

Child labor in Latin America: The reality of child exploitation in the açai harvest in northern Brazil



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ABSTRACT

This article analyzes child labor in Latin America, aiming at the açai harvest as a cultural expression of the population of northern Brazil. Acknowledging that climbing the açai tree is classified as one of the worst forms of child labor, triggers a conflict between cultural representation and prohibited work, for which a solution of intercultural dialogue, programs that include the population and the need for national action to combat child labor are proposed.

Keywords: Child labor, Latin America, Açai harvesting, Cultural.

1 INTRODUCTION

Açai is a typical fruit of the Amazon region and its extraction is very common in the north of Brazil, especially in states such as Amapá, Amazonas and Pará because it is part of the culture of the riverside population, which has been passed down from generation to generation. Harvesting takes place in the native forest, where açai palms, known as açai (*euterpe oleracea*), grow in large quantities. The açai tree is on average 20 meters tall and has a thin and fragile trunk.

Açai is a product that has the function of being one of the main sources of economy in the northern region of Brazil. In addition to being a source of income for thousands of families living in this region, açai production moves a production chain that involves everything from harvesting to national marketing and export of the final product. However, it is important to highlight that açai production portrays many challenges and problems to be faced.

The harvest presents a series of risks for the peconheiro – the name given to the açai collectors, who climb the palm trees – because most of the time it relies on child labor. The work of the connoisseur consists of climbing the açai tree without safety equipment, only with a machete and a rope tied to the feet to help in the ascent; Usually the connoisseur jumps from one palm tree to another to save time.

In many climbs, the connoisseur is subjected to various risks such as injuries from a knife wound, falling from the palm tree due to the breaking of the trunk due to not being able to support the



weight of the person or by trying to jump from one palm tree to another, bite of venomous animals and insects, exposure to chemicals due to pesticides that are used by many producers, as well as long-term health and wellness problems.

The general objective of this article is to describe and highlight the reality of child exploitation in the açai harvest as one of the most dangerous in its session. It is decomposed, in a specific objective, to briefly report the cultural relationship of the population with the harvest and commercialization of açai; to highlight the dangers and consequences of child labor in the extraction of the fruit and to examine, under the normative focus, how the activity is seen by the legislation.

For the elaboration of this article, an extensive bibliographic and documentary research was carried out, with the help of books and periodicals in search of relevant information on the chosen theme, official websites such as the International Labor Organization (ILO), the United Nations Children's Fund (UNICEF) and the Public Prosecutor's Office (MP) were also used.

1.1 THE CULTURAL IMPACT AND THE PRODUCTION CHAIN OF AÇAÍ IN THE NORTHERN REGION OF BRAZIL

Firstly, in order to deepen the proposed theme, it is of paramount importance to understand the meaning and cultural influence of the practice of açai extraction and its production chain in a complete way, so that the working conditions of children can be really examined and the teenagers involved in this industry, and the risks they are often exposed to.

Açai is a fruit originating from the "açai" palm tree, which has the scientific name "*euterpe oleracea*", native to the Amazon Region, are commonly planted in floodplains and humid plains. The harvest period is not consistent as it varies across regions. In Pará, which is the main producer, the açai harvest schedule takes place between August and November.

In the Amazon estuary, the high season of the harvest takes place between July and August. From November to May is the peak of production in Amazonas, while in Acre there are records that production extends throughout the year, since floodplain production extends from August to December, while upland production ends from January to June (CONAB, 2019).

Açai production has contributed significantly to the local economy of northern Brazil, especially in the state of Pará, as it is the largest producer of açai in the country, reaching the milestone of 1,388,116 tons produced in 2021 (IBGE, 2021). The açai production chain in the north of the country is a very complex and multifaceted activity.

Data from the PEABIRU Institute and FUNDACENTRO (2016) show that the workforce in the açai industry is predominantly carried out by family members, and that the cleaning of the açai trees is a joint work of the families during the off-season. The survey also found that individuals



dependent on açai for their income typically make between 50% and 75% of their monthly earnings from the fruit, often selling it through intermediaries who determine the price.

