beans)</li> <li>• Insufficient infrastructure (roads, hospitals, schools, taxes, transport costs)</li> </ul>	<ul style="list-style-type: none"> <li>• Human rights violations (child labour, forced labour, trafficking)</li> <li>• Food security and nutrition</li> <li>• Working conditions (use of pesticides and fertilisers, polluted water, harassment, abuse, discrimination)</li> <li>• Gender inequality</li> <li>• Illiteracy and education</li> <li>• Freedom of association, collective bargaining, and farmer organisation</li> <li>• Ageing farmer communities</li> <li>• Access to social security (health insurance, pension schemes)</li> <li>• Power relations (corruption, tax evasion trade mispricing, political instability, smallholder farmers versus multinational companies)</li> </ul>	<ul style="list-style-type: none"> <li>• Ageing and diseased cocoa trees</li> <li>• Monoculture</li> <li>• Deforestation, decreasing biodiversity and soil degradation; expansion of the cocoa frontier to the detriment of rainforest</li> <li>• Lack of knowledge on climate change and the consequences for cocoa</li> <li>• Insufficient climate change adaptation and mitigation policies</li> <li>• Environmental impact of use and sourcing of fertilisers and pesticides</li> </ul>

Figure 7: Challenges to cocoa farmers (Cocoa barometer 2015).<sup>46</sup>

In the context of child labour, it is important to underline the issue of the ageing of cocoa farmers. As depicted in the age distribution in Figure 8, the average age of a cocoa farmer ranges between 35 and 50 years. Young people are increasingly attracted to more lucrative crops or other professions other than farming.<sup>47</sup> Integrating young people (not children) into cocoa agriculture therefore becomes a priority for chocolate manufacturers as they see that they need to increase their efforts to sustain the crop and their supply. It is noted by researchers that:

<sup>45</sup> African Center for Economic Transformation (2014) ‘The Cocoa Agri-Processing Opportunity in Africa’ p. 12.

<sup>46</sup> Hütz-Adams and Fountain (2015) ‘Cocoa Barometer 2015’.

<sup>47</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 2.

*“It is [...] no surprise that younger generations are leaving cocoa farming all together; at present cocoa simply does not provide the possibility of a living income for farmers and their families”.*<sup>48</sup>

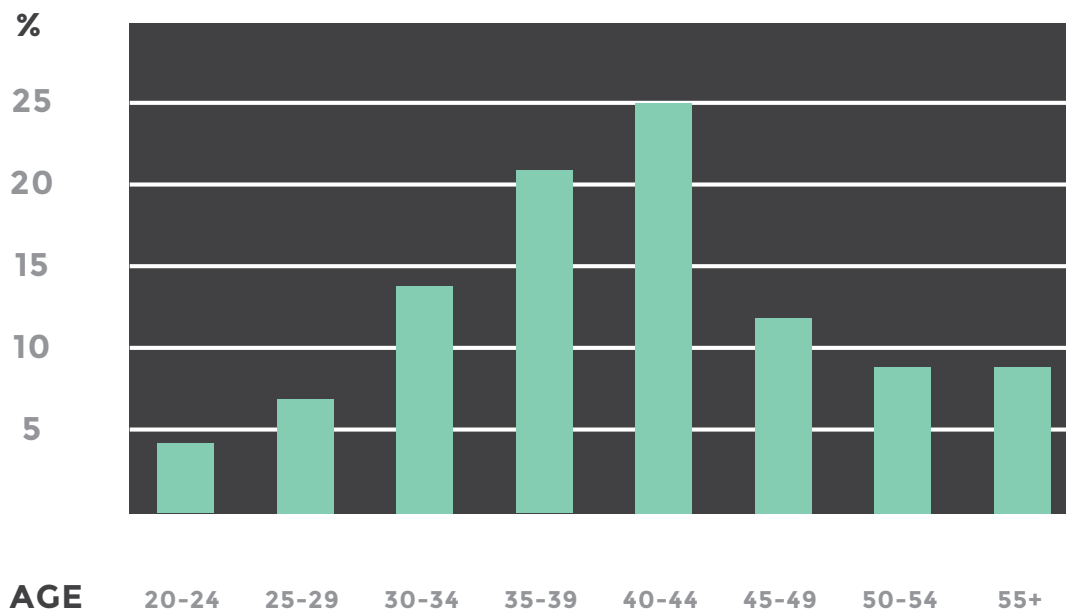


Figure 8: Age distribution of cocoa farmers in Côte d'Ivoire (Source: International Labour Rights Forum 2014).

Though Ghana and Côte d'Ivoire are both heavily reliant on the cocoa sector (which makes up 10% and 20%, respectively, of their GDP)<sup>49</sup> cocoa governance has historically been organized rather differently in the two countries. Ghanaian cocoa trade has been strictly regulated through the state-run marketing board Ghanaian Cocoa Board (COCOBOD), which:

*“Controls buying practices, quality checks, and overall cocoa sustainability. Each season, COCOBOD authorises a limited number of cocoa traders to purchase beans from the farmers. The largest cocoa traders are the state owned one (37%), followed by Akuafo Adamfo, Ecom and Olam”.*<sup>50</sup>

COCOBOD therefore plays an extensive role in the cocoa supply chain both as a “competitive actor (e.g. trading cocoa) and a pre-competitive actor (e.g. setting producer prices).”<sup>51</sup> For Côte d'Ivoire, a period of structural adjustment reforms (particularly during the 1990s) meant that the market was left to set producer prices, which fluctuated according to world market conditions. This is one reason for the relatively lower farm gate price for Ivorian cocoa in comparison to Ghana (see figure 6). In the 2011-12 reform of the cocoa sector, Côte d'Ivoire sought to strengthen governance in the cocoa sector

<sup>48</sup> Hütz-Adams and Fountain (2015) ‘Cocoa Barometer 2015’, p. 6.

<sup>49</sup> African Center for Economic Transformation (2014) ‘The Cocoa Agri-Processing Opportunity in Africa’, p. 24.

<sup>50</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 11.

<sup>51</sup> A. Laven and M. Boomsma (2012) ‘Incentives for Sustainable Cocoa Production in Ghana: Moving from Maximising Outputs to Optimizing Performance’ Royal Tropical Institute (May 2012).

in the attempt to stem corruption, and to provide cocoa farmers with more protection from the volatility of international prices. The reforms united several smaller regulative cocoa units into a Council for Coffee and Cocoa (CCC), responsible for managing, regulating, and stabilizing prices of cocoa as well as securing cocoa sustainability.

Several recent developments have taken place in the cocoa sector when compared to the baseline of 2008/09. Tulane University documented an increase in the cocoa production in both countries (more than 40% in Côte d'Ivoire; over 30% in Ghana); internal migration and population growth (3,4% Ghana and 2,8% Côte d'Ivoire) and fluctuations in the number of children working in the cocoa sector.<sup>52</sup> For Côte d'Ivoire these changes have taken place against the backdrop of an economic crisis and political instability, whereby the incumbent president Laurent Gbagbo refused to accept electoral defeat against Alassane Ouattara in the presidential elections of 2010/11. This led to large-scale post-electoral violence, concentrated partly around the cocoa-producing areas in the Southwest of the country.

## 5.5 The cocoa value chain

Chocolate production depends entirely on the Theobroma Tree, originally from Central America. The tree has specific needs for optimal growth: a humid, hot climate, in 15-20 degrees latitude from the equator, tropical and lush vegetation with shade, and an annual average temperature of 25 degrees.<sup>53</sup> The tree is vulnerable to changes in these optimal conditions, and the plant is further prone to a number of diseases. Once fully developed it measures five to eight meters with fruits hanging down, making it possible for children from about 10 to 11 years to reach. Theobroma produces a number of yellow pods, which contain the cocoa seeds for a limited time span of 25 to 30 years. After planting the seedlings, farmers have to wait seven years before the crop reaches its full potential; thereafter the tree's production increases for 13 years before rapidly declining.

Once the tree reaches five years of age, it can be harvested twice a year. Though there is ample work to be performed throughout the whole year (e.g. keeping the tree pest-free), cocoa harvesting peaks during two primary harvest seasons each year. When it is time for the harvest, the ripe yellow pods are pulled or cut away from the trees, collected and cracked open with a machete to remove the cocoa beans inside, which are covered with a white and bitter pulp. Depending on the plant and quality, a cocoa pod contains 20-50 single cocoa beans. The beans, thereafter, are collected in one place and covered with mats or banana leaves. This starts the fermentation process of the white pulp, which takes three to seven days; this is where the cocoa develops its aromatic taste. After fermenting, the beans are laid out in the sun to dry. After they pack the beans in plastic or jute bags, farmers deliver their cocoa to local buying agents or co-operatives. From there the local buyer sells the beans to an exporting company for further marketing. After quality controls, the cocoa might be dried some more before being exported to the processing location, which includes grinding the cocoa, pressing the

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<sup>52</sup> Bertrand and de Buhr (2015) 'Survey Research on Child Labour in West African Cocoa Growing Areas', p. 28-29.

