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Child Labour in the Tobacco Growing Sector in Africa

Report prepared for the IUF/ITGA/BAT Conference on the
Elimination of Child Labour, Nairobi 8-9th October 2000

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Preface

This report on child labour in the tobacco growing sector in Africa was produced by Fafo to provide background material for the conference “Eliminating Child Labour: Establishing Best Practice in Tobacco Farming” in Nairobi 8-9th October 2000. The conference was organised by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Association (IUF), the International Tobacco Growers’ Association (ITGA) and British American Tobacco (BAT). The report includes information on the child labour situation in Ghana, Kenya, Malawi, Mozambique, South Africa, Tanzania, Uganda, Zambia and Zimbabwe. The report was presented at the conference in Nairobi, and has been slightly edited on the basis of comments and additional information that was provided by the conference participants. Line Eldring and Sabata Nakanyane have been responsible for the editing of the report (with very useful technical assistance from Jon Lahlum), and for writing up the introductory chapter. Sabata Nakanyane has been responsible for the chapters on Kenya, Malawi, South Africa and Tanzania, Malehoko Tshoaedi for the chapters on Mozambique and Zambia, and Line Eldring for the chapters on Ghana, Uganda and Zimbabwe. Many thanks to Bjørne Grimrud and Liv Tørrer for their help and contributions on the reports from Zimbabwe and Malawi. The IUF Secretariat in Geneva and the IUF affiliates in the different countries have given us invaluable assistance in the process, and we want to thank them all for their efforts and helpfulness.

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Chapter 1 Protecting the vulnerable:

Child labour in the tobacco growing sector in Africa

“Child labour is a world-wide phenomenon. Whether a country itself has child labour or it imports goods made by the hands of children, every nation is somehow implicated in the process. Child labour is also not only a problem in the South, but also affects many developed countries” (Katikaneni 1998:1)

Introduction

Child labour is a growing social problem across the globe. Estimates of the number of child workers range from between 100 million and 200 million in the world, depending on the definitions used. Africa has the largest incidents of child labour with an estimated 40 percent of all children between five and fourteen years of age regularly engaged in work.¹ Child labour is prevalent in Africa, especially in the agricultural sector. The International Labour Organisation (ILO) estimates that there are more than 23 million child workers in Africa. An unknown number of these are to be found within the tobacco growing sector, which is claimed to employ more people than any other agricultural cash-crop in the world (Elshof 1995).

The tobacco growing sector and the smoking business

The tobacco sector is in the hot spot these days. Not because approximately 33 million of workers are employed in tobacco growing and early stages of processing of the tobacco. Not because 100 millions workers are involved in all stages of the tobacco production – of them nearly 90 millions in the developing world.² Not because tobacco represent the bulk of agricultural exports and foreign income for poor countries like Malawi and Zimbabwe. Not because the farmer only earns 0.25 percent of the price the

¹ Kooijmans (1998)

² Source: ITGA: “Tobacco in the Developing World”

consumer pays for the cigarette.³ Not because tobacco workers live and work under harsh conditions. Not even because a large number of them are children. But because the product itself – tobacco – is considered to be unhealthy and dangerous for the consumers. The World's Health Organisation (WHO), fronted by the previous Norwegian Prime Minister Gro Harlem Brundtland, has declared war against tobacco. WHO's Tobacco Free Initiative aims at establishing a convention for regulation of production and sale of tobacco. The international tobacco convention, "Framework Convention on Tobacco Control", is set to be finalised by May 2003. The consequences for the tobacco industry if the convention is implemented can be enormous. One of WHO's goals is to restrict sale of tobacco, for instance by only allowing sale on prescription or even define tobacco as a toxic drug that should be banned. It has been claimed that for the SADC-countries, a ban on tobacco sale and tobacco growing can give effects similar to what a ban of oil would have for oil-producing countries.⁴ The giants within the industry, as for instance Philip Morris, have been accused by WHO for engaging in systematic efforts to undermine and subvert WHO's anti-tobacco efforts. This has been strongly denied by the tobacco industry, who points to their support of anti-smoking campaigns among youths etc.⁵ However, there is no doubt that there is a strong conflict of interest between major tobacco multinationals and the WHO in these matters. Attention and investigations into the industry revealing that not only is the product hazardous, but the also the production as such, will possibly strengthen the position of those seeing nothing but the positive consequences on reductions in the world's tobacco production.

So where does this situation leave the tobacco workers in general and the child tobacco workers in particular? The employers and employees will to some extent have shared interests in these matters. Both parties are threatened by the possibility of reduction in markets and access to markets. In a longer perspective, it might look different. Considering the conditions offered by the tobacco growing industry in Africa to its workers, it seems lightly that many of them would be willing to trade away their "carriers" in the industry if they have other opportunities, for instance in other agricultural sub-sectors.

A crucial point from the workers' and the unions' perspective should be that the attention attracted to the tobacco industry provides some opportunities for action when it comes to improving employment practices within the sector. From the tobacco industry's perspective it is important to raise credibility on most fronts. The product – tobacco – can in itself not undergo drastic rehabilitation, as the health hazards related to smoking hardly are disputable. All other aspects that might influence positively on the picture of the industry should be of importance, certainly on the basis of general ethics and moral, as well as on the basis of pure business interests.

³ IUF (1999)

⁴ Aftenposten 16.03.00

⁵ Business Day 03.09.00

Defining the concept: Child labour

Different definitions have been provided to explain child labour and the commonly used definition was provided by the ILO. Child labour is often associated with work performed by children that is detrimental to their physical and mental development. This type of work often interferes with the child's education thus, negatively affecting the child's prospects for career development (Kooijmans 1998). According to ILO Convention 138, child labour refers to;

“children prematurely leading adult lives, normally working long hours for low wages under conditions damaging to their health and to their physical and mental development, sometimes separated from their families, frequently deprived of meaningful educational training opportunities that could open up for them a better future”.

Some authors have gone to an extent of defining child labour in terms of age. Even the ILO specifies the minimum age of 15. That is, children under the age of 15 are regarded as not eligible for paid employment. This indicator is often controversial and complex to use in Africa when looking at some of the definitions of the economically active population (EAP) in the continent. In some countries in the continent, the EAP are those persons 12 years and above.⁶

Thus, in this report the main indicator of child labour will be if work is at the expense of the children's education both in cases where children are kept away from school and where children combine work and school in such a way that their school performance suffers.

Causes of child labour

A number of factors have been cited as influencing and affecting the supply of child labour. There are economic and social factors and legislative factors influencing child labour. The mostly cited factors are poverty, failure of the education system and lack of law/legislative enforcement agencies. The following section touches upon some of the factors identified as having a direct link with the prevalence of child labour.

Poverty

In most of the reports, including ILO studies, *poverty*⁷ has been well documented as the major force that creates the flow of children into the workplace (ILO 1995). The en-

⁶ See Nola (1999) for an outline of national legislation on child labour in agriculture.

⁷ Poverty refers to the incapacity of households to meet and sustain their basic needs. Also refers to instances where household income falls below a given poverty datum line and lack the resources to enable them to move from the prevailing status.

trance of children into the “world of work”, is seen as a survival strategy for children and their families. According to Bonnet (1993), children in Africa are unable to attend school because their families/households cannot afford to pay for their education. The household cannot afford to pay for their children’s education if the cost of schooling is too high and the household income is too low.

Inability of households to meet the basic needs of children (education, food, shelter and clothes) in most cases forces children to engage in employment in their endeavour to improve their conditions and livelihood. The argument is that, poverty does not cause child labour but there is a strong relationship between the two. Thus, child labour is often found in socially and economically marginalised communities.

Cheap labour and demand for child labour

Children are most likely to be employed when their labour is cheap. One of the more emphasised arguments for the use of child labour has been the issue of cheap labour⁸ provided by children as compared to adults. Most of the children are employed on contract basis and in most cases their work is more seasonal as compared to adult that is more permanent. In some instances, children are not paid at all because employers, especially in the domestic and agricultural sector give them accommodation and food. Lastly, children are casually hired and fired, as they are not protected by legislation, it is cost-effective for employers, as they do not have to pay unemployment benefits.

AIDS/HIV and child labour

One issue that has been overlooked in most studies is the relationship between Aids/HIV epidemic and the prevalence of child labour. The relationship is extremely important and relevant in Africa where more than 23 million people are believed to be HIV-infected and more than 2 million having died of Aids in 1999. The infection and deaths have mostly affected those in parenting age and thus, will have an impact on income security and survival of the household. Even though there is no clear-cut link between Aids and child labour as most societies in the continent put large emphasis on the extended family and communal support, child labour is likely to increase in communities where the extended family is not intact. Adult deaths as a result of Aids could result in financial strain for children, making it difficult for them to attend school. This might in most instances call for the re-organisation of children’s life due to loss of parents. Children will have to take responsibility for their own survival and thus, become child labourers (Andvig 2000).

⁸ It should be stated that there is often gender division of labour especially for children in traditional farming. Male children spend less time on farm work than female children. Female work is persistent throughout the year as it includes domestic and childcare work, while male work is more seasonal and agriculturally based like planting.

What do we know?

The aim of this study has been to compile existing information on child labour in the tobacco growing sector in Ghana, Kenya, Malawi, Mozambique, South Africa, Tanzania, Uganda, Zambia and Zimbabwe. Not unexpectedly, this turned out to be a great challenge. This was due to several reasons;

- Generally there is not much available information on child labour practices in the tobacco growing sector.
- Most of the data and information on child labour is on a more general level, and do not give possibilities for particular analysis on the tobacco sector.⁹
- For many of the countries there exist little information on child labour at all.¹⁰
- Existing information is fragmented, of variable quality and in many instances difficult to get hold of.

As a result of this, the report does not give as in-depth information on child labour in the tobacco-growing sector as could be wished for. On the other hand this make up the basis for one main conclusion in this desk study; so far there are more questions than answers on the issues that are raised in this report. This includes both fundamental themes as the extent of child labour in the sector, the forms it takes and the main causes that contributes to the present practices in the industry.

Do we have a basis to state that the tobacco sector is worse than other sectors when it comes to child labour? No, not really - and neither can we state the opposite. There is no evidence of the tobacco-growing sector being above the general standards within the commercial agricultural sector in Africa. This is for instance underlined by the situation in Malawi, one of the major tobacco producing countries in the world, which is known to be among the worst on the continent when it comes to child labour. The fact that tobacco is a crop predominantly grown by small holders, and also a very labour intensive crop, implies that the whole family often are involved in the cultivation processes and in harvesting (Elshof 1995). On that basis, it is possible that children of tobacco labourers and tenants will more often tend to work than other children.

It is also very difficult to do comparative analysis between the countries included in the study. This also includes the cases where there have been conducted child labour surveys. Methodological differences and varying levels of data quality requires high levels of caution when results are to be interpreted, and in this report we have chosen to present each country in separate chapters, without directly comparing them to each other. Lastly, it is also almost impossible to estimate results of measures etc with basis in existing data.

⁹ See Andvig (1999) and Grimrud () for an overview over research and research problems on child labour in Africa.

¹⁰ See Appendix 3 for an overview of the existence of national databanks on child labour in the SADC-countries.

All the possible causes for child labour that are listed above, are frequently mentioned in the available information from the different countries; Poverty, lack of access to education, children offering cheap labour and orphanage. Furthermore, lack of appropriate legal framework¹¹ and government policies are emphasised as important areas for improvement. Although it is recognised that laws and statutes are not very useful unless they are followed up by efficient implementation processes.

What can the social partners do?

The joint statement between the International Tobacco Growers' Association (ITGA) and the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF) on child labour in the tobacco sector constitutes an important milestone;

“The ITGA and the IUF recognise the need to end the use of child labour in the tobacco-growing sector and to provide children with an upbringing that gives them the best chance to succeed in all aspects of life.”¹²

The statement implies recognition of the child labour problem also from the employers' side, and the parties have agreed to work together against this practice. Trade unions have a long history in fighting child labour, and it is crucial to also engage business and employers in this struggle. The major challenge in the time to come is to transfer the good will and intentions on the international level to agreements and effective campaigns on national and local level.

The information gathering process for this report, which heavily involved the IUF-affiliates in the various countries, has itself generated some important findings when it comes to union capacity and resources in the combat against child labour;

- In some instances it was very difficult to get in touch with the unions, even at national level
- Many of the unions have very scarce administrative resources, and lack in some cases basic tools as fax and functioning telephone lines
- Most unions lack systematic information on the situation in their own country
- All the unions seem to be very engaged and concerned regarding child labour

As will be portrayed in the separate country chapters, we find some very interesting examples of activities and efforts against child labour based in national union activities,

¹¹ See Appendix 4 for an overview on ratification by different countries of ILO-conventions on child labour.

¹² Introduction to the longer statement which can be found at IUF's website: www.iuf.org

like for instance in Ghana. And there is probably (and hopefully) far more going on than we have been able to cover in this report. On the other hand, we have also traced down interesting cases of employers' initiative, like for instance in Uganda. And there are examples of collective agreements to prevent child labour within the commercial agricultural sector. Although the ITGA/IUF statement is very positive, it is only successful if followed by joint initiatives between the social partners on country and sector level in the time to come.

Tabusa (2000) outlines an action guide for trade unions that wish to develop their policies, practices and strategies toward eliminating child labour. The main elements in the guide are;

- Investigation: Gathering data on child labour
- Institutional development: Establish effective union infrastructure
- Policy development: Put child labour on the agenda
- Monitoring: Monitor and report use of child labour
- Awareness-raising: Information and education on child labour
- Campaigning: Mobilise members and non-members
- Collective bargaining: Build prohibition of child labour into agreements
- Direct support to children: Support child workers for replacement and removal
- Mobilisation: Networking and co-operation with unions, employers' associations, NGO's and political organisations
- Using international instruments: Utilise international union resources, ILO, UN structures

As we will see in the following chapters, there are large and serious needs for action, effective tools, co-operation, information and further knowledge on child labour in the tobacco-growing sector in Africa. Hopefully this report can be of some help for the hard work that still is to be done.

Chapter 2 Child labour in Ghana:

“It is immoral and simply unacceptable”¹³

Ghana was the first country in Sub-Saharan Africa to emerge from colonialism. Simultaneously, it experienced military take-overs long before that became a trend in the region. Ghana also became one of the first countries in the region to introduce and implement stringent economic recovery programmes in the early 1980s – and has had the possibly dubious honour of being labelled as “the World Bank’s favourite country”.

Economic and labour market indicators

After independence, Ghana experienced the highest gross national product (GNP) in the continent before being exposed to the economic crisis of the 1970s. According to the World Bank, in the early 1980s per capita income fell by a third and inflation was over 100 percent. The economic crisis prompted the government to launch an economic program of stabilisation and economic liberalisation. The objectives of the economic recovery program were to reduce budget deficit and create a market-friendly environment.

Since the introduction of the economic recovery program, the country experienced a significant GDP growth rate.

Key economic indicators (World Bank 1999)

Average annual growth	1977-87	1988-98	1997	1998	1999-03
GDP	0.4	4.3	4.2	4.6	6.1
GNP per capita	-2.7	1.4	1.7	1.9	3.5

Inflation rates have declined heavily the last years, from exceeding 70 percent in 1996, to about 15 percent by year-end 1998.

Even though the economy is mainly rural depending on agriculture (cocoa, timber and pineapples as main export crops), gold mining has become one of the biggest sources of foreign exchange in Ghana. Industry and service sectors have experienced slight increases in their contribution towards the GDP. The contribution of agriculture has been on the decline, but has experienced a small growth in the recent years. This has mainly been due to growth in the cocoa sector, as other sub-sectors such as food, fisheries and forest have performed poorly. Local industrial production of crops from tobacco, sugar and kenaf fibers have been largely unsuccessfully. Ghana is not a major

¹³ Quoted from the report from a 3 day workshop for GAWU field staff

producer of tobacco. The state owned tobacco company was divested some years ago, and the plantations was left with individual growers. However the general problem of child labour in agriculture is still relevant for the small tobacco industry in Ghana.

Sector contribution towards Ghana's GDP, percentages (World Bank 1999)

	1977	1987	1997	1998
Agriculture	56.2	50.6	35.8	37.6
Industry	15.8	16.3	25.7	24.8
Manufacturing	10.8	9.9	8.2	8.2
Services	28.0	33.1	38.5	37.6

With a population of 18.4 million and average annual growth of 2.6 percent, Ghana has an estimated labour force of about 9 million people (World Bank 1999). Of the total labour force, 51 percent is female. The labour force has been growing at 3.1 percent annually between 1990 and 1998, with a significant portion of the employed in the agriculture sector. The unemployment is known to be high, with unemployment estimates varying from 20 to 35 percent of the economically active population.

Social indicators

The UNDP (1999) ranks Ghana position 60 from 90 countries in terms of human poverty index¹⁴. About 31 percent of the total population live below the national poverty line and close to 30 percent were living without access to health services between 1981 and 1992. The following table sketches some of the social indicators in Ghana;

Social indicators in Ghana, 1992-98 (World Bank 1999)

	Ghana	Sub-Saharan Africa	Low income countries
Poverty (% of population below national poverty line)	31	...	...
Urban population (% of total population)	37	33	31
Life expectancy at birth (years)	59	51	63
Infant mortality (per 1,000 live births)	69	91	69
Child malnutrition (% of children under 5)	27	...	...
Access to safe water (% of population)	56	47	74
Illiteracy (% of population age 15+)	36	42	32
Gross primary enrolment (% of school-age population)	76	77	108

¹⁴ The HDI (Human Development Index) value for each country will indicate how far the country has to go to attain certain defined goals: an average life span of 85 years, access to education for all and a decent standard of living. The HDI reduced all three basic indicators to a common measuring rod by measuring achievement in each as the relative distance from the desirable goal. The HDI shows the distance the country has to travel in order to reach the maximum value of 1.

Education

A survey from 1992 showed that one in every three girls and one in every four boys between 7-14 years did not attend school, with lower school attendance in rural than urban areas. The total school participation rate was 73 percent in 1992. The parents' level of education influences directly on the likelihood of the children working, and indicates that educating children in itself can prevent child labour in the longer term. Children (girls) from female headed household 4 percent more likely to attend school than children from male-headed households (Canagarajah & Coulombe). The Ghana Education Act (1961) states that education is free and compulsory, but does not define what age the child should be in school. Even if education is free, families will have to pay for things like tuition, uniforms and books, which can effect school attendance negatively. There are in general few opportunities for work in formal sector, and it has been claimed that this is demotivating for children's school attendance, as the most marketable skills are acquired by practical work.