In terms of harvest schedule, the months of August to November are the harvest period in Pará, while in the Amazon estuary the peak harvest season takes place between July and August. In Amazonas, the peak of açai production occurs from November to May, and in Acre the production extends throughout the year, with the production of the floodplain from August to December and the production of the terra firme from January to June.

To ensure the quality of the final product, it is essential to establish hygiene standards during harvesting by placing the bunches on plastic sheets and removing unwanted residues. However, the presence of child labor in the açai value chain is an issue that requires greater attention and investigation, due to the tradition rooted in the activity and the need for daily sustenance.

1.2 THE HISTORICAL CONTEXT FOR WHAT OCCURS IN THE PRACTICE OF AÇAÍ HARVESTING

In the child labor sample (Brazil. 2010) of the Brazilian Institute of Geography and Statistics – IBGE, data affirm that the social, environmental, and economic issue influences riverside communities. Following this perspective, this topic of the article will address how much the historical context has influenced the large labor force of children when addressing the issue of child labor.

Thus, since the sociocultural issue of the açai fruit is a heritage rooted in the Amazonian groups, the derivatives of the açai palm tree are present in riverside games and domestic activities. From the arguments presented, it is possible to observe how harmful the practice of child labor is in the collection of açai, because the practice causes harmful consequences in the physical and mental development of the child, in the same way it is a violation of their basic rights, such as studying to play ball and observing their characteristic as a developing person.

Raising awareness of the importance of protecting children's rights and seeking changes that promote the social and economic well-being of riverside families are essential to preserve the cultural tradition of açai without harming the childhood and future of the children involved. Thus, data affirm that child slave labor in the production of açai in the Legal Amazon region is related to a series of historical, economic and social factors.

To understand the context, it is necessary to analyze several elements, including the history of the region, the expansion of açai production, the difficulty and lack of effective public policies. In addition, the absence of effective public policies to combat child labor and the lack of adequate supervision contribute to the perpetuation of this practice.

The vulnerability of control mechanisms and corruption in some areas make it difficult to identify and punish those responsible for the exploitation of children in açai production. It is important



to note that child labor is a violation of the essential rights of children, as determined by Brazilian law, the Statute of the Child and Adolescent (ECA) and international treaties to which Brazil is a signatory.

This practice is detrimental to children's physical, emotional, and educational development, depriving them of a healthy childhood and access to education. To combat child slave labor in açai production in the Legal Amazon, a comprehensive treatment is essential, which involves the implementation of effective public policies, the effectiveness of inspection mechanisms, and the progression of sustainable socioeconomic development in the region. This includes investments in education, formal job creation, and professional training.

The importance of understanding child labor in production, raising awareness plays a crucial role in the fight to end child labor in the northern region, in the Legal Amazon region. The Journal of Labor and Environmental Law states that, finally, in the event of failure of intercultural dialogue as an instrument of equation, it will be necessary to resort to other instruments, such as the technique of the Constitutional Interest Balancing Technique.

1.3 AS IT IS SEEN FROM THE NORMATIVE POINT OF VIEW, THE ACTIVITY, BY THE LEGISLATION

In the Federative Republic of Brazil, any form of child labor is prohibited by law, which is understood as: any activity with economic and/or survival purposes carried out by minors under 16 years of age, except in the condition of apprentice, from the age of 14 (fourteen), regulated by Law 10.097/2000, which directs how the process takes place, providing for the rights and duties of the company and the employee.

