



GOVERNMENT OF MALAWI

RESPONSE TO THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACTS (TVPRA) REPORT

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November, 2009

<p>Preamble</p>	<p>This report is the Malawi Government’s response to the United States Department of Labor’s List of Goods Produced by Child Labor and Forced Labor Report prepared in pursuant to the Trafficking Victims Protection Reauthorization Acts (TVPRA) of 2005 and 2008 by the Department’s Bureau of International Labor Affairs (ILAB). The Report will be hereinafter referred to as the “TVPRA Report”. The Report was released by the Secretary of Labor, Ms. Hilda L. Solis on 10th September 2009. The Report was released together with another independent report by the Department of Labor entitled, “ 2008 Findings on the Worst Forms of Child Labor” published pursuant to the Trade and Development Act of 2000.</p> <p>The United States Department of Labor’s Bureau of International Labor Affairs (ILAB) in its TVPRA Report indicated that 122 goods are produced with forced labour, child labour or both in 58 countries globally. The TVPRA report specifically identifies tobacco and tea in Malawi as the culprit crops. The Report alleges that tobacco is produced using both forced labour and child labour while tea is believed to be produced using child labour only.</p> <p>The Government of the United States will include in the Executive Order of the United States President after December 10, 2009 a ban on all listed goods from importation into the United States by the Government and its contractors. Even though this ban is only to the United States Government procurement, the damage to the Malawi’s image would be enormous. This potential ban of tobacco and tea has been communicated to the Government of Malawi through the Ministry of Foreign Affairs and an opportunity has been extended to provide comments and reports on the efforts the country is doing in combating child and forced labour.</p> <p>In November, 2009, the Government of Malawi through the Ministry of Labour brought together partners and stakeholders that work in child protection issues to solicit their views and consolidate national efforts in child protection including child labour. The Government of Malawi hereby provides its response to the TVPRA Report.</p>
<p>THE SITUATION IN THE TOBACCO AND TEA INDUSTRY</p>	
<p>Child Labour data</p>	<p>In 2002, the Malawi Child Labour survey estimated that there were 1.4 million children engaged in child labour representing a prevalence of 37%. (Government of Malawi, 2002). In 2006, The Multiple Indicator Cluster Survey revealed a significant drop in child labour prevalence to 29% from 37% at national level. This is due to the interventions that government and stakeholders have been implementing since 1997.</p>
<p>Tea Industry- Commercial</p>	<p>Because of the Government commitment and observable achievements at national and grass root level, the country has witnessed a significant change in the level of child labour in the tea and tobacco growing areas. The change is quite high in the tea growing areas</p> <p>The Government of Malawi frequently consult officials in the tea industry on labour issues in the sector. The Tea Association of Malawi comprises of 9 tea producing companies (Eight are in Mulanje and Thyolo while one is in Nkhata-Bay) and they are</p>

all involved in the fight against child labour. The economic importance of tea to Malawi is well known as it is among the major foreign exchange earner and the largest employer of labour in the formal sector in Malawi with over 50,000 people working in tea estates during peak season.

Furthermore, the Tea Association of Malawi has in place a Management Guide that dictates employment conditions for all estates including prohibition and regulation against employment of children. The enforcement by all commercial tea estates is that the minimum age for estate field work is 18 years while for factory work is 21 years. The Management Guide also clearly stipulates zero tolerance to use of child labour. It informs all Managers of the consequences of violating this rule such as immediate dismissal of the Manager

In 2005 and 2007 independent studies were commissioned by Employers Consultative Association of Malawi (ECAM) with funding by the ILO to investigate the existence of child labour in estates and smallholder tea farms and to carry out a rapid assessment on the profile of the people in the communities' surrounding commercial tea estates in Thyolo and Mulanje and to understand their level of awareness on child labour. The studies indicated non-existence of child labour in teas estates and found that close to 80% of the communities indicated that they don't believe large sector estates use child labour. The findings also indicated that the awareness levels on child labour (as a concept) were quite high (over 90%) in both districts.