Labour legislation

Ghana's Labour Decree (1967) prohibits employment of children under the age of 15, but permits undefined "light" work by children;

44 (1) No person shall employ a child except where the employment is with the child's own family and involves light work of an agricultural or domestic character only.

45 (1) No employer shall employ a young person –

a) in any industrial undertaking on night work; or

b) in any mine or underground work

Ghana has ratified the Convention of the Rights of the Child, the OAU Charter (and UN) on the rights of the child, and the ILO convention 59 on the minimum wage in industry, and convention 29 on forced labour, but not yet convention 138 on minimum age. The 1992 Constitution of Ghana, section 28 (1) forbids the abuse of children:

Every child has the right to be protected from engaging in work that constitutes a threat to health, education or development.

In the "National Programme on the Elimination of Child Labour in Ghana" it is stated that: The legislative process in Ghana for ensuring these provisions is by no means completed. National commissions and special standing committees are drafting proposals of additional standards focussed on particular programmes of vulnerable groups. The Committee on Law Reform of the GNCC, the National Advisory Com-

mittee on Disability Policy of the Ministry of Employment and Social Welfare and the Committee on Women and Minors Rights of the Ghana Bar Association, represent enormous effort to define and protect the rights of children. However the available information suggests that it takes time to evolve into operational body of laws and procedures responding to exigencies of a changing society like Ghana. Moreover the level of standard setting in Ghana suggest that there is still a need to strengthen and accelerate the process in relation to the basic right of the child in particular, enabling families and communities to claim and defend their own rights. (p.5)

It is clearly recognised that there is need for improvements in the legal framework that is meant to protect children and other vulnerable groups in Ghana, as well as enforcement of the implementation of regulations.

Child labour in Ghana

On the basis of the 1992 Ghana Living Standards Survey, it was estimated that around 28 percent of children between 7-14 years – which means 800,000 children nationally – were involved in child labour. Two third of these children were also going to school, and totally 20 percent of the boys and 17 percent of the girls were both working and schooling. 90 percent of all school children were involved in household chores. 93 percent of the working children are involved in farming activities (household level agricultural activities), and child labour will normally take place in the informal sector. Most of the child workers are employed in family farms. Children with parents involved in agricultural self-employment are more likely to work than other children. Children constitute 12.1 percent of the labour force, although in total numbers of labour hours they contribute 5.3 percent (Canagarajah & Coulombe).

Typical Profile of a Child Worker in Ghana

Category	Male	Female
Average age: Urban	11.8	11.3
Average age: Rural	11.0	11.0
Average hours in labour market per week for child workers	13.5	15.1
Average hours in household chores per week for child workers	13.3	17.1
Proportion of child workers in labour force (wage work)	14	10
Working in trade	1.3	6.4
Working in farming	96.3	88.5
School participation rate for children under 15	76.7	68.3
Child labour contribution to total hours of participation nationally	5.4	5.3

(Source: GLSS 3/Canagarajah & Coulombe)

A survey on child labour conducted by Ghana Statistical Service (GSS 1994) concluded that at least 11 percent of the surveyed children were working for wages, and another 15 percent work without remuneration. The majority of the working children were between 10-14 years, and more than three quarters were female. 70 percent were unpaid family workers and no one was engaged in the public sector. In average, working children in Ghana earn one sixth of what an adult earn.

A GAWU/IUF/ILO workshop report on child labour list the following as the worst forms of child labour in agricultural/rural areas in Ghana:

- child slavery/debt bondage (Trokosi)
- illegal mining (Galamsey)
- handling of agro-chemicals
- handling of dangerous agricultural tools
- human portorage
- brewing and tapping
- picking
- fishing
- contract farm labour
- herding

The workshop report indicates the following as possible causes of child labour in Ghana:

- low family incomes
- large family sizes
- lack of resources to develop land
- discriminatory and tenure system/pressures on land
- piece-rate system of work
- low wages of formal sector employees
- tribal ethnic conflicts
- underemployment
- certain traditional/cultural beliefs and practices
- irresponsible parentage
- lack of proper legislation
- large informal sector
- debt bondage
- single parenthood
- societal acceptance of child labour as part of child upbringing
- collapse of extended family systems
- preference of boy education to girl education
- lack of social protection for orphans

Measures & Strategies

Ghana has a National Programme on the Elimination of Child Labour (NPECL). The aim of the programme is to reach directly about 1500 child workers, and mainstream them into regular formal or non-formal educational programmes, pre-vocational and vocational training, and provide them with counselling, health services and the opportunity to engage in recreational activities. Where possible, children will be returned to their families of origin. Furthermore, the programme aims to benefit more children indirectly, through awareness raising initiatives, policy and institutional changes, and legislative reform and protection. The priority is on children working in extremely hazardous or abusive conditions, children below the age of 12 and girls.

A national steering committee for ILO-IPEC is established, consisting of the concerned ministries, workers' and employers' organisations and NGOs.

The government has created the Ghana National Commission on Children (GNCC), which is the co-ordinating body for publicising the ILO Convention and the processes needed to give effect to the provisions of the convention. Furthermore, the Free Compulsory Basic Education Programme (FCUBE) seeks to address the problem of child labour through educational measures. The programme aims to ensure that children of school going age have access to education, at least up to basic education.

The government of Ghana has also addressed child labour through poverty reduction activities, as the National Poverty Reduction Programme (NPRP), the Technical Committee on Poverty (TCOP) and a Learning and Innovation (LIL) scheme through the World Bank, which is aimed at addressing the growing problem of street children.

The Department of Labour has been considering to set up a Child labour Unit to develop training programmes on issues on child labour, while the Ministry of Employment and Social Welfare has the official mandate to monitor, control and prevent child labour. The Factory Inspectorate has started investigations in the informal sector as this sector has the highest concentration of child labour.

However, the National Programme on the Elimination of Child Labour states that;

“Presently, the policy provisions to promote and ensure the concept of Child Rights in Ghana appear weak in relation to the existing universal conventions and laws on the basic rights of the child in general and the working child in particular.” (p.7)

A number of NGOs are engaged in efforts related to working children; RESPONSE, Plan International, Action Aid, Save the Children, and also Ghana Employers Association, university research institutions and religious organisations. But according to NPECL, hardly any of them have developed specific activities on child labour.

Ghana 2000 is a strategy programme for accelerated growth in Ghana; and has argued for massive investment in primary education. Education is obviously an important tool in combating child labour, and a successful educational strategy would certainly be useful.

The following members of the Ghana Trade Union Congress (TUC) have been involved in child labour activities; Ghana Agricultural Workers Union (GAWU), Timber and Woodworkers Union (TWU), the Construction and Building Union and the Public

Utilities Union. They have engaged in research on child labour, and have included issues on child labour as components of their in-house training. TWU has worked on developing a training manual on child labour.

The General Agricultural Workers Union of TUC (GAWU) had around 60 000 members in 1994 (Elshof 1995). GAWU does not organise tobacco workers after the divestment of the state owned tobacco company, but is active in other commercial agriculture sectors. GAWU's activities on child labour were prompted by the IUF/ILO project on Child labour in Agriculture in 1998. GAWU has arranged workshops on child labour, in cooperation with ILO and IUF. GAWU consider the combat against child labour as crucial:

“We have played a leading role among Trade Unions in the fight against child labour not only for its inhumanity but also for the fact that where one child is employed an adult loses a job.”

While there is no direct engagement of children in formal sector employment in Ghana, the situation is however rampant in the informal sector which is dominated by agriculture and allied rural industries. According to GAWU, with the continued contractualisation and casualisation of labour, child labour is gradually but indirectly creeping into formal sector agriculture. GAWU has used the collective bargaining process to outlaw child labour from 2 plantations. Successful examples of collective bargaining and agreements against child labour are of great interest for all unions working in this area. At the last Quadrennial delegates' conference (October, 1999) GAWU resolved to pursue with diligence the issue of child labour. This is to include the use of bipartite agreements with employers to combat child labour, campaign for the ratification and monitor the implementation of Conventions and international agreements on the subject, intensify education on the problem among members and cooperate with any organisation with similar objectives. GAWU's policy on child labour is to be presented before the National Executive Council for adoption soon.

Concluding remarks

The tobacco growing sector is small in Ghana, so most of the information in this paper is based on data on child labour more in general, or on the commercial agricultural sector in particular. Existing research shows that the prevalence of child labour is frequent, especially within the agricultural sector. The information we have been able to access on the extent of child labour, also states clearly that it is extremely difficult to produce accurate numbers, and that there is a need for more research both on the extent, causes and possible solutions when it comes to child labour in Ghana. There seem to be a broad range of activities going on, on different levels with different actors. Government is, as described above, engaging in several measures to combat child labour – although main challenges as providing real free education for all children and implementing an

efficient legal framework still have to come. What will come out of the different programs and initiatives are however impossible to predict at this stage. The unions, and especially GAWU's activities related to child labour are very interesting, and indicate that the union has been able to mobilise resources and efforts in a way that could be of inspiration also for other unions in the region.

Chapter 3 Children toil from dawn to evening: Child labourers in the tobacco growing sector in Kenya

Since gaining independence from the British in 1963, Kenya became a one-party state under the leadership of Jomo Kenyatta and the Kenya African National Union (KANU) party. One party was continued under the leadership of Daniel arap Moi in 1978 after the death of Kenyatta. Even though the political situation changed in 1992 after political pluralism was allowed due to domestic and international pressure, KANU and Moi managed to win the 1992 and 1997 elections. The country has not experienced major ethnic and civil conflicts like its neighbouring countries. The declining economy, subsequent job losses and lack of employment opportunities in Kenya have affected the society in general and children in particular.

It is against this background that this chapter looks at the state of children, causes and the extent of child labour in the tobacco-growing sector in Kenya. In addressing this broad aim, the chapter will give brief picture of the country's economy and social conditions. Thirdly, the report will explore some of the measures that are being implemented, introduced and suggested from government and the civil society in general (more emphasis will be placed on trade activities and campaigns towards eliminating child labour).

Economic and labour market indicators

From independence, Kenya experienced a steady economic growth until it was affected by the economic crisis of the early 1970s. Since the 1970s, average GDP growth rate declined from 6.5 percent to 2.1 percent in 1997 and 1.8 percent in 1998 (World Bank 1999). This is below the population growth rate of 2.5 percent. Simultaneously, Kenya has one of the highest foreign debts in the continent.

Kenya is the third largest exporter of tea which together with coffee and horticultural products contribute about 50 percent of the country's merchandised exports (World Bank 1999). Tourism is the second most important source of foreign exchange and accounts for 19 percent in the country's GDP. Agriculture, which has been declining in relations to its contribution to the GDP, is still the major contributor in employment.

Sector contribution to the GDP, percentages (World Bank 1999)

	1977	1987	1997	1998
Agriculture	42.0	31.5	27.5	26.1
Industry	18.0	18.5	15.0	16.2
Manufacturing	11.0	11.6	9.7	10.8
Services	40.1	50.0	57.5	57.7

Kenya has a population of 29.3 million and a labour force of 15 million. Of the total labour force, 46 percent is female.

Children in Kenya

According to the 1989 Population Census, Kenya had slightly more than 50 percent of children below the age of 15. By 1998, about 40 percent of the total population were children between the age of 10 and 14 (World Bank 1999). This creates one of the highest dependency ratios¹⁵ in developing countries (the proportion of the population that is economically inactive versus the active population whom they thereby depend upon). High dependency rate together high poverty rate, high unemployment and underemployment may force many children to drop out from school and thus, seek work/employment to supplement family-income.

At the same time, children are born and live under difficult conditions in Kenya. By 1991, the enrolment of children in primary schools was about 95 percent, but it has started to decline in the late 1990s. According to the World Bank (1999), gross primary enrolment has declined to 89 percent of the school-age population. This has been attributed to the reduction of government expenditure on education, which made education less accessible to poor families.

Child indicators in Kenya, 1997 (UNDP 1999)

Underweight children under age five (%) (1990-1997)	23
Under-five mortality rate (per 1,000 live births) 1997	87

HIV/Aids is also taking its toll on the population of Kenya. In 1992, more than 24 000 people had been infected by HIV and more than half of them had already died. By the end of 1995, the National AIDS Control Programme (NACP) estimated that between 750 000 to 1 million Kenyans were infected by the virus. The HIV/Aids epidemic has serious implications and consequences for children. Most of the AIDS orphans are going into the streets and joining the labour market (Onyango and Bader-Jaffer 1995).

Due to the growing number of Aids orphans, dropout rates from primary education and the inability of the employed to provide for the basic needs of children, there might

¹⁵ The dependency ratio is a measure of the "demographic burden" that the population bears to care for young children and older people past normal working age. It is normally calculated as the ratio of people under 16 and aged 65 years or more, divided by the working age population aged 15 to 64 years.

be high rates of children getting into the streets and thus joining the labour market. Simultaneously, due to their lack of education and desperation, they might be exposed to exploitation in a form of working long hours, less pay and less protection.

Child labour in the tobacco-growing sector

Since the colonial period, the agrarian society has been exposed to the use of child workers in Kenya. According to Bahemuka, et al (2000) child labour continue to be a serious problem in Kenya and many children are working on plantations and as street vendors. It is estimated that about 60 percent of the workforce in plantations in the Central Province are children. ANPPCAN, a Kenyan non-governmental organisation focusing on child issues estimated that in 1999, about 3.5 million children aged between 6 and 14 years were child labourers and a significant majority was in agriculture.

Causes of child labour

Poverty is cited as the main reason for the prevalence of child labour in Kenya. Children are regarded as a source of livelihood for poor families. Related to this, child labour is associated to the rapidly changing lifestyle with more focus on monetary economy. According to Bahemuka, et al (2000) as the kinship ties are broken by the shift from communalism (subsistence farming) to dependence on monetary economy, parents have no relatives to turn to, thus children are required to look for employment to provide for the family.

Secondly, there is strong linkage between child labour and Economic Structural Adjustment Programmes (ESAPs). Although the ESAPs were meant to alleviate poverty, they had negative implications for the well being of families (Bahemuka, et al 2000). ESAPs had an ideological baggage that emphasised free market system and cost sharing. This meant that parents had to pay for their children's education and other basic needs in life. Bahemuka, et al (2000) argues also, that the introduction of ESAPs led to the increase in number of retrenchments in Kenya. In summary, the introduction of ESAPs meant the lifting of government subsidies from education and other social capital services. Thus, the costs had to be borne by poor parents and inability to afford by most parents resulted in most parents sending their children to work or look for employment (Bahemuka, et al 2000).

Thirdly, one of the ignored factors in the child labour debate is the increasing demand by employers for child labourers. Most employers often offer children jobs as they can be easily exploited and paid less than adults. The demand by employers for child labourers is facilitated or made easier by the desperate state of most parents as they are unemployed. For most parents, if a child can secure a job they cannot hesitate to their children to employers (Bahemuka, et al 2000). For many employers, especially in

agriculture the use of child labour has an economic benefit. Child labourers do not have contracts, are paid less, not provided with benefits and regarded as seasonal workers, it means that employers can be able to save.

Politically induced economic problems are also cited as contributing towards the escalating number of child labourers in Kenya. As a result of ethnic clashes and displacement of people, children have been forced to look for employment in order for them to contribute towards the household income. This is especially happening in households where parents were killed.

Lastly, according to Bahemuka, et al (2000), the education system has to a certain extent been responsible for the problem of child labour. They argue that the present education system is characterised by major flaws in terms of cost, availability and quality and thus, lead many poor parents to perceive child labour as a preferred option. These factors have led many children to dropout of school. The introduction of cost sharing in education meant that parents have to buy books, schools uniforms and pay numerous levies. Also, Bahemuka, et al (2000) points out that many children see their educated predecessors jobless and this makes them feel that learning is pointless.

The section indicates that the prevalence of child labour in Kenya cannot be attributed to single factor but there are numerous factors. Thus, Bahemuka, et al (2000: p.5) conclude that;

“In summary, socio-economic and political factors are driving children to work. Nonetheless, these factors hinge on the demise of the family structure that respected children and upheld their well being as future movers of society”

Labour laws and child labour

In 1990, the Kenyan government ratified the International Convention on the Rights of the Child. The Employment Act of Kenya in line with the Convention defines a child as an individual male or female who is under the age of 16 years¹⁶. The definition is different from the ILO's definition that defines a child as anyone under the age 15 years. The employment of children is subjected to certain restrictions aimed at safeguarding their health and assist them receive an education and vocational training.

According to Kenya Plantation and Agricultural Workers' Union (KPAWU), the legislation defines child labour as any kind of work performed directly or indirectly by children under the age of 15 that deprives them of childhood, affects the physical, moral, psychological and emotional well-being. Secondly, if the work denies them education, then that is child labour and it is prohibited.

¹⁶ Children between the age of 5 and 15 years are expected to be at school and otherwise engaged in activities that are beneficial to their health and development, including play.

The Employment Act stipulates some of the penalties for offenders. Any person who knowingly employs a juvenile and industrial undertaking shall be guilty of an offence of and liable to a fine not exceeding 1000 shillings or in the case of a second or subsequent offence of 2000 shillings. In case of death or injury of juvenile, in addition to the penalty, an employer shall be liable to a fine not exceeding 6-month imprisonment. The Employment Act make mention of the labour standards to be followed in the employment of children and they include¹⁷:

- Employment of young persons shall be under a verbal contract.
- No person shall employ a child gainfully or otherwise in any industrial undertaking. Industrial undertaking have the following meaning:
 - Mines or quarries;
 - Any factory within the meaning of the factories act;
 - Any construction or demolition works;
 - Transport of passengers and goods by road, rail or waterway.
- No person shall employ any child without the prior written permission of an authorised officer. The permit must be renewed annually.
- Every person authorised to employ more than 10 children on permanent basis shall designate a person to be approved in writing by the Labour Commissioner to be responsible for the welfare of the children.
- Subject to certain provisions, no juvenile shall be employed between the hours of 06h30 p.m. and 06h30 a.m.
- Every employer of a juvenile shall keep and maintain a register with the following particulars of every juvenile;
 - Age or date of birth;
 - Date of entry into and leaving such employment;
 - Such other particulars as may be prescribed.
- An authorised officer may require any juvenile in employment to be medically examined at any time during the period of his employment.
- A labour officer may by notice in writing served upon the employer, terminate or cancel any contract of employment entered into between a juvenile and employer.
- No person under the age of 16 years shall be required to work for more than 6 hours in a day. The weekly rest day of a person under the age of 16 years shall not be deferred.