According to the United Nations Children's Fund (UNICEF), child labor is defined as any form of work under the age of 12, in any economic activity; any work between the ages of 12 and 14 that is hard work; and all types of work under the age of 18 classified by the International Labour Organization as the "worst forms of child labour". In the book of the National Plan for the Prevention and Eradication of Child Labor and Protection of Adolescent Workers, published by the Ministry of Labor and Employment in 2004, "child labor" is understood:

"(...) those economic activities and/or survival activities, with or without profit motive, paid or not, carried out by children or adolescents under the age of 16 (sixteen) years, except for the condition of apprentice from the age of 14 (fourteen), regardless of their occupational condition. For the purposes of protecting adolescent workers, all work performed by a person aged between 16 and 18 years old and, as an apprentice, between 14 and 18 years old, will be considered." (Ministry of Labor and Employment (MTE), 2004, p. 9).

Rectified by the country since 2000, Convention No. 182 of the International Labor Organization (ILO) is one of the major international commitments assumed by Brazil, so it is observed, the harvesting of açai falls under Article 3 (D) of the Convention, as the worst forms of child



labor are understood, "d) work that, by its nature or by the circumstances in which it is performed, are likely to **harm the health, safety and morale of the child**. (ILO Brasilia, Conventions, C182).

Defined in the previous topic as the extraction of the fruit, we found that it is of its nature and with circumstances threatening to the health of the peconheiro, the total compatibility to be among the worst forms of child labor, in addition not only done by children and adolescents, the work of açai collectors has an alarming character for anyone who comes to do it.

According to the Statute of the Child and Adolescent (ECA), in its fundamental essence, children and adolescents are subjects of rights, have their own condition as developing persons and have an absolute guarantee of their rights. From various sources, we can identify that children and adolescents who live in the community are deprived of their essential rights and repressed from a healthy life, weakening their intellectual, physical and social development.

In order for there to be effective neutralization of child labor and for Brazil to comply with its commitment, especially with Article 1 of Convention 182 of the International Labor Organization (ILO), the following is observed: "*Article 1 – Any Member State that ratifies this Convention shall adopt immediate and effective measures to ensure the prohibition and elimination of the worst forms of child labor as a matter of urgency.*"

It guides a series of bodies and institutions that should be used to combat the exploitation of child labour. *A priori*, we have the **complaint** that can be made in the Human Rights Commissions of the Chamber of Deputies, the Senate and the National Congress - they act as technical bodies for receiving, evaluating and investigating complaints about human rights violations, as well as the Guardianship Council - which responds to complaints, claims and requests with the objective of guaranteeing the rights of children and adolescents.

After the complaint, the Laws **that inform the legal aspects of the work are observed**, such as the National Council for the Rights of Children and Adolescents (CONANDA) - which is the body responsible for ensuring the efficiency and applicability of the general norms of the rights of children and adolescents, together with the Brazilian Index of Geography and Statistics (IBGE) formulate the **numbers** of these cases and help to statistically understand where they occur, the time frames that occur.

After this series of information, the causes are observed, as is the objective of the Archdiocesan Social Action (ASA) - a civil society organization linked to the Catholic Church in which it closely follows the culture, health, education and economy of the localities. For **the execution** of eradication actions, using the latest guidelines, instances such as the Child and Adolescent Police Station within the scope of the Civil Police, are provided as reliable sources of execution.



2 CONCLUSION

In order to describe the reality of children and adolescents in the north of Brazil, the article pointed out the relationship between the culture of fruit extraction and the local population, and identified how culture plays an involuntary role in the influence of exploratory activity. Also reviewing the commercialization of the fruit and especially how the extraction of the matter occurs, where is the focus of the research in which the denunciation of the exploitation of child labor in the açaí harvest is followed, adjusting to the legal normative of the activity.

We reinforce that culture as the main influencer of the activity does not justify the normalization of this practice, because the problem lies in the standardization made by the population in which the extraction of açaí is something natural in the qualification of work started since childhood as the only form of sustenance and the materialization of the heredity of the customs of that particular region. But given the nature and circumstances in which the activity is carried out, they violate the rights of children and adolescents, depriving them of a healthy, safe childhood with expectations of a prosperous future.



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