In addition through their commitment the employers have managed to build 14 schools and operate 100 Child Day Centres. They have introduced school feeding programs targeting 1500 children and drilled 23 boreholes. They have planted over 10 million trees and are running a food security programme through farm inputs targeting 3000 farmers.

Tobacco Industry

Tobacco is the main foreign exchange earner and contributes 65% to foreign exchange. It employs over 47% of labour force directly or indirectly. The Government of Malawi works very closely with the tobacco industry on issues of child labour. For example, key tobacco buyers (Universal Leaf and Alliance One International) are members of the Foundation for Elimination of Child Labour in Tobacco. At local level, Limbe Leaf Malawi Ltd, Alliance One and Africa Leaf were the founding member of Together Ensuring Children Security the local NGO that coordinated ECLT' project in Malawi (Integrated Child Labour Elimination Programme). Large tobacco buyers are members of a steering committee that is guiding the ECLT's current project on the elimination of child labour.

The tobacco sector has social responsibility and fully complies with the Laws of Malawi. They have put in place guidelines that help them to have the knowledge of product content and production process. They all follow the International Standards (ISO 9001:2000) to meet all consumer requirements. Currently, most of tobacco buyers procure its tobacco through contract farmers (35%) and Auction (65%). This ensures that tobacco is not produced using child labour.

<p>Tea and Tobacco Small holder sector</p>	<p>The Government of Malawi fully recognises the complimentary efforts from the tobacco industry including the support to education, food security and environment. Most of the companies have code of conduct on child labour, list of hazardous tasks for children and prohibition of child labour clause in marketing contract-Growers/clubs. They have regular grower/zone monitoring and unannounced farm checks. They have introduced farm mechanization targeting 20 community clubs and built hospitals and clinics and there is a documentary TV on child labour for all estates. The estates have also developed specific child labour policies for tea estates while provide free meals for parents and children.</p>
<p>Overall assessment</p>	<p>Smallholder farmers fully participate in the production of tea and tobacco. These have been linked to large producers who purchase their tea or tobacco directly, through contracts or the auction. The Government of Malawi instructed the key players to have proper and legal agreements with smallholder farmers to observe that their tea or tobacco is not produced using child labour. In this case the commercial producers and buyers have engaged Field Monitors who provide technical support to the farmers while monitoring the use of child labour.</p> <p>However, the Government of Malawi is aware that most of these smallholder farmers use their children after school to help them as one mechanism of empowering their children. The Government took several initiatives to build the capacity of these smallholders so that they provide the require environment for child work and that priority should be given to education. Unfortunately, in some quarters this has been regarded as child labour by public commentators. Lack of knowledge on the legal definition of child labour among many observers has also complicated the situation. The tea and tobacco industry has put in place agreements with small holder farmers that any tea or tobacco that is believed to be produced using child labour will not be purchased.</p> <p>There are now more mechanisms to raise awareness among the communities on the role of education and ills of child labour. Though the government is facing some challenges to meet its goal of eliminating child labour completely in such farms due to poverty, efforts are in place to make sure that Malawi is a child labour free country.</p> <p>In November, 2009, the Government of Malawi further consulted different stakeholders on the observations reported in the TVPRA report. The consortium confirmed that since 2002 several interventions have been undertaken in both child labour supply and demand districts as covered above. This has drastically eliminated the use of child labour in both tea and tobacco sector and that there is no forced labour.</p> <p>However, it was noted that through smallholder farmers, children work with their parents after school to acquire marketable skills. They can also earn indispensable income for themselves and their families, which can be a necessity in poor families. This beneficial or adequate work for children must, however, is contrasted with activities that threaten the health, morals or future development of children and</p>

