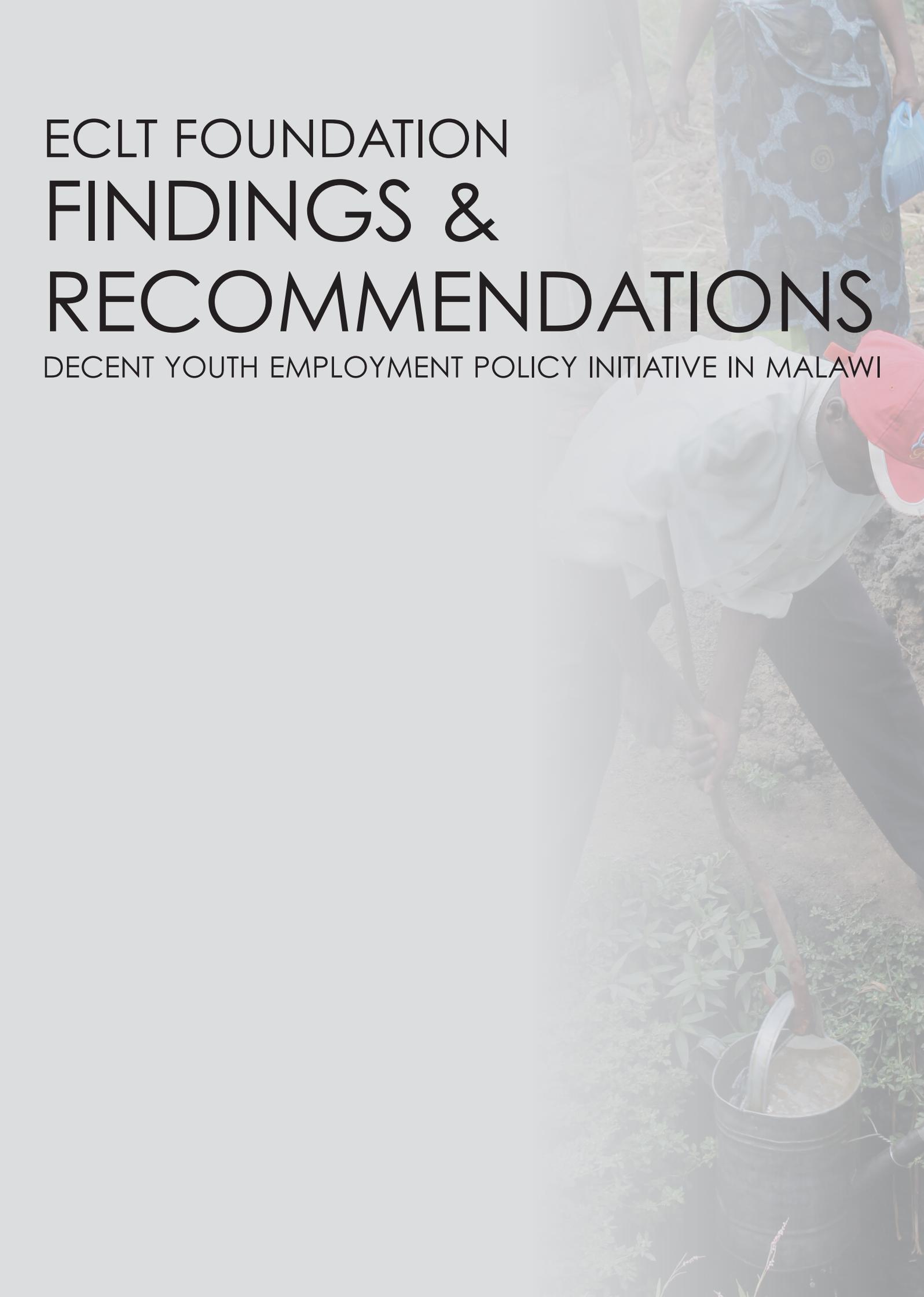




MAKING A BETTER LIFE FOR CHILDREN IN TOBACCO-GROWING COMMUNITIES

# ECLT FOUNDATION FINDINGS & RECOMMENDATIONS

DECENT YOUTH EMPLOYMENT POLICY INITIATIVE IN MALAWI

A young man wearing a white short-sleeved shirt and a red cap is bent over, watering a small green plant in a field. He is holding a metal bucket with a handle. In the background, other people are visible, including a woman in a blue patterned dress. The scene is outdoors and appears to be a rural agricultural setting.

# ECLT FOUNDATION FINDINGS & RECOMMENDATIONS

DECENT YOUTH EMPLOYMENT POLICY INITIATIVE IN MALAWI



# CONTENTS

## **FINDINGS & RECOMMENDATIONS:**

TO PROMOTE DECENT YOUTH EMPLOYMENT IN AGRICULTURE IN MALAWI .....	3
2012 Malawi Child Labour Conference In Agriculture .....	4
ACTORS & PARTNERS.....	5
ILLUSTRATION OF IMPACT .....	9
A National Forum For Discussion On Decent Youth Employment And Hazardous Child Labour.....	13
WAY FORWARD .....	14
RECOMMENDATIONS & NEXT STEPS.....	15
REFERENCES .....	17
ANNEXES.....	17



# POLICY INITIATIVE: TO PROMOTE DECENT YOUTH EMPLOYMENT IN AGRICULTURE IN MALAWI

## CONTEXT

According to the International Labour Organization's (ILO) 2013 global report "Marking progress against child labour", even though there has been a substantial decrease in the global number of child labourers over the past decade, the ILO estimates that there are still 168-million children engaged in child labour throughout the world, with the majority (59%) of child labourers found in various agriculture sectors, and 85 million children engaged in hazardous child labour.

Concurrently, according to the ILO, "the world is [simultaneously] facing a worsening youth employment crisis: young people are three times more likely to be unemployed than adults and almost 73 million youth worldwide are looking for work".

The ILO warns of "a "scarred" generation of young workers facing a dangerous mix of high unemployment, increased inactivity and precarious work in developed countries, as well as persistently high working poverty in the developing world."