¹⁷ Information was provided by the Kenya Plantation and Agricultural Workers' Union.

Measures for eliminating child labour

The trade union movement in Kenya is playing a pivotal role in the elimination of child labour, especially in the agricultural sector. Kenya Plantation and Agricultural Workers' Union (KPAWU) has introduced number of strategies to eliminate child labour in the agricultural sector. The programme implemented to address the problem of child labour by KPAWU included;

- Investigation: surveys of child labour in the agricultural sector.
- Policy development: putting child labour on the agenda and making a policy commitment against child labour.
- Monitoring and surveillance: bringing child labour abuses to light and reporting violations to the authorities.
- Awareness raising: using workers' meetings as a forum for making communities aware of the problem. Also, making of women and youth departments and committees to disseminate information.
- Campaigning: lobbying local authorities over the enforcement of the legislation and educational reforms.
- Collective agreement: building in child labour prohibition at the enterprise level.
- Direct support to working children: rescuing and rehabilitating children in risk conditions. Also, supporting education and training initiatives and developing apprenticeship systems.
- Mobilisation: networking with others in the labour movement and NGOs.
- Fact gathering for national reporting and complaints.

The initiatives by the labour movement needs to applauded and supported by other measures especially from government. What makes it difficult for government to enforce legislation is the fact that some government officials are accused of also promoting the system by employing children in their homes. Thus, the elimination of child labour would require commitment and support from government and other civil society organisations.

Apart form the criticism on government officials, the government has attempted to outline measures to eliminate or curb child labour in Kenya. Number of ministries play a central in dealing with children's issues, including the prevalence of child labour. According to Bahemuka et al (2000) the ministries involved are:

- The Ministry of Planning and Nation Development and the Ministry of Health: co-ordinate and implement programmes related to children's survival;
- The Ministry of Education and Human Resources and the Ministry of Home Affairs, Heritage, Culture and Sports: co-ordinate and implement programmes related to children's development;

- The Ministry of Home Affairs, Heritage, Culture and Sports: also coordinates programmes related to protection of children; and
- The children's department in the Office of the President: is responsible for reviewing and formulating policies regarding children.

Over and above these institutions or ministries, the government of Kenya ratified the International Convention on the Rights of the Child in 1990. The convention sets age 16 as the minimum age for entry into employment. The constitution has outlined the children's rights as human rights (Bahemuka et al, 2000). It entitles every child basic needs like food, clothing, shelter, health and education.

The business community has also taken initiatives to address the problem of child labour in Kenya. The Federation of Kenya Employers (FKE) through their regional awareness-raising workshops has formulated and disseminated guidelines for employers on child labour. The primary aims of the FKE child labour programme are (Haspels and Jankanish 2000:233);

- Assisting selected companies in formulating and implementing policies and action plans on child labour;
- Providing technical advice and support to the selected companies willing to initiate measures to combat child labour;
- Identifying feasible measures and activities for selected employers in the fight against child labour; and
- Collaborating with the government, trade unions, NGOs, and other interested parties in fighting child labour.
- To ensure the success of the programme, FKE has been involved in number of activities and they include (Haspels and Jankanish 2000:233);
- Conducting field visits to selected companies to evaluate the working conditions and hazards faced by working children;
- Holding discussions with the management and workers of selected companies to draw up a policy and plan of action;
- Preparing action plans at the sectoral level to guide effective employer interventions to combat child labour;
- Establishing a Working Children's Welfare Committee within each selected company to oversee the implementation of the above action plan;
- Formulating guidelines for the Welfare Committee established in each company;
- Preparing a comprehensive report at the end of the programme; and
- Conducting follow-up visits to the selected companies.

FKE has also established a child labour unit under its Research and Information Department. They have also included a column on child labour in their quarterly newsletter

and issued guidelines for employers on child labour. The guidelines focus on (Haspels and Jankanish 2000:233):

- Adopting more aggressive methods of recruiting adult workers in labour surplus areas;
- Establishing working norms for various activities in the plantation sector and other areas of work for children that are appropriate to their ages;
- Providing longer and more frequent rest periods;
- Providing regular medical check-ups;
- Providing protective clothing and devices, field shelters and subsidized midday meals, where applicable, as well as safe and comfortable transport to and from work.

Lastly, FKE is responsible for monitoring the application of the guidelines and help its members to formulate internal company policies and plans on child labour based on their individual context.

Concluding remarks

Even though there is lack of data on child labour in Kenya more general assumptions can be made. Child labour is a serious affecting both the mental and physical development of children and also affecting the employment and conditions of adult employees. Number of measures has been proposed as indicated in this paper but we can conclude to address this problem we need a holistic approach. A holistic approach would involve;

- The introduction and enforcement of legislation to eliminate child labour;
- Research on the extent and more importantly, the causes of child labour;
- Addressing the poverty levels and unemployment rates which are most cited causes of child labour;
- The introduction of social safety nets that will make education and other services accessible to the broader communities.

The successful implementation of these measures would require both commitment and support from trade union movement, government, employers and other community structures. Lastly, communities and more importantly, parents and guardians of working children should be taught about the negative impact child labour has on the development of children and employability of adults. Therefore, this paper concludes in the argument by Bequele and Boyden (1988) that;

“The multiple aspects of child labour require a multi-pronged approach to the problem, including not only legislation and law enforcement but also action in such areas

as incomes and employment, formal and non-formal education, welfare and promotion of children's rights".

The argument suggests that the problem of child labour is a result of number of factors both of underdevelopment and vulnerability of the economy in Kenya and Africa as a whole. This means that to address the problem, we require development strategies to address the needs of both the children and significantly, those of adult so that children do not have to work

Chapter 4 “Defending the vulnerable group”

Child labour in the tobacco-growing sector in Malawi

The advent of multiparty democracy in 1994 brought increased hope for millions of people who are unemployed and underemployed – hope that jobs will be created and poverty eradicated.¹⁸ However, Malawi is still characterised by low economic growth, high unemployment and underemployment. Economic growth has been negative despite the country’s low wage strategy, which was implemented to promote economic growth. Workers have been subjected to retrenchments, especially in the parastatals that have privatised since 1994. The price of basic commodities has sky-rocketed (Nakanyane 2000b).

Based on the above socio-economic problems, Malawi has been identified as one of the developing countries with high incidences of child labour. Against this background, this paper looks at the extent of child labour in tobacco-growing sector in Malawi. The paper will also highlight some of the mostly cited causes of child labour in Malawi. Thirdly, the report will explore some of the measures and strategies that are being implemented by government and the civil society in general. The paper will give more emphasis on the strategies of the trade union movement. In order to address these broad aims, the paper will provide a brief introduction of Malawi economy and social conditions.

Economic and labour market indicators

Malawi has some of the most fertile areas in southern Africa. Yet, it remains one of the poorest countries in the world. This is despite the ruling party’s promise of economic reform and poverty alleviation in its 1994 and 1999 election manifestos (Nakanyane 2000b). Malawi like many developing countries depends on agriculture in terms of its contribution to the GDP.

According to the World Development Report 1999/2000 agriculture:

- Generates close to 40 percent of Malawi’s GDP;
- Accounts for 90 percent in export earnings; and
- Supports about 90 percent of the entire population.

¹⁸ The following section is based on material from the report by Liv Tørrer (ed.), “The Smoking Business. Tobacco Tenants in Malawi. Fafo-report: Oslo (forthcoming). The report was compiled jointly by Fafo and Centre for Social Research (CSR). The Malawi Congress of Trade Unions (MCTU) commissioned the study.

Agriculture has thus occupied a primary position in employment creation in the country from pre-independence period up to the present day. The 1999/2000 World Development Report ranks Malawi 144 in terms of its GNP (US\$ 2.1 billions in 1998). Malawi's average income is low as compared to neighbouring countries. It has an average income (GDP per capita) of US\$ 775, which is low compared to Mozambique (US\$ 995), Zambia (US\$ 986) and Zimbabwe (US\$ 2135) (UNDP 1999).

Structure of the economy (% contribution to the GDP) (World Bank 1999)

	1977	1987	1997	1998
Agriculture	41.8	49.0	36.3	38.3
Industry	18.7	24.9	17.5	19.0
Manufacturing	11.7	16.8	13.6	14.8
Services	39.6	26.1	46.1	42.7

In 1998, the World Bank estimated the population of Malawi to be 10.5 million an annual growth rate of 3.1 percent between 1990 and 1998. The total labour force is estimated to be in the region of 5 million and about 12 percent (estimated to be 558 000) of the total labour force is engaged in formal sector employment. A large majority of the population survives from income generated through participating in agriculture, subsistence farming, small holdings, casual labour for cash or food (ganyu) or tenant labour. The public sector dominates the formal labour market as the largest single employer. In 1992, about 117 000 people worked for the public sector, with an additional 48 000 employed in parastatals (Kanyongolo et al 1997).

A 1997 survey conducted indicated that about 25 percent of the population was unemployed (Mthindi et al 1996). Unemployment was higher amongst women than men, and higher in the urban areas than in rural areas. The low unemployment may be explained by the fact that most subsistence and informal activities are already included in the employment figures.

Social indicators

Malawi is one of the poorest countries in the world today, scoring very low on any human development index and on average incomes. Furthermore, and following from this, Malawi has some of the worst social indicators, such as infant mortality, and literacy rates, in Africa and in the world. The overall low economic growth since 1977 with a simultaneous high growth rate of the population and of the labour force are some of the reasons for the high poverty levels.

Low average income¹⁹ in Malawi is one dimension of misery. Malawians today have an average income (GDP per capita) of USD 775²⁰, which is very low compared to the

¹⁹ A note should be made about the various average income figures we use in this report. The GDP refers to the total output of goods and services for final use produced by an economy. The GNP includes the GDP plus net factor income from abroad (including development assistance). The "per capita" refers to a division of these figures by the number of inhabitants.

USD 995 of the neighbouring country of Mozambique, USD 986 of Zambia and USD 2135 of Zimbabwe.

Different countries have however translated their economic capacity into very different levels of well-being or achieved the same level of human development with diverse incomes (ibid:22).²¹ The UN Human Development Index is a composite index of achievement in basic human capabilities in three fundamental dimensions: a long health life, knowledge and a decent standard of living. Three variables were chosen to represent and measure these dimensions: life expectancy, educational attainment and income. Poverty and degree of wealth affects peoples living conditions, but also their interests, perceptions and priorities. It is widely assumed that high levels of socio-economic development will favour transformations towards democracy and helps maintain it after it has been established. Poverty or affluence shows up in all sorts of ways in addition to per capita income: in increased literacy and education levels, welfare and health which are again linked to democratisation and further economic growth. After Mozambique, Malawi scores lowest on the index in Southern Africa.

Income, education etc. affect the degree to which people take possession of their formal political rights and transform them into political participation and influence. However, it is not only the levels of wealth, education, skills and welfare that help bring about economic prosperity and political stability. The distribution of resources is another factor of importance. Distribution of income and wealth is in fact one of the most important sources of conflicts in complex societies. If resources are distributed skew, conflicts may arise and even more so if the distribution of resources overlaps with ethnic, racial, regional or religious cleavages. Uneven distribution of resources has also been proven to negatively affect economic growth and development. Comparing the Gini coefficients of Malawi to those of neighbouring countries shows that Malawi has a higher gap between rich and poor than even its well-known unequal neighbours of South Africa and Zimbabwe. Comparable poor countries both close to home and in other parts of the world (like Bangladesh) also have a much more egalitarian distribution of resources and wealth.

GNP per capita and Gini coefficients²²

	Malawi	Zambia	Zimbabwe	Mozambique	South Africa	Bangladesh
GNP per capita	170	400	540	80	3160	240
Gini Coefficient	62	46	57		58	28

²⁰ Real DGP per capita (PPP USD) 1995 (UNDP 1999). This estimate does not simply transfer the local currency into USD as of current exchange rate, but estimates the value of the average income according to the local purchasing power.

²¹ The UNDP (1997:27) Human Development Report mentions for example Zimbabwe as an example of a country, which has done better in reducing human poverty than income poverty by investing heavily in reducing deprivations in basic human capabilities.

²² The Gini coefficient measures the extent to which the distribution of income deviates from a perfectly equal distribution. A Gini coefficient of zero represents perfect equality (reference line), while a coefficient of 100 represents perfect inequality.

With a population of close to 11 million people, one of the highest population density rates as well as one of the highest fertility and population growth rates (3 per cent) in the world, Malawi's problems are not likely to decrease in the near future. The World Bank estimated that half of the population lived below the poverty line in 1990. In terms of progress from 1970, little has been achieved. Malawi has one of the world's lowest literacy rates and amongst those with the slowest progress in order to improve the situation. The situation is similar (in terms of both low levels and slow progress) when it comes to life expectancy and child under-five mortality rates (UNDP 1998). The table below portrays some of the key poverty indicators for Malawi in comparison with some of its neighbours.

Poverty indicators (Percentages) (UNDP 1998 & World Bank 1998)

	Malawi	Zambia	Zimbabwe	South Africa	Tanzania	Mozambique
GNP per capita	146	257	604	2165	155	133
Growth of GDP per capita per annum	-0.2	-2.6	-0.3			
Life expectancy at birth	40	46	50	64	51	46
Adult literacy rate	56	78	85	82	68	62
People not expecting to survive the age of 40	46	42	34	13	31	38
Without access to safe water	63	73	21	1	62	37
People without access to health services	65	25	15	..	58	61
Without access to sanitation	94	36	48	47	14	46

The problems of access to safe water and the disposal of garbage and human waste are the main causes of disease and ill health. The inadequacy of safe and healthy drinking water together with unsafe housing creates conditions for the transmission of infectious diseases. Overcrowding furthermore increases the risk of spreading airborne diseases such as tuberculosis. And bilharzia affects communities that are forced to use water from snail-infected rivers, lakes and dams.

Only about one third of Malawians have convenient access to safe drinking water. Most only have access to an unprotected well or spring. Furthermore, only about 5 per cent of Malawians have access to adequate sanitary facilities located at a convenient distance away from their dwellings. Most families in Malawi use simple pit latrines whilst 30 per cent have no access to any sanitation facility at all (Malawi Social Indicators Survey). 42 per cent of the population live below an income poverty line of USD 1 per day. In fact the number of underweight children under the age of five has increased from 19 per cent in 1975 to 30 per cent in 1990-97 (UNDP 1998). Access to safe water has likewise decreased from 52 per cent in 1975 to 80 to 37 per cent only in 1990 to 1996. The daily calorie supply per capita has also decreased from 78 per day in 1970 to 64 in 1995. Compared to Mozambique, which has a lower average income level, Malawi scores worse on most poverty indicators. Poverty affects the rural population more often than

urban dwellers, but with 85 per cent of the population living in rural areas, that implies the large majority of the population.

Children in Malawi

In 1987, almost half (47 percent) of the population in Malawi was below the age of 15²³. Malawi is on that background said to have a high dependency ratio, i.e. the portion of the population that is economically inactive versus (and thereby depend upon) the active population. The high dependency ratio may lead children to work before the age of 15 and dropout after primary education at a high rate (ILO 1999). In 1995 more than a quarter (30 per cent) of children under 5 in Malawi were underweight and more than half of children stunted by long term under nourishment. Thus, according to Mthindi (et al 1997) the under-five mortality rate in Malawi is the eight highest in the world as it accounts for more than 50 percent of Malawi's total morbidity.

Simultaneously, Malawi is one of the countries in the most strongly affected by HIV/AIDS with following consequences for number of orphans. The problem of HIV/Aids and growing number of orphans has been captured by Livuza (1997) that:

“Seven people die of AIDS every hour in Malawi, leaving behind tens of thousands of orphans. The lucky children are taken by extended families; the unlucky majority are left to fend for themselves on the streets”

Child labour in the informal sectors, rural bonded labour and general exploitation in the labour market particularly negatively affect this group of children.

The legal framework

Section 23 of the Constitution of Malawi outlines the rights of the children. It states that children are entitled to be protected from economic exploitation or any treatment, work or punishment that is likely to be hazardous, interfere with their education, or harmful to their physical, mental, spiritual or social development.

The Employment Act No. 6 of 2000, section 21 prohibits employment of children under the age of 14 in any public or private agricultural, industrial or non-industrial undertaking except for work done in homes that do not attract a wage, vocational technical, institution or other training institutions which is supervised by public authority. Section 22 prohibits the employment of children between the age from 14 to 18 years in any occupation or activity that is likely to be harmful to the health, safety, education, morals or development of the child or prejudicial to his attendance at school or any

²³ The last time a Census was conducted.

other vocational or training programme. Section 23 demands that every employer keeps a register of any employee under the age of eighteen years for purposes of inspection by labour inspectors.

The Children Act aims to protect children from all forms of abuse, and is administered by the Ministry of Gender, Youths and Community Services.

Malawi is signatory to the UN Convention on the Rights of the Child, and ILO Convention No 138 and No 182.

There is a draft for a Tenancy Labour Act, which aims to give protection to tenants in agriculture, and the draft prohibits children from being engaged as tenants.²⁴

Child labour in the tobacco-growing sector

While accurate systematic data is lacking, some work has been done indicating that child labour in Malawi is widespread and increasing. Child labour is found in several sectors including large commercial farms, smallholdings, domestic work, micro industries and the informal sector. The number of children working in the 80s was relatively small and mostly found in rural areas. Studies indicate that child labour is much higher on the tobacco estates.

Malawi is generally regarded as one of the countries in the region with the highest incidence of child labour. Child labour in Malawi is also to a large extent explained by poverty, lack of resources, especially educational, etc as well as poor institutional and regulatory settings. Poverty and economic necessity exert major pressures on families to make use as early as possible of the time and labour of children to assist family survival, often at the expense of schooling.

To a large extent, child labour occurs in the most socio-economically marginalised communities in which monitoring of labour practices is already weak. Children dropping out of school have few options and alternatives in developing themselves and finding gainful employment.

Children in tobacco production

About 5 million children are affected one way or the other by work activities on the farms. The formal employment in agriculture altogether stood at about 3.5 million people in 1995. There is an estimated 589 000 tenants at the large scale estates in Malawi, each with approximately four to five children. This gives a rough 'guesstimated' 2.5 million children living on large-scale farms alone.

Studies of similar sectors in other countries in Southern Africa have found that children's work in the traditional agricultural sector is closely linked to that of female labour

²⁴ Source: Tobacco Association of Malawi (2000), *Position Paper on Eliminating Child Labour*.

and to peaks of seasonal labour demands (Loewenson, 1992). At these peak periods children over ten years can contribute about a third of the labour input. They provide the 'adjustable labour' during periods of intense farm activity, and women depend at these times on children's assistance. There seems to be a clear gender division of child labour in the farming sector. The girls' labour, as it includes domestic and childcare work was persistent throughout the year, while boys' work was more seasonal, being agriculturally based.

