



# **The Agriculture Labour Practices Progress Report**

**2022 - 2023**



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## Acronyms

<b>TC</b> .....	Tobacco Commission
<b>ALP</b> .....	Agriculture Labour Practices
<b>ARET</b> .....	Agriculture Research and Extension Trust
<b>NASFAM</b> ....	National Smallholder Farmers Association of Malawi
<b>SAS</b> .....	Self-Assessment Survey



# Foreword

**When the story of the successful war against human rights violations in the tobacco industry in Malawi is written, the past twelve months will feature highly. This is because it is the period that saw some key milestones achieved and a strong foundation for the elimination of human rights violations in tobacco laid.**

As this report shows, first among the milestones was the development of an ALP Code which provides standards in the way industry players implement their activities. In providing these standards, the Code helps us achieve consistency in our efforts.

As expertly developed as it is, the Code would be of little significance if it was not adopted by participants in the tobacco industry in Malawi. The adoption of the Code was, therefore, another important milestone as it offered assurance of industry players' commitment to implementation. The adoption also demonstrated the quality of our collaboration as an industry. We are proud that the adoption provided an opportunity for us to show and strengthen our collaboration amidst differing business interests.

The third key milestone that this report highlights is on capacity building. Without personnel that are conversant with the ALP Code that was developed, implementation will fail. The training of trainers that was conducted on the Code in the year was, therefore, important for us to embark on implementation with ease and to move with a clear sense of direction.

This far, it is clear that players are pulling in the same direction on matters related to the elimination of human rights violations in tobacco in Malawi. It is expected that the milestones achieved will be used as building blocks for the achievement of bigger goals in the next twelve months. As the regulator of the industry in Malawi, we will spare no effort to ensure we achieve clean tobacco production.

**Evans Chilumpha**

Acting Chief Executive Officer





# THE TOBACCO COMMISSION



## Values

### Professionalism

The Commission shall professionally execute its mandate in a transparent and accountable manner.

### Integrity

The Commission shall always conduct its business in an honest, principled and corrupt free manner.

### Compliance

The Commission shall always comply with domestic and international standards.

### Gender Sensitive

The Commission shall always consider gender related issues in its operations.

### Research and Innovation

The Commission shall undertake research to ensure evidence-based decision making and promote innovation.



## Mission

Provision of effective and efficient regulatory services to promote the development of the tobacco industry that operates in an accountable and compliant manner using modern technologies.



## Vision

Sustainable tobacco production, marketing and value addition.



# HIGHLIGHTS OF 2023



Tobacco Industry stakeholders pose for a group photo during the Agriculture Labour Practices Code adoption seminar at Bingu International Convention Centre in Lilongwe on 4th October, 2023.



Participants pose for a group photo during the Agriculture Labour Practices Code trainer of trainers training in Salima during one of the training days.



Tobacco Commission staff sensitisation meeting on Agriculture Labour Practices Code at Mzuzu Division Offices.





ECLT's former Head of Programmes, Mrs. Nataliya Prongué making a presentation on Business and Human Rights during one of the Tobacco Industry Agriculture Labour Practices Working Group meetings.



L-R: Tobacco Processors Association representative, Tobacco Commission Directors (Finance, Technical Services and Human Resources and Administration), Twenty Fifty and ECLT representatives in Malawi during the ALP Code adoption seminar.



Dr. Mildred Mushingwa of Twenty Fifty Consultancy facilitating the training on Agriculture Labour Practices Code to trainer of trainers.



# KEY EVENTS OF 2023





**In 2023, the Tobacco Commission achieved significant milestones in enhancing the Agriculture Labour Practices in the tobacco industry. The highlights of this are the key events that have taken place which include the adoption of the Tobacco Industry Agriculture Labour Practices Code by the tobacco industry stakeholders, training of trainers on Human Rights Due Diligence and the Agriculture Labour Practices Code and the Tobacco Commission staff sensitisation meetings on Agriculture Labour Practices Code.**

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### **Adoption of the Tobacco Industry Agriculture Labour Practices Code**



In March 2023, the tobacco industry started the process of developing a set of guidelines, regulations or laws to govern the employment practices and working conditions, including family and hired labour in tobacco production in Malawi. This set of guidelines is referred to as the Agriculture Labour Practices Code. This Code was derived from conventions defined by the International Labour Organisation fundamental conventions and from the laws of Malawi. The Code was developed in consultation with all tobacco industry stakeholders, relevant government ministries, departments and agencies. The ALP Code was then adopted by the tobacco industry stakeholders during the seminar that took place at Bingu International Convention Centre in Lilongwe on Wednesday 04th October, 2023 on which the Director of Technical Services from the Tobacco Commission was the Guest of Honor.