<sup>53</sup> Boås and Huser (2006) 'Child Labour and Cocoa Production in West Africa'.

cocoa mass and making chocolate. These last stages of processing, outside the production country, add a considerable economic value to the final consumer product.<sup>54</sup>

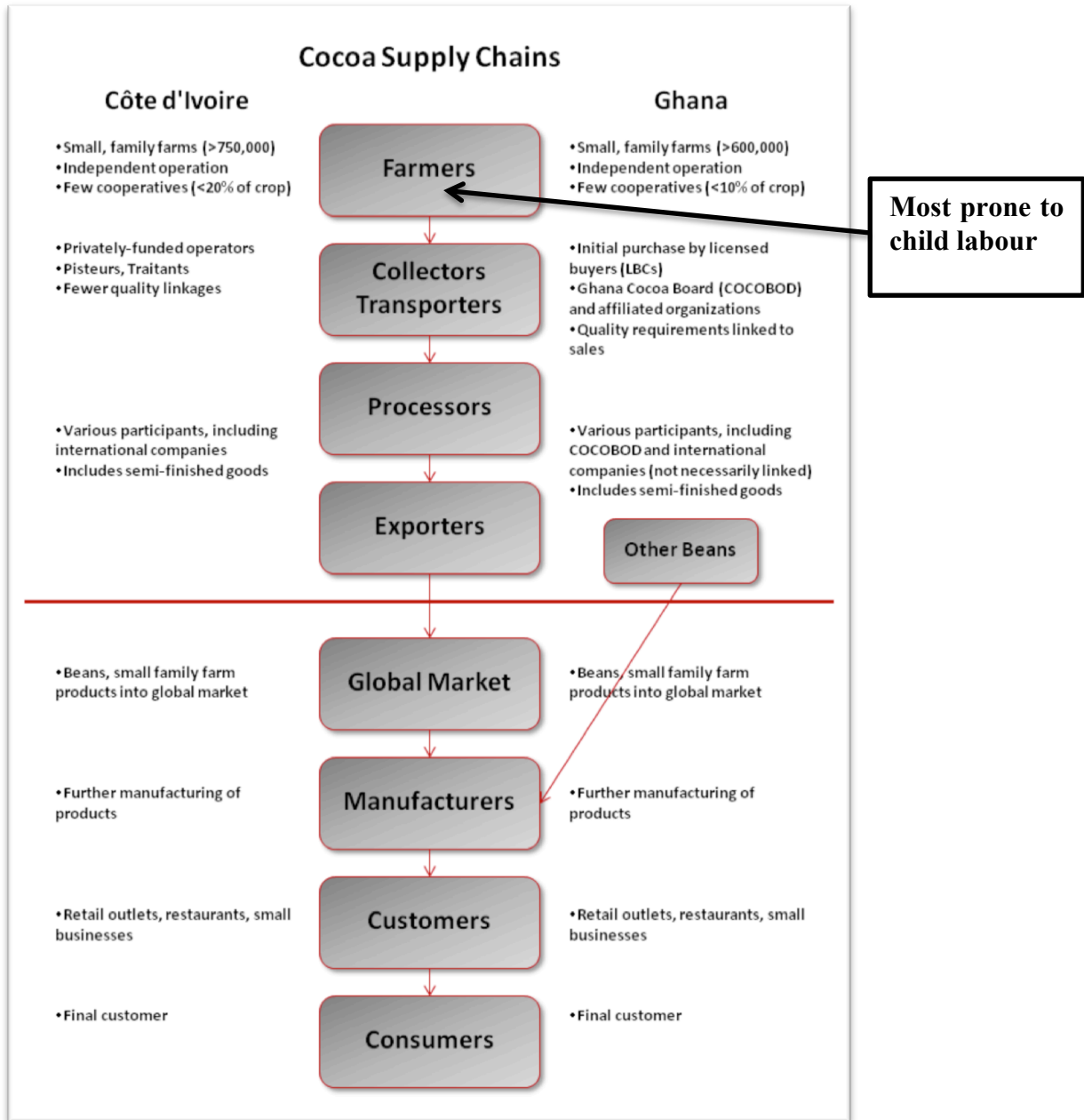


Figure 9: The cocoa value chain (US Department of Labor, Toolkit).

<sup>54</sup> US Department of Labor ‘Toolkit for Responsible Businesses: Reducing Cocoa Supply Chains (Côte D’Ivoire and Ghana).

## Summary of Findings

1. Both Côte d'Ivoire and Ghana have ratified the Convention on the Rights of the Child and key ILO conventions on child labour, and have put in place policies to implement these provisions.
2. International prices for cocoa have been rising over the period from 2005 to 2009 and after 2010. This has been less so with regard to farm gate prices, which have at times declined in real value terms. Both farm gate price and net income are larger for cocoa farmers in Ghana than Côte d'Ivoire, due to a historically more regulated and less liberalized cocoa sector. Recent reforms in Côte d'Ivoire have established a minimum price of cocoa for farmers.
3. Both countries and the cocoa sector globally are facing a number of constraints (social, economical, ecological) when it comes to increasing production levels and meeting rising global demand. Constraints include declining yields, increased vulnerability for small-scale farms, and reduced willingness of new generations to enter into cocoa production.
4. Historically, governance across the cocoa value chain has differed in the two countries, but in recent years there has been convergence with regard to increased management and regulation of the sector. This has helped stabilize prices for growers and direct more attention towards issues of sustainability.
5. Cocoa has a highly complex value chain, characterised by a large number of small-scale producers and a small number of downstream traders and manufacturers with high degree of market power.

## 5.6 Status quo of child labour in the cocoa sector

Recent figures suggest that more than 2 million children work in the labour-intensive cocoa sector in West Africa.<sup>55</sup>

### 5.6.1 Child labour in Côte d'Ivoire and Ghana in general

According to Ghana's Statistical Child Labour Report, 21.8% of 5-17 year-olds in Ghana are engaged in some form of child labour.<sup>56</sup> 14.2 % of the children covered by the survey were engaged in hazardous forms of child labour, which is a proxy indicator for the worst forms of child labour.<sup>57</sup>

<sup>55</sup> Bertrand and de Buhr (2015) 'Survey Research on Child Labour in West African Cocoa Growing Areas'.

<sup>56</sup> Ghana Statistical Service (2014) 'Ghana Living Standards Survey Round 6 (GLSS 6)' Child Labour Report.

<sup>57</sup> CLCGG Annual Report (2013), p. 2.

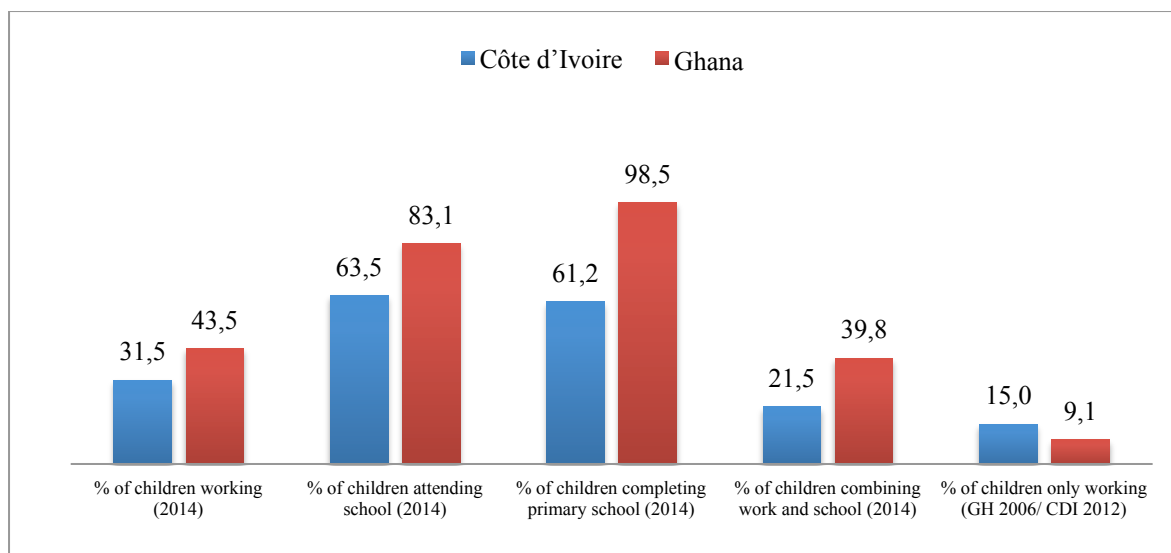


Figure 10: Statistics on Children's Work and Education (US Department of Labor, 2014).