For crops demanding seasonal labour peaks, such as cotton, coffee, tea and tobacco, children of farm workers provide a captive labour group. Many children are employed on a piece or task wage basis. Many children employed in the agricultural sector are contract or casual workers and their employment contract provides no entitlement to protective clothing, benefits during sickness, holidays and vacation leave and hours of work other than specified in their individual agreed contract if they have one. In fact, most children do also not get wages, but are rather working for extra food to their households.

Children are casually hired and just as casually fired. Even when working on a piece rate, which 'neutralises' any lower productivity amongst children, they are often paid a 'children's wage'. Girls are most vulnerable. Very few girl children on farms complete primary schooling. Among poor households a pattern evident on many commercial farms consists of parents selecting perhaps two boys to attend school. When girls are sent to school it is often only for the first few years, while boys are expected and motivated to stay in school longer.

With the farm workers minimum wage well below the poverty line, large-scale farm households are in a constant struggle for survival. The involvement of children is stimulated through piece wage practices for adult workers, particularly female casual labour. Male workers recruit women to increase output and women recruit children, so that the employer formally employing and paying one person may actually be paying for the labour of three or more. When adults and older children are out doing piecework, small children take on household tasks like carrying water, collecting firewood and looking after even smaller children.

The transformation of societies from subsistence agriculture to wage labour on commercial farms often hides the exploitation of children that takes place on commercial farms. It is often argued to be cultural and traditional when children assist their parents. This argument, however, easily hides the true exploitation that takes place when economic conditions force children away from school and from leading a normal lifestyle to being part of the wage labour on commercial estates. Child labour is also hidden when children assist in domestic labour thereby freeing the adults to spend longer hours on the farms in the growing of the commercial crop for which they are employed. This labour by the children is not measured and accounted for.

Children at the tobacco estates

It is not by accident or choice that children get involved in the production of tobacco. The system is designed so that a tenant has no choice but to involve his entire family in the production of tobacco. Indeed, tenants are recruited on the basis that they have a family, which they will bring to the estate to work. In this way the farmer is assured of labour by the entire family and a contribution, which is higher than what can be produced by a single tenant. The farmer will however, often use the argument that hiring a tenant with a family is more stable and less prone to desertions. Nothing is usually said of the added value or of the entrapment of poverty that forces the tenant and the entire family to work and live on the estates. Previous studies indicate that the use of child labour on the tobacco estates is in fact continuous and part of the overall labour market. Children are usually not employed directly on the estates but work as part of the tenant family. When a tenant is employed on the estate he or she is employed as the head of the household and responsible for fulfilling the quota required by the estate owner. This quota cannot be grown unless the entire family of the tenant is involved in the growing of tobacco. Children are then directly involved in all aspects of tobacco growing.

The following facts about child labour have been extracted from previous studies (Kamkondo & Wellard ,1994):

- Seventy-eight per cent of children between ten and 14 years work either full-time or part-time with their parents at the estates.
- A study in the Thyolo district found that children between six and 14 years account for 8 per cent of all regularly working household members in male-headed households and 29 per cent in female-headed households
- Twenty per cent of all children under 15 years were reported by their parents as working full-time and a further 21 per cent were working part-time.
- For children ten to 14 years, the proportion working full-time and part-time were 46 and 32 per cent respectively.
- Children under ten years of age were also found working alongside their parents as full-time workers in almost all the tasks of tobacco cultivation.
- About 43 per cent of the estates have children as direct labourers, and 46 per cent as casual labourers.
- The proportion of owners and managers providing wage rates for child employees was 8 per cent in the case of children working as direct labourers and 15 per cent where they were employed as casual labourers.
- There seems to be no discrimination between male and female children as far as child labour is concerned.

The following forms of child labour have previously been identified at the tobacco estates:²⁵ First, forced labour, in which cases children are taken away from their parents and forced to work on the estates in exchange for food and clothing. Children are in these cases not earning money and are prevented from going to school or attending to other social activities. These must however be relatively rare in Malawi. Second, 'voluntary labour' where children enter into arrangements with estate owners in order to earn a direct wage. Children in this setting perform all sorts of duties as a means of assisting their own families with extra income. Third, 'forced labour' in which cases children are seen as the property of the estate owner and work for the personal benefit of the owner or the estate manager, in their homes, gardens or own plots of tobacco. Fourth, 'bonded labour' where the responsibilities of the parents are transferred onto the children when they themselves are unable to perform their responsibilities on the estates. This happens when the tenant is ill or has passed away and has incurred some form of debt to the estate owner. In these cases where children take over the responsibility of the parents, they are responsible for paying off the debt through their own labour.

It is the second form of child labour, which we may expect to be most frequent and which we will pay particular attention to in the following. Work pressure of the tenant is generally passed down to the children. Children help out in the field regardless of sex.

Children above nine years of age are heavily involved in light tasks like clearing fields, making nursery beds and watering nurseries during the first phase of tobacco production; uprooting, transporting and transplanting seedlings and weeding during the second phase; picking, transporting, tying/sowing the leaf, picking down the dried tobacco and bundling during the last phase. In fact, these children of nine years and older are excused from very few tasks like curing the leaf and to some extent sorting and grading tobacco. Only a few of this age group were reported doing nothing.

Children and school

It is not easy for tenant children to go to school. In some areas, access to school is still a problem. A more frequent problem may be, however, that poverty and the labour markets at the estates may force them into work and out of school. Given the poverty conditions of the tenant families, they are unable to afford their children the opportunity of attending school. Loosing the extra labour at the estates may be detrimental to many tenant households either by their own choice or because the estate manager forces them to leave the children at work rather than at school.

Parents of children at the estates sometimes actively or passively pledge their children's labour for access to a loan or to pay back a debt. The AIDS virus has also left many children as orphans with nowhere to go and they end up staying on at the estates in order to support themselves and their household. Often children also end up working

²⁵ Points established through discussion groups with tobacco tenants and their households at workshops on child labour in Nkhotakota in June 1999.

with no incentive to go to school because they feel they 'have no clothes in order to be presentable enough to go'.²⁶ Hunger also forces children to work instead of attending school as this allows them to buy food and solve immediate survival problems²⁷.

Thus, even when primary education is free, as is the case in Malawi today, many children are still employed as part of tenant families on the tobacco estates. In fact, tenant children are twice as likely to be in full-time employment at the estates than their age-mates in the smallholder and other paid employment sectors (Kamkond & Wellard 1994)

Concluding remarks

The structure and operation of the tenancy system does in itself promote child labour. By bringing the whole family onto the estates and making the remuneration dependent first and foremost upon production, children are easily brought into work by parents concerned with the survival of their family.

The lack of access to schooling and other social facilities for tenant families increases the extent to which children are used on the tobacco estates. It is not easy for tenant children to go to school and lead a life that draws them away from being exploited for their labour. Given the poverty conditions of the tenant families they are often unable to afford their children the opportunity of attending school. Thus, even when primary education is free as is the case in Malawi today, many children are still engaged as part of tenant families on the tobacco estates. Free education in Malawi is not free as long as it is not accessible to the majority of the poor tenant children. Access to schools is also a problem and thus tenant children are trapped into working on the tobacco farms. When distance to schools is added to the children's obligations at the estates and at home, school often gets low priority.

An understanding of the institutional arrangements within which tenants find themselves will allow for the development of policies that can address the extent of child labour. Tenants themselves do not have any written or specified contract with the farm owners and there is no reason to believe that children who work on the farms are protected in any way. The children work as part of the family and in this way their labour is hidden.

Changing the incentives that households face can encourage school attendance and thus discourage child labour. Anti-poverty programmes also decrease a family's reliance on child income. In addition, lowering the direct costs of schooling or providing financial incentives to attend school can increase attendance. Within the developing nation

²⁶ Expressed by tenants themselves at the Nkhothakota in June 1999.

²⁷ Landlords also monitor the lives of the tenants and their households. Although the tenants generally perceive themselves as independent farmers, the landlords are able to enter and inspect the fields and homes at any time. Tenants are often reprimanded if their children are not working.

where child labour is prevalent, the following become important in addressing the use of child labour (Grimsrud & Melchior, 1997):

- Supportive measures to develop the education system.
- Supportive measures which subsidise the cost to the family of sending children to school.
- Supportive measures, which eliminate the families' risk of lost income in the agricultural sector.
- The upgrading of technology within the agricultural sector, which increases educational requirements.
- The provision of support to research and reporting on child labour and education.

The fight against child labour involves legislation, such as the setting of minimum age levels for different kinds of work, and policy measures that aim at the causes of child labour.

Malawi Congress of Trade Unions (MCTU) and Tobacco Association of Malawi (TAMA) signed an agreement in 1999, which has a clause that says that the parties will respect the national law on child labour and that they will work towards elimination of child labour in accordance with international labour standards. Hopefully this initiative will lead to actions that can improve the situation for the many working children at the tobacco estates in Malawi.

Chapter 5 Child labour in Mozambique

Mozambique²⁸ gained its independence in 1975 after years of internal opposition and armed conflict. Everyone who had suffered exploitation, suppression and denied political and economic rights welcomed Independence. Not much was left behind when the Portuguese ceded power. Infrastructure, buildings and the sanitation system were destroyed by the Portuguese when colonial rule came to an end (Torres, 2000). However, independence in Mozambique was followed by a long civil war that destroyed the little that was left behind and has had a negative impact on the economic growth of the country. The civil war in Mozambique is estimated to have caused a damage of more than USD 20 billion, 1 million people have lost their lives, while 2 million were forced into exile and 4 million ended up as internal refugees.

From 1984, the World Bank and the IMF introduced Structural Adjustment Programmes (SAP). Prices and trade have been liberalised, a market-based foreign exchange system has been established, tax, tariff and financial sector reforms have been implemented and overall liberalisation of the economy. An Enterprise Reform Programme resulted in about 500 small and medium-sized state enterprises being privatised. As a consequence of privatisation, about 90 000 workers have lost their jobs, 11 000 of them were members of the Agricultural Workers' Union (SINTAF). The sugar industry for example today has a workforce of about 14 000 workers as opposed to 45 000 before the civil war, and only produce about 10 per cent of the total capacity. Likewise, SINTAF in Nampula had 57 companies and 7911 workers before the war as compared with 22 companies operating in 1997 with 3199 workers. In the whole of Mozambique, SINTAF has today 32 000 members in 253 companies.

On this background, Mozambique remains one of the world's poorest countries. Like in any other African country, child labour is common in Mozambique. The aim of this paper is to give an overview on child labour in Mozambique. The paper will first give an economic and labour market overview of Mozambique. This will be followed by a focus on the state of children in the country, which looks the education system, the legislation on child labour, the type of jobs that children are most likely to perform. And lastly, the paper will look at initiatives taken by interest groups within Mozambique in eradicating child labour.

²⁸ Thanks to Hermes Aflitos Paulo Sueia for contributing with information to this chapter.

Economic indicators

Mozambique still remains one of the world's poorest and mostly indebted countries in the world. International development aid constitutes about half of the yearly GNP. The economic situation of Mozambique turned for the better after the 1994 elections. The period was characterised by rapid economic development assisted by a sharp decrease in inflation rates between 1995 and 1998.

Economic performance after the 1994 elections (%) (Bank of Mozambique 1998; World Bank 1999)

Year	Economic growth	Inflation rate
1995	4.1	54
1996	6	16.6
1997	6.1	5.8
1998	11	-1.2*

* Deflation of 1.2 percent (Mozambique File May 1999).

Since 1994, the economy has been slowly picking up with noticeable improvements in agriculture, construction, hotel and tourism, transport – infrastructure such as roads and ports. GNP has grown by about 11 percent from 1997 to 1998 and the GNP per capita by about 9 percent (World Bank 1999). The most important development is the qualification of Mozambique for the “Highly Indebted poor Countries” (HIPC) status under which a substantial part of the country's debt is to be written-off. A large number of people depend on agriculture and subsistence farming in Mozambique.

Structure of the economy (contribution to the GDP, %) (World Bank 1999)

	1987	1997	1998
Agriculture	44.1	34.8	34.3
Industry	21.4	19.1	20.8
Manufacturing	...	11.3	10.5
Services	34.4	46.1	44.8

As the table above shows, agriculture forms a major part of the economy in Mozambique. About 80 percent of the population is employed in this sector and depend on it for subsistence. With the massive floods that hit the country early in the year, 141 000 hectares of food crops in the peasant sector and 4 400 hectares of the sugar cane was destroyed. Government estimates indicate that about 90 percent of the country's fragile irrigation capacity that was largely concentrated along the major rivers in Southern Mozambique has been destroyed (Gumede, 2000).

The economic and social progress that Mozambique has made since 1994 has experienced a setback. The government has been forced to review its economic growth targets. The massive damage caused by the floods has resulted in immediate changes to budgeted expenditure. It is estimated that about US\$ 261 million and US\$110 million will be required for the years 2000 and 2001 respectively. Out of this budget, only US\$ 70 million will be financed through taxes, while the rest will have to be met through grants and development assistance (Gumede, 2000).

Labour Markets

Mozambique's total population is estimated in the region of 16.9 million people with an annual growth rate of 2.4 percent (World Bank 1999). Only about 7 million people are economically active and about 500 000 of the total labour force are in formal, registered employment (OTM 1997). About 18 percent (90 000) in registered employment, work for the civil service. Estimates suggest that about 2.9 million people are engaged in the informal sector.

Labour market indicators in Mozambique (various sources)

Population	Working age	Economically active/labour force	Employed, total	Employed, formal registered sector
16 900 000	8,500,000	7,000,000	1,394,000	500,000

Although the informal sector is visible as a lifeline for millions in Mozambique, unemployment and under-employment still plagues the nation. Manufacturing industry is estimated to contribute less than 10 percent of the employed. The table below portrays the distribution of the employed by sector in 1980 and 1997.

Distribution of the employed by sector, 1980 and 1997, percentages (ILO 1999)

Agriculture		Industry				Services	
		Total		Manufacturing			
1980	1997	1980	1997	1980	1997	1980	1997
84	82	8	9	7	8	8	10

Social indicators

Malnutrition rates are high in Mozambique like during the civil war. And for many people, real wages are actually falling. Over and above poverty and malnutrition, HIV/AIDS epidemic add new challenge to social and economic development in Mozambique. Approximately 1.2 million adults and about 140 000 children were estimated to have been HIV infected at the end of 1998 (Mozambique File, August 1999). The table below portrays the social indicators for Mozambique in the late 1990s.

Social indicators in 1997 (World Bank 1999; UNDP 1999)

Income per capita (1998)	US\$ 210
Access to sanitation (population with access), percentage	68
Adult literacy (1998), percentage	63
Adult illiteracy, men percentage	43
Adult illiteracy, women percentage	75
Life expectancy, men	44
Life expectancy, women	47
Child mortality (under 5)	201
Child malnutrition, % of children under age of 5 (1992-97)	26

Mozambique's level of human development improved substantially between 1995 and 1998 (UNDP 1999). While there had been no significant improvements in life expectancy²⁹, there had been an improvement in both educational attainment and in per capita income. The latter is as a result of two factors: economic growth rates and more accurate estimate of the Mozambique population based on the 1997 Census³⁰. The 1996-97 Household Survey on Living Conditions found that 69 percent of the population live below the poverty line (Mozambique File January 1999).

State of children in Mozambique

Education has always been regarded as crucial in the elimination of child labour. The assumption is that if children are schooling, then chances of working on a full-time basis become limited (ILO, 1996). Poor or limited access to the education system for children who come from destitute families often leaves them with limited opportunities.

Education in Mozambique is compulsory for the ages between 7 and 13. The education system is overcrowded and there are not enough schools. The situation is even worse in rural areas where children have to travel long distances to centres of learning. It is estimated that 62 percent of children between the ages of 6 and 10 in a primary school. Not many of them manage to continue with their secondary education. This leaves children with the option of joining the labour market at an early age. The fact that they are children in an adult environment makes them vulnerable. However, low education levels and lack of skills makes them more vulnerable to abuse and exploitation in a working environment.

With limited economic opportunities, many families in Mozambique are either working in the agricultural sector and earning low wages or unemployed. Under such conditions child labour in the country is likely to be a common practice. Children's labour is mostly used to supplement the family income, which is not adequate to survive on.

In rural areas, children sometimes work alongside their parents or independently in seasonal harvests on commercial plantations. They are usually not paid in wages, but instead employers buy them books and other school necessities (Country Reports on Human Rights Practices, 1998). In some cases, children are made to work by their families in order to settle debts.

Children normally work on family farms or in the urban informal sector where they perform such tasks as guarding cars, collecting scrap metal, or selling trinkets and food in the streets. The informal labour sector is unregulated. Children are also employed as domestics (Country Reports on Human Rights Practices, 1998). A study that has been

²⁹ Went up only slightly from 46,3 in 1995 to 47,1 in 1998 (UNDP 1999).

³⁰ Prior to the Census, the National Statistics Board had overestimated the population. It was relying on projections from 1980 Census and had not taken into account the huge mortality resulting from the war of destabilisation (Mozambique File February 1999).

conducted by a research unit attached to UNICEF shows that most of the children included in the study worked as traders, domestic workers and in the agricultural sector.

Mozambique ratified the United Nations convention on the rights of children, which states that: the right of the child to be protected from performing any 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.

Apart from this ratification, Mozambican government has not made much commitment to the pledge of children. The labour law has set the minimum working age at 15. There is no specific legislation on child labour. Forced and bonded labour are common practices in the rural areas. However, there is no legislation that prohibits such practices.

The trade union movement in Mozambique has been involved in the eradication of child labour. The Confederation of Trade Unions (OTM) has participated in several initiatives against child labour particular in rural areas where there is common. This has involved:

- Participation in seminars and workshops
- Participation in the design of the child labour regulation that has been sent to the Ministerial Council for approval

Chapter 6 “Exploitation of the marginalised?”

Child labourers in the tobacco growing sector in South Africa

Apartheid legacy has left South Africa with high degrees of division and skewed distribution of resources. These sentiments were echoed in Reconstruction and Development Programme (RDP) that;

“In every sphere of our society – economic, social, political, moral, cultural, environmental – South Africa is confronted by serious problems. Segregation in education, health, welfare, transport and employment left deep scars of inequality and economic inefficiency.” (RDP 1994).