	<p>adolescents. Unfortunately, activities from both ends of the spectrum, namely those that are beneficial or adequate and those that harm children, have all been referred to as “child labour”.</p> <p>For a long time, this broad term has confused the discussion at international and national levels and has hampered action against the abuse of children and adolescents. The consortium agreed that there is need to have an official Child Labour Survey that should provide credible data and information to the government and development partners.</p>
COMMENTS AND OBSERVATIONS ON THE TVPRA REPORT	
Forced Child Labour	<p>The Government of Malawi categorically denies the existence of forced labour in both tea and tobacco estates and farms. Forced labour which is equated to slavery is not observed in the country. Farmers as well as tenants are free to work any where at any time without force.</p> <p>The Government of Malawi recognises that the tenancy system if not implicitly appreciated can be mistakenly registered as forced labour. In such systems, growers remain on the farms till the end of the season. The Government took a bold decision in 2004 to assess the potential impact of the abolition of the tenancy labour system in Malawi. The assessment found that the tenancy labour system has several advantages because majority of the tobacco farmers have working capital problems such that they are unable to pay monthly wages. However, the system is prone to exploitation of tenants by landlords. Due to the absence of legal framework to regulate the system, there are various forms of abuse of tenants by landlords such as fixing of prices, verbal contracts and denying tenants basic necessities. This prompted the Government of Malawi to come up with a Tenancy Bill that will address all issues of exploitation.</p>
Credibility of Information	<p>The Government of Malawi appreciate the role by other stakeholders to have informed decision framework through various baseline, impact assessment and evaluation studies in tea and tobacco industries. Most of these studies rarely represent the situation at country level and they are not officially recognised. As such, the source of information on child labour is mostly collected without consulting the relevant Government Ministries. Even though smallholder farmers use child work, this is often misinterpreted as child labour. Unless there is an officially approved study, it is objectionable to claim that tobacco and tea are produced using child labour. The Malawi Government will in the short term assess the situation of child labour at national level especially in the agriculture sector.</p>
Poverty and Child Labour	<p>Poverty is still very high in many parts of Malawi due to several factors including climatic, economic and social. The food security status at household level is low during lean months of January to March which are also peak periods in the tobacco and tea industry. Farming families in these situations use their children to supplement to household labour or income. As such Government is fully committed to make sure that Malawi is a food secure nation and poverty is reduced through several interventions at grass root level. These have been clearly stipulated in the national development pillars. It is very pleasing to note that by 2008 the country registered a GDP (PPP) growth of 9.7% and that more programmes such as Youth Empowerment, Green Belt Project, and</p>

	<p>Agricultural Targeted Input Programme that will contribute to socio-economic outcomes.</p>
	<p>GOVERNMENT COMMITMENT</p>
<p>Visionary recognition of the problem</p>	<p>The Government of Malawi fully recognises the far reaching adverse impact of child labour on the children, the society and the economy in the short term as well as the long term. Child labour does not only deprive the children of their rights to proper development and education, but also their future potential to sustain themselves and participate actively in the development of the country.</p> <p>The Government of Malawi understands that the society suffers from the social ills and that the economy is robbed of a skilled and healthy labour force to drive its economic and social progress. It is due to this visionary recognition that the Government of Malawi, right from the inception of pluralistic democracy in 1994, put in place measures to safeguard and protect the rights and welfare of the children (The Constitution of the Republic of Malawi: Sec 13; Sub Section h).</p>
<p>Global and Regional Conventions</p>	<p>The Government of Malawi has demonstrated its commitment towards the elimination of child labour through the ratification of various international instruments as well as improvement of the national legal and policy environment.</p> <p>The Government of Malawi is a signatory to the global Conventions that are directly linked to child protection. These include International Labour Conventions: C29 and C105 (Forced Labour); C138 (Minimum age) and C182 (Worst Forms of Child Labour); as well as C81 (Labour Inspection). Other relevant international treaties include the Palermo Protocol and the Southern African Development Community (SADC) Charter. The appreciation and commitment to deal with the ills of child and forced labour led to the signing of the treaties and have helped Malawi to put in place mechanisms at national as well as local level that aim to prevent and/or eliminate any forms of child exploitation.</p> <p>As a signatory to the United Nations Conventions on the Rights of the Child (CRC) as well as the Convention on Elimination of Discrimination Against Women (CEDAW). Malawi has provided a bigger mandate to development partners through the Ministry of Gender, Children and Community Development. Being a signatory to these UN Conventions, Malawi has been implementing various programmes at community level to empower women as well as comprehensive child protection programs to avoid children from labour exploitation. This has greatly contributed to an increase in awareness raising programs on the danger of using children as a source of cheap labour. There is now a Child Labour Network, which coordinates all activities and programs implemented in Malawi dealing with the Elimination of Child Labour. Among its mandate is to ensure that that both tobacco and tea among others are not produced using child labour. The ratification of these Conventions has provided ideal environment for employers to continuously consult the Government on several issues affecting the Malawi child, especially girls.</p>