Data from the US Department of Labor's annual reports for 2014 show that 43.5% of Ghanaian children between the ages of 4-15 years are in work compared to 31.5% in the Côte d'Ivoire.<sup>58</sup> On the other hand, more children in Ghana complete primary school (98.5%) and attend school regularly (83.1%) compared to Côte d'Ivoire where only 61.2% complete primary school, and 63.5% attend school regularly. Many of the children surveyed in both countries combine work with school attendance (39.8% in Ghana and 21.5% in Côte d'Ivoire).

It is important to provide a wider context to the issue of child labour in Ghana and Côte d'Ivoire's cocoa sectors. Child labour exists across a number of sectors, both agricultural and non-agricultural in both countries. In the case of Ghana, children can be found working in the fishing and gold mining sectors, and as street vendors/porters in the cities (so-called *kayaye*).<sup>59</sup> They also labour as domestic slaves, cattle herders as well as in prostitution and religious servitude (so-called *trokosi*). In some cases the children are victims of trafficking or forced labour.<sup>60</sup> Child labour has persisted across these sectors over the period 2008 to 2014.<sup>61</sup> In Côte d'Ivoire, child labour is concentrated in mining (especially gold and diamond), domestic services and street vending. It is also present throughout the country's agricultural production (grains, vegetables, coffee, banana, cotton, palm, papaya, pineapple, rice and rubber farming) and shoe shining. Due to the post-electoral conflict in 2010/11, there have also been a number of child soldiers or children forced to labour for rebels as cooks or helpers. The annual reporting of the US Department of Labor does not provide estimates for the number of child labourers across the individual sectors. The main international and national focus in both countries, however, rests on child labour in the cocoa sector.

Child labour in cocoa farming has been in the international spotlight, due to the fact that cocoa is a key input into a lucrative internationally traded commodity (chocolate), dominated by large

<sup>58</sup> US Department of Labor (2014) 'Findings on the Worst Forms of Child Labor. Annual Report: Côte d'Ivoire', p. 1; US Department of Labor (2014) 'Findings on the Worst Forms of Child Labor. Annual Report. Ghana', p. 1.

<sup>59</sup> Ibid: p. 2.

<sup>60</sup> Ibid.

<sup>61</sup> US Department of Labor (2008-2014) 'Findings on the Worst Forms of Child Labor. Annual Report: Ghana'.

multinational companies, and because the cocoa value chain is more closely connected to the global consumer market than is the case in other sectors. According to OECD/ Sahel and West Africa Club Secretariat & International Cocoa Initiative:

*“They [governments and child rights workers] are aware of children working in a range of hazardous activities in sectors such as fishing, mining and domestic service, some of which are equally or more dangerous than cocoa farming. However, since national economies are dependent on cash exports and international attention is focussed on efforts to eliminate child labour from the cocoa supply chain, the resources invested to help the tens of thousands of children working in other sectors are minimal in comparison”.*<sup>62</sup>

For example, UNICEF, in Côte d’Ivoire, has partnered with the private sector to engage in monitoring systems with regard to child labour in the cocoa value chain.<sup>63</sup> There is a greater focus on these issues, both by the government, who wants to ‘clear’ its main exporting product from the negative stamp of child labour, as well as from the chocolate industry, which has tried to show its commitments by devoting (relatively insignificant sums of) money to programs for the elimination of child labour. According to the US Department of Labor:

*“In coordination with the Government and its new National Action Plan, and in support of the 2010 Declaration, Mars, Nestle, Barry Callebaut, and Mondelez International provided additional funds for projects in Côte d’Ivoire’s cocoa-producing areas (...). The funding provided under the 2010 Declaration by the cocoa industry is as follows: Mars, \$2.7 million; Nestle, \$1.5 million; Barry Callebaut, \$300,000; Mondelez International, \$1.54 million; and Global Issues Group, \$2.25 million”.*<sup>64</sup>

But even with the attention of global chocolate producers, child labour - both in general and in the cocoa sector specifically – continues to persist. Commentators point to a number of reasons for why this remains the case. The OECD Sahel and West Africa Club for instance make the case that:

*“The socio-economic factors that influence the use and exploitation of children include poverty and lack of sustainable livelihoods, limited opportunities for young people, some traditional power structures and practices, legal aspects and failures in education systems”.*<sup>65</sup>

Although the two national governments in question, the chocolate multinational companies, and numerous NGOs and development organizations have tried to tackle some of these issues, the efforts have not gone far enough and have lacked sufficient coordination and depth. In particular, cocoa farmers remain poor and cocoa-growing communities continue to lack much-needed infrastructures, such as schools, access to credit and markets.<sup>66</sup>

<sup>62</sup> International Cocoa Initiative et. al. (2011) ‘Emerging good practice’, p. 13.

<sup>63</sup> UNICEF (2014) ‘Annual Report on Côte d’Ivoire’, p. 13.

<sup>64</sup> US Department of Labor (2012) ‘Findings on the Worst Forms of Child Labor. Annual Report Côte d’Ivoire’, p. 6.

<sup>65</sup> International Cocoa Initiative et. al. (2011) ‘Emerging good practice’, p. 13.

<sup>66</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’; Hütz-Adams and Fountain (2015) ‘Cocoa Barometer 2015’.

## 5.7 Child labour in Côte d'Ivoire and Ghana in the cocoa sector

The Council of Ethics for the Government Pension Fund-Global has not published recommendations pertaining to the West African cocoa sector, as it has done with regard to the cottonseed sector in India. NBIM, however, has reported on the risks of child labour especially since it initiated, together with the Dutch pension fund, a dialogue phase with large chocolate producers in 2009 and onwards:<sup>67</sup>

*“Following the 17th World Cocoa Foundation Partnership Meeting (...) Norges Bank Investment Management and APG Asset Management (...) issued a joint statement calling on the chocolate industry to take greater initiative and set concrete targets to eliminate child labour in their supply chains.”<sup>68</sup>*

Since the 2008 baseline there has been a lot of attention from the international media, NGOs and organisations on the issue of child labour in chocolate.<sup>69</sup> The cocoa sector has received increasing attention since the first allegations of child labour emerged in 2001. This attention has led to numerous initiatives and voluntary programmes undertaken by the chocolate producing industry in the framework of the Harkin-Engel Protocol.<sup>70</sup> In addition, the governments of Côte d'Ivoire and Ghana stepped-up their efforts to ratify ILO conventions that focus on child protection and child labour. An increasing number of social programmes and (inter-) regional action plans were put in place, especially in Côte d'Ivoire after its political crisis in 2010.

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<sup>67</sup> NBIM (2011) ‘Annual Report’.

<sup>68</sup> Grieck, Pennikett and Hougee (2010) ‘Bitter Harvest: Child Labour in the Cocoa Supply Chain’.

<sup>69</sup> See for example: <http://www.thedarksideofchocolate.org/> or <http://www.slavefreechocolate.org/>.

<sup>70</sup> Chocolate Manufacturers Association (2001) ‘Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition of Immediate Action for the Elimination of the Worst Forms of Child Labour’ (the ‘Harkin-Engel Protocol’).

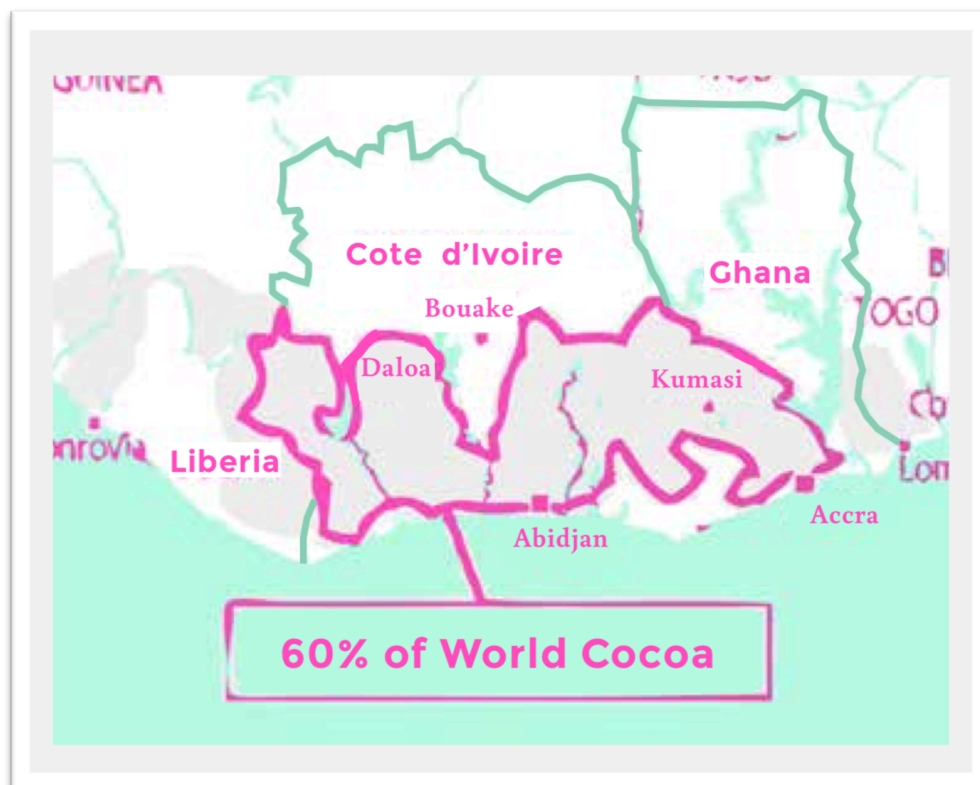


Figure 10. Cocoa-producing areas in Ghana and Côte d'Ivoire (International Labour Rights Forum, 2014).