Overcoming the dual challenges of child labour and youth employment is of critical global concern not only for the ILO, but has been elevated as a key priority under the new global Sustainable Development Goals. Young people above the legal working age(s) as defined by national laws (ILO Conventions 138 and 182), have both a legal and a human right to work, as long as they are working under conditions of decent youth employment and not engaged in hazardous forms of child labour.

## THE CHALLENGE

According to the Malawi Employment Act of 2000, children age 14 and older are free to work so long as it is in a job where they are not engaged in hazardous labour. However, 91% of employed youth in Malawi have a stake in agriculture where much of the work they do is considered hazardous and, therefore, illegal.

Further, as their employment under hazardous conditions would be in breach of child labour law, they would have to be removed from the workplace to a place of safety.

## THE SOLUTION

In agricultural supply chains, if smallholder family farmers can be supported in making basic improvements in safety and health standards, then much of what is currently regarded as "hazardous child labour" could be reclassified as "decent youth employment" in agriculture.

*Solutions are required across the globe to combat child labour while ensuring that young workers are not marginalized from gaining experience, skills, and most importantly pay!*



The President of the Republic of Malawi, Her Excellency Joyce Banda, with children who attended the Conference on Child Labour in Agriculture

## 2012 MALAWI CHILD LABOUR CONFERENCE IN AGRICULTURE

In September 2012, the Malawi Government, in partnership with the International Labour Organization (ILO), and with the support of the Eliminating Child Labour in Tobacco-Growing Foundation (ECLT), convened a National Conference on Child Labour in Agriculture. Attended by more than 320 delegates from government ministries, business, trade unions, agricultural producer associations, civil society, UN agencies, children and international supporters and development partners, the conference provided a national platform for high-level discussions on a multitude of issues pertaining to child labour. The conference resulted in sector-by-sector agreement to actions, which included, among other key recommendations, advancing the following two objectives which are recognized as being integral to the elimination of the hazardous forms of child labour:

- Promotion of decent youth employment for those above the minimum legal age
- Promotion and enforcement of good occupational safety and health laws

In advancing the two objectives, representatives from ECLT, the Child Labour Elimination Actions for Real Change (CLEAR) Consortium, the National Smallholder Farmers' Association of Malawi (NASFAM), and the Tobacco Association of Malawi (TAMA) launched a joint **Decent Youth Employment Initiative** in 2013 to demonstrate and create conditions for decent youth employment for young people age 14-18 years who work in agriculture.

Under the Decent Youth Employment Initiative, CLEAR worked directly with NASFAM and TAMA from February 2014 – October 2014 to:

- Train farmers (across crops) in safety and health risk assessment techniques, so local farmers can analyze their own safety and health issues, and come up with simple, cost-effective solutions
- Provide information and tech assistance to help farmers put into place the safety and health improvements indicated in their assessments

### POLICY OBJECTIVE

Work with policy-makers to reflect the knowledge and learning gained from the risk assessments within the *Malawi Child Labour Policy* and in broadening strategies on Hazardous Child Labour and youth employment under the *Child Labour National Action Plan* in Malawi



## ACTORS & PARTNERS

Improving safety and health conditions in agricultural product supply chains helps create decent work for young workers, makes agriculture more sustainable by providing a workforce for the future, and improves the public image of agriculture. This required not only working with tobacco farmers, but with smallholder farmers growing other crops, and numerous other stakeholders.

**YOUNG WORKERS**, in the context of promoting youth employment, are female and male adolescents below the age of 18 who have attained the minimum legal age for admission to employment in their country (14/15 years or above depending on the country) and are legally authorized to work under certain conditions but not in hazardous child labour.

**CLEAR CONSORTIUM** of NGOs was developed in 2011 to tackle the complex, root causes of child labour in tobacco growing in Malawi. The CLEAR Project has been implemented in the three tobacco-growing districts of Ntchisi, Mchinji and Rumpi, by Save the Children, Centre for Creative Community Mobilization (CRECCOM), Total Land Care (TLC) and Youth Net Counselling (YONECO). CLEAR coordinated all efforts in support of this pilot initiative.

**NASFAM** is the largest independent, smallholder-owned membership organization in Malawi. NASFAM's membership is drawn from over 100,000 smallholder farmers and is organized in member associations. Member associations have Lead Farmers who in turn help organize and train their fellow farmers through a network of Agricultural Field Officers. NASFAM provided direct training to their farmer base and gathered data from risk assessments across 130 farms.

**TAMA**, the trade association for the tobacco sector, provides "visible and compelling services" to its membership

base of tobacco-farmers. Through its cooperative structure, TAMA also provided outreach to farmers and promoted the safety and health risk assessment training.

**TEA ASSOCIATION OF MALAWI (TAML)** represents the tea industry on matters of interest to tea growers and producers. TAML members received training as part of the Youth Employment Initiative.

**EMPLOYERS CONSULTATIVE ASSOCIATION OF MALAWI (ECAM)** serves as the voice of employers on business, employment, labour and industrial relations issues in Malawi. Through its Executive Director, ECAM also provided support to the Youth Employment Initiative.

**TRADE UNIONS** have also supported the Youth Employment Policy Initiative through outreach and active participation of the Malawi Congress of Trade Unions (MCTU) in the training initiative.

**PRIVATE SECTOR** representatives from the Tobacco industry in Malawi, including Limbe Leaf Tobacco Company (Universal), Alliance One Tobacco, Premium TAMA Tobacco, Japan Tobacco International, as well as representatives from the sugar (Ilovo) and fisheries industries also participated in various aspects of the initiative.

**TOBACCO CONTROL COMMISSION** through its child labour focal point has also been a key support.

## HAZARDOUS CHILD LABOUR VS. DECENT YOUTH EMPLOYMENT

Between the ages of 14 to 17, “children” and “youth” share an overlapping age bracket. According to the ILO Conventions No. 138 and No. 182, those within this age bracket, having attained the minimum age for employment in their country are free to work so long as it is not in a job where they are engaged in “hazardous child labour”. If it is hazardous work they would be regarded as hazardous child labourers and not as young workers. Further, as their employment under hazardous conditions would be in breach of (national) child labour law, they would have to be removed from the workplace.

