



ICI BRIEFING PAPER

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Comparative Review of the Old and New Hazardous Work List for Côte d'Ivoire

On the 2nd June 2017, a new Hazardous Work List (**ARRETE N°2017-017 MEPS/CAB**) and a Light Work List (**ARRETE N°2017-016 MEPS/CAB du 02 Juin 2017**) for children in Côte d'Ivoire were ratified. The main differences between the former and new lists are presented below:

Minimum Age

- Minimum age for light work (on non-hazardous activities) is 13 years (*there was no light work category previously*).
- Minimum age for admission to apprenticeship is 14 years (*remains the same*).
- Minimum working age is 16 years (*raised from 14 years to accommodate compulsory schooling*).
- Minimum age for hazardous activities is 18 years (*no change*). Nonetheless, hazardous activities can now be undertaken by children aged 16-18 under the condition that i) “their health, safety, and morals are guaranteed” and ii) that they have received a specific and adequate training or vocational training in relation to the activity (*new condition/exception*)

Light Work Provision

- Light work for children 13-15 years (*new category*) should not exceed either of the following time allocations:

<u>Working hours</u>	<u>During the School Term/School day</u>	<u>Outside of the School Term/Non-school day</u>
Per week	10 hours	14 hours
Per day	2 hours	4 hours

- Children should have a daily rest of at least 14 hours per day and one full day of rest per week.
- During the school holidays, children should be able to have a continuous rest which is not less than half of the total holiday duration.
- Light work should not be carried out before 7am and after 7pm or during school/business hours.
- The list also mentions the types of activities that can be considered as light work for the different sectors (for example, helping to measure distances between plants when pod gathering, extracting cocoa beans by hand after an adult has broken the pod, washing beans etc.).

Hazardous Sectors

- The new hazardous activity framework covers the following 5 sectors: (i) agriculture and forestry, (ii) livestock, (iii) fishery and aquaculture, (iv) trade and services and (v) crafts and industry. The

previous framework included 9 sectors, 3 of the old sectors are now combined under trade and services, and the transport sector is no longer mentioned.

Hazardous Activities in Agriculture and Forestry (covering cocoa)

The previous hazardous activity framework listed the following 6 activities which were hazardous for children in agriculture and forestry:

- Tree felling
- Burning of fields/bush burning
- The sale, transportation, handling and application of agro-pharmaceutical products
- Hunting
- Charcoal production and working as a lumberjack
- Animal-drawn cultivation

The new hazardous framework also incorporates an additional 6 hazardous tasks¹ (in addition to the aforementioned hazardous tasks, excluding animal-drawn cultivation which has been removed from the new decree):

- Land clearing
- Tree stump removal
- Digging a hole
- Pod-breaking with a sharp object/tool
- Harvesting with a machete or a sickle
- Handling of motorised equipment/machines

Working Hours

The new framework specifies that children (presumably only those above 16 years) must not work for more than 40 hours per week and night work is forbidden (*there was no mention of working hours and night work in the previous framework*).

Carrying of heavy loads

The new hazardous activity list specifies the carrying of heavy loads as hazardous, with a differentiation between the weights that boys and girls are allowed to carry by age (*the gender differentiation was not included in the previous hazardous activity list*). The table below presents both the updated weight limits based on the new hazardous activity framework and the former weight limits (highlighted in yellow).

¹ In the new framework charcoal production and working as a lumberjack are mentioned separately and the titles of some activities have changed slightly: “burning of fields” = “burning of plots”, “hunting” = “game hunting with a weapon”, “working as a lumber-jack” = “logging”, “the sale, transportation, handling and application of agro-pharmaceutical products” = “the manipulation of agrochemicals”

Types of loads	Boys			Girls		
	14-15 years	16-17 years	14-17 years	14-15 years	16-17 years	14-17 years
1° Carrying of heavy loads	15 Kg 8 kg	20 Kg 10 kg		8 Kg 8 kg	10 Kg 10 kg	
2° Transport by railway cart			500 Kg vehicle included 150 kg (boy/girl)			300 Kg vehicle included 150 kg
3° Transport by wheelbarrow			40 Kg, vehicle included 40 kg			30 Kg vehicle included 40 kg
4° Transport by a vehicle with 3 or 4 wheels			60 Kg, vehicle included 35 kg			35 Kg, vehicle included 35 kg
5° Transport by handcart			130 Kg, vehicle included 130 kg			130 kg
6° Transport by a tricycle-carrier	50Kg, vehicle included	75Kg, vehicle included	50 kg			50 kg

Implications

The changes in age brackets and the inclusion of new hazardous tasks could, on the one hand, lead to an “increased” caseload of child labour. For instance, ICI found that applying the new machete provision to an existing ICI dataset almost doubled the hazardous child labour rate from 17.2% to 33.6%. That said, the previous Tulane survey already included machetes, so the impact on the national statistics last recorded by Tulane could be minimal.

On the other hand, the new definitions might also decrease the incidence of specific forms of child labour. For example, working children aged 13-15 years who previously would have been uniformly categorised as child labourers, might now be categorised as working acceptably under the light work condition, depending on the tasks. Similarly, boys carrying 10-20kg of heavy loads who would have previously been categorised as engaged in hazardous labour, would now be categorised as undertaking acceptable work.

These changes will now require ICI, cocoa companies and stakeholders working on child labour to revise their child labour training awareness materials, data collection tools and to re-train child labour awareness-raising agents, trainers, monitors and data collectors on those new materials and tools as soon as possible.