In order to measure the effect of the efforts of the initiatives under the Harkin-Engel Protocol, Tulane University was tasked with monitoring the protocol's implementation. Together with local collaborators, Tulane University established a baseline of 2008/09 by surveying cocoa farmers in Côte d'Ivoire and Ghana. The goal is to update this baseline based on any changes and new trends every five years. The first follow-up was in 2013/14, which found that the overall numbers of child workers had increased, but that “the percentages of children doing *some hazardous activities* in cocoa agriculture have decreased considerably between the two rounds of survey data collection. Children exposed to hazardous work are reporting fewer hazards”.<sup>71</sup> (Emphasis added).

Further, the OECD Sahel and West Africa Club state that “much was achieved in a very short amount of time”, namely the creation of the first alliance of industries (the World Cocoa Foundation and International Cocoa Initiative), the ratification of ILO Convention 138, “multiplication of projects” combating worst forms of child labour and first certifications and reporting of certification in Ghana and Côte d'Ivoire.<sup>72</sup> Labour rights organisations have also commented positively on efforts against child labour in the sector:

*“Since the signing of the Framework of Action in 2010, many major chocolate companies have taken drastic action to invest in corporate social responsibility. The last four years have been a happy*

<sup>71</sup> Bertrand and de Buhr (2015) ‘Survey Research on Child Labour in West African Cocoa Growing Areas’, p. 5; US Department of Labor (2014) ‘Findings on the Worst Forms of Child Labor. Annual Report Côte d'Ivoire’, p. 81.

<sup>72</sup> OECD/Sahel and West Africa Club Secretariat (2009) ‘Child Labour on West African Cocoa Plantations - Conclusions of Desk Study’, p. 5.

*change from the previous nine years, where companies joined multi-stakeholder initiatives and did little more than express interest in reducing child labour in the industry.”<sup>73</sup>*

At the same time, most of the sources, and especially the Tulane survey, confirm that child labour is still pervasive in both Côte d’Ivoire and Ghana’s cocoa sectors. The survey states that “more than 2 million children between 5-17 years are estimated to be in hazardous work in the cocoa sector in 2013/14, an 18% increase compared to 2008/09”.<sup>74</sup> In absolute numbers, Ghana had a slightly smaller amount of children (0.88 million) in child labour in the cocoa sector. Côte d’Ivoire’s absolute number decreased slightly compared to 2008/09 but at 1.15 million, it is still high.<sup>75</sup>

Despite Côte d’Ivoire making “a significant advancement in efforts to eliminate the worst forms of child labour”, as described above, “the number of children in hazardous work increased by 46%” between the baseline and 2013/14”.<sup>76</sup> This may reflect a gap between legal standards and policies drawn up against child labour including the worst forms of child labour, and their actual implementation.

The implementation gap exists for a number of possible reasons. The US Department of Labor’s annual reports consistently mention a weak level of law enforcement (especially in informal labour markets) as a key issue. The large number of different task forces and governmental programmes are both underfunded and understaffed, so that inspectors of the formal labour sector have problems performing their job:

*“In 2014, the National Police’s AHTU employed 11 investigators to enforce laws related to child labour, including its worst forms, which the AHTU acknowledges is inadequate. Additionally, all 11 investigators are based in the capital city and lack adequate resources for transportation, so they are unable to travel throughout the country to enforce the laws.(...) The AHTU has an annual budget of approximately \$7,700 for operating expenses, which is insufficient. It received one vehicle from the First Lady’s office in 2014, but it requires additional vehicles, fuel, office supplies, and furniture to carry out its duties”.*<sup>77</sup>

In a country where, in the cocoa sector alone, 750 000 small-scale farms are possible locations of child labour, it is virtually impossible for 11 Yamoussoukro-based investigators to enforce the law. Or more poignantly put: *“The lack of inspections across all sectors where children work, especially in agriculture, translates into a lack of enforcement of the laws designed to protect children from the worst forms of child labour.”*<sup>78</sup>

The problems of funding and effectively monitoring labour law enforcement appear frequently in reports on child labour in Ghana, including in the following:

<sup>73</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 36.

<sup>74</sup> Bertrand and de Buhr (2015) ‘Survey Research on Child Labour in West African Cocoa Growing Areas’, p. 82.

<sup>75</sup> Figures from: *ibid*; US Department of Labor (2014) ‘Findings on the Worst Forms of Child Labor. Annual Report: Côte d’Ivoire’, p. 1; US Department of Labor (2014) ‘Findings on the Worst Forms of Child Labor. Annual Report: Ghana’, p. 1; International Labour Organization (ILO) (2014) ‘The Twin Challenges of Child Labour’.

<sup>76</sup> Bertrand and de Buhr (2015) ‘Survey Research on Child Labour in West African Cocoa Growing Areas’, p. 4.

<sup>77</sup> US Department of Labor (2014) ‘Findings on the Worst Forms of Child Labor: Côte d’Ivoire’, p. 5.

<sup>78</sup> US Department of Labor (2010) ‘Findings on the Worst Forms of Child Labor. Annual Report: Côte d’Ivoire’, p. 211.

*“In 2011, NPECLC tested the Ghana Child Labour Monitoring System (GCLMS) in Kwaebibirem. This system enables communities to monitor, report on and coordinate services for children in exploitative situations and supports the goals of the Harkin-Engel Protocol. (...) However, due to a lack of sufficient funding in 2011, the wider pilot scheduled for September 2011 was delayed until March 2012, when it was launched in 30 cocoa-growing communities”.*<sup>79</sup>

The underfunding and understaffing of Ghanaian labour law enforcement make it difficult to effectively monitor the 600 000 family farms in hundreds of cocoa-growing communities.

Other commentators argue that the ‘implementation gap’ theory misses the root causal factors for why child labour is so intractable:

*“Despite myriad projects aimed at improving education, increasing productivity and implementing cocoa certification, the collective impact has been limited and the industry has been unable to solve the root cause of the problem: the very low prices paid to farmers”.*<sup>80</sup>

Yet another important factor is the impact of the recent political crisis on Côte d’Ivoire’s cocoa sector. The political instability following the contested presidential election led to large-scale violence, especially in the cocoa-producing South. A number of disputes concerning the real ownership of cocoa farms led to the halt of many social services such as schooling or anti-child labour programming. Once the government of Alassane Ouattara came to power, it amended the legal framework including responsibilities on cocoa production. These efforts as well as the social programmes that came after the electoral crisis were not enough to cope with the larger issue:

*“The existing programs are not sufficient to reach the approximately 3,750 cocoa-growing communities in need of services. The Government also lacks sufficient programs, both in number and scope, to address the needs of children engaged in other types of exploitative labour, as identified in the National Action Plan against Trafficking, Exploitation, and Child Labour (...)”.*<sup>81</sup>

UN officials, however, pointed out a positive effect of the political violence on the trafficking of children for labour since most child traffickers had to stop their business during the conflict.<sup>82</sup> Trafficked children are particularly vulnerable when used on cocoa farms as they are more likely to be involved in worst forms of child labour and hazardous activities.<sup>83</sup>

<sup>79</sup> US Department of Labor (2011) ‘Findings on the Worst Forms of Child Labor. Annual Report: Ghana’, p. 255.

<sup>80</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, foreword: i.

<sup>81</sup> US Department of Labor (2013) ‘Findings on the Worst Forms of Child Labor. Annual Report: Côte d’Ivoire’, p. 7.

<sup>82</sup> D. McKenzie and B. Swails (2012) ‘Child Slavery and Chocolate: All Too Easy To find’ CNN Freedom Project Ending Modern Slavery (9 January 2012).

<sup>83</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 3.

## 5.8 Regional differences in the child labour prevalence

When it comes to the location of child labour in the cocoa sector there is a pattern of widespread occurrence in both countries. Due to the very specific needs of the cocoa tree, most plantations in Côte d'Ivoire and neighbouring Ghana are located in the southern part of each country. One report provides an account as to where child labour (in general) in Côte d'Ivoire is most prevalent:

*“Child work prevalence varied significantly by region. It was highest in the Savannah (38 %), the country’s poorest region, comprised primarily of subsistence farmers, where its main cash crops, cocoa and coffee, cannot be grown. Prevalence was lowest in Abidjan (3.1 %), the country’s largest city. As in most African countries, child work appears to be primarily a rural phenomenon in Côte d’Ivoire”.*<sup>84</sup>

A study by the Ghanaian Statistical office reports that “rural savannah (34.6%) had the highest proportion of children in child labour.” It further underlined a “remarkable difference in the proportion of children engaged in hazardous forms of child labour in the urban (7.7%) and rural areas (20.0%)”.<sup>85</sup> These regional differentiations focus on child labour in general, and do not specifically mention the cocoa sector.