### ILO 182: WORST FORMS OF CHILD LABOUR

According to international law which defines Hazardous Child Labour as one of the Worst Forms of Child Labour (Article 3 of ILO Convention No. 182) “Hazardous child labour is any work that by its nature or the circumstances in which it is carried out is likely to harm the health, safety, or morals of children”.

“More specifically, hazardous child labour is work in dangerous or unhealthy conditions that could result in a child being killed, or injured and/or made ill as a consequence of poor safety and health standards and working arrangements. Some injuries or ill health may result in permanent disability. Often health problems caused by working as a child labour may not develop or show up until the child is an adult.”



**Question:** Decent Youth Employment? Or Hazardous Child Labour?

**Answer:** The young worker (pictured) of legal working age is working on a milling machine assessed of missing and needing a guard – The guard was procured (\$53) allowing the youth to remain economically active on this job site

According to the ILO, “by ratifying Convention No. 182, a country has accepted the [child labour] definitions established in Article 3 of Convention No. 182 and will determine a national process of assessing and making a list of hazardous work as required by the Convention 182”. The Hazardous List prescribes the type of work that is considered hazardous for youth below the age of 18. The ILO also provides the following technical assistance in helping a country further discern what qualifies “hazardous” versus decent work for young workers:

- “Age 16-18 exclusion: Pursuant to No. 138 Article 3.3 and Recommendation No. 190, hazardous work may exceptionally be authorized from the age of 16 under strict conditions of protection and prior instruction”.
- Competent Authority: Who can lead and formalize the process of determining hazardous work of children.
- “Consultation requirements under Convention No. 182: Hazardous work has to be determined in consultation with representatives of the governments and the social partners (employers’ and workers’ organizations). Civil society and other relevant stakeholders should also be part of the process.”

**PREMISE OF THE DECENT YOUTH EMPLOYMENT INITIATIVE:** In agricultural product supply chains, if smallholder, family farmers can be supported in making basic improvements in safety and health conditions on their farms, then much of what is currently regarded as “hazardous child labour” could be reclassified as “decent youth employment.” If farmers can sufficiently improve workplace safety and health conditions to guarantee children in the 14 to 17-year age bracket “decent conditions of work”, including proper training for them on safety and health at work, then there is no reason why these “children” should not remain at work, productively and gainfully employed. By sufficiently improving workplace safety and health conditions, the child ceases to be a “child labourer” and becomes classed as a “young worker,” earning a decent living on the farms, learning skills, providing income for their families and communities, and supporting the national economy.

**INFORMING STAKEHOLDERS FOR POLICY IMPACT:** Informing the relevant stakeholders about the types of risks that young workers face and/or confront in agricultural supply chains, through evidence and data, is critical to the development and implementation of sound policies needed to support and create conditions for decent youth employment. In many countries, where this type of data is not readily or easily available, the competent authority may discern to put many safety and healthy operations on a farm on a national, government legislated, hazardous child labour list as “no go activities” for any child under 18 (and where the farmer using/employing children on such activities could be subject to criminal sanction, i.e. fines and/or imprisonment) when, given appropriate training and support, simple improvements in safety and health could be made by farmers to avoid such situations.

*“Farmers in a wide range of countries often complain that they feel that child labour laws, as currently applied, often end up “criminalizing the farmer” when they are simply carrying out routine and necessary farming operations” – Peter Hurst, Global Occupational Safety & Health expert*

By improving the health and safety circumstances in which work is carried out, farmers not only help youth, they also help to improve safety and health conditions for themselves, any other adult family members who may be helping out (paid or unpaid), and any waged labour they may hire (permanent, casual, seasonal, including migrant labour).

In the workplace, the safety and health of adult workers and young (child) workers are inextricably linked. The Youth Employment Initiative also operated under the premise that you cannot adequately protect the safety and health of children employed as young workers unless you adequately protect the safety and health of adult workers in the same workplace. For example, the dust particle or pesticide droplet that may harm the child worker may also harm the adult worker, and vice versa.

## SPECIAL CONSIDERATIONS FOR YOUNG WORKERS

According to the Food and Agriculture Organization (FAO) “children and young adolescents are particularly vulnerable to hazards in agriculture: for instance, they are especially prone to pesticide, fertilizers and other chemical exposures and contamination because of their small size, higher breathing rate, ‘hand-to-mouth’ behavior, and the fact that their organs have a harder time detoxing which can result in cancers, neurological problems and reproductive problems in their later stages of life”.



Occupational Safety & Health expert, Peter Hurst provides direct training to CLEAR and NASFAM staff of risk assessment techniques.

## IMPLEMENTATION OF DECENT YOUTH EMPLOYMENT PILOT INITIATIVE IN MALAWI 2013-2015

The following steps were involved in the implementation of the pilot Decent Youth Employment in Agriculture Initiative, based on the combined efforts of ECLT Foundation's Consultant Peter Hurst, and the CLEAR project efforts to support and coordinate this pilot initiative in Malawi:

1. Through the guidance and expertise of Occupational Safety & Health Consultant Peter Hurst, CLEAR staff were trained on basic safety and health at work, including risk assessment techniques, to help provide CLEAR programme staff the necessary skills to provide the "quality control" and coordination efforts for the desired impact of the pilot initiative (November 2013)
2. Work with NASFAM and TAMA to identify clusters of farmers and/farm sites in different crop sectors to provide basic training in a risk assessment methodology (February 2014)
3. Develop and train a cadre of Lead Farmers, through the direct participation of NASFAM and TAMA in a "training of trainers" (ToT) process on OSH and risk assessment techniques, led by consultant Peter Hurst – so that the Lead Farmers of these organizations can then train the farmers they work with in these new skills to help their farmers implement the types of health and safety improvements that they (the farmers) have identified (February 2014)
4. Provide similar training opportunities in risk assessment methodology to representatives and/or extension workers of the tobacco companies, tea, sugar, and fisheries industries. Training also provided to representatives of the Ministry of Labour, Trade Unions, and other noted stakeholders (February 2014)
5. Farmers participating in this initiative received direct support and training on conducting individual risk assessments in local languages, to identify and take the steps needed to reduce the risks to acceptable levels, if applicable (i.e. covering a well or guarding a machine) so as to directly improve the health and safety circumstances in which the work on their farm is carried out (March 2014– October 2014)