Malawi Republic Constitution	<p>The Government of Malawi has incorporated most of the recommendations of these Conventions in the 1994 constitution. The Government of Malawi is mandated to provide the required protection to all its citizens especially children and Women (Section 23: Sub section 1, 2, 3, 4a, 4b, 4c and Section 24: Sub Section 1a, 2a.</p> <p>Several developments have been undertaken to show that the Malawi child is protected and provided with the required support to attain his/her full development potential. Upon the provision of the required protection to the children, several policy instruments have been put in place and more policy tools are in the draft form that will protect the Malawi child from supplying labour.</p>
Employment Act)	<p>Employment Act (2000) in Sections 21 to 24 prohibits the employment of children under the age of 14 in any public or private agricultural, industrial undertaking or any branch thereof. Section 22: Sub Section 1 and 2 prevent persons between the age of fourteen and eighteen years to work or be employed in any occupation or activity that is likely to be harmful to the health, safety, education, morals or development of such persons and that every employer shall keep a register of any person under the age of eighteen years employed by or working for him (Section 23).</p>
Review of The Children and Young Persons Act	<p>In 2005, the Government of Malawi commissioned the review of all the child related laws of Malawi and make any appropriate recommendations for reforms. This has helped to revisit most of the laws and to provide the necessary protection to the Malawi child.</p>
OVC Policy	<p>Most of the children who are at risk of joining child labour are orphans or other vulnerable children. As result, the Government approved the Orphan and Other Vulnerable Children Policy in 2003 and currently the National Action Plan on OVC is being reviewed. This is to ensure that OVC are protected and given the required moral and spiritual support</p>
National Youth Policy	<p>The National Youth Policy seeks to develop the full potential of the youth and to promote their active participation in National Development. It seeks to promote a sense of individual responsibility of the Malawian youth towards community development based upon several values including: active involvement of the youth in decision making and national development programmes; respect for individual human dignity and culture and respect for principles of democracy and human rights. This has allowed the youth to participate in interventions that aim to eliminate child labour at national and local level.</p>
Education Policy	<p>The Government's goal is to ensure that education becomes a key catalyst for socio-economic development, industrial growth and an instrument for empowering the poor, weak and voiceless. Furthermore, Government views education as a tool to enhance group solidarity, national consciousness and tolerance of diversity. As such education as been used as tool and mechanism to reduce or prevent child labour. More interventions are in place to make sure that children access quality education.</p>

National Child Labour Policy	<p>The Government of Malawi has a Draft National Child Labour Policy (2009). This is a commitment of Government to work towards elimination of child labour in a systematic way. It will provide a coherent framework and sense of direction for the various actors, programmes and projects in the field of child labour. The vision of the Government through this Policy is that Malawi will be a child labour free country and aims at creating a society where children under the age of 14 years are protected from labour exploitation and those between ages of 15-18 years should be protected from any hazardous environments which will affect their health, morals, physical and social development. The policy consists of several complementary measures including legal action plan, general development programmes and specific community projects.</p>
National Action Plan on Child Labour	<p>The Draft National Action Plan (NAP) (2009-2016) will provide a framework for the Government of Malawi, social partners, the civil society and all other stakeholders an opportunity to translate the policy pronouncements into concrete programmes and activities and to ensure coordination of the various institutions and their programmes for maximum impact. The Draft National Action Plan builds upon the Draft Child Labour Policy and contributes to the overall objectives of the Malawi Growth and Development Strategy (MGDS). Currently, the Government of Malawi through the Ministry of Labour is mainstreaming all child labour in the successor development strategy to ensure consistency and relevance. The NAP will guide the numerous players in terms of priorities and implementation to optimise the impact of the interventions being implemented. The development of a comprehensive NAP on child labour provides such needed priority and operational framework for action on child labour in Malawi.</p>
Draft Tenancy Bill (2009)	<p>The Government of Malawi has now in place a Draft Tenancy Bill that seeks to provide for the regulation of labour tenancy. The Bill clarifies the rights and obligations of landlords and tenants with a view to avoid exploitative situations. The Bill also seeks to specifically protect the rights of children at risk of engaging in child labour through the tenancy system. The Bill which is about to be tabled in the Parliament, will be an instrument that will provide policy framework to regulate employment in the agricultural sector. The Bill has several clauses especially in Part III that makes provision in relation to contracts between the landlord and the tenant. Clause 8 of the Bill prohibits the employment of tenants contrary to the provisions of the Bill. Clause 9 prohibits persons who have not been issued with a recruitment permit from engaging in recruitment of tenants. Clause 10 provides that only persons who are above 18 years of age may be tenants. Putting in place such an instruments will not only protect the tenant, but even children and young people who are currently affected due to lack of such legal instruments</p>
Other Instruments	<p>The Government of Malawi has put in place other legal instruments to make sure that children are provided with the required support. These include (i) National Code of Conduct on Child Labour (ii) List of Hazardous Work for Children (iii) National Registration Bill and Child Protection and Juvenile Justice Bill. These are all related to children by making provisions for child justice and for child care and protection and</p>