The divisions and skewed distribution of resources took place in spite of the country’s high levels of industrialisation, formal sector employment and high union density (Tregenna 1998). The gap between rich and poor in South Africa is amongst the largest in the world. Simultaneously, levels of poverty and distribution of resources affect living conditions, economic growth and development as well as the levels of crime and social stability. Reducing poverty is amongst the key challenges for economic developments. Increasing growth is amongst the key challenges for poverty eradication. Investment in people is pivotal to redressing the poverty and vast inequalities inherited from apartheid and in addressing the rate and pattern of growth (Torres 2000b).

This section of the report aims at providing a baseline information on the causes and the extent of child labour in the tobacco-growing sector in South Africa. Secondly, the report will briefly discuss some of the measures and strategies that are implemented by different social actors (government, non-governmental organisations (NGOs) and trade unions in particular).

Economic and labour market indicators

According to Forgey (et al, 1999), before 1998 the country’s economy experienced a downturn as it grew by 0.5 percent in 1998. This growth was slower as compared to the growth experienced in the preceding five years.

Real growth in GDP at market prices, percentages (Forgey, et al 1999)

1994	1995	1996	1997
3.2	3.1	4.2	2.5

The decline in agriculture and manufacturing sectors' contribution to the GDP were the major causes for the economy's downturn. Agriculture declined by 1.2 percent and manufacturing by 1.8 in 1998. The situation started change for the better as the economy experienced a growth of 2.9 percent in 1999. Agriculture and industry (including manufacturing) have experienced a decline in their contribution to the GDP while the service sector is taking the lead (World Bank 1999).

Sectors contribution to South Africa's GDP, percentages (World Bank 1999)

	1977	1987	1997	1998
Agriculture	7.0	5.6	4.1	4.0
Industry	40.6	41.5	32.7	31.8
Manufacturing	21.1	22.3	19.9	18.9
Services	52.4	52.9	63.2	64.3

Simultaneously, as agriculture and manufacturing sectors' contribution was declining, the economy was unable to create jobs and reduce the high unemployment levels. With an estimated population of 41.3 million, South Africa has a labour force of about 13 800 000. The figures are based on the 1996 Census results. Of the total labour force, only about 9 million people were formally employed and about 34 percent of the economically active population were unemployed.

Economically active population by race and sex, 1996 (Forgey et al 1999:251)

	African	Coloured	Indian	White	Unspecified/other	Total
Male	3,506,509	633,417	234,583	1,060,736	46,658	5,481,903
Female	2,175,968	496,099	128,903	795,716	35,258	3,631,944
Total	5,682,476	1,129,515	363,486	1,856,452	81,917	9,113,847
<i>Unemployed</i>						
Male	1,810,570	141,555	29,312	45,938	12,543	2,039,917
Female	2,395,421	157,676	21,068	43,127	14,437	2,631,730
Total	4,205,992	299,231	50,379	89,066	26,980	4,671,647
<i>Total EAP</i>						
Male	5,317,079	774,971	263,895	1,106,674	59,201	7,521,820
Female	4,571,389	653,775	149,971	838,843	49,696	6,263,673
Total	9,888,468	1,428,746	413,866	1,945,517	108,897	13,785,493

Unemployment rate in South Africa is highly contested as there has been shedding of jobs in agriculture and manufacturing. The official unemployment rate has now been redefined to include only those without work, who take *active* steps to find work, the number of *discouraged* workers who have given up seeking work is much higher (Nakanyane 2000a)³¹. Applying the mostly used expanded definition, unemployment is estimated at 39 percent in South Africa.

³¹ The **expanded definition** of unemployment rate refers to people who do not work, want to work and are available to start work. The **strict definition** of unemployment rate refers on the other hand to people who do not work, want to work, are available to start work and have taken active steps to look for work. In South Africa, there are few places to seek work. Thus, using the strict criteria as a basis for defining unemployment is limiting when it comes to reflecting the real problems of the labour market.

Social indicators

Compared to other countries in the continent, South Africa is relatively well off. Regardless of this, the country is still characterised by large gaps between the rich and poor, which are amongst the largest in the world. The UNDP ranked South Africa 31 in 1997 in terms of human poverty index³². According to the UNDP (1999) between 1989 and 1994, about 23.7 percent of the total population were living below the income poverty line (using the \$1 a day [1985 PPP\$]) in South Africa. As compared to other countries in the continent, there is low percentage of people in South Africa living without access to safe water (13 percent) and to sanitation (13 percent) between 1990 and 1997.

Children in South Africa

About 34 percent of the total population are children under the age of 15 (Forgey, et al 1999). This is slightly less as compared to other developing countries, where more than 40 percent of the population is under the age of 15. With the increasing number of children under the age of 15 and the growing number of retrenchments and cuts in social security measures, there will be more pressure on the employed to provide for the economically inactive. Roughly speaking, every person in our labour force is responsible for an average of three other people. Also, considering the fact that a significant portion of the labour force is unemployed, dependency ratios deteriorate to more than five people per person employed (Nakanyane 2000a). The rural areas are mostly by high proportion of children under of 15 and high unemployment rates thus, high dependency ratio.

Simultaneously, South Africa is considered as one the countries in the continent with high incidences of HIV/AIDS infection. The infection is more prevalent in the rural areas and mostly among women. According to Forgey (et al, 1999), in 1998 about 23 percent of women attending antenatal clinics were infected with HIV. This would imply due to HIV/Aids related deaths; many children are going to grow without parents and thus, the likelihood of them looking for employment.

HIV- infection rates of women attending antenatal clinics: 1993-98 (Forgey, et al 1999:218)

1993	1994	1995	1996	1997	1998	Increase 1993-98
4.0	7.6	10.4	14.2	16.0	22.8	470

With this kind of conditions, some children might be forced to leave school and look for employment in order to provide for their basic needs and supplement the family-

³² The HDI (Human Development Index) value for each country will indicate how far the country has to go to attain certain defined goals: an average life span of 85 years, access to education for all and a decent standard of living. The HDI reduced all three basic indicators to a common measuring rod by measuring achievement in each as the relative distance from the desirable goal. The HDI shows the distance the country has to travel in order to reach the maximum value of 1.

income. This is despite the government's provision of compulsory education for learners between the ages of seven and 15 years or learners reaching the ninth grade (Burger 1998). The compulsory nature of education has led to the increase in gross primary enrollment (% of school-age population) which is 131 percent (World Bank 1999). Due to the fact that education is not free, the drop out rate might increase as the parents cannot afford to pay for school fees and other education materials. Factors like poverty, HIV/Aids related deaths of adults, and lack of access to schools might force many children especially in the rural to seek employment.

Child labour in South Africa

“Many farm workers’ children are forced, either by the poverty of their parents, by the lack of educational facilities or by threats of dismissal of their parents, into a vicious cycle of illiteracy and poverty and their own children will, most likely, face the same fate, unless government policies to combat child labour are made effective and scrupulously enforced and obeyed” (Bosch and Gordon 1996:p.4).

Child labour has a long history in South Africa from the early days of slavery in the Cape and most of the African slaves captured were children (Bosch and Gordon 1996). The use of children on farms continued even after the abolition of slavery. In South Africa, child labour has been prevalent in the farms which are marginal areas and where the practice is less conspicuous. The Apartheid system made it possible for farmers to control their workers and their workers’ families in a way that made the families real dependants of the farmer, unable to subsist anywhere outside the farm (Malatji, undated). The use of children as child labourers on the farms took place in different ways or forms, but the prevalent form was that the children of tenants or living on farms were drawn into work with other members of their families.

The prohibition of employment of children under the age of 15 was only extended to agriculture in 1992. Simultaneously, cases of child labour are not reported because the parents of child labourers are threatened that farmers might dismiss or even evict them from their farms. Also, some parents are prepared to lose the financial contribution of the child to the family income. Data on the extent of child labour is based on guesstimates and are very old. But most studies have indicated that child labour is widespread in the agricultural sector. SAAPAWU (1997) estimated that there were over 70 000 children employed on farms.

Defining child labour

There are differences in South Africa on **who** should be regarded as a child and **what** is child labour. According to SAAPAWU (1997:5), a child labourer is one who is employed whilst still of school-going age, and a child is any person younger than 18 years. On the other hand, different government departments use different ages to define a child and they range from 16 to 18 years. The Constitution of South Africa regards any person under the age of 18 as a child. The following are the different definition of a child from different government departments:

- Departments of Home Affairs and Justice: regard any person under the age of 16 as a child;
- Department of Welfare: regard any person under 18 years as a child;
- Department of Labour: views any person under the age of 15 as a child. The definition is in line the International Labour Organisation as stipulated in the ILO Convention number 138³³.

Thus, there is no clear definition and understanding of a child and also on child labour within government.

Causes of child labour

A number of factors have been identified in South Africa as leading to the use and prevalence of child labour in the agricultural sector. Common amongst the reasons for child labour in the agricultural sector are the following:

- Poverty;
- Demand for cheap labour;
- High illiteracy rate among the farm workers.

Others have attributed the demand and the use of child labour in the agricultural sector to lack of stringent measures and laws to protect children against employers.

Education system and child labour

Education system in South Africa has gone through different stages, supporting the use of child labour during the Apartheid era and after the democratic elections, the govern-

³³ Convention number 138 states that the minimum age for normal work is 15 years and 18 years for hazardous work. SAAPAWU on the other hand, regards all work in the agricultural sector as hazardous.

ment has introduced measures to limit the use of child labour. There are substantial differences in the provision of schools in urban and rural areas. In the rural areas, the government has played a less interventionist role thus leaving the provision and administration of schools under direct control of farmers³⁴. This situation has often led to the provision of only primary education in most farm schools.

With only primary education provided in farm schools and the long distance between rural communities and secondary schools in towns/urban areas, the rural communities experienced high drop-out rates. Thus, forcing many children to enter the labour market at a very young age and increasing the level of child labour. Lack of schools is not the factor that led to most under age children working as child labourers, but during the Verwoerdian (Apartheid) era the government the use of African children in farms.

Most children/pupils have often worked on farms during schools hours as this work was regarded as part or a form of training in agriculture (Bosch and Gordon 1996). The belief that African children/pupils should work on farms can be attributed to the utterance of Verwoerd in 1953 that;

“the intention is to train those people according to the circumstances in which they will live and the platteland (rural) Bantu child is a person who, generally speaking, will have to make his future living on the farms... it is therefore perfectly clear that the school curriculum will most certainly have to meet the need of agricultural knowledge as far as the native child is concerned” (Verwoerd cited in Bosch and Gordon 1996:p.16).

The point was made explicit by the then Minister of Bantu Education that;

“we have made it compulsory that... part of the school instruction of those children on the farms of the European farmer must be training in normal activities on the farm, in order... that manual labour on a farm is just as good ... as any other subject is ... any farmer who has a farm school on his farm and who wishes to make use of the school children ... this can be arranged” (cited in Bosch and Gordon 1996: p.16).

Legislation and child labour

1. Child labour is prohibited in South Africa by two pieces of legislation: the Constitution and the Basic Conditions of Employment Act (BCEA). The Constitution of South Africa (Section 28 – chapter 2) asserts that every child has the right:
2. To a name and nationality from birth.

³⁴ A farmer could open and close schools at his will. Also, because there was little subsidy from government towards farm schools some of them became dysfunctional.

3. To family care or parental care or to appropriate alternative care when removed from family environment.
4. To basic nutrition, shelter, basic health care services and social services.
5. To be protected from exploitative labour practices.
6. Not to be required or permitted to work or provide services that
 - Are inappropriate for a person of that child's age.
 - Place at risk the child's well being, education, physical or mental health or spiritual, moral or social development

Simultaneously, the Basic Conditions of Employment Act (BCEA) prohibited child labour as from the 21st March 1998. The BCEA makes some provisions regarding child labour and they include:

- Children under the age of 15 years are not allowed to work.
- Children between 15 and 18 years are not to be employed in work that is harmful to them.
- Children between 15 and 18 years are not allowed to work in places where it is inappropriate for a person of that age or places that risk the child's well being, education, physical and mental health or spiritual, moral or social development.
- It is an offence to assist an employer to employ a child.
- It is an offence to discriminate against a person who campaigns against employment of children.
- Children who are under the minimum school leaving age, which is 15 years, are not allowed to work. This means that if the minimum school leaving age should increase to above 15 years then children who are under that age will not be allowed to work.
- All forced labour is prohibited.

The act also places some conditions and penalties that are aimed at making it difficult for employers to employ children. Firstly, the employer has to prove to that any person employed is not below the permitted working age. Employers are also required by the act to keep the records of employee. There is provision in the act that the Minister of Labour can make regulations relating to the conduct of medical examinations of children in employment. An employer found to be employing children is committing an offence and will be subjected to a penalty. The employer will be prosecuted, fined or even put in jail for a maximum of 3 years.

Measures to curb child labour

From the study conducted by SAAPAWU (1997) children and their parents made several suggestions that they liked the union to implement. The suggestions included;

- The union should call upon the government to eliminate child labour through its ministries and agencies.
- In situations where the union has shopstewards and adult farm worker members, they should be entrusted with the role of reporting child labour to the Department of Labour or other government agencies.
- The union should force the Department of Labour to appoint inspectors to monitor the use of child labour and prosecute farm owners who employ children.
- In the short-term, government must be forced to supplement the incomes of families of working children by providing them with social grants.
- The union should work closely with other civil society organisations and research institutions dealing with child labour issues as they might assist in building union capacity on new developments on child labour.
- SAAPAWU should also work with international organisations on the strategies they implemented in dealing with child labour in their own countries.
- Working children should be encouraged to start with schooling and vocational training should be provided to older children who cannot study full-time.
- Lastly, government should be urged to build crèches, schools and playing grounds for the children of farm workers.

In response to the suggestions by children and their parents, SAAPAWU has identified number of activities to curb and eliminate child labour in the agricultural sector. Trade union actions as proposed by SAAPAWU include;

- Investigation: finding the facts at the local and national level. Playing a watchdog role in bringing the abuses to light.
- Institutional developments: establishing sustainable structures like child labour focal points, units, committees and networks with other organisations.
- Policy development: developing and updating policies and plans of action.
- Monitoring: making sure collective agreements and codes of conduct are being adhered to.
- Campaigning: pressing for enforcement, public education and consumer action.
- Collective bargaining: establishing codes of conduct and joining the employers in joint policy statements and other forms of agreement.
- Direct support to children: providing education and training and alternatives to hazardous work.

- Mobilisation: forming alliances with other civil society organisations.
- Utilising the supervisory machinery of international instruments: SAAPAWU can report to the ILO of Experts, the Working Group on Contemporary Forms of Slavery and the United Nations Committee for the Rights of the Child.

The government on the other hand, has established *Child Labour Intersectoral Group* (CLIG) as part of its strategy to combat child labour. The role of CLIG is to assist in policy formulation and improvement on issues relating to child labour. Also, it will be responsible for conducting educational programmes for communities. One of the successes of CLIG has been the commissioning of Statistics South Africa to conduct a survey on child labour in South Africa³⁵. CLIG is an all-inclusive structure representing all the stakeholders involved in child labour and is co-ordinated by the Ministry of Labour³⁶.

Employers' organisations have also taken steps to address the problem of child labour, especially in the agricultural sector through the South African Agricultural Union (SAAU). The union which represents employers in the agricultural sector, has participated in outreach programmes to look at the working conditions of children in sector³⁷ (Haspels and Jankanish 2000). The outreach programmes culminated in SAAU developing a policy on child labour that outlined the conditions under which children may engage in light work (Haspels and Jankanish 2000:231):

- With the full consent of the child and its parents, preferably in writing;
- No forms of bonded child labour should be allowed or tolerated;
- The work to be performed by children should contribute to their social and possible career development;
- The mental and physical ability of children must be taken into consideration in deciding whether or not to employ them and in determining what tasks they should perform;
- The working hours should be limited to no more than ten per week (two per day) during school terms and 25 per week (five per day) during holidays; and
- A working child should be paid a market-related wage.

³⁵ The survey has been completed and the results are about to be made public by the Minister of Labour.

³⁶ The following are the organisations and institutions participating in CLIG: Departments of Justice, Welfare, Health and Education; The National Council of Trade Unions (NACTU); Congress of South African Trade Unions (COSATU – represented by SAAPAWU); Federation of Unions of South Africa (FEDUSA); Independent unions; UNICEF; ILO; South African Agricultural Union; Network Against Child Labour; National Children's Rights Committee and the National Programme of Action for Children in South Africa (based in the Office of the President).

³⁷ Other participants in the outreach programme were the ILO, UNICEF and the Departments of Labour, Education and Health.

In conclusion, SAAU policy stated that; “compulsory education should be supplemented by an effective schooling infrastructure to enable children in rural areas to attend school within reach of their homes” (Haspels and Jankanish 2000:231).

Concluding remarks

“All children have the right to education, play and growth” (words on the back of T-shirts produced by Network Against Child Labour in preparation for the Global March Against Child Labour).

There are key areas in which action can be taken to address the prevalence of child labour. Some of them have been highlighted earlier in this paper, but we will conclude by reflecting on those that we believe needs urgent attention. The legislation is essential in addressing child labour problems, but needs to be coupled with effective policies and programmes. Legislation also needs to be enforced and monitored in order to be effective. Secondly, education is crucial in order to deal with child labour problems. Schools should be accessible to the majority of our society especially to the rural poor. Lastly, we need to raise the awareness and consciousness of society about the effects of child labour and the legislative processes in place to address it. The effectiveness of these suggestions would require co-operation and co-operation amongst all the stakeholders, regardless of political orientation.

Chapter 7 Children bear the brunt of poverty and unemployment: Child labour in the tobacco-growing sector in Tanzania

After the adoption of the Arusha Declaration in 1967, Tanzania declared itself a socialist state with all the means of production under state control. But thirty years later, it has made a complete about turn in economic policies, adopting economic structural adjustment programme, transforming itself into a market-driven economy and reducing government intervention, as per the dictates of the World Bank and the International Monetary Fund (IMF). The transition process has so far, negatively affected the employment levels, income levels and the economy at large.

This chapter aims at looking at the state of children in Tanzania. Secondly, it will look at the extent and the causes of child labour in the tobacco-growing sector in Tanzania. To address this overall aim of the report, the paper will provide background information on the state of the country's economic and social conditions. Lastly, the chapter will explore some of the strategies implemented and suggested by different social actors, and more importantly, the trade union movement.