Uncovered well = High Risk = condition for **Hazardous Child Labour**



Farmer trained to assess risk, and take step to reduce risk.  
Covering/ covered well = Low Risk = condition for **Decent Youth Employment**

6. Farmers receive additional training on how to ensure that young people were protected and/or not exposed to specific 'risks' that by their very nature (such as spraying dangerous chemicals) could not be minimized based on the way they work was carried out (March 2014– October 2014)

7. Project leaders and Lead Farmers collected data from field risk assessments (see page annex 1 for sample form) during this initiative from over a 135 farms across crops in the districts of Ntchisi, Mchinji and Rumpfi, (March 2014– October 2014)

8. Data synthesized by CLEAR and initial results disseminated among 100 national stakeholders attending at the 1st Symposium on Decent Youth Employment in Malawi on November 19th 2014.

9. Pilot efforts monitored for impact and additional field data collected by consultant Peter Hurst in conjunction with NASFAM to ascertain desired impact (May 2015)



*“Given the right training and knowledge, [we] are capable of creating decent work opportunities for young people over the age of 14”* - Farmer testimonial during the 2014 Symposium

## ILLUSTRATION OF IMPACT

In direct follow-up to the 2012 Child Labour Conference – the Decent Youth Employment pilot initiative occurred from November 2014 – May 2015, and brought stakeholders across sectors to realize the commitments made in support of combating hazardous child labour and promoting decent youth employment in Malawi. The pilot encapsulated and/or resulted in the following:

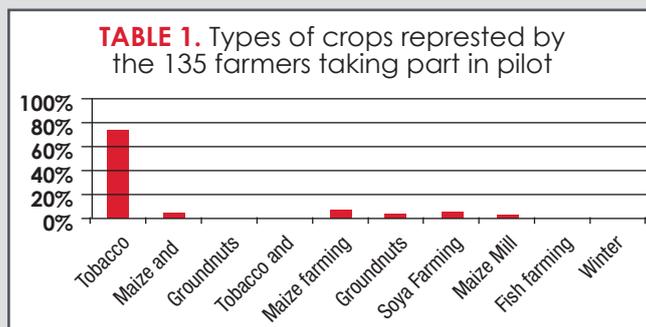
- 135 farmers received training on risk assessment methodology during the pilot initiative
- 170 boys (74%) and girls (26%) between 14-17 identified on these farms
- Awareness raised among farmers on what constitutes Hazardous Child Labour under law
- Farmers implemented control measures to reduce highest risks identified on these farms

Table 1 illustrates that the majority of farmers (approximately 70%) participating in this initiative identified as tobacco farmers, but that additional crops, such as Groundnuts, Maize, and Soya (and/or a combination thereof) were also represented by farmers cultivating these crops as part of the initiative.

## TYPES OF RISK

Data collected during this initiative from 135 farms showed that some of the highest risks identified for workers on these farms included:

- Application of dangerous chemicals (pesticides)
- Unguarded machines/ unprotected tools (tools and machines old or in disrepair)
- Poor sanitation (human contact with wastes/ improper disposal of sewage/ wastewater)
- Heavy workloads (people carrying weights beyond recommended limitations)
- Deep uncovered water wells
- Tobacco improperly being stored in houses where people live,



**TABLE 2. IDENTIFIED RISKS BY DISTRICT**

TYPE OF RISKS ASSESSED	NTCHISI		RUMPHI		MCHINJI		TOTAL	
	N	%	N	%	N	%	N	%
Poor Sanitation	26	30%	9	25%	0	0%	35	26%
Application of dangerous chemical (termic etc..)	11	13%	12	33%	1	8%	24	18%
Dangerous housing condition – older youth	11	13%	9	25%	1	8%	21	16%
Deep uncovered water well	16	19%	0	0%	3	23%	19	14%
Tobacco barn in bad shape	8	9%	2	6%	0	0%	10	7%
Unguarded machine	5	6%	2	6%	3	23%	10	7%
Improper use tools	4	5%	1	3%	1	8%	6	4%
Older youth – tending dangerous tamed animals	5	6%	0	0%	0	0%	5	4%
Heavy workload	0	0%	1	3%	3	23%	4	3%
Older Youth Fishing in deep waters	0	0%	0	0%	1	8%	1	1%
	<b>86</b>	<b>100%</b>	<b>36</b>	<b>100%</b>	<b>13</b>	<b>100%</b>	<b>135</b>	<b>100%</b>

**ANALYSIS: CONTROL MEASURES NEEDED TO REDUCE RISKS THAT CONTRIBUTE TO HAZARDOUS CHILD LABOUR**

**SAFETY AND HEALTH RISK ASSESSMENT**

Farmers participating in the Youth Employment Initiative were trained in workplace safety and health risk assessment a self-help tool. A safety and health risk assessment is essentially a careful examination by farmer as an employer of any workplace activities that could kill, injure, or cause disease/ill health to her/his workers

Safety and health risk assessment is essentially a five-step process:

- STEP 1.** Identify the hazards, who is at risk, and how
- STEP 2.** Evaluating the degree of risk, and prioritizing risks for action
- STEP 3.** Identify and decide on the safety and health risk control measures in the following order:
  - **RISK CONTROL MEASURE 1.** Elimination or substitution of hazards
  - **RISK CONTROL MEASURE 2.** Tools, equipment, technology and engineering
  - **RISK CONTROL MEASURE 3.** Safe work methods and practices, information and training
  - **RISK CONTROL MEASURE 4.** Hygiene and welfare
  - **RISK CONTROL MEASURE 5.** Personal protective equipment
  - **RISK CONTROL MEASURE 6.** Health/medical surveillance (by qualified persons)
- STEP 4.** Take action: implement the safety and health risk controls following the order in the list in Step 3
- STEP 5.** Record your findings, monitor and review your risk assessment, and update when necessary

**HAZARDS & RISKS**

According to the ILO – “Hazard” and “risk” are two terms that are used frequently in association with this type of child labour. A “**hazard**” is anything with the potential to do harm. A “**risk**” is the likelihood of potential harm from that hazard being realized.