Institutional frameworks	<p>matters of social development of the child and for all other concerned matters. In the review of these instruments, the Law Commission of Malawi has even suggested that there is need for a Child (Care, Protection and Justice) Act which is broad enough in scope to encompass all the areas to be covered in the Act. There is even further suggestions to include in the act issues that deal with children including approved homes/approved schools. This is a clear testimony that the Government of Malawi is committed to protect its children.</p>
	<p>There are several institutional frameworks that aim to reduce barriers for protecting children as well as to facilitate the support that children require. Malawi has now a Child Labour Unit in the Ministry of Labour that has a specific budget allocation for child labour activities. In addition there is a Child Labour Network comprised of government and NGOs, national and international employers, worker’s organisation and the civil organisations that have been very instrumental in the elimination of child labour. This Network spearheaded the formulation of the Code of Conduct on Child Labour, Draft policy on Child Labour and Draft National Action on Child Labour. The Network has linked other civil society organisations in accessing resources targeting the elimination of child labour. At district level, the Government has put in place District Child Protection Committees which coordinate all child protection activities at district level. Empirical evidence from the implementation of the interventions so far points to the fact it is possible to combat child labour and that the interventions have been effective.</p>
	<p>There is now a concerted effort at national and local level to collaborate and network among the stakeholders on child protection in general and specifically on child labour. Different stakeholders are working on legal enforcement, awareness; environment, education, social mobilization, health, water and sanitation just to mention a few. These include The Police Services Victim Support Unit, Ministry of Labour, Department of Community Development, Local Government, Judiciary, Ministry of Health, Ministry of Agriculture (Livestock and Crops), Malawi Human Rights Commission, Law Commission, Malawi Economic Justice Network, Malawi Human Rights Consultative Committee, UN Agencies, Telecom Network and Zain Malawi phone service provides, Malawi Telecommunication Limited, Civil Society Coalition for Quality Basic Education, Malawi Congress of Trade Union, Employers Consultative Association of Malawi. For the Non Government Organisations, the Government of Malawi is working with Centre for Youth and Children Affairs (CEYCA), Active Youth and Social Enhancement (AYISE), Target Nation Relief in Development (TANARD), Plan Malawi, Every Child, Eye of the Child, Malawi Human Rights Youth Network (MHRYN), Youth Watch Society, Creative Centre for Community Mobilization (CRECCOM), Youth Net and Counselling (YONECO), World Vision, National Small holder Farmers Association of Malawi (NASFAM), Care International, Bunda College of Agriculture , Build On, Salvation Army, Malawi Economic and Justice Network (MEJN), Malawi Human Rights Resource Centre (MHRRC), Civil Society Quality Basic Education (CSQBE). The role of the above stakeholders is to ensure that there is an integrated approach to eliminate child labour through effective collaboration and networking. In addition, this has helped to achieve</p>