Economic and labour market indicators

Tanzanian economy experienced major crises in the seventies and eighties and implemented various economic reforms to redress the situation. In the 1980s, GDP growth rate declined sharply to 1.9 percent. The reform programmes implemented in the late 1980s brought some improvements in the country's economy. By 1997, GDP growth stood at 3.5 percent, just slightly above current population growth at about 2.8 percent (Economic Survey 1998). Agriculture, which is the largest contributor to the GDP, has been experiencing a decline.

Main economic indicators in the 1990s (Economic Surveys various years)

Year	GDP growth (real) %	Agricultural growth (real)%	Inflation (%)	Exports/imports (%)
1990	4.5	6.6	35.9	28.9
1991	5.7	9.5	28.9	24.5
1992	3.5	3.5	21.9	26.5
1993	4.2	6.9	24.0	30.0
1994	3.0	0.4	35.3	34.5
1997	3.5	-	12.9	-

While there has been a significant growth in terms of service sector contribution towards the GDP in Tanzania, agriculture still remains the largest contributor. The following table reflects the contribution of different sectors to the GDP in Tanzania:

Structure of the economy (% of the GDP) (World Bank 1999)

	1987	1997	1998
Agriculture	59.2	47.3	46.3
Industry	11.9	14.3	14.1
Manufacturing	6.8	7.1	6.8
Services	28.9	38.4	39.5

Tanzania has an estimated population of 32.1 million people, with annual growth rate of 2.8 percent. The labour market indicators are outdated and we still rely on 1990/91 labour force survey as the latest is currently underway. The economically active population in Tanzania is estimated at about 15 million, half of the total population. The country has the lowest level of formal employment compared to other countries in the continent, which is estimated at one million people. The rest of the economically active population is employed in agriculture, especially in family or subsistence farming. This has influenced the relatively low levels of unemployment, which is estimated at 3.6 percent. According to the 1990/91 Labour Force Survey, agriculture is the main source of employment in Tanzania. Manufacturing provides only 2 percent of the overall employment and is predominantly based in the urban areas. Currently, agriculture provides employment to at least 85 percent of the employed population.

Social indicators

Tanzania is still characterised by extremely high levels of poverty (UNDP 1999). The UNDP (1999) ranks Tanzania 156 out of 174 countries in terms of its human development index³⁸. Between 1990 and 1997, about 34 percent of the population lived without access to safe water. And according to the World Bank (1999) about 70 percent of the entire population was estimated to be living below national poverty line between 1992 and 1998 (World Bank 1999).

Social indicators, 1992-98 (World Bank 1999)

Poverty (% of population below national line)	69
Life expectancy at birth (years)	47
Access to safe water (% of population)	24
Illiteracy (% of population age 15+)	60

³⁸ The HDI (Human Development Index) value for each country will indicate how far the country has to go to attain certain defined goals: an average life span of 85 years, access to education for all and a decent standard of living. The HDI reduced all three basic indicators to a common measuring rod by measuring achievement in each as the relative distance from the desirable goal. The HDI shows the distance the country has to travel in order to reach the maximum value of 1.

By the end of the 1990s, Tanzanians had not enjoyed any improvements in their living standards. They had a per capita income of US\$ 580 and this constituted just more than a third of the average per capita income in sub-Saharan Africa (Quarterly Economic Review July-September 1999).

Children in Tanzania

The World Bank 1999/2000 estimates that more 10 million people of the entire Tanzania population are children. This means that between 30 and 35 percent of the entire population are children, and about 38 percent of the children are between the age of 10 and 14 years (World Bank 1999/2000). These figures together with high poverty rates, create high dependency ratio in the country (the proportion of the population that is economically inactive versus the economically active population whom they thereby depend upon).

Simultaneously, children born and grow up under difficult social conditions in Tanzania. According to the UNDP (1999), about 27 percent of children under five years were underweight between 1990 and 1997. Compared to low income countries, Tanzania experienced slightly higher infant mortality rate and had low gross primary enrolment compared to both Sub-Saharan Africa and low income countries.

Children's conditions in Tanzania (World Bank 1999)

	Tanzania	Sub-Saharan Africa	Low income countries
Infant mortality (per 1,000 live births)	85	91	69
Child malnutrition (% of children under 5)	31	...	...
Gross primary enrollment (% of school-age population)	66	77	108

Child labour in Tanzania

“Hazardous child labour remains a serious problem of social concern both in Tanzania in general and in Tabora region in particular, in that it is still the most important source of child exploitation and abuse” (Kaijace and Kanyala 1998:p.X).

In the 1980s, Tanzania experienced poor economic performance which in turn resulted in the decline in real wages and delivery of social services, especially health and education. According to Kaijace and Kanyala (1998) the decline in economic performance and provision of social services forced many children to seek employment in order for them to supplement their family-income. In the context of Tanzania, child labour is considered to be the practice of employing children whose age is below 15 years.

There are no reliable figures on the extent of child labour in Tanzania, even from the studies that have been conducted in different areas and districts of the country. It is estimated that child labour is practiced in the agricultural sector, especially in tobacco plantations and in the informal sector. The figures we have from the research undertaken by the Tanzania Federation of Trade Unions (TFTU) indicates that of the 9 million Tanzanian children under the age of 15, only 5 percent is involved in one form or another of child labour (Gumbo 1999). An executive summary of the ICFTU report estimates that almost 30 per cent of the children between the age of 10 and 14 years are working in Tanzania. Also, the number of children employed in the tobacco farms depends on the size of the farm – the smaller the farm, the smaller the number of children employed. As a result of the heavy activities involved in the tobacco-growing sector, many children employers prefer to employ boys rather than girls. Kaijace and Kanyala (1998) have reflected that the labour force in the agricultural sector is made up by male working children comprising standard VII leavers, illiterates, and drop outs from primary education aging between 13 and 15 years old.

A study conducted by Kaijace and Kanyala (1998: pp.43-44) in the Urambo District argued that tobacco growing employers expect the working children to do the following activities in tobacco plantations:

- Clearing tobacco and other crops plantations;
- Making bricks;
- Domestic works;
- Constructing tobacco dryingsheds;
- Preparing tobacco nurseries;
- Sowing tobacco seedlings;
- Watering tobacco seedlings;
- Transplanting tobacco seedlings and tilling tobacco ridges;
- Fertilising tobacco plants;
- Weeding tobacco and other crops;
- Cutting poles and logs of firewood;
- Carrying poles and logs of firewood from forests;
- Plucking tobacco leaves;
- Hanging tobacco leaves on poles in tobacco dryingsheds;
- Smoking tobacco leaves;
- Hanging out tobacco leaves from poles in dryingsheds;
- Plaiting tobacco leaves;
- Grading tobacco leaves;

- Tying tobacco leaves in bundles;
- Selling tobacco;
- Burning tobacco stems, and;
- Harvesting other crops.

The study also indicated that children employed in the agricultural sector and more importantly, those involved in tobacco plantation, are seasonally paid from between 50 000 and 100 000 Tanzanian shillings (TShs). In most instances, the agreements between the employers and the working children would indicate that the children are to be paid once after the selling of tobacco in either May or June when the tobacco growing season ends. The arrangement is different from child labour in the informal sector. In the informal sector, the working child is paid a monthly pay ranging between 4 000 and 6 000 TShs. But the child labour has to finish the agreed work before the payment can be processed.

Kaijace and Kanyala (1998) have also indicated in their study that there are three broad hazards facing children involved in the tobacco-growing sector. The three hazards are:

- Consequences of *dangerous working environment* including; injuries, falling sick, burns, humiliation, snake bites, malnutrition and death;
- Consequences of *excessive physical strain* including; loss of reasoning capacity and being overworked for longer hours;
- Consequences of *the act of the working child to migrate his/her own place of domicile* includes the loss of one's progressive ethical moral values and permanent loss of education.

Causes of child labour

Number of factors and arguments have been cited in the literature around the causes of child labour in Tanzania. But, only two arguments are taking the centre stage in Tanzania; poverty and the demand for child labourers by employers. Several studies have shown that children are engaged in child labour mainly because their families are poor. According to the Country Reports on Human Rights Practices for 1998, some children are forced into prostitution or child labour by parents or guardians in need of extra income³⁹.

Secondly, the liberalisation of the economy and introduction of economic structural adjustment programmes has marked a shift from state provision of subsidies on social

³⁹ TFTU research has also indicated that there is a clear correlation between family size and child labour. About 49 percent of working children come from families ranging between five and eight children, while only 10 percent from families with one or two children.

services like education and welfare. This had a negative implication for poor parents and the unemployed communities. It meant that they had to share the cost with government of providing education for their children. Many families found it difficult to provide their children with school fees, uniforms, books and other educational requirements. Thus, forcing many children to drop out from schools. Most of dropouts looked for employment as an alternative to supplement their household income.

Thirdly, Kaijace and Kanyala (1998) argued that the demand for cheap labour by most employers was another reason for children to be involved in child labour. They further continue to argue that employers in Tanzania prefer children below the age of 15 because they are cheaper and less demanding compared to adult employees. Thus, we can conclude that the prevalence of child labour in Tanzania is a result of “*push-pull*” effect.

Strategies to eliminate child labour

According to Bequele and Myers (1995), to address and protect working children from hazardous child work should begin by making “invisible vulnerable children” and hazards they are exposed to, “visible”. The effort to eradicate or even eliminate child labour would require number of actions and measures. This includes;

- The need to strengthen awareness-creation efforts;
- The need to eradicate national and household poverty;
- Provision of affordable and quality education. The cost-effective mechanisms should be introduced in the education sector on proven grounds for parents unable to afford the rising costs of primary education, and;
- The enforcement of national laws and local by laws requires the backing of the general public and the involvement of the non-governmental sector from the village level.

Trade unions under the Tanzania Federation of Trade Unions (TFTU) have introduced a programme and campaigns aimed at ending child labour in the country at large. The programme was aimed at repatriating children working in commercial farms, and house-girls and boys in the cities to their homes (Gumbo 1999). The programme has been hailed as a success as the primary school attendance has increased from 50 percent to 70 percent in 1998. The success of the programme was articulated by the Programme Secretary, Vicky Kanyoka that;

“One of the successes of the TFTU’s programme has been that more than 600 working children in Dar es Salaam city, Iringa, Ruvuma and Tunduru withdrew from domestic work, while attendance in schools around commercial farms increased” (Gumbo 1999).

TFTU has attempted to end child labour by providing alternatives to the children and their parents/guardians in order for children not to work. The alternatives include the following (Gumbo 1999);

- Provision of entrepreneurship and small business development education to parents, assisting them with school fees and uniforms. Under the programme about 500 pupils were supported;
- Community-based child labour committees have been established in collaboration with village authorities. The committees identify families that qualify for the support.

The government of Tanzania has been criticised by the union that it has failed to enforce laws, which encourage employers to build daycare centres at working places. Regardless of the criticisms, the government of Tanzania in 1998 ratified the ILO Convention No. 138 of 1973, the Minimum Age Convention. Also, the Parliament of Tanzania is to discuss the ratification of Convention No. 182 of 1999, the Worst Forms of Child Labour, in October 2000.

Secondly, to address the problem of child labour, the government provides for seven years of compulsory education to children up to the age of 15 years. The law also prohibits the employment/working of children under the age of 12 in the formal wage sector both in rural and urban areas. Also, the Minister of Education has launched a programme aimed at bringing children from poor families into schools at an earlier stage. The goal of the programme is “to motivate children to stay at school by preparing them for school and creating an interest for learning through early childhood education” (Haspels and Jankanish 2000:151). The Ministry of Education conducted surveys on school enrolment and child labour. Awareness raising took place amongst school committees and ward co-ordinators about the importance and need to set up early childhood centres and educate them about child labour issues. The Ministry also trained about 50 pre-school teachers and developed a manual for child labour to be used by primary schoolteachers and school committees. The Ministry of Education concluded that the programme succeeded in generating enthusiasm for school among children, parents and teachers (Haspels and Jankanish 2000). Contrary this the introduction of the legislation, ICFTU (2000) argues that there are many children working on farms and the same time the schools are experiencing between 30 and 40 percent dropout.

The law also makes provision for the employment of children between the ages of 12 and 15 on a daily wage and on a day-to-day basis, between the hours of 6 a.m. and 6 p.m. According to ICFTU (2000), there about 5 000 children engaged in seasonal employment on sisal, tea, tobacco and coffee plantations and at least 3 000 children work in unregulated gemstone mines⁴⁰.

On the other hand, business community in Tanzania has taken initiatives to curb child labour. The Association of Tanzania Employers (ATE) started awareness raising programme on the extent of child labour on sisal estates in 1995. They held a workshop for estate owners and managers to discuss child labour and the improvement of working conditions in the estates. One of the outcomes of the workshop was;

⁴⁰ Children working on plantations generally receive low wages than their older counterparts.

“an agreement by the participating employers to exclude working children from tasks that are dangerous and hazardous, provide protective gear, set up a co-operation arrangement with teachers and parents to curb child labour, and improve school enrolment and education standards in primary schools located on the estates” (Haspels and Jankanish 2000:234).

The workshop also set the long-term and short-term goals for sisal estate owners and managers. The following table summarises the goals as agreed in the workshop.

Long-term and short-term goals for estate owners and managers (Haspels and Jankanish 2000:234)

Long-term goals	Short-term goals
To improve labour inspection through the provision of transport.	Provision of protective gear.
Establishment of credit facilities to provide opportunities for workers in the informal sector to generate income.	Introduction of payment-by-results schemes to improve the earnings of adult employees.
Establishment of secondary day school and vocational training centres and also, the establishment of dispensaries, welfare and day-care centres.	Prohibiting child labour in hazardous tasks.

To ensure the successful implementation of the programme, ATE recommended the establishment of committees to oversee the process. The committees were made up of sisal estate owners, regional labour and education offices, trade unions and community leaders.

There are other initiatives undertaken by other civil society organisations. Various IPEC partner agencies have intervened to change the situation relating to high incidences of child labour in Tanzania. Programmes implemented by these agencies included; public awareness-raising on child labour and using drama groups. The Tanzania chapter of the African Network assisted the drama groups for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN). ANPPCAN involved schoolteachers and cultural officers to organise and train 26 drama groups (involving 795 primary school children). The aim was to sensitise rural communities about child labour and eventually prevent child labour on plantations (Haspels and Jankanish 2000).

The process resulted in the reduction of between 25 and 30 percent of incidences of child labour on the plantations in the Iringa region and school enrolment and attendance improved (Haspels and Jankanish 2000). Also, the Village governments made land-lease arrangements for the landless peasants to enable them to earn income and withdraw their children from plantations. Simultaneously, the Village governments instituted by-laws against child labour in the Iringa region.

Concluding remarks

The escalation of child labour in Tanzania is a result of both socio-economic conditions, especially poverty and institutional failures. In order to address the problem of child labour will require government to introduce developmental policies. Development poli-

cies aimed at creating employment for adults and also ensuring that social services like, education and health facilities become accessible to the poorest of the poor. It should be stated that the introduction of policies and legislation do not necessarily imply that the programmes would be implemented thus, it will require vigilant civil society to ensure that they are implemented. Secondly, it will be important that parents and guardians of working children are educated about the effect of child labour on their children's development and on the creation of employment opportunities for adults.

Chapter 8 Child labour in Uganda: “The underlying cause is poverty”⁴¹

Uganda has substantial natural resources, including fertile soil, regular rainfall and sizeable mineral deposits of copper and cobalt (World Bank 1999). The ability of these resources to create wealth and address the problem of poverty was dealt a blow by political instability of the 1960s until the fall of Idi Amin in 1979. By 1986 when Yoweri Museveni assumed power, the country was one of the poorest in the world. Education, health systems, physical infrastructure and employment opportunities were heavily affected by poor conditions. In an attempt to redress the situation, the government introduced economic recovery programmes in 1987. The programme was aimed at reducing poverty by restoring fiscal discipline and monetary stability; and rehabilitating infrastructure (economic, social and institutional). The recovery programme also included civil service reform, revised investment and incentive structures and made a move towards a market-determined exchange rate.

Economic development and labour market

Agriculture is the most important sector of the economy in terms of its contribution to employment and the GDP. Coffee is the major export crop contributing over half of export revenues.

Key economic indicators, Uganda (World Bank 1999)

Average annual growth	1988-98	1997	1998	1999-03
GDP	6.9	4.7	5.6	7.0
GNP per capita	3.8	2.4	2.7	-

The Ministry of Finance, Planning and Economic Development (MFPED 2000) in Uganda estimates the real GDP growth in 1998/99 to be 7.4% and 5.1% in 1999/00. The slower economic growth the last year is according to MFPED mainly due to the drought that hit the country in 1999. This led to stagnation in the agricultural sector, and although also the manufacturing sector slowed down, it had a growth rate on 8.6 % in 1999/00.

⁴¹ Mwaka & Tumushabe (1996:107)

Key sectors of the economy's contribution to the GDP in Uganda, percentages (World Bank 1999)

	1987	1997	1998
Agriculture	56.8	42.0	44.6
Industry	10.1	17.6	17.6
Manufacturing	5.9	8.6	8.9
Services	33.2	40.5	37.8

The economy has been liberalised in the recent years, and the private sector has experienced growth. Current governmental policy emphasise the importance of continuous growth in private sector as the backbone in its poverty eradication strategy. Uganda has been faced with a serious debt problem, but was the first country to be declared eligible and to benefit from the Heavily Indebted Poor Countries (HIPC) initiative in April 1998.

Social indicators

According to the World Bank, 46 percent of Uganda's population is living below the national poverty line. There has been a decline in poverty the recent years, as the proportion of Ugandans in consumption poverty fell from 56 percent in 1992 to 44 percent in 1997. Average household consumption rose by 17 percent over the same period. Low rates of economic growth, effects of civil disorder, unequally distribution, land shortage, low levels of education and limited access to markets are from government highlighted as important factors behind poverty (MFPED 2000).