Of similar note: A hazard “**by its nature**” refers to a hazard that is inherently too dangerous for young workers under 18 regardless as to how the act is performed; such as working in mines, working underwater, or spraying toxic pesticides. These types of activities are often banned for young workers to engage in (for good reason) by national competent authorities.

# FARMER BASED SAFETY AND HEALTH RISK ASSESSMENT

Having been trained, participating farmers then carried out their own risk assessments on 135 farms where 170 young boys and girls between the ages of 14-17 were identified as working in the fields.

These 135 risk assessments showed that some of the most important hazards and levels of risk on these farms included:

- Application of toxic pesticides
- Unguarded machines
- Heavy loads (with weights above recommended limits being carried)
- Uncovered crop watering holes and/or deep uncovered water wells
- Poor sanitation (contact with wastes/improper disposal of sewage/wastewater)



During the field training, the farmer (pictured) demonstrated to the team how he fetches water daily for his crops. The farmer received training on risk assessment techniques to help him mitigate the level of risk being taken and to improve the way in which he carried out this task

## FINDING SOLUTIONS

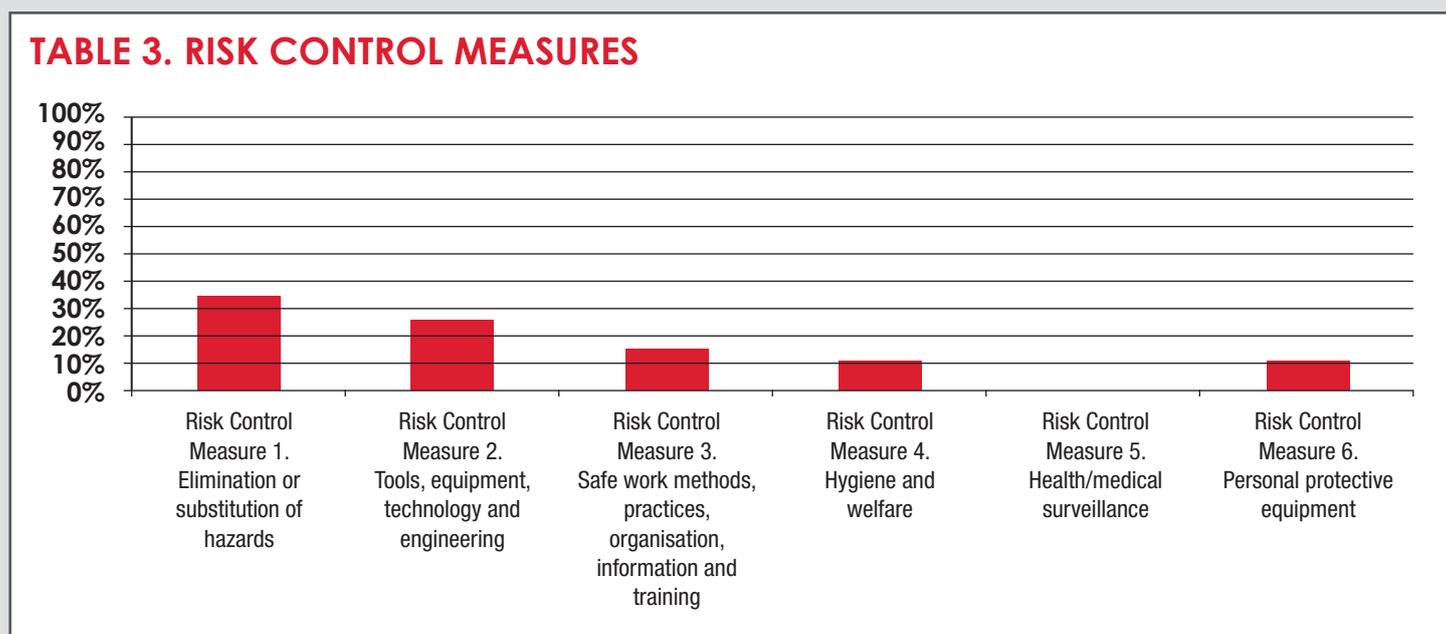
Having identified the problems and determined the degree of risk for each problem - high, medium or low - the farmers then identified and started making the safety and health improvements (risk control measures) needed to make their farms safer and healthier places in which to work.

Their objective was to reduce high or medium risk problems to lower risk ones.

Two examples of the types of safety and health improvements made by farmers in their risk assessments are:

1. An uncovered watering hole or well which was assessed as being high risk was turned into a low risk situation when the well was covered with wooden planks
  - **Uncovered watering hole/well = High Risk**
  - **Covered watering hole/well = Low Risk**
2. An unguarded maize milling machine, and without any form of enclosure around it, which was assessed as high risk, was then enclosed around with wooden planks to blocking unnecessary access, thereby reducing the level of risk .
  - **Unenclosed maize milling machine = High Risk**
  - **Enclosed maize milling machine = Lower Risk**

Table 3. Illustrates the types of risk control measures needed to mitigate and/or reduce risks based on risk assessment forms (table 2)



### FOLLOW-UP

During the course of the training and/or from March 2014-October, members from the CLEAR program continued to provide the necessary follow-up, as a quality control measure, to ensure that risks identified by farmers and measures needed to reduce these risks, where being put into place, so as to ensure that the necessary steps and/or measures had been taken to reduce the risks to acceptable levels needed for decent youth employment. Table 3. illustrates that progress had been made in each of the three districts and that steps were followed to create conditions of decent employment for young workers on these farm sites. Due to the pilot nature of the initiative, farmers continued to receive technical assistance and ongoing follow-up to ensure that the risk assessments translated into tangible health and safety improvements.