Looking at the flow of children being used as labour in the cocoa sector, there seems to be movement of children from the Northern regions in each country to the South. As mentioned earlier, NGOs claim that some of this is not voluntary migration but involves trafficking of children to work on cocoa farms (“nieces and nephews entrusted to their [the farming families] care’ which is often a euphemism for bonded child labour”).<sup>86</sup> Some of this movement of children includes illegal cross-border crossings from neighbouring countries to the North:

*“Children are also trafficked to Côte d’Ivoire from neighbouring countries, including for labour in the informal sector. In particular, boys are trafficked to Côte d’Ivoire from Ghana, Mali, Burkina Faso, and Benin for agricultural labour (on cocoa, coffee, pineapple, and rubber plantations)”.*<sup>87</sup>

Illegally trafficked children are “lured through intermediaries by false promises of easy and lucrative work”, either being directly collected from the children’s parents, who are in dire need of money, or taken from the streets.<sup>88</sup> Unfortunately, there are no reliable data to support these claims and thus, although trafficking of children does exist, it is difficult to estimate the extent of the problem.

There are also reports that describe migration of labour with whole families traveling together to the south during the harvest season.<sup>89</sup> How the work of these migrants and their children comply with the ILO criteria of light work and non-hazardous activities is however difficult to assess.

<sup>84</sup> International Labour Organization (ILO), UNICEF and the World Bank Group (2002) ‘Children’s Work in Côte d’Ivoire – An Overview’ Understanding Children’s Work (UCW) (written by F. Francavilla and S. Lyon), p. 4.

<sup>85</sup> Ghana Statistical Service (2014) ‘Ghana Living Standards Survey Round’, p. ix.

<sup>86</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 3.

<sup>87</sup> US Department of Labor (2008) ‘Findings on the Worst Forms of Child Labor. Annual Report: Côte d’Ivoire’.

<sup>88</sup> International Labour Organization et. al. (2002) ‘Children’s Work in Côte d’Ivoire’, p. 9.

<sup>89</sup> Ghana Statistical Service (2014) ‘Ghana Living Standards’, p. ix.

When comparing the prevalence of child labour across both countries, Tulane University's survey offers the most recent figures. In both countries, the percentage of children working in agricultural households rose. However, there are differences when it comes to children working in hazardous cocoa work. While this percentage rose in Côte d'Ivoire by 46% between the baseline survey 2008/09 and 2013/14, the number decreased in Ghana by 6%.<sup>90</sup> Both countries have during this time experienced an increase in production capacity, with Côte d'Ivoire increasing by more than 40% and Ghana by 30%.

One main difference between the two countries can be found in the area of education. Côte d'Ivoire offers free, but not compulsory primary education. The country's school enrolment figures improved between 2008 and 2009, with 71% of cocoa-working children attending school. In Ghana, there is compulsory primary education and a 96% school attendance rate.

A FAFO report on child labour in both countries suggests a number of reasons why child labour is less common in Ghana than in Côte d'Ivoire. It holds that:

1. The economic rationale for the extensive use of children (instead of skilled workers) is not as prevalent in Ghana;
2. Most cocoa-growers are the more privileged Akan-people, who are better off than food-farmers and able to send their children to school;
3. Ghana had (at the time) a policy framework that was more focused on dealing with child labour.<sup>91</sup>

Other reports provide alternative and additional explanations with regard to differences between the two cocoa nations and their respective prevalence of child labour.<sup>92</sup> This includes the fact that the school system in Ghana appears to be better and more accessible in rural areas. Hence, Ghanaian families send their children to school more than they do in the Côte d'Ivoire. That said, farmers in both countries are generally very poor and problems surrounding child labour are to a large degree similar.

## 5.9 How child labour manifests itself in the cocoa sector

Inside the cocoa-sector there are further differentiations in the labour activities of children across the two countries. According to the US Department of Labor's reports on the worst forms of child labour, children in both countries clear the fields, break the cocoa pods and carry heavy loads of water. Children in Ghana use machetes or cutlasses for weeding, collect cocoa pods with a harvesting hook and work in the vicinity of pesticide spraying. Ivorian children use burning for the clearing of fields, cut down trees to expand cocoa plantations, spray pesticides, and engage in the harvesting, drying, fermenting and transporting of the beans.<sup>93</sup>

<sup>90</sup> Absolute figures for Côte d'Ivoire: from 0.79 million to 1.15 million and Ghana: from 0.93 million to 0.88 million.

<sup>91</sup> Boàs and Huser (2006) 'Child Labour and Cocoa Production in West Africa', p. 44f.

<sup>92</sup> International Cocoa Initiative (2004) 'Lutte contre les pires formes de travail des enfants dans la filière du cacao de Côte d'Ivoire: Analyse contextuelle et propositions de programmation' (English summary written by H. LeBlanc); L. Caseley-Hayford (2004) 'Situational Analysis of Child Labour in the Cocoa Sector of Ghana' International Cocoa Initiative (ICI).

<sup>93</sup> US Department of Labor Annual Report (2014) 'Findings on the Worst Forms of Child Labor'.

Panel A1. International standards on child labour statistics

Children (5-17 years old) in productive activities				
Children in employment			Children in other productive activities	
CHILD LABOUR			Permissible light work (12-14 years old) --- Work not designated as worst forms (15-17 years old)	
Worst forms of child labour		Employment below minimum age		
Hazardous work by children	Other worst forms of child labour			of which included as <i>child labour</i> under the general production boundary  Hazardous unpaid household services
Exposure to physical, psychological or sexual abuse	All forms of slavery or similar practices, trafficking, debt bondage, serfdom, forced or compulsory labour, forced or compulsory recruitment in armed conflict			
Underground, under water, dangerous heights, confined spaces				
Dangerous machinery, equipment or tools, heavy loads		Child prostitution, pornography		
Unhealthy environment, hazardous substances, temperatures, noise levels or vibrations damaging to health		Illicit activities, production and trafficking of drugs, etc.		
Long hours, night work, other particularly difficult conditions				

\* Resolution adopted by the 18<sup>th</sup> International Conference of Labour Statisticians (ICLS), Geneva, 2008.

Child labour under the SNA production boundary is a subset of children in employment. It includes those in worst forms of child labour and children in employment below the minimum age. In fact, the ILO global estimation methodology was used to produce the new estimates on child labour for ECOWAS as follows.

Figure 11: Forms of Child Labour (W. Bertrand and E. de Buhr, 2015).

A large number of reports from media sources and civil society describe the most extreme yet common treatment of children and worst forms of child labour:

*“Media investigations reveal they can be subjected to subhuman treatment – beaten, kept locked up in crowded sheds at night, sometimes with their clothes confiscated, poorly fed and made to work more than 12 hours per day”.*<sup>94</sup>

The Tulane University survey and the Engel-Harkin protocol both focus on worst forms of child labour, including hazardous work. These forms of child labour are considered illegal. In Côte d’Ivoire and Ghana, a combined 2.03 million children worked in hazardous work in the cocoa plantations at the time of the Tulane 2013/14 survey round.<sup>95</sup>

<sup>94</sup> International Labour Organization et.al. (2002) ‘Children’s Work in Côte d’Ivoire’, p. 9.

<sup>95</sup> Bertrand and de Buhr (2015) ‘Survey Research on Child Labour in West African Cocoa Growing Areas’, p. 4.

The said survey found shifts over time in the types of hazardous activities that children are engaged in for both countries:

*“Some hazardous activities performed by children in cocoa agriculture have decreased while others increased. There was a large decrease in the percentage of children working in cocoa production participating in the hazardous activity of land clearing (-29%) in both countries combined, while there was a major increase in the percentage participating in the hazardous activity of exposure to agro-chemicals (+44%)”.*<sup>96</sup>

These changes might be due to massive increases in cocoa land productivity in both countries. Both countries’ maximum capacity for new land plantations has been reached, and the focus may therefore have shifted towards increasing yields of existing trees, which imply the spraying of pesticides to keep the trees pest-free and other maintenance practices that are very labour intensive.