Social indicators in Uganda, 1992-98 (World Bank 1999)

	Uganda	Sub-Saharan Africa	Low income countries
Population (millions)	20.9		
Poverty (% of population below national poverty line)	46	...	...
Urban population (% of total population)	13	33	31
Life expectancy at birth (years)	42	51	63
Infant mortality (per 1,000 live births)	99	91	69
Child malnutrition (% of children under 5)	26	...	...
Access to safe water (% of population)	41	47	74
Illiteracy (% of population age 15+)	-	42	32
Gross primary enrolment (% of school-age population)	91	77	-

The Government's Poverty Eradication Action Plan (PEAP) emphasise the necessity for improvement of the overall economic and social system in the country to attack poverty. The PEAP "Aims at transforming Uganda into a modern economy in which anyone, regardless of age, sex and sector can be fairly judged and rewarded on his or her accomplishment" (MFPED 2000:77). The challenges for Uganda in the years to come are obviously enormous, but there have been many signs of positive development in recent years. A world bank-commissioned survey of 10 000 households showed that

poverty levels declined by 20 percent between 1992-1997, and it is said that the average poor have benefited more than normal from the economic growth in the country.⁴²

Education

Children under 18 make up half of Uganda's population, a fact that creates a great need for resources within the educational sector. In 1997, government introduced a policy of free education for four children in every family (the Universal Primary Education Program). This has led to a huge increase in primary school enrolment – from 2.6 million in 1996 to 6.5 million in 2000 (MPED 2000). However there have been problems implementing the program, due to strained finances, instability in some areas and infrastructure problems. In 1998, about 55 percent of school age children were in school (US Department of State 1999). Enrolment rates in secondary and tertiary education remain low, with only 10 percent of the secondary school age population in school. Whereas Uganda is well ahead of most countries in Africa in primary education, it is behind the others when it comes to secondary education (MFPED 2000).

Labour legislation

Uganda ratified the UN Convention on the Rights of the Child in 1989, and has also ratified ILO Conventions No. 5 on the Minimum Age for Industry, No. 123 on the Minimum Age for Underground Work and No. 124 on Medical Examination of young persons. Provisions of these conventions have been incorporated into the national labour legislation. The Employment Decree No. 5 of 1975 prohibits children under 18 from employment in dangerous and hazardous jobs. Those under 17 are not supposed to work at night, while those under 16 are not allowed to work underground. A child under 12 is only to be employed on light work prescribed by the Minister.

The Article 34 of the Uganda Constitution (1995) specifically addresses the right of children, and defines children to persons under the age of 16.

The Uganda Children's Statute of 1996 outlines broad protection for children. Section 9 provides that; "No child shall be employed or engaged in any activity that may be harmful to his or her health, education, mental, physical or moral development". However, the implementation of law has been hampered and the Government has been unable to enforce prohibitions on child labour, especially in the informal sector (US Department of State 1999).

According to the Uganda Employer Federation Uganda lacks a clearly defined and written policy on employment and child labour. The Employment Decree has several shortcomings and does not adequately address the protection of the majority of the

⁴² Mail & Guardian October 28 1999

working children in Uganda. The decree is only confined to industrial undertakings within the formal sector, while the bulk of working children are found in the rural and informal sector. Furthermore, the Minister has not defined what light work entails.

Mwaka & Tumushabe (1996) states that despite legal provisions many children are employed and work under terrible conditions. Furthermore that in spite of the good sound of the various laws and statutes, implementation is still to be realised amidst cultural and religious resistance, and poverty.

Child labour

In 1991 it was estimated that about 355 000 children aged 10-14 years were being economically active in Uganda (ILO/UNDP Report 1995). Based on the 1991 Population and Housing Census, it was reported that 17.1 percent of girls and 14.6 percent of the boys between 10-14 years were economically active (Mwaka & Tumushabe 1996).

Two studies of child labour in the rural and urban informal sectors in Uganda established the following: ⁴³

- 11.9 % children aged between 10-14 years are working
- child labour is concentrated in the agricultural, construction, commerce/trade and domestic sector
- the majority of working children were either orphans, delinquents (who had run away from home due to mistreatment) or those from poor families.
- the working children earn very low wages, and are some times not paid at all
- the children worked under very harsh conditions

Federation of Uganda Employers (FUE), in co-operation with ILO conducted in 1999 a study on child labour among 115 employers in the agricultural sector (FUE 1999). The study covered the tea, coffee, sugar, rice and tobacco agricultural sub-sectors. 21 percent of the employers were within the tobacco growing sector. They found that in all sub-sectors at least eight in every ten employer interviewed revealed that children were employed. According to the report big agricultural enterprises, particular within tea and sugar sub-sectors, do not employ children as a matter of policy and workers are not even allowed to be assisted by their children (39 percent of the employer allowed this). However, the workers carry their children with them informally and without the approval of the employers. This sounds quite unlikely, and can hardly be interpreted as anything but a denial of responsibility from the interviewed employers. Other main findings in the study were;

- Less child labour on unionised plantations

⁴³ Mbonye & Nakyobe (1994) and Mwaka & Tumushabe (1996), as presented in Federation of Uganda Employers (1999).

- 71 percent of the employers in the tobacco sub-sector did not know the laws governing child labour, compared to 63 percent in general
- Employers who were unaware about laws governing child labour tended more often to employ children
- Equal share of boys and girls are employed
- The children take mostly part in field based activities
- General working conditions are poor
- Occupational health and safety are very low
- Most children are employed as casual labourers

The common reasons given from the employers on why children were working were;

- Most of the children are orphans with no one to cater for them
- Existence of employment/jobs also influences child labour
- Most of them don't go to school and are therefore redundant
- Poverty
- Desire to earn quick money
- Ignorance of parents
- Break up of families

As far as we have been able to establish, there are no accurate information on the extent of child labour in the tobacco growing sector. UFE's study indicates however that child labour is prevalent in the tobacco sector, as in other commercial agricultural subsectors in Uganda.

Strategies and measures

The major responsibility of taking care of the rights and welfare of children in Uganda is vested in the Ministry of Gender, Labour and Social Development. The Department has started on the process of drafting a welfare policy that wishes to address the behaviours, attitudes and intentions that are required to reduce the incidence of child labour. This is meant to be an addition to the policy guidelines from 1990 that drew attention to the needs of vulnerable and disadvantaged children. The guidelines emphasise the need to involve local government and NGOs in raising communities on awareness of the issues involved in child survival, development and protection (FUE 1999).

The Federation of Uganda Employers (FUE) declares that they discourage members from employing children as a policy, and they have also undertaken research into the area, as referred to above.

The National Union of Plantation and Agricultural Workers (NUPAW) has signed a two-year collective agreement with the Uganda Tea Association (UTA) which explicitly prohibits the use of child labour; *“UTA and NUPAW agree that the employment of children under the age of 18 years is not condoned and therefore the management shall not directly or indirectly employ or allow the employees to bring their children in the estates to work their task”*. The possible effects of this agreements will be of great interest. It is not known whether there are efforts towards establishing a similar agreement in the tobacco growing sector.

It should also be mentioned that Uganda in 1998 received a grant of 1.5 million USD from ILO-IPEC, and Government signed a memorandum of understanding with the ILO acceding fully to the IPEC. This will hopefully contribute further to the eradication of child labour in Uganda.

Concluding remarks

Uganda has experienced a remarkable development in the recent years, both economically and politically. The introduction of the Universal Primary Education Program has had great influence on school enrolment, and thus also possibly contributed to a reduction in child labour in the country. Among several very interesting measures, we will especially underline the initiatives from the Federation of Uganda Employers into research on child labour. FUE’s commitment could hopefully serve as a source of inspiration also for other employers associations in the region. Furthermore, the collective agreement between NUPAW and UTA on child labour in the tea sector represents a very promising effort and will hopefully be extended also to other sectors. Another issue that deserve attention in the case of Uganda, is the country’s HIV/AIDS-policy, which is said to be one of the most successful on the African continent.

Chapter 9 Child labour in Zambia

The election of Mass Democratic Movement (MMD) into power in 1991 brought hopes amongst the people of Zambia. Hopes that there would be improvement in the working and living conditions (Tshoaedi 2000). However, these hopes were dashed when the ruling party intensified the implementation of Economic Structural Adjustment Programmes (ESAPs). Since the beginning of the 1990s, Zambia experienced a declining economy and shedding of jobs. Presently, less than a quarter of the economically active population is employed in the formal sector.

With a declining economy, high unemployment rate, inaccessible education system, and high prevalence of HIV/AIDS, child labour in Zambia is a serious problem. Children who are left stranded, either because their parents can not afford to send them to school or they have been orphaned are forced to provide for their basic needs through employment. This paper will give an assessment of the economic conditions and labour markets in Zambia. This will provide the basis for assessing the prevalence of child labour in Zambia.

Economic and labour market indicators

Since the MMD took over in 1991, the country was in huge debt, high and unstable inflation rate and declining real GDP. The MMD-led government embraced ESAPs in an attempt to improve economic and social conditions. The embracing of ESAPs meant deregulation (financial and trade liberalisation), removal of subsidies and privatisation of state assets (Tshoaedi 2000). Regardless of these attempts, the economic results have not been impressive. Copper production, which accounts for more than 80 percent of the country's foreign currency continued to decline. The mining sector experienced a decline of 11 percent in its contribution towards the GDP. Whilst industry (including manufacturing) have been experiencing a sharp decline in their contribution towards the GDP, the sector has been experiencing a significant growth and making a larger contribution.

Structure of the economy, percentages (World Bank 1999)

	1977	1987	1997	1998
Agriculture	18.1	12.0	18.6	19.4
Industry	41.6	45.5	34.6	29.6
Manufacturing	19.6	28.5	13.5	12.8
Services	40.2	42.4	46.7	50.9

Since the beginning of the 1990s, Zambia's population of 9.7 million has been subjected to massive retrenchments and shedding of jobs. Employment levels have been declining at annual average of 2 percent. The finance ministry's 1997 Economic Report estimates that between 1993 and 1997, about 77 000 workers have been retrenched as a result of the ESAPs. A study commissioned by the Zambian Federation of employers further estimates that between 1996 and 1998, the total number of displaced workers rose to 90 000. Available labour market statistics suggests only 11 percent (4.2 million) of the labour force is employed in the formal sector. The rest of the labour force is either unemployed or in the informal sector. About 64 percent of the economically active population were living in the rural areas (Tshoaedi 2000).

However, even for those who are still in the formal sector employment, it is not easy to make ends meet. Compared to their neighbouring counterparts, Zambian workers are underpaid. While a middle civil servant in Botswana earns about US\$ 333 in 1996, Zambian workers were taking home a meagre of about US\$ 45 – 70 per month (Torres, 1998). Wages in Zambia have remained stagnant or dropped since then.

Formal employment and labour force trends in Zambia (Tshoaedi 2000:87)

	1992	1993	1994	1995	1996	1997
Total labour force (millions)	3.3	3.5	3.7	3.8	3.99	4.2
Formal sector employment (thousands)	546	526	496	485	479	472
Formal sector employment as % of total labour force	17	16	15	13	12	11

Social indicators

High poverty and unequal distribution of wealth mark Zambia's social relations. About 70 percent of the population receive 16 percent of the income whilst only 10 percent of the population enjoy 60 percent of the total national income. According to the World Bank (1999), about 68 percent of the population live below national poverty line and just slightly more than 50 percent of the population has access to safe water.

Available data indicates that 6.6 million Zambians out of a population of about 9.5 million live in poverty. Simultaneously, Zambia ranks as one of the countries in the world with the highest wealth and income gaps. 60 per cent of Zambia's income is consumed by only 10 per cent of the population, while 90 per cent of the population scrounges and forages for the remaining 40 per cent. GDP per capita is now estimated at approx. USD 350 compared to close to 3800 USD in South Africa, Botswana and Mauritius. With minimum wages set at about USD 42 a month, the school fees introduced in the 90s for example of approx. USD 42 per term (4 months) per child makes it close to impossible for millions of people to send their children to school.

Social indicators in Zambia, 1992-98 (World Bank 1999)

Poverty (% of population below national poverty line)	68
Life expectancy at birth (years)	43
Infant mortality (per 1,000 live births)	113
Child malnutrition (% of children under 5)	24
Access to safe water (% of population)	53
Illiteracy (% of population age 15+)	25
Gross primary enrollment (% of school-age population)	89

Children in Zambia

The declining economy in Zambia has a major impact not only on the adults but the children as well. Statistics from UNICEF (1997) show that almost 3 million children under the age of 15 come from poor families who cannot afford food, or health care services and education fees (Mbulo, 2000).

Since their families are unable to attend to their needs due to unemployment, and even if still in employment, the wages are too low to maintain the whole family. As a result many children have taken to the street, as beggars, car washers or helping shoppers with their groceries. It is estimated that the number of street children in Lusaka has increased from 35 000 in 1991 to 90 000 during the year (Country Reports on Human Rights Practices for 1998).

The legal minimum age for employment in Zambia is 16 years. The law is not enforced for those who work in subsistence agriculture, domestic service and informal sectors where children under the age of 16 are often employed (Country Reports on Human Rights Practices for 1998).

As the African continent has been the hardest hit by the scourge of HIV/AIDS, many children have been left without parents. This is also part of the reason for the increase in street children, and child labour in Zambia. With parents dying from AIDS, many children have been forced to become household heads. According to the United Nations' Children's Fund (UNICEF), there are more than 600 000 orphans in Zambia, making it the highest in Africa (Mukitwa, 2000). Approximately 75 percent of all households are caring for at least one orphan and as a result these children face greater risks of child abuse, sexual abuse and child labour.

For many families in Zambia the education system is inaccessible. It has been estimated that about 700 000 (44 percent) children in Zambia do not have access to the education system (Mbulo, 2000). Education is neither free nor compulsory. Many families cannot afford to send their children to school, particularly continuing with their post primary education. Unable to go school, children are often expected by their families to assist in supplementing the household income or to assist with household chores in the case of girls. Children in both the rural and urban areas often work in the informal sector to help families make ends meet. A government 1999 survey estimates that the total

number of children between the ages of 5 and 17 engaged in full-time and part-time employment amounts to 563 044 (Child Labour News Service, 2000).

A government official has also admitted that poverty is part of the problem in the increasing rate of child labour. The minister of labour and social security in Zambia was quoted as saying that “because the parents or guardians have lost employment, they have resorted to forcing their children to either beg or take on other jobs not fit for children in order to make ends meet” (Mukitwa, 2000).

Strategies to eradicate poverty

Zambia is a signatory to the ILO Convention on child labour, which requires countries to eliminate all forms of hazardous work which placed children at high risk. In July 2000, the Zambian government signed a Memorandum of Understanding with the International Labour Organisation (ILO), which will include a National Programme for Elimination of the Worst Forms of Child Labour to combat the worsening child labour problem in the country. An amount of US\$ 1.4 million has been budgeted for the program. UNICEF has also donated an amount of US\$ 175 000. The program will target more than 1 400 child labourers nationally for the first two years. These children will be provided with education, training, counselling, health services and recreational activities (Mukitwa, 2000).

Chapter 10 Child labour in Zimbabwe: Children caught in poverty?

Zimbabwe is emerging from the election process that was characterised by political violence, turmoil and conflict. Like many other conflicts, it had a negative effect on the economy and investment potential. Not only was the economy was affected, the political image of Zimbabwe was also tarnished in the face of the international community. Over and above this, the current political situation has resulted in loss of revenue for commercial farms and thus, the country experienced massive job losses. Job losses not only has an impact on working adults, but also affect households and communities. Thus, children in the process are heavily affected.

On the basis of this problems, the section is looking at the labour market and social indicators, labour legislation, the state of child labour and strategies on eliminating child labour by government and other civil society organisations, especially the labour movement. It is at this stage not possible to predict the consequences of the recent turmoil in Zimbabwe, and existing data does not take the development over the last year into account.⁴⁴

Economic and labour market indicators

The Human Development Report 1999 ranks Zimbabwe 130 in terms of its GNP (US\$ 8.2 billions). Zimbabweans are experiencing sharp decline in economic and labour productivity, and food and fuel prices are skyrocketing. Whilst prices of goods are going up, the workers is exposed to retrenchments and low wages. Like many developing countries, Zimbabwe is experiencing a shifting from depending on industry (including manufacturing) in terms of its contribution to the GDP. The service sector is the main contributor towards the GDP.

Sectoral contribution to the GDP (%) (World Bank 1999)

	1977	1987	1997	1998
Agriculture	18.1	14.4	18.6	18.1
Industry	31.1	32.4	25.2	24.2
Manufacturing	19.3	22.7	17.7	16.9
Services	50.8	53.1	56.2	57.7

⁴⁴ Parts of the information in this chapter has been published in Grimsrud & Stokke (1997), Fafo-report 233

Thus, the service sector has occupied a primary position in terms of its contribution towards the GDP and employment creation in Zimbabwe.

The population of Zimbabwe is estimated at 11.6 million with an average growth rate of 2 percent (World Bank 1999). The labour force of Zimbabwe is estimated to be around 5 million and about 50 percent of the labour force is unemployed.

Different economic sectors have experienced different results in terms of employment levels. While sectors like finance, insurance and education have experienced a significant growth in employment levels, manufacturing, mining and agriculture are experiencing fluctuation. Manufacturing sector has since the 1980s growth but in the 1990s, there was a decline in employment levels. The textile industry was the most affected as it experienced a decline in employment from 47 000 in 1994 to 37 000 workers in 1995 (Grimsrud 1998). According to Mhone (1994), in the early stages of Economic Structural Adjustment Programme (ESAP) about 30 000 workers were retrenched, mostly in public service, mining, engineering and textiles. Mhone (1994) further argued that the changes in employment were an indication that ESAP has been “*progressively negative*”. However, it has been claimed that unlike other industries, agriculture has benefited from the economic changes under ESAP (Amanor-Wilks 1995:62).

Employment, annual average ('000), 1980-1998 (Calculated from Quarterly Digest of Statistics, various sources)

Economic sector	1980	1985	1990	1995	1998
Agriculture	327	276.4	290	334	345.1
Mining	66.2	54.3	51.4	59	61
Manufacturing	159.4	169.6	197.1	185.9	207.6
Electricity and water	6.7	7.7	8.7	9.5	15.5
Construction	42.2	44.8	75.8	71.8	79.1
Finance, insurance and real estate	12.5	15.3	17.6	21.1	27.9
Distribution	70.3	78.3	96	100.6	112.9
Transport and communication	45.6	50	53.3	50.9	51
Public administration	71.1	90.8	93.4	77	66.2
Education	41.9	89.2	108.1	115.6	146.4
Health	15.2	19.9	25	26	28.2
Private domestic services	108	98.6	102.1	102.1	102.1
Other services	43.8	57.6	73.7	86.1	105.4
Total	1009.9	1052.5	1192.2	1239.6	1348.4
Percentage change		1.55	2.19	1.88	1.9

Zimbabwe is the most important tobacco exporter in Africa, and was ranked as the third largest producer in the world in 1994. The tobacco farming has brought important export incomes to the country – and wealth to its predominantly white growers. In 1998, black growers accounted for only 2 percent of Zimbabwe’s tobacco crop, despite the establishment of schemes to train black growers.⁴⁵

⁴⁵ Business Day, 27 February 1998

Social indicators

Poverty is worsening and the wealth gap is getting larger in Zimbabwe. This could be explained by the skewed income distribution that characterises the labour market and social relations in Zimbabwe. According to the UNDP Human Development Reports, poverty levels in Zimbabwe have become worse. About 26.0 percent of the population lived below national poverty line between 1989-1994. Simultaneously, the Human Development Index of the UNDP demonstrates that Zimbabwe rank low when it comes to people's ability to lead a long and healthy life, to acquire knowledge and access to the resources needed for a decent standard of living.