**TABLE 3: RISK REDUCTION: PROTECTING 14-17 OLD WORKING CHILDREN FROM ASSESSED HIGH RISK ENVIRONMENTS**

LEVEL OF RISK	NTCHISI			RUMPHI			MCHINJI		
	Initial Risk Status	Risk on 1st Follow-up	Reduction Rate	Initial Risk Status	Risk on 1st Follow-up	Reduction Rate	Initial Risk Status	Risk 1st Follow-up	Reduction Rate
Total risks	85	na	0%	36	0	0%	13	na	0%
High	71	20	24%	34	14	39%	12	9	69%
Medium	14	13	15%	2	0	0%	1	1	8%
Low		52	61%		22	61%		3	23%
			100%			100%			100%

### PRIMARY FINDING & CONCLUSION FROM THE PILOT DECENT YOUTH EMPLOYMENT INITIATIVE

As a result of these efforts, farmers who were employing youth above the legal working age of 14 under such 'hazardous conditions' – demonstrated that —with the right support and occupational safety and health practices in place— they could reduce or minimize certain risks that create and/or cause conditions of hazardous child labour on their farms and simultaneously provide opportunities for decent and safe youth employment in agriculture.



## **A NATIONAL FORUM FOR DISCUSSION ON DECENT YOUTH EMPLOYMENT AND HAZARDOUS CHILD LABOUR**

---

On November 19th 2014, representatives from the Malawi government, inter-governmental organizations, industry, and civil society joined together with farmers and farmer's organizations to take part in the first national *Symposium on Decent Youth Employment in Agriculture* as a critical step in advancing specific recommendations made at the 2012 conference.

With the support of the ECLT Foundation and CLEAR Project, this high-level symposium was convened to provide a national forum for discussion on decent youth employment in agriculture and provided a key opportunity to present and disseminate the information and learning that had been acquired and gained through this pilot initiative over the past 13-months.

Approximately 100 delegates, with representatives from the Ministry for Labour and Manpower Development, Ministry of Agriculture, the International Labour Organization (ILO), Food and Agriculture Organization (FAO), Tobacco Control Commission of Malawi, Agriculture Research and Extension Trust (ARET), and Employers Consultative Association of Malawi (ECAM) and Malawi Congress of Trade Unions (MCTU); along with representatives from the tobacco and sugar sector, gathered in Lilongwe to review and discuss the results from the pilot initiative, and identify opportunities to broaden strategies to combat hazardous child labour under the existing child labour and employment policy frameworks in Malawi.

*During the Symposium, a number of farmers who had directly participated in this pilot initiative, also highlighted the impact and benefits that the Risk Assessment training provided them in helping to address issues related to hazardous child labour on their farms.*

It was agreed amongst the delegates in attendance to build on these efforts, look at opportunities to reflect this knowledge and learning within the Malawi Child Labour Policy (currently under review) and to specifically look at broadening strategies on hazardous child labour and youth employment under the National Action Plan for the Elimination for Child Labour in Malawi that is up for review in 2016.

## WAY FORWARD

---

Reaching youth between the ages of 14-17 is crucial, as they are transitioning from school to work, or from school-based education to vocational training. Working in hazardous conditions during adolescence can create educational, physical, psychological, and social barriers that prevent young people from competing for good employment opportunities in the future. Furthermore, supporting occupational safety & health and other skills training along with creating opportunities for safe and decent work for young workers is critical to combating child labour and supporting the economic livelihoods for rural and agricultural communities.

Through the implementation of the pilot Decent Youth Employment Initiative, the following learnings and lessons have been gained in helping supporting other risk assessment training opportunities targeted to farmers:

### KEY LESSONS LEARNT

- **HAZARDOUS CHILD LABOUR IS AN AGRICULTURAL PROBLEM:** According to the ILO, the agricultural sector employs “an estimated 1.3 billion workers worldwide, which is half of the world's labour force” and in terms of fatalities, injuries and work-related ill-health, it is one of the three most hazardous sectors of activity”. Further, the ILO estimates that 59% of all child labour in the world occurs in the agricultural sector. The reasons for this vary from country to country, and community to community, however - while much focus of the CLEAR pilot effort initiative was in tobacco growing, it is evident that other agricultural crops such as groundnuts, soya beans, maize, and chilies are equally confronted with the types of hazards that contribute to conditions of hazardous child labour. Seeing this as an agricultural problem, will help address the complexities of what constitutes hazardous child labour in a community, and will ensure that there is a holistic process in place to work with farmers to not only understand and assess the risks on their farms, but more importantly, to come up with the necessary solutions needed to create conditions for decent youth employment – regardless of the crop.

*The ILO recognized the particularly hazardous nature of agricultural work in its Safety and Health in Agriculture Convention (No. 184), adopted in 2001*

- **FARMERS WERE EASILY TRAINED IN THE RISK ASSESSMENT METHODOLOGY AND MADE KEY IMPROVEMENTS ON THEIR FARMS:** Farmers who participated in the pilot articulated that the approach was easily understandable and that they “welcome, like and can make use of the OSH risk assessment methodology to improve the health and safety conditions on their farms” which had an overall impact of making these farms safer and healthier for both young workers and adults.
- **FARMERS DO NOT CONSIDER THEMSELVES EXPERTS ON INTERNATIONAL LAW –** Throughout the duration of the pilot initiative, farmers communicated time and again, that the national child labour laws are often very confusing, especially when it comes to understanding laws pertaining to older youth. Farmers stated that often the laws will portray them as criminals – and that there are very few resources available to them on how to understand the complexities of these issues in their own language. It was stated by many of the farmers through their own testimonials that “Given the right training and knowledge, [we] are capable of creating decent work opportunities for young people over the age of 14”. The strength of the occupational safety and health training was seen by the farmers to be “supportive” and not “punitive”. The farmers associations of NASFAM and TAMA have affirmed that this methodology is of value to their farmers, and will continue to look at ways to embed this training and “scale up efforts” in the near future.
- **UNDERSTANDING PESTICIDES:** The data showed that improper use of spraying pesticides was considered by the farmers to be of the highest risk. Almost all chemicals used by farmers, save for Actellic, had instructions and warning labels either in English or other foreign languages which local farmers could not understand. It was recommended during the national Symposium on Decent Youth Employment in Agriculture, that monitoring bodies such as the Malawi Poisons Board and Ministry of Agriculture should assess the types of pesticides most commonplace in the Malawi market and ensure that information is provided to farmers (through their associations) about the proper use of pesticides and the dangers of the specific chemicals being used.