	<p>most of the development goals including education, poverty reduction food security among others.</p> <p>These legal and policy instruments as well as the institutional framework embody the Government's commitment to improving the lives of humanity among its children at the dawn of the new millennium. They constitute the framework that guides the development efforts of Malawi and its development partners in the elimination of child labour. The legislative apparatus brought in by the government is by far the most clear expression of the influence of the assumptions made by the policy makers in regard to child labour and this is a clear testimony that the Government of Malawi is in the right direction to eliminate child labour.</p>
	GOVERNMENT ACHIEVEMENTS
Support from USDOL and other development partners	<p>The Government of Malawi with support from United States Department of Labor (USDOL) and other development partners has contributed to the elimination of child labour in Malawi through various programmes. For example, the International Labour Organisation/ International Programme on the Elimination of Child Labour (ILO/IPEC) Malawi were amongst the Five countries that were implementing the child labour elimination programme in commercial agriculture (COMAGRI) from 2002-2005. In addition, the Government of the United States funded a Country Programme in the Elimination of Child Labour (2005-2008). Malawi will also be implementing a three year child labour elimination programme from 2010.</p> <p>Other partners include International Labour Organisation, Department for International Development, United Nations Children's Fund (UNICEF), and Norwegian Agency for Development (NORAD), The Foundation for Elimination of Child Labour in Tobacco growing Plan International, Winrock, HIVOS and other international agencies. Nationally, the Government of Malawi has initiated several grass root level and national interventions to fight child labour. These are implemented by local Non Government Organizations. Their activities have covered both supply and demand districts of child labour and mainly in the tobacco and tea growing districts. Recent information show that most of the interventions are being implemented in Mzimba, Karonga, Kasungu, Dowa, Lilongwe, Mchinji, Mulanje, Thyolo, Nkhota-kota, Mangochi, Phalombe, Blantyre, Zomba, Balaka, Nkhata Bay and Machinga districts which is almost 60% of the Malawi coverage.</p>
Tripartite Plus approach (Alliance Building and Networking)	<p>There is a close working relationship among the Government, Workers and Employers in dealing with all legal and policy issues affecting children especially child labour. Each of members of the tripartite has specific or joint interventions on child protection including child labour inspections among the growers. For example, an initiative by the Malawi Congress of Trade Unions (MCTU), a workers federation, constructed a primary school in Nkhota-kota, one of the tobacco growing districts as one way of assisting the children in that community go to school than look for work. These children are also being assisted with education materials.</p>
Child Labour	<p>The Government of Malawi has intensified inspections in all major tobacco and tea</p>

Inspections and Prosecutions	<p>growing districts. These have been undertaken through out the year. Over the past two years for example, the Ministry of Labour has been conducting these inspections in the workplaces with the involvement of the communities.</p> <p>Furthermore, labour inspection forms have been revised to capture child labour information. Special forms have been designed to collect comprehensive child labour information by child labour monitors who have been deployed in rural areas. In collaboration with the Ministry of Gender, Child Development and Community Services, 800 Social Protection Officers have been recruited and trained to monitor child protection issues including child labour. A Labour Inspection Policy has been developed to guide labour inspectors in conducting effective labour inspections. In order to sustain continuous surveillance of child labour, communities have been empowered to continuously undertake child labour monitoring in their localities. Offenders uncovered through these inspections have been prosecuted in the courts of law. The Government managed to prosecute 67 offenders this year alone from January 2009.</p>
Statistics on withdrawals, prevention	<p>From January to October, 2009, the Government has managed to withdraw 1435 child labourers and provided with alternatives comprising of 1067 boys and 368 girls. The ILO/IPEC Malawi Programme since 2005 has withdrawn 3046 and prevented 5574 children, and these have been placed in schools and provided them with learning materials. Between 2005 and 2009, 1110 vulnerable families have accessed economic opportunities for support. 57 children were repatriated to their districts of origin. A project funded by ECLT in Kasungu, and Dowa has for the past three years withdrawn 1788 children of which 715 were girls. A project funded by Humanist Institute for Development Cooperation (HIVOS) in Mchinji and Kasungu removed children most of whom were in livestock herding. Withdrawn children are provided with psychosocial counseling by different stakeholders and they are monitored by the District Social Welfare to make sure that they don't supply child labour any more.</p>
Other Interventions	<p>The Government of Malawi in collaboration with its partners is implementing several interventions that aim at preventing or eliminating child labour. Examples of the interventions include development of education infrastructure (hostels, feeding shelters, and school blocks), building the capacity of community leaders, teachers, government officials, volunteer groups and also mass mobilisation and sensitisation to the communities and improved sanitation. As a result of these interventions, more children have been supported with school materials such as note books, uniforms, pencils and the enrolment has increased. There are more children being selected to secondary schools. This has also reduced number of children working in the tobacco and tea sector.</p> <p>There is now improved learning environment in many rural primary areas where tobacco and tea is being grown (impact areas). Some of these interventions have been supported by tea and tobacco growing and buying companies including The Elimination of Child Labour in Tobacco (ECTL Foundation) of Geneva, Alliance One, Limbe Leaf Malawi Limited and Tea Association of Malawi. Through their corporate social responsibility programmes, tobacco and tea companies continue to support</p>