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### **Training of Trainers on Human Rights Due Diligence and the ALP Code**



The ECLT Foundation in collaboration with the Tobacco Commission organised a training for the trainer of trainers from the Tobacco Commission, tobacco growers associations namely NASFAM, Phindu, Mchikumbe and TAMA Farmers' Trust, Auction Holdings Limited and ARET. The training took place on Monday 13th November and Tuesday 14th November, 2023 at Blue Waters Resort in Salima and was officially opened by the former Chief Executive Officer for the Tobacco Commission Dr Joseph Chidanti Malunga. The training was facilitated by the Twenty Fifty Consultants Dr Mildred Mushinga and Miss Daisy Banda. A total of 33 participants from the above-mentioned institutions underwent through the training on Human Rights Due Diligence and the Agriculture Labour Practices Code.

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### **Tobacco Commission Staff Sensitisation Meetings on ALP Code**



After the adoption the ALP Code by the tobacco industry and training for the trainer of trainers, there were internal staff sensitisation meetings on ALP Code for Tobacco Commission staff. These sensitisation meetings took place across the four Tobacco Commission Division Offices namely Limbe Division, Lilongwe Division, Kasungu Division and Mzuzu Division. All staff at the Tobacco Commission were sensitised on the ALP Code. These sensitisation meetings took place from Tuesday 21st November to Monday 27th November, 2023.

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## About the ALP Working Group

The Agriculture Labour Practices Working Group is a multistakeholder platform that brings together tobacco companies, farmers' associations, the tobacco research agency, the Ministry of Labour, tobacco unions and civil society organizations committed to accelerating action against child labour and other human rights abuses in the tobacco sector in Malawi.

Formed in 2022, the membership of the Working Group comprised of 15 organizations by the end of 2023:

- Tobacco Commission (Chair)
- Agricultural Research and Extension Trust (ARET)
- Japan Tobacco International
- Alliance One Tobacco
- Premium Leaf Tobacco
- Limbe Leaf Tobacco
- Associated Central Africa Limited
- TAMA Farmers' Trust
- Phindu Farmers' Association
- Mchikumbe Farmers' Association
- Tobacco and Allied Workers Union of Malawi (TOAWUM)
- NASFAM
- Auction Holdings
- Ministry of Labour
- ECLT Foundation





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## Tobacco Commission and the ECLT Foundation join forces to accelerate action against child labour in tobacco sector in Malawi

In 2022, the Tobacco Commission signed a Memorandum of Understanding (MOU) with the Eliminating Child Labour in Tobacco Growing (ECLT) Foundation to enhance collaboration in fighting child labour in the tobacco sector. The MOU will be valid for four years.

Under the MOU, the ECLT Foundation has so far provided funding for the Tobacco Commission to recruit an official dedicated to coordinating child labour efforts across the tobacco industry.

In addition, the ECLT Foundation provided technical assistance for the assessment of child labour due diligence in the tobacco sector. The results of the baseline assessment led to the development and adoption of an industry Agriculture Labour Practices Code, which was also funded by the ECLT Foundation.



*“The collaboration with Tobacco Commission aligns with the ECLT Foundation’s mission to catalyse the power of States, businesses and farming communities in collective action to eliminate all forms of child labour in agriculture. The MOU marks a significant milestone towards this goal by combining the unique capabilities and mandates of our two organisations to create and amplify positive impact for children in tobacco-growing communities.”*

Dr. Innocent Mugwagwa,  
Executive Director, ECLT Foundation



*“The MOU with the ECLT Foundation has been empowering and unprecedented. Through the technical and financial support from the Foundation, we are now better equipped to provide solid leadership in the fight against child labour, forced labour and other forms of labour violations across the tobacco value chain in Malawi. Our programming will help us see dignified work for all those involved in the production of our green gold. We will be able to produce and supply clean tobacco to the world.”*

Evans Chilumpha,  
Acting Chief Executive Officer, Tobacco Commission

### MOU areas of cooperation

- a) Institutional capacity building and strengthening child labour cooperation.
- b) Data collection and management, referral and child labour remediation at community levels.



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## Baseline assessment of child labour due diligence in tobacco sector

In 2022, the Tobacco Commission initiated a baseline assessment of child labour due diligence in the tobacco sector in Malawi. The assessment was targeted at seventeen organisations in the tobacco industry, including tobacco companies, auction floors and tobacco farmers' organisations.