## ADDITIONAL LEARNINGS & CONSIDERATIONS

- The model requires active participation and involvement of various stakeholders and service providers. Certain control measures such as Control Measure 4 and 5 require medical personnel to provide certain expert advice. This was beyond the scope of the pilot, but discerned as being a next step in understanding the long-term health implications of certain types of activities that have greater health risks (i.e. breathing in dust over an extended period of time) and what the effective personal protective equipment needed to mitigate.
- **LACK OF BIRTH CERTIFICATES AFFECT IDENTIFICATION OF YOUNG PEOPLE OF LEGALLY WORKING AGE** – this is a problem being confronted through CLEAR, but of critical importance to ensure advocacy efforts address this ubiquitous problem, especially in rural areas.
- **POTENTIAL TO SCALE-UP:** There are several opportunities the decent youth employment initiative can build from, including:
  - In addition to the dissemination strategies of the farmers' associations mentioned, there are in place existing structures like *group agriculture committees*, *farmers clubs*, *community child labour committees*, and other organizations that have expressed an interest to participate in the training and disseminate learnings to their membership.
  - Specific industries, like the tobacco industry, also have fully developed OSH practices and risk assessment techniques in place with their contracted farmers and company regulations about minimum age requirements – working across stakeholders to ensure farmers outside of these networks have access to similar training will help ensure that risk assessment approaches are being used across crops, thus providing an area based approach in combating and addressing the hazardous forms of child labour.
  - Availability of legal framework and national laws that may guide the OSH programming

## RECOMMENDATIONS & NEXT STEPS

- **RECOMMENDATION I:** There is ongoing need to raise awareness on the issues and laws that define Hazardous Child Labour in Malawi, especially in the agriculture sector, and a secondary need to continue to build the capacity of Malawi farmers and all related stakeholders involved in the pilot, to build a common understanding of the risk assessment process, supporting agriculture labour practices, occupational safety & health, and labour laws.
- **RECOMMENDATION II:** Introducing the health and safety risk assessment methodology in the education curriculum will help instill a culture of safe work in the country
- **RECOMMENDATION III:** Engage chemical manufacturers and suppliers to ensure that instructions on dangers and usage is in vernacular language which many can understand
- **RECOMMENDATION IV:** Lobby government to broaden strategies on addressing hazardous child labour through the use of a standardized risk assessment and OSH process in agriculture, to reflect learnings from the pilot initiative in the Child Labour Policy, National OSH Policy framework, and the National Action Plan to Eliminate Child Labour.

- **RECOMMENDATION V:** Lobby government national registration bureau and the parliament to expedite the birth registration and national ID process.
- **RECOMMENDATION VI:** Lobby government to ensure that monitoring bodies such as the Malawi Poisons board and Ministry of Agriculture provide information to farmers in local languages on the proper use and dangers of specific chemicals. As stated, almost all chemicals used by farmers, save for Actellic, had instructions and warning labels either in English or other foreign languages which local people could not understand.
- **CONTINUED PARTNERSHIP WITH NASFAM AND TAMA:** Members of the CLEAR Consortium through its continuation phase (2016-2017) in partnership with NASFAM and TAMA - have agreed to support the expansion of opportunities for young workers through vocational, OSH, and risk assessment training in agriculture and scaling-up decent youth employment initiatives from the learnings of the pilot phase.
- **PUBLIC PRIVATE PARTNERSHIP WITH THE ILO:** In 2015, the ILO and ECLT entered into an agreement to develop global guidance on hazardous child labour and occupational safety and health in tobacco growing, and to support stronger social dialogue in three target countries where ECLT operates, including Malawi. The global guidance will examine the nature and conditions of hazardous child labour in tobacco growing. It will also promote tripartite action to ensure that children do not perform this work and will support decent youth employment opportunities for young people between the minimum working age and the age of 18.. In Malawi, this project will support further capacity of governments and the social partners to develop and implement policies and action plans to combat child labour in agriculture. Additionally, it will provide technical support for tripartite meetings on child labour in agriculture. The agreement builds upon the collaborative efforts in Malawi to provide policy support to tripartite constituents to implement the agriculture component of the National Action Plan to combat child labour, and the declarations of the Malawi National Conference on Child Labour in Agriculture, held in 2012.
- **2014 NATIONAL SYMPOSIUM ON DECENT YOUTH EMPLOYMENT IN AGRICULTURE:** Members of the CLEAR consortium through its continuation phase will to work across stakeholders in 2016 to advance the following recommendations by sector from the 2014 symposium:

STAKEHOLDER	ROLE
Ministry of Labour	<ul style="list-style-type: none"> <li>• Facilitate and raise awareness of laws and enforcement of the laws as regards to employment.</li> <li>• Enhance monitoring of compliance to law.</li> </ul>
Ministry of Agriculture	<ul style="list-style-type: none"> <li>• Agriculture extension development officers and must be trained in OSH risk assessment methodology.</li> <li>• Demonstrate and model use of prevention and protection equipment in chemical spraying.</li> </ul>
Ministry of Health	<ul style="list-style-type: none"> <li>• Conduct health surveillance for young workers in agriculture and advise on health issues.</li> </ul>
Private Sector	<ul style="list-style-type: none"> <li>• Facilitate/ proliferate requirements in the ALP especially in the safe working environment and practices.</li> </ul>
NGOs/ CSOs	<ul style="list-style-type: none"> <li>• Promote employment and young workers rights.</li> <li>• Advocate for transparency and accountability labour relation issues</li> </ul>
MEDIA	<ul style="list-style-type: none"> <li>• Raise awareness on important and appropriate issues like OSH and employee welfare of legally working children.</li> </ul>
FARMERS (GACs)	<ul style="list-style-type: none"> <li>• Share experiences with other farmers</li> </ul>
Traditional leaders, VDCs, CCLCs	<ul style="list-style-type: none"> <li>• Monitoring and enforcement of OSH implementation at community level</li> </ul>
Ward Councilors	<ul style="list-style-type: none"> <li>• Facilitate development and enforcement of child labour by-laws</li> </ul>
District Council (DM&E), DEC, DCLCs	<ul style="list-style-type: none"> <li>• Integrate child labour and decent youth employment programs into the district development plans and district monitoring and evaluation system</li> </ul>
Development partners	<ul style="list-style-type: none"> <li>• Provide technical and financial support towards OSH programming</li> </ul>