	<p>interventions that aim to eliminate child labour in both supply and demand districts. With funding from other agencies there are improved healthcare services where farm families access health services through mobile clinics. The priorities of these services are given to school going children. There are more community Health care clinics that provides immunisation, mother and child health, safe motherhood and construction of health centres. For example, ICLEP programme funded by ECLT has provided 65000 patients with health care services and about with 10000 patients have been provided with HIV Testing Counselling services in 2009 alone. The programme further installed 60 shallow wells, 3 boreholes and improved sanitation levels in Dowa and Kasungu tobacco growing areas.</p>
	<p>These have been complimented with income generating activities for withdrawn children, community child labour committees, teachers and parents. Examples of such interventions include irrigation, livestock production, seed multiplication, village loans, fish farming, piggery, bakery, goat production, maize mills, rabbit production, vegetable production and subsidizing farm inputs, feeding programmes, fruit trees, micro finance, nutritional programmes and community grain banks.</p>
<p>Awareness raising</p>	<p>The government- intensified awareness to policy makers, communities, children, parents, employers, workers through several mediums including radios, newspapers, internet, public meetings among others. Most of these awareness interventions are directly linked to other child protection interventions that include the establishment of Victim Support Unit, Transit Centres, Counselling Centres, development of IEC materials, Community Based Child Care Centres, Life Schools, Community Radios, Panel Discussions, Documentation of best practices, Press Releases, interviews including identifying child broadcasters. These have created a favourable environment for most of Malawian children and are rarely involved in the production of tobacco and tea.</p>
<p>Child labour law enforcement training manual</p>	<p>In 2008, the Government of Malawi with funding from ILO developed a Child Labour Law Enforcement Training Manual. The manual targets the country’s law enforcement agencies and other institutional stakeholders involved in the enforcement of the law pertaining to child labour. The agencies are from the Police, Judiciary, Immigration Department, Ministry of Labour, Ministry of Gender and Child Development, Malawi Child Labour Network, Trade Unions, Employers and Civil Society Organisations.</p>
<p>Child Protection Training Manual</p>	<p>With funding from UNICEF, the Government of Malawi has a Child Protection Manual that captures a broad set of issues considered critical in child protection. It discusses concepts of child protection and embraces them within the context of human and children’s rights and the approach to human rights programmes.</p>
<p>Macro Policy and Child Labour</p>	<p>It is clearly envisaged that the Malawi Growth Development Strategy is contributing to the fight against child labour in Malawi. The MGDS has guided Malawi to protect children which are the seed of the society by providing a development framework that focuses on poverty reduction, education, food security, health services, and social security and increase household incomes.</p>