## Summary of Findings

The status-quo of child labour in the cocoa sector of Côte d’Ivoire and Ghana can be summarized as follows:

1. Child labour, in general, is common in both countries: 43.5% in (Ghana) and 31.5% in (Côte d’Ivoire) of all children between 4 and 15 years of age are engaged in child labour.
2. There is high child labour prevalence in the agriculture sector: according to the ILO, 58.6% of overall child labour takes place in this sector. As of 2013/14 more than 2 million children (5-17) are estimated to be involved in hazardous work in cocoa sector.
3. Despite the large number of initiatives to combat child labour and worst forms of child labour (including within regional and national action plans and multi-stakeholder initiatives), many studies point to a clear implementation gap. Other sources remark that the root cause of child labour in cocoa stems from the low prices farmers get at market.
4. Both Ghana and Côte d’Ivoire have experienced labour force migration from the North to the South or their countries.
5. Children working on the cocoa plantations perform a number of activities (both hazardous and non-hazardous), such as collecting cocoa pods, clearing fields, spraying or working around pesticides and engaging in the harvesting, drying and fermenting of beans.

### 5.10 Differences between international and domestic companies

At the international level, the cocoa sector has a relatively concentrated number of actors. According to the Cocoa Barometer 2015:

*“There is an increasing concentration in the global cocoa supply chain. Both on vertical (between different segments) as well as on horizontal (within the same ‘link’ of the chain) levels many of the cocoa and chocolate companies have seen mergers and takeovers by competitors.*

<sup>96</sup> Bertrand and de Buhr (2015) ‘Survey Research on Child Labour in West African Cocoa Growing Areas’, p. 8.

*Two processors (Barry Callebaut and Cargill after its merger with ADM) will produce about 70-80% of the world's couverture [main chocolate product]. Only eight traders and grinders control approximately three quarters of the worldwide cocoa trade. The market power of the six biggest chocolate companies is around forty per cent".<sup>97</sup>*

This market concentration is depicted in figure 11, which shows the main 'processors' active in the global part of the cocoa value chain. This has important implications for cocoa producing countries. In Côte d'Ivoire, national cocoa grinders like Ivory Cocoa Products or Cocoa Ivoire/ Sef Cocoa have only marginal market shares of national grinding companies 3.7% (Ivory Cocoa Products) or 4.8% (Cocoa Ivoire/ Sef Cocoa). International companies now have a much larger share of the market: Barry Callebaut (28.4%) and ADM (12.8%).<sup>98</sup> Several of the international chocolate manufacturers have local operators, such as SACO for Barry Callebaut or Outspan for Olam. Overall, the market is largely dominated by a handful of multinational companies.<sup>99</sup>

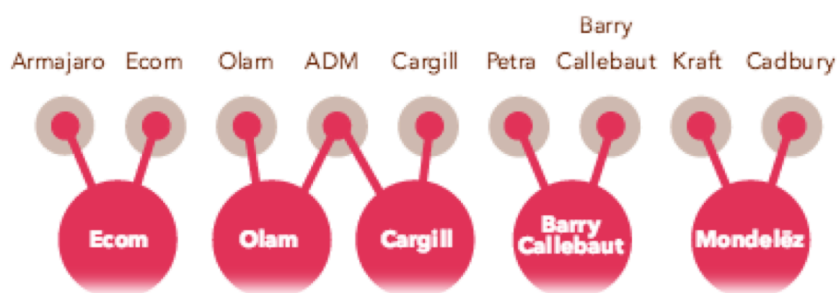


Figure 12: Concentration of chocolate-producing actors (Cocoa Barometer 2015).

### 5.11 The impact on cocoa farmers

The market concentration in West African cocoa is significant as it further weakens the power of cocoa farmers. With a supply chain that is dominated by fewer and larger international players, small, un-organised and scattered farmers have limited opportunities to influence purchase prices for their cocoa. This asymmetry of power also influences the Ghanaian and Ivoirian pricing mechanisms, which excludes farmer organisations as well as national farmer cooperatives in Côte d'Ivoire.<sup>100</sup>

Because of the mounting pressure from civil society at large and within the Harkin-Engel Protocol stakeholders to rid the cocoa value chain of the worst forms of child labour, multinational companies have over the last years stepped up their efforts in terms of corporate social responsibility as well as multi-stakeholder initiatives, such as the World Cocoa Foundation or the International Cocoa Initiative. Activities have been varying as the CLCGG report reveals:

<sup>97</sup> Hütz-Adams and Fountain (2015) 'Cocoa Barometer 2015'.

<sup>98</sup> E. George (2014) 'The Impact of Reform on Côte d'Ivoire's Cocoa Grinding Sector' Ecobank (12 June 2014), p. 1–14.

<sup>99</sup> International Labour Rights Forum (2014) 'The Fairness Gap', p. 12.

<sup>100</sup> Bøås and Huser (2006) 'Child Labour and Cocoa Production in West Africa', p.10ff; Hütz-Adams and Fountain (2015) 'Cocoa Barometer 2015', p. 7; Hatloy, Kebede and Adabe (2012) 'Towards Côte d'Ivoire Sustainable Cocoa Initiative'.

*“Projects funded by Barry Callebaut, Mars, Mondelez and USDOL are building and furnishing classrooms, boring holes for water pumps, installing solar panels for electricity, and building canteens, teacher lodging, and latrines. A Ferrero project is establishing village resource centres and providing computers and internet connectivity to help children develop information technology skills. In other communities, Nestle is enhancing teaching effectiveness through training in pedagogy and classroom management. To promote sustainability, projects involved in school construction are working with local school management committees (SMCs), training them to mobilize community resources, oversee construction of school infrastructure, and manage the upkeep of community schools”.*<sup>101</sup>

Company	Total Committed Funds	Avg. Commitment per Year
<b>Mars</b>	\$2.7 million (2011-13)	\$904 000
<b>Mondelez (Kraft)</b>	\$2.32 million (2009-12)	\$580 000
<b>Ferrero</b>	\$1.14 million (2012-13)	\$570 000
<b>Nestle</b>	\$1.5 million (2012-15)	\$375 000
<b>Hershey</b>	\$600 000 (2011-14)	\$150 000
<b>Barry Callebaut</b>	\$300 000 (2012-14)	\$100 000

Figure 13: Company commitments to activities under the Child Labour Cocoa Coordination Group (International Labour Rights Forum, 2014).

The different manufacturers are further varying in the total and annually committed funds (see below).<sup>102</sup>

Critics argue that corporate social responsibility inputs such as building schools and engaging in social infrastructure do “not change the nature of the cocoa supply chain”.<sup>103</sup> They do not address the asymmetry of bargaining power or the value derived from cocoa, nor do they address the root causes of child labour (e.g. systemic family poverty). Sceptics further point to the “perpetual state of pilot programmes” against child labour initiated by chocolate companies as well as their lack of transparency and coordination efforts both between the chocolate producers, as well as with the national authorities.<sup>104</sup>

## 5.12 Cocoa certification

International companies have been actively engaged in processes for cocoa certification: “many major chocolate companies have made commitments to purchase ‘certified’ cocoa: cocoa that has been

<sup>101</sup> CLCGG (2013) ‘Annual Report 2013’, p. 2.

<sup>102</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 25.

<sup>103</sup> Ibid: p. 6.

<sup>104</sup> Ibid.

produced under specific social, environmental, and/or quality standards”.<sup>105</sup> Although the system of cocoa certification is highly complex and faces a number of challenges, supporters argue that fair trade certificates and labels can be used to combat child labour.<sup>106</sup> The better known sustainable certifications include Rainforest Alliance, UTZ, Fair Trade USA and Fairtrade International.<sup>107</sup> These initiatives aim to a) ensure that farmers get a better price for their cocoa (higher than market price), b) set standards regarding social and environmental conditions under which the cocoa is produced (for example no child labour) and c) increase the transparency and traceability of the value chain.<sup>108</sup> Certified cocoa purchased at a higher price by international traders/ chocolate producers can serve as an incentive or a sanction against the use of child labour. As pointed out by one commentator, “The fact that fair-trade farming entities that use child labour have been suspended shows that fair trade can be effective at sanctioning for abusive labour practices.”<sup>109</sup>

### 5.13 Activities in consumer countries

Another aspect of the highly complex globalised cocoa value chain is the issue of consumer power. Due to media campaigning and civil society activities, there has been a series of consumer/class-action lawsuits against the largest chocolate-producing companies operating in West Africa.<sup>110</sup> One example is the case of Doe vs. Nestlé, Cargill, and ADM from 2005, where “three former slaves” from Côte d’Ivoire sued the chocolate companies for “aiding and abetting” slavery and child labour. The plaintiffs of the lawsuit claimed:

*“The more publicity on this lawsuit, the more apt the companies will be to remedy the situation as they once promised in 2001 under the Harkin-Engel Protocol”.*<sup>111</sup>

Other examples are Louisiana Municipal Police Employees’ Retirement system (LAMPERS) vs. The Hershey Company in 2012, and most recently a lawsuit filed by consumers in California, USA against Nestlé, Mars and Hershey’s for alleged child slave labour used in the production of cocoa beans in West Africa.<sup>112</sup> The degree of influence that lawsuits or consumer action have with regard to the prevalence of child labour in the cocoa sector is difficult to assess. However, it is clear that the large multinational companies operating in the cocoa sector are under increasing scrutiny and that consumers have created additional incentives for chocolate production that is free of child labour.