## REFERENCES

Food and Agriculture Organization of the United Nations (FAO). (2014). INFORMATION MATERIAL:

Hazardous child labour: FAO's contribution to protecting children from pesticide exposure. Retrieved from <http://www.fao.org/3/a-au046e.pdf>

International Labour Organization's International Programme on the Elimination of Child Labour (IPEC). (2013). Marking progress against child labour: Global estimates and trends 2000-2012. Retrieved from

[http://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@ipec/documents/publication/wcms\\_221513.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@ipec/documents/publication/wcms_221513.pdf)

International Labour Organization's International Programme on the Elimination of Child Labour (IPEC). (2004) Hazardous Child Labour and ILO Convention No. 182 - Technical Notes

International Labour Organization. Press Release (2011). ILO warns of a generation "scarred" by a worsening global youth employment crisis. Retrieved from [http://www.ilo.org/global/about-the-ilo/media-centre/press-releases/WCMS\\_165465/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/media-centre/press-releases/WCMS_165465/lang--en/index.htm)

ILO C138 on minimum age for admission to employment; ILO Recommendation 190, Safety and Health in Agriculture Convention (No. 184), and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour for anyone under 18.

## ANNEXES

### ANNEX 1. EXAMPLE OF COMPLETED RISK ASSESSMENT

*15 November 2013, Madanjala Village, Ntchisi Province, Malawi, Lawrence Jacob - farmer*

WHAT ARE THE HAZARDS? SAFETY/HEALTH PROBLEMS	WHO IS MOST AT RISK AND HOW?	WHAT MEASURES/ACTIONS NEED TO BE TAKEN TO STOP WORKERS FROM BEING INJURED OR MADE ILL?	WHO IN YOUR WORKPLACE SHOULD TAKE ACTION? BY WHEN? ACTION COMPLETED?
Milling machine for maize, petrol driven, operating in a small hut  Unguarded nip points and belt transmission	Milling machine operator. Other persons helping with maize milling in close proximity to the machine  High risk - imminent and serious danger - of entanglement in the machine and possible loss of limbs; even fatal accident	Fit guards to nip points  Enclose transmission belt  Fit emergency stop device if possible  Enclosure of the moving parts of the machine is another possibility if it proves difficult to retrofit guards  Keep children out of the milling hut	Farm owner  Immediately

**STEP 5. RECORD YOUR FINDINGS, MONITOR AND REVIEW YOUR RISK ASSESSMENT, AND UPDATE WHEN NECESSARY:** The risk assessment should state the intended review date.

## ANNEX 2. EXAMPLE OF COMPLETED RISK ASSESSMENT

**Risk Assessment: 15 November 2013, Madanjala Village, Ntchisi Province, Malawi, Lawrence Jacob's farm.**

WHAT ARE THE HAZARDS? SAFETY/HEALTH PROBLEMS	WHO IS MOST AT RISK AND HOW?	WHAT MEASURES/ACTIONS NEED TO BE TAKEN TO STOP WORKERS FROM BEING INJURED OR MADE ILL?	WHO IN YOUR WORKPLACE SHOULD TAKE ACTION? BY WHEN? ACTION COMPLETED?
<p>Crop Watering hole 1.80 X 1.90 m. 1.80 metres total depth. Water depth varies but 60 cm at the time of the risk assessment</p> <p>1. Risk of injury when falling. Even drowning, especially as no means of escape from the hole was provided. There had already been near misses.</p> <p>2. Musculoskeletal injuries from poor posture when filling the watering can on the end of a stick</p>	<p>1. All workers carrying out watering are at risk. Workers said they sometimes fell head first into the hole which was especially dangerous</p> <p>A worker's wife had fallen into the hole and only been rescued because her cries were heard</p> <p>2. Risk of injuries to back, knees, ankles, feet, etc., due to have to perch precariously on the edge of the hole, and bend almost double when lowering the stick plus watering can to reach the water</p>	<p>1.1. Cover the water hole with planks to prevent falling in</p> <p>1.2. Put a protective barrier around the hole to stop people falling in (e.g., Use the soil already taken out with some inserted to form a protective fence)</p> <p>1.2 Fix a rope in the hole so people can haul themselves out or avoid drowning whilst crying for help</p> <p>1.3 Avoid working alone when watering</p> <p>1.4 Farmworkers should be trained on the emergency procedure for getting someone out of the hole</p> <p>2. Build a wooden frame over the well so that cans can be wound up as with a well</p> <p>2.1 Train workers in correct lifting techniques</p>	<p>Farm owner</p> <p>1. Take immediate action to cover up the hole and build a protective barrier</p> <p>2. Build wooden frame immediately especially as it is simple to construct</p> <p>2.1 Training to be provided within two weeks</p>

**STEP 5. RECORD YOUR FINDINGS, MONITOR AND REVIEW YOUR RISK ASSESSMENT, AND UPDATE WHEN NECESSARY:** The risk assessment should state the intended review date.



ECLT Foundation  
14 rue Jacques-Dalphin  
1227 Carouge, Geneva  
Switzerland

[www.twitter.com/ecltfoundation](https://www.twitter.com/ecltfoundation)  
[www.facebook.com/ecltfoundation](https://www.facebook.com/ecltfoundation)  
[www.eclt.org](http://www.eclt.org)

MAKING A BETTER LIFE FOR CHILDREN IN TOBACCO-GROWING COMMUNITIES