Low GDP per capita in Zimbabwe is one dimension of misery. Different countries have however translated their economic capacity into very different levels of well-being or achieved the same level of human development with diverse incomes (ibid: 22).

Human Development Index⁴⁶, Zimbabwe (Human Development Report 1999)

Country	Human development Index (HDI) value 1997	Real GDP per capita (PPP\$) 1997	Real GDP per capita (PPP\$) rank minus HDI rank ⁴⁷	Adult literacy rate (%) 1997	Life expectancy at birth (years) 1997	Population without access to safe water (%)	Population without access to health services (%)	Population without access to sanitation (%)
Zimbabwe	0.560	2,350	-16	90.9	44.1	21	29	48

However, it is not only the *levels* of wealth, education, skills and welfare that help bring about economic prosperity and political stability. The *distribution* of resources is also important. Inequality in the Zimbabwe countries is amongst the highest in the world, and wage inequality is a main reason for this. Even more disturbing is the fact that the distribution of resources overlaps with racial boundaries. The old apartheid states of South Africa, Zimbabwe and Namibia rank amongst the highest in the world when it comes to skew distribution of resources and whites still rank very high when it comes to wealth and resources. At the same time, these countries are moving towards stark class-based societies, with a growing group of higher middle class and upper class blacks.

⁴⁶ The HDI (Human Development Index) value for each country will indicate how far the country has to go to attain certain defined goals: an average life span of 85 years, access to education for all and a decent standard of living. The HDI reduced all three basic indicators to a common measuring rod by measuring achievement in each as the relative distance from the desirable goal. The HDI shows the distance the country has to travel in order to reach the maximum value of 1.

⁴⁷ A positive figure shows that the HDI rank is better than the real GDP per capita (PPP USD) rank, a negative the opposite.

Education

Under the Economic Structural Adjustment Programme (ESAP) Zimbabwe re-introduced school fees for part of the primary education. Loewenson (1992) states that this is one of the most important factors contributing to the pressure for child labour. Poor access to schooling, inadequate schooling or the inability to afford schooling results in dropout, usually in those households most in need of children's work to supplement incomes.

There are several indications that the result of the increase in school fees was reduced attendance by poor households in both rural and urban areas.

Over the two last decades Zimbabwe has achieved a transformation of the education system from a racially divided, fragmented one that enrolled less than half the potential school enrolment, to a non-racial state-supported primary education system. Reforms started after Independence in 1980. In the first Five Year National Development Plan 1985-90 the major aspects of the policy were to abolish racial discrimination in education, establish free and compulsory primary education for all children, make provision for all children to acquire post-primary education and to establish state support for programmes of non-formal and adult education including literacy.

Massive rapid progress was made with respect to human resource development in the post-independence period. Enrolment at primary school level doubled from 1.2 million in 1980 to 2.4 million by 1993. The effect was one of the highest rates of education expansion in the world in the 1980's. The number of primary schools was expanded by 43 per cent and the number of pupils enrolled in primary education increased by 72 per cent from 1980 to 1990. Female primary school enrolment increased to almost parity. The new primary curriculum was altered to include not only preparation for secondary education but also to include production oriented skills.

Secondary education saw an even faster expansion in the 1980's. Enrolment rose almost ninefold and reforms of vocational training and the apprenticeship system were undertaken. The drop-out rate between primary and secondary remained substantial, probably increased by the effects of the fee barrier.

Some areas and sectors did however not show the same positive results as the general trend. This includes overcrowded suburbs, large-scale farms and refugee camps. There were about 400,000 school age children and only 332 registered schools on the large farms in 1992. Only about 10 per cent of the farms have registered schools. An unknown additional number have unregistered schools (Amanor-Wilks 1995). In some schools, child labour is used as a means of fee payment. Sachikonye (1989) reported from one tea and coffee estate where children pick from 05.30 to 11.00 before attending school. Children are also reported to work during their holidays, with the school year adjusted for the agricultural seasons. The latter might not be characterised as child labour if within certain frameworks and limitations, but the problem is that this seems more to be a way out of school and into full time employment for several children. Examples have been recorded of children not fulfilling their minimum tasks having to stay on or come back to the fields in order to do so (Loewenson, 1992).

From 1990 to 1994 public expenditure on education in Zimbabwe declined by 30 per cent leaving a gross enrolment rate in primary education of approximately 70 per cent. The budget for education was reduced from 9.2 per cent of GDP in 1990 to 8.7 per cent in 1995. In this respect one saw a number of tasks including support for education for the poorest household taken over by International Aid Agencies and NGO's. Evaluating this process Tvedt (1995) notes that there is no evidence to suggest that the Zimbabwean consumer (at least not in the poor rural households to which the NGO's direct their attention) have opposed what the state has provided or that they have preferred relations with NGO's. It is primarily the World Bank and other donors that have been dissatisfied, and their leverage changes the environment and space for both indigenous and international NGO's.

Even where primary schools continue to levy no fees, parents are expected to contribute by way of books, building levies, transport and school uniforms. As schooling costs increase, it is possible that unaffordable costs and labour shortage in rural areas will combine to pressure households to withdraw children back into agricultural and domestic work. If, as research indicates, female children provide a more reliable labour source, it would not be surprising to find that female children, the last to go to school, are also the first to be withdrawn when households experience economic and labour shortages (Loewenson, 1992).

Labour legislation

Zimbabwe has ratified the UN Convention on the Rights of the Child but not ILO Convention 138 on Minimum Age. Complying with the UN Convention on the Rights of the Child the Legal Age of Majority Act 1982 defines any Zimbabwean below the age of eighteen years as a minor. Similarly, consistent with ILO Convention 138, the Labour Relation Act define child employment as that below sixteen years of age and stipulate that no contract of employment shall be enforceable against any person under the age of sixteen years, whether or not such person is assisted by his or her guardian. In the Guide to Labour Relations issued by the Ministry of Labour the clause is interpreted that «child labour should not be encouraged unless it benefits the child». This Act's regulation cannot be considered as a regulation of a legal minimum age of employment. It is only a provision that children cannot be held to contracts. The Children's Protection and Adoption Act from 1972 provides conditions for protecting children's education in the event of child labour. The Act also prohibits certain types of street trading and vending by children under 16. The Act used to make it an offence for a person to employ a child if this resulted in the child being absent from school in terms of the Education Act, which at that time only applied to white children. This was replaced in 1979 when the Education Act was amended to apply to all racial groups (Loewenson, 1992).

The enforcement of the different labour regulations and child protection legislation is also constrained by a number of factors such as the ambiguity or limitations of pow-

ers in the law itself, lack of labour inspectors, lack of knowledge of legal rights in the affected communities and non implementation of legal rights by the affected workers due to fear or to socio-economic pressures such as risk of dismissal (Loewenson, 1992). ILO also points to the cumbersome system for dealing with complaints and appeals as adding to the enforcement problem (ILO, 1992)

ILO stated in 1992 that «The provisions in the Labour Regulation Act 1985, the Children's Protection and Adoption Act 1972 and the Factories and Work Act 1984 do not provide an adequate basis for enforcement or guidance for the various interested parties including parents, employers and workers not to mention the courts. If Zimbabwe is to therefore seriously address the problem of child labour, a first and essential step is the adoption of a comprehensive legislation concerned with the employment of children and child labour. Such a national law should clearly specify a minimum age for admission to employment, which may be set at 14; a higher minimum age for admission to hazardous employment or work which may be set at 16 and a lower minimum age for light work carried out under regulated conditions which may be set at 12. In view of the fact that children are employed in a variety of work settings, national legislation should cover all sectors, industries and occupations.» (ILO, 1992)

A new Labour Relation (Employment of Children and Young Persons) Regulation under the Labour Relation Act was introduced in February 1997. It defines a child as any person under the age of sixteen. This regulation bans all employment of children under the age of 12 and all employment of children between 12 and 16 years of age not specifically permitted in the Act as light work. Such light work, however, must not take place during school terms unless the Ministry has approved the contract of employment. This applies to young people between 16 and 18 years of age as well. The legislation includes special provisions for apprenticeship and vocational training for children between 12 and 16 years of age. It is worth noting however that this type of combination of school and work requires the school or training institute to be primarily responsible. The legislation also empowers the child by making a contract of employment obligatory. Violating this new legislation could lead to fines of up to Z\$ 2,000 or imprisonment up to 12 months.

The General Agriculture and Plantation Workers Union (GAPWUZ) was formed when agricultural workers were finally included in the Industrial Conciliation Act in 1979. Today collective agreements are negotiated industry-wide, but for the non-permanent workers individual agreements are made directly with the employers. Industrial Agreements outline the nature of employment contracts in their industry, but the Agriculture Industry Employment Regulations do not apply to contract workers.

Child labour

Child labour is widespread in Zimbabwe. Accurate systematic data is, however, lacking but scattered evidence and causal observations indicate both that the incidence of child labour and the number of child workers are quite high. Child labour is found in several

sectors including large commercial farms, traditional farming in communal areas, domestic work, small-scale mining and gold-panning operations, micro industries and the informal sector. To a large extent, child labour occurs in the most socio-economic marginalised communities in which monitoring of workplaces is already weak.

The 1991 Economic reform policy document made by the Zimbabwe government states in relationship to unemployment: «A frightening trend, closely linked to the prevalence of unemployment, is the growth of child labour, particularly in urban areas».

Agriculture is the most important sector in Zimbabwe both regarding the total employment and for formal sector employment. No figure for the extent of child labour in this sector exists, but some micro studies have been undertaken showing that children in the communal farming areas are involved in a variety of tasks helping in household production, including agricultural work such as herding, weeding and planting, and domestic work such as fetching water, foraging for food, fetching wood and child care work. Reynolds (1991) found that children's work in the traditional agricultural sector is closely linked to that of female labour and to peaks of seasonal labour demands. At these peak periods children over ten years of age can contribute about a third of the labour input. They provide the «adjustable labour» during periods of intense farm activity, and women depend at these times on children's assistance.

Reynolds found a clear gender division of labour in traditional farming. Male children spend less time on farm work than females, and with reduced domestic tasks, spend much less time overall working than female children. Female labour was persistent throughout the year, as it includes domestic and childcare work, while male work was more seasonal, being agriculturally based. Women appeared to be less able to demand labour of their male children than their female children, with an overall consequence that male children had more leisure time than their female children did.

Zimbabwe's 4,500 commercial farms contribute 40 per cent of foreign exchange earnings and 15 per cent of GDP. According to the 1992 census about 1.18 million people or 11 per cent of the population live on the 4,500 large farms in 279,178 households. This produces an estimated 800,000 children living on large-scale farms (Loewenson, 1992). The formal employment in agriculture stood at 331,000 in 1994. In the 1990's permanent employment in the large scale commercial farms has decreased, while casual employment has increased according to ZCTU (1996) from about 55,000 to more than 100,000. Of these, roughly half are women. When men are employed as farm workers, their wives provide a handy on-call labour pool for contract work «easily hired and easily fired», with no benefits normally associated with an employment contract (e.g. pensions, leave provisions, sick leave etc.) (Amanor-Wilks, 1995). Farm workers are the lowest paid in the formal employment sector, the majority living below the poverty line.

Contract workers are employees specifically employed in piece-work, the rate for which has been negotiated directly with an employer. Most children employed in the agricultural sector are contract workers and their employment contract thus provides no entitlement to protective clothing, benefits during sickness, holidays and vacation leave and hours of working other than specified in their individual agreed contracts if they have one. The old system of «Ticket Workers», workers who are only paid if the task

assigned is completed during that day, is still in operation in some places despite the labour legislation ban on such arrangements (Amanor-Wilks, 1995).

For crops demanding seasonal labour peaks, such as cotton, coffee, tea and tobacco, children of the farm workers provide a captive labour group. Most children are employed on a piece or task wage basis. In a survey among union health and safety representatives in 1992, it was indicated that children were working under both direct and indirect contracts of employment, doing general work, picking cotton, removing insects from tobacco leaves, and loading and off-loading tobacco, spraying pesticides, herding animals and doing household work (Loewenson, 1992). Children were reported to be working for four to twelve hours a day in the peak season, earning, if employed directly, «child» wages far below the minimum wage and even less per piece than adults. A survey from 1990 in one large scale farming area in Mashonaland Central indicated that one in every eleven children between five and fifteen had done some form of labour in the employer's fields in the past year. With about half the children on farms in this age range this would imply that about 35,000 children have worked if the figures from this region are representative for the country at large (Loewenson, 1992).

Children are causally hired and just as causally fired. Even when working on a piece rate, which should neutralise any less productivity for children, they are sometimes paid a «children's wage». Girls are the most vulnerable children on commercial farms. Very few girls on farms complete their primary schooling. Among poor households a pattern evident on many commercial farms consists of parents selecting perhaps two boys to attend school. When girls are sent to school it is often only for two years, up to Grade 2, while boys may stay up to Grade 4 (Amanor-Wilks, 1995). Loewenson (1992) describes the institutional setting in which most of the child labour takes place on large scale farms in Zimbabwe (and elsewhere). With the farm workers' minimum wage well below the poverty line, households on large scale farms wage a constant struggle for survival. The involvement of children is stimulated through piece wage practices for adult workers, particularly female casual labour. Contract labour, commonly seasonal, but increasingly common throughout the year, is generally done on a piece wage rate. Male workers recruit women to increase output and women recruit children, so that the employer formally employing and paying one person may actually be paying for the labour of three or more. When adults and older children are out doing piece work, small children take on household tasks, for example, carrying water, collecting firewood and looking after even smaller children.

GAPWUZ and Redd Barna (Save the Children) Zimbabwe are presently collaborating on a project that aims at reducing and controlling child labour on commercial farms. GAPWUZ is however reporting that there is an urgent need for further action and measures against child labour in Zimbabwe.

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Appendix 2 ILO Conventions

ILO Conventions	Minimum Age
No. 5 Minimum Age (Industry), 1919	14
No. 7 Minimum Age (Sea), 1920	14 on condition on school attendance
No. 10 Minimum Age (Agriculture), 1921	14
No. 15 Minimum Age (Trimmers and Stokers), 1921	18
No. 33 Minimum Age (Non-Industrial Employment), 1932	14
No. 58 Minimum Age (Sea) (Revised), 1936	15
No. 59 Minimum Age (Industry) (Revised), 1937	15
No. 60 Minimum Age (Non-Industrial Employment) (Revised), 1937	15
No. 112 Minimum Age (Fishermen), 1959	15
No. 123 Minimum Age (Underground Work), 1965	16 or higher as specified
No. 138 Minimum Age, 1973	15 (14); 18 hazardous work 13 (12) light work
No. 182 Worst Forms of Child Labour, 1999	18
No. 29 Forced labour, 1930	

Appendix 3 Child labour in SADC countries

Summary of action taken on Child Labour by SADC Member States

Country	Ratification Of Convention 138	Ratification Of Convention 182	National Databank	Definition of Child Labour
Angola	In the process of ratification		Not yet in existence	Not yet defined
Botswana	Ratified		Not yet in existence	Not yet defined
Democratic Republic of Congo	Not ratified		Not yet in existence	Definition in our national legislation (code of work)
Lesotho	Has not yet ratified, but is in the process of preparing to do so		Intends to do research on the issue	Not yet defined, but proposed research to assist in the definition
Malawi	In the process of Ratification		In the process of setting up Databank	Under age of 16 and economically exploited through work that is likely to interfere with education and harmful to health or their physical, mental, spiritual or social development
Mauritius	Ratified		Databank in existence	Under the age of 15 and persistently exploited in slave-like and bonded conditions, hazardous or arduous work, in prostitution, pornography and other situations, where children are deprived of the childhood and education.
Mozambique	In the process of ratification		Not yet in existence In process of setting up a Databank	Any persons under the age of 15
Namibia	Not Ratified but issue being addressed under the Namibian Labour Act (Act 6 of 1992)		In the process of setting up a Databank	Any child under the age of 14 is not allowed to work.. A child of the age of 14 but not above the age of 16 can only work with the approval of the Permanent Secretary subject to such terms and conditions as stipulated by him/herself.
Seychelles				
South Africa	In the process of ratification		In the process of setting up a databank through the survey	Any person under 15 years old
Swaziland	In the process of ratification		Not yet in existence	A person of less than 15 years
Tanzania	Ratified		In the process of setting up a database	14 years as age to enter employment
Zambia	Ratified		In the process of setting up a Database	Any person under the age of 15 and persistently economically exploited
Zimbabwe	In the process of ratification		In the process of setting up a Databank	In the process of being defined in the draft New Labour Bill and the draft Amendment Bill of the Children's Protection and Adoption Act

Source: SADC Member States

Appendix 4 Ratifications of ILO Conventions on child labour and forced labour by country (Source ILO 2000) (As per 31.07.99)

	No. 5	No.7	No. 10	No. 15	No. 29	No. 33	No. 58	No. 59	No. 60	No. 112	No. 123	No. 138
Ghana				X	X		X	X				
Kenya	X*			X*	X		X*	X*		X*	X*	X
Malawi												
Mozambique												
South Africa					X							
Tanzania				X	X			X				X
Uganda	X				X						X	
Zambia	X*				X						X	X
Zimbabwe					X							

*Convention denounced as a result of the ratification of revising Conventions or Convention No. 138

Appendix 5 Contact details for IUF and IUF-affiliates

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Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (KUDHEIHA) Kiburi House Kirinyaga Road P.O. Box 41763 Nairobi (General Secretary: Duncan Mugo)	Tel: + 254 2 221 191 + 254 2 336 638 + 254 2 211 840 Fax: + 254 2 212 308 E-mail: kudheiha@net2000ke.com
Malawi	
Plantation and Agricultural Workers Union (PAWU) P.O.Box 5094 Limbe (General Secretary: Stanford Mgowa)	
Tobacco Tenants & Allied Workers Union P.O. Box 477 Nkhotakota (General Secretary: Agrippa Leonard)	

Moçambique	
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Child Labour in the Tobacco Growing Sector in Africa



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