<sup>105</sup> International Labour Rights Forum (2014) ‘The Fairness Gap’, p. 28.

<sup>106</sup> S. Baradaran and S. Barclay (2011) ‘Fair Trade and Child Labour’ Columbia Human Rights Law Review 43 (1): 1-63.

<sup>107</sup> J. Cappelle (2008) ‘Towards a Sustainable Cocoa Chain – Power and Possibilities within the Cocoa and Chocolate Sector’ Oxfam Research Report (January 2008), p. 18.

<sup>108</sup> Hütz-Adams and Fountain (2015) ‘Cocoa Barometer 2015’, p. 22.

<sup>109</sup> Baradaran & Barclay (2011) ‘Fair Trade and Child Labour’, p. 58.

<sup>110</sup> Slave Free Chocolate (2015), website: <http://www.slavefreechocolate.org/doe-vs-nestle/>.

<sup>111</sup> Ibid.

<sup>112</sup> BBC Newsday (2015) ‘Chocolate class action for alleged child labour’ (5 October 2015).

## 5.14 Supply chains and the informal economy

It is fairly difficult to assess the degree to which the cocoa sector in the two countries is characterised by features typical of the informal economy (e.g. unreported sales and/or economic operations); as well as to establish whether there are large differences between formal and informal cocoa farming with regard to child labour. One reported aspect that pertains to informality concerns smuggling. Smuggling “between Côte d’Ivoire and Ghana is also considered material (in the region of 15% of total production)”<sup>113</sup> due to pricing differentials in Côte d’Ivoire and Ghana. Beyond this it is difficult to assess, based on the mapped sources, the amount of informal transactions and non-taxing of cocoa from.

A more relevant issue that arises in the context of the informal sector concerns the obstacles to effective law enforcement. Both in Ghana and Côte d’Ivoire, it is virtually impossible for labour law investigators to monitor the practices of hundreds of thousands small-scale farmers scattered across large distances, and whose farms are often very remote and scarcely accessible from the main roads. The very geography of cocoa cultivation enhances its informal economy character.<sup>114</sup> This heightens vulnerability for the children who are particularly active in the un-formalised sectors:

*“Across West Africa as in many other parts of the world children have traditionally worked alongside their parents to grow cash crops or food for the family. They also work in fishing, mining and quarrying and in urban settings, mostly in the informal sector as porters, itinerant sellers, and domestic workers and in small factories, bars and shops”.*<sup>115</sup>

## Summary of Findings

1. Most cocoa is purchased directly (or indirectly) by a small number of chocolate producers, due to a highly concentrated marketplace with 6-8 core players.
2. These actors have initiated measures to address child labour in their supply chains through a number of instruments: Corporate social responsibility input, multi-stakeholder initiatives and voluntary international guidelines.
3. Global consumers may be able to exercise increasing influence on companies’ use of child labour through certification mechanisms and legal class-action lawsuits.
4. Assessing the amount of informal activity in the cocoa sector and its impact on the prevalence of child labour is difficult due to lack of documentation.

## 5.15 Wider issues

### 5.15.1 Education

<sup>113</sup> African Center for Economic Transformation (2014) ‘The Cocoa Agri-Processing Opportunity in Africa’, p. 25.

<sup>114</sup> US Department of Labor (2010) ‘Findings on the Worst Forms of Child Labor. Annual Report: Côte d’Ivoire’, p. 211.

<sup>115</sup> International Cocoa Initiative et. al. (2011) ‘Emerging good practice’, p. 13.

The degree of school attendance differs in the two countries, with Ghana having better rates of children attending and completing primary education, including for children combining school with work on cocoa farms. Education, more specifically higher school enrolment or attendance, is one of the main goals in the fight against child labour in cocoa production. The ILO and other organizations believe that children are less likely to be involved in child labour if they are enrolled in school.<sup>116</sup> Improving education by building schools or sensitising farmers to the value of schooling remains the main ‘deterrent’ to child labour,<sup>117</sup> and to the perpetuation of poverty and inter-generational transfer of child labour practices.<sup>118</sup>

This, however, does not take the quality or the geographical reach of the schooling system into account. Several have issued caution with regard to recent education efforts:

*“Vincent Frimpong Manu, Ghana’s cocoa programme manager for the fair trade organization West Africa Fair Fruit, said that while gains have been made, he was cautious about claims of success. Just because a child is enrolled in school does not necessarily mean they are not working on a cocoa farm, he said. Although there was now a high level of awareness about the importance of sending children to school, if the parents still depended on their child for labour “there may be situations where the child is enrolled in school but attendance is quite low,” he added”.*<sup>119</sup>

Regardless of the general school enrolment, children engaged in child labour are significantly impacted with regard to their maths and reading achievements.<sup>120</sup> Child labour increases children’s social and economic vulnerability later in life.<sup>121</sup>

### 5.15.2 Health

A second issue related to child labour is the health of children engaged in labour or hazardous work. The Tulane baseline survey found that 50.6% of children engaged in cocoa farming reported injuries from hazardous activities such as using a machete or pesticides.<sup>122</sup> The subsequent Tulane survey found that 37% of children (Côte d’Ivoire) and 26% of children (Ghana) working in cocoa production, experienced injuries.

*“The most common health consequence from children’s agricultural work-related injuries was very bad pain. In Côte d’Ivoire (...) 31% of children working in cocoa production reported experiencing such pain when injured while working in agriculture. Amongst children working in cocoa production 11% could not continue working after experiencing an injury. In Ghana (...) 24% of children working in cocoa production reported experiencing very bad pain after sustaining an injury while working in agriculture. Almost 12% of children working in cocoa production also felt very sick or tired as a result of an injury, and close to 8% could not continue*

<sup>116</sup> International Labour Organization (2014) ‘The Twin Challenges of Child Labour’.

<sup>117</sup> International Labour Organization (2015) ‘World Report on Child Labour’.

<sup>118</sup> Baradaran and Barclay (2011) ‘Fair Trade and Child Labour’.

<sup>119</sup> McKenzie and Swails (2012) ‘Child Slavery and Chocolate: All Too Easy To Find’.

<sup>120</sup> C. Heady (2003) ‘The Effect of Child Labour on Learning Achievements’ *World Development* 31 (2): 385.

<sup>121</sup> Baradaran and Barclay (2011) ‘Fair Trade and Child Labour’.

<sup>122</sup> Tulane University (2009) ‘Annual Survey of Child Labor in the Cocoa-Growing Areas in Côte d’Ivoire and Ghana’.

*working*".<sup>123</sup>

There are NGO reports that further claim that "these children working in the cocoa fields at pittance or no wages are physically and sexually exploited."<sup>124</sup> According to the Ghana Child Labour report, children engaged in child labour or other hazardous activities are often exposed to wide abuse:

*"About nine in ten (91%) children who suffered abuses were involved in child labour while 87.4 % of them were engaged in hazardous work. (...) The proportions of children in rural areas who were abused and were involved in child labour (92.2%) and hazardous work (89.6%) were higher than in urban areas (87.2% and 80.2% respectively)".<sup>125</sup>*

Unfortunately, these numbers only reflect the issue of child labour, in general, and not specifically for the cocoa sector.

### 5.15.3 Gender

Cocoa farming in West Africa is largely male-dominated. Women perform many crucial tasks on cocoa farms and are an invaluable source of family labour; however, they are often not the main farmers. A minority of women serve as farm managers, but since they often experience difficulties in obtaining legal land titles, even in cases of 'inheritance' as widowers, and without land titles they are unable to access saving and credit systems, or training and certification schemes.<sup>126</sup> Female farmers may still run cocoa farms although they may not be formally be considered as the main farm manager on the land.

With respect to gender differentiation in child labour, Tulane University reported the following:

*"In 2013/14 about 64% of child labourers in cocoa were male while only 50% of child labourers in non-cocoa agriculture were male. This discrepancy is most pronounced in Côte d'Ivoire where the 2013/14 figures are 70% and 48% respectively".<sup>127</sup>*

A similar picture emerged with respect to child labour in hazardous working conditions: "Children in hazardous work in cocoa tend to be older and more male, with the male-female difference greatest in Côte d'Ivoire".<sup>128</sup>

### 5.15.4 Socio-economic effects

No issue is perhaps more tied to the topic of child labour than the issue of poverty. Research for this report consistently finds poverty as the key contributing factor for the persistence of child labour in

<sup>123</sup> Bertrand and de Buhr (2014) 'Survey Research on Child Labour in West African Cocoa Growing Areas', p. 8

<sup>124</sup> Global March Against Child Labour 'Child Labour in the Cocoa Farms of Ivory Coast and Ghana'.