	<p>The MGDS is a tool that is addressing the challenges children are facing in view of the fast changing community life styles, persistent harmful traditional practices, poverty, the spread of HIV and AIDS and the unfolding humanitarian and economic crises. In addition several development priority areas have been included in the short and medium term of the current government. In its visionary report- <i>The Road to Prosperity: The Malawi Economic Miracle</i>- the current government has put in place priorities that will provide a framework to eliminate child labour. The Government would like to see that Malawi resume economic growth fast enough to bring prosperity, to reduce poverty significantly and to make life better for everyone.</p>
	<p>THE CHALLENGE</p>
<p>Poverty and Child Labour</p>	<p>The main challenge that Malawi is facing in its fight against child labour is poverty. Within the legal and policy framework, there have been delays in the approval of some instruments due to other equally relatable issues. But the current government has shown keen interest to make sure that all Policies, Acts and Bills are expatiated to provide the required protection to the Malawi child. It is expected that by the end of 2010, most of the Bills that aim at protecting the Malawi child and regulating the use of child labour will be passed in the Parliament.</p>
<p>Information gap</p>	<p>Since the 2002 Child Labour Survey, there has been no comprehensive survey that has been undertaken to measure the achievements of the government. Isolated studies have been undertaken but these do not necessary provide the national picture on child labour. Without an official approved study it is difficult to measure the impact of the interventions. Even though individual institutions have undertaken baseline and evaluation studies, there is no proper communication strategy to look at the synergy and link them to national achievements.</p>
	<p>Because of this challenge, the Government of Malawi, through the Ministry of Labour will conduct another Child Labour Survey in 2010. This survey will provide the accurate information that is currently lacking to its partners. There is now political will and commitment from the Government on issues of child protection including funding of core activities that deal directly with child labour.</p>
<p>Cultural factors</p>	<p>There are several cultural factors that are promoting child labour. For example early marriages means that children become parents when they are below the age of 18. These seek unsecured employment to support their families. There are younger headed farm families in most parts of Malawi and it is extremely difficult to provide alternative sources of income to such groups.</p>
<p>Infrastructure</p>	<p>Most of the interventions that aim to eliminate child labour promote primary education. However, the Ministry of Education is faced with several problems including lack of teaching classrooms and low teaching personnel and lack of other materials. These fail to provide the conducive environment. Children are still learning under the tree in grass made class rooms besides using poor sanitation facilities. The situation is worse during the rainy season when most of the roads and bridges are destroyed and children have no place for their lessons.</p>

<p>Capacity</p> <p>HIV and AIDS induced</p>	<p>The Government appreciate the role played by its development partners. But most of the NGOs that are involved in child protection programmes lack the technical and financial capacity to effectively implement the programmes. Staff retention is very low and the country does not have specific training programmes on child labour as in other countries. This has resulted in many people failing to differentiate between child labour and child work and what indicators constitute child labour at household level. The Government is pleased that with support from the Government of the United States, there is a three year programme that has integrated capacity building into vocational training skills.</p> <p>The Government of Malawi is faced with yet a new challenge as a result of HIV and AIDS. There are more orphans and youth headed families due to the death of parents. These require support but the population is quite high.</p>
<p>THE WAY FORWARD</p>	
	<p>The Government of Malawi with support from development partners will continue to provide the required protection to its children. There is significant commitment from both the Government and its partners to eliminate child labour especially in the tobacco sector. The current process of mainstreaming child labour issues in the MDGS will help to highlight constraints and challenges that the Government is facing at national, community and local scales.</p>
<p>CONCLUSION</p>	
	<p>In conclusion, the Government of Malawi takes this opportunity to sincerely thank the Government of the United States in providing and reminding countries on the ills that children face. The Government has taken necessary measures to fight against child labour. The commitment clearly shows that since 1994, there are now more legal and policy instruments that are in place to protect the Malawi Child. Most of these instruments will be officially in place and they will provide the guidelines to all key stakeholders on the issues of child labour in tobacco and tea industries. The Government of Malawi has witnessed an increased support from the development partners financially and technically in the area of child protection. In this regard, the Government of Malawi wishes to take this opportunity to sincerely thank in particular the Government of the United States of America for its continued assistance in the area of child protection. More people are now involved in the fight against child labour with a change in knowledge on child labour as a concept. The inclusion and mainstreaming of child labour issues in the Malawi Development Goals further prove how such issues will be on the priority agenda by the Government of Malawi.</p>