<sup>125</sup> Ghana Statistical Service (2014) 'Ghana Living Standards Survey Round 6 (GLSS 6)' Child Labour Report.

<sup>126</sup> Hütz-Adams and Fountain (2015) 'Cocoa Barometer 2015', p. 18.

<sup>127</sup> Bertrand and de Buhr (2014) 'Survey Research on Child Labour in West African Cocoa Growing Areas', p. 98.

<sup>128</sup> Ibid.

both countries. Conversely, the slightly lower poverty levels in the cocoa-growing region in Ghana partly accounts for the lower number of child labourers compared to Côte d'Ivoire.<sup>129</sup>

Statistically, child labour in West Africa is more likely to be found in poorer countries, especially in the poorer agricultural sector.<sup>130</sup> This is a contributing factor for the trafficking of children from countries like Mali or Burkina Faso:

*“Thousands of children in Western Africa are trafficked and forced to work on cocoa plantations. The International Labour Rights Forum states that low commodity prices send farmers in search of cheap labour and, as a result, they use child labourers”.*<sup>131</sup>

For some of the poorest families, the ‘selling’ of their children represents one of the few economic options available, according to some NGO sources<sup>132</sup> – again the number of these occurrences is purely speculative as there is no reliable data with regard to measuring either trafficking or “selling” of children. Connected to this issue is the issue of vulnerability with regard to changes in the price of commodities, decreasing productivity and cocoa yields. This vulnerability is a concern both for chocolate producers as well as cocoa farmers. With further declining amounts of cocoa from each harvest, farmers are increasingly likely to include immediate and extended family members into the cocoa plantations. Farmers are unlikely to earn enough profits to pay for external workers.

### 5.15.5 Family and social changes

Social and cultural factors also influence practices and norms in cocoa growing communities. Some reports quote farmers’ fears of rejection by their respective communities due to allegations of child labour:

*“While producers were able to identify child labour in cocoa production, they had struggled with remediation beyond trying to raise awareness about the issue. When we asked them why, they told us they still find it difficult to introduce the topic of child labour to community leaders and families for fear of being rejected. Child labour is a hidden issue and fear of sanction tends to drive it even deeper”.*<sup>133</sup>

The involvement of boys in cocoa production serves both as a rite of passage as well as an apprenticeship. Cocoa growing is not a trade that is just done, it is a trade that is quite tricky and needs years of experience. If farmers do not pass on their knowledge, it is difficult, if not impossible for the thousands of small farmers to keep up with the growing demand for cocoa. This is an issue that also worries the chocolate manufacturers and why they have more recently tried to engage young men (above 18) to learn about cocoa.

<sup>129</sup> Bøås and Huser (2006) ‘Child Labour and Cocoa Production in West Africa’, p. 44f.

<sup>130</sup> International Labour Organization (2014) ‘The Twin Challenges of Child Labour’.

<sup>131</sup> Grieck, Pennikett and Hougee (2010) ‘Bitter Harvest: Child Labour in the Cocoa Supply Chain’.

<sup>132</sup> Slave Free Chocolate’ <http://www.slavefreechocolate.org/older-articles-and-misc-links/>;

BBC News ‘Tracing the bitter truth of chocolate and child labour’ (last updated 24 March 2010).

<sup>133</sup> Fairtrade International (2015) ‘Children’s Involvement in West African Cocoa Production: Supporting Farmer Organisations to Lead’, 4 August 2015.

## Summary of findings

Child labour in the cocoa sector is inextricably linked with a number of social, economic and cultural variables in Ghana and Côte d'Ivoire. These issues include:

1. **Education:** While school attendance differs in the two countries, the negative impact of child labour on educational achievement is certain.
2. **Health:** Child labour and especially hazardous activities lead to a large number of reported health problems and injuries.
3. **Gender:** Although both women and girls are present in the cocoa sector most child labourers, including those who carry out hazardous activities, are increasingly male.
4. **Poverty:** This is the key contributing factor for the persistence of child labour in both countries and the cocoa sector. Lower poverty-rates in the cocoa-growing region in Ghana most likely explain a lower number of child labourers in comparison to Côte d'Ivoire.

## 6 Key Findings

- The extent and nature of child labour in the cocoa sector is influenced by a number of factors. These include systemic poverty, low cocoa pricing as well as the weak enforcement of laws and policies designed to tackle child labour.
- Cocoa farming in West Africa supplies two-thirds of the world's total cocoa crop. Most of the cocoa comes from two countries - Côte d'Ivoire and Ghana. The crop is predominantly grown by smallholder farmers, which often are unable to afford hired labour and rely instead on family farming including children.
- Child labour is most prevalent in the southern parts of Côte d'Ivoire and Ghana, and child labour movements occur from northern poorer regions of these two countries or from neighbouring countries to the south regions. Children working on the cocoa plantations perform a number of activities (both hazardous and non-hazardous), such as collecting cocoa pods, clearing fields, spraying or working around pesticides and engaging in the harvesting, drying and fermenting of beans.
- Child labour is common in both countries. According to a 2013/2014 survey: 43.5% (Ghana) and 31.5% (Côte d'Ivoire) of all children between ages 4 and 15 are engaged in child labour. There is overall high child labour prevalence in the agriculture sector for Côte d'Ivoire and Ghana: according to the ILO, 58.6% of overall child labour takes place in this sector. As of 2013/14 more than 2 million children (age 5-17) are estimated to be involved in hazardous work in the cocoa sub-sector.
- Both countries, and the cocoa sector globally, are facing a number of constraints when it comes to increasing production levels and meeting rising global demand. Constraints include declining yields, increased vulnerability for small-scale farms, and reduced willingness of new generations to enter into cocoa production.
- Côte d'Ivoire and Ghana have since 2009 taken several positive steps with regard to creating a legal and regulatory framework with regard to their cocoa sectors. Both countries have now ratified the key ILO conventions on child labour. Moreover, they have put in place national and regional policies to implement these provisions. The countries' efforts to combat child labour have been described as 'moderately advancing' (Ghana reports from 2011 to 2014, Côte d'Ivoire reports from 2011 to 2012) and 'significantly advancing' (Côte d'Ivoire reports 2013 and 2014).
- Côte d'Ivoire's school enrolment figures improved between 2008 and 2009, with 71% of cocoa-working children attending school. In Ghana, there is compulsory primary education and a 96% school attendance rate.
- Governance of the cocoa sector in both countries is improving with increased management and regulation from the governments. This has helped stabilize prices for growers and direct more attention towards issues of sustainability.

- Cocoa has a highly complex value chain, characterised by a large number of small-scale producers and a small number of downstream traders and manufacturers with high degree of market power. Most cocoa is purchased directly (or indirectly) by a small number of chocolate producers, due to a highly concentrated marketplace with 6-8 core players.
- These actors have initiated measures to address child labour in their supply chains through a number of instruments: CSR, multi-stakeholder initiatives and voluntary international guidelines. A key voluntary initiative concerns the 2001 Harkin-Engel Protocol, which is an international voluntary public-private agreement aimed at ending the worst forms of child labor and forced labor in the production of cocoa.
- Despite the large number of initiatives to combat child labour and worst forms of child labour, many studies point to a clear implementation gap. It is unclear, for example, whether the Harkin-Engel Protocol has actually had any effect in reducing child labor.
- Global consumers may be able to exercise increasing influence on companies' use of child labour through certification mechanisms and legal class-action lawsuits.
- The Tulane survey or the US Department of Labor annual reporting was found to be a recent as well as authoritative and reliable source. This does not, however, exclude possible biases as the survey data is not regularly updated and relies on only one source of data.
- Company reporting on child labour issues has slowly increased and improved. The broad range of reporting across companies' multiple engagement processes (their own CSR, multi-stakeholder initiatives, etc.), however, makes it sometimes difficult to monitor.
- Effective monitoring and company transparency represent new tools for the fight against child labour. Especially important is the continuous measurement and data gathering on the ground. Tulane University has been tasked to document child labour statistics as part of the Engel-Harkin Protocol monitoring system. Such large scale data collections are essential to properly monitor the issue.
- A large number of reports underline the importance of a better engagement of companies at the local level, in part due to the cultural and social level of the problem. By engaging with Multi-Stakeholder Groups and dialogues, companies may be better able to address the problems than by only building schools and teaching farmers how to increase their productivity.
- A general finding of the report concerns a lack of data and information available on child labour in the cacao sector. Even when there is documentation and data available it offers two distinct challenges. Firstly, there are often diverging findings and results with regard to child labour. Different actors come to different conclusions. The second challenge concerns source bias and reliability. Much of the material in the public realm concerning child labour is produced by actors who could be said to have a vested interest. This includes governments and companies who, generally, have an interest in seeing positive developments while civil society organisations and activists tend to focus on the more negative aspects. The University of Tulane survey (US Department of Labor) on child labour in the cocoa sector, which provides regular and authoritative data, is a welcome effort in this regard.

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