The main objective of the baseline assessment was to take stock of the status of tobacco sector players in Malawi with respect to child labour policy, due diligence, and remediation in line with the requirements of the United Nations Guiding Principles on Business and Human Rights (UNGPs). The UNGPs are the global authoritative standard on business and human rights.

The ECLT Foundation provided technical assistance for the baseline assessment.

The main outcomes of the baseline assessment showed that different organisations in the tobacco sector in Malawi were at different stages of maturity in how they address child labour and forced labour. Accordingly, it was recommended that the Tobacco Commission define and enforce minimum child labour and forced labour standards for the whole tobacco sector, covering growers, contractors, auction floors, farmers' organisations and the Tobacco Commission itself.

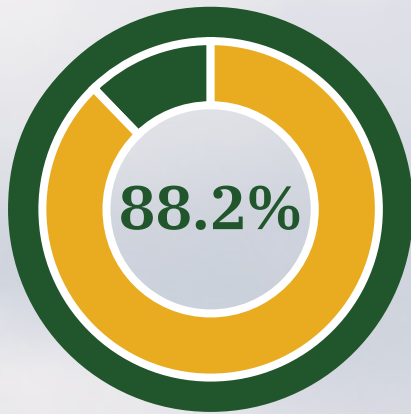
Moreover, the outcomes of the assessment were used by the Tobacco Commission to identify good practices in industry players' approaches to addressing child labour, support the dissemination and uptake of the good practices and to guide the development of improvement plans to fill identified gaps.



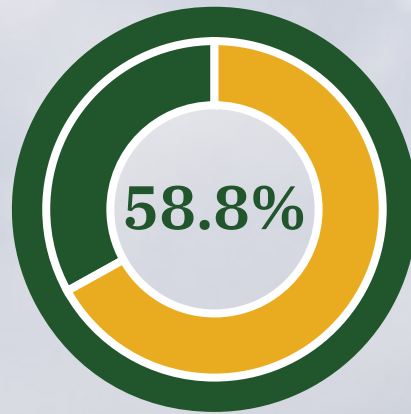
*“The baseline assessment of child labour due diligence in Malawi’s tobacco sector revealed both the strengths and gaps in how child labour and forced labour are being addressed. The outcomes helped us renew our industry’s commitment to a shared vision for sustainable tobacco production while benchmarking our journey of continuous improvement.”*

Chilungamo Kambilinya,  
Corporate Planning and Development Manager, Tobacco Commission

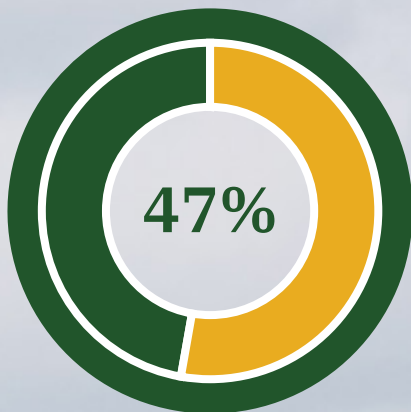




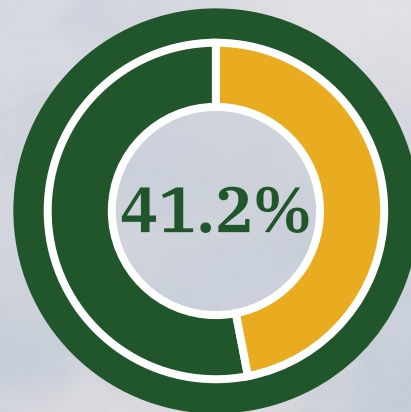
**15 out of 17 organisations surveyed submitted responses by 7th October 2022**



**10 out of 17 organisations reported that they have a child labour policy.**



**8 out of 17 organisations reported that they carry out child labour due diligence in their supply chains.**



**7 out of 17 organisations reported that they provide for or collaborate in remediation.**



# ALP CODE DEVELOPMENT





**The Tobacco Industry ALP Code was developed as a result of the consolidation of the ALP materials which the stakeholders in the tobacco industry were using for their ALP programs and also as a result of the recommendations which were made on the outcomes of the child labour self-assessment survey (SAS) that was done to the stakeholders in the tobacco industry.**

During the development of the ALP Code, four specific Tobacco Industry ALP Sub-working groups were formed from the main Tobacco Industry ALP Working Group. These Tobacco Industry Sub-Working Groups were mainly tasked to work on the recommendations that were made on the outcomes of the Child Labour Self-Assessment Survey. The development of the ALP Code focused on two of the four recommendations that were made (first two recommendations). These four recommendations from the SAS were;

**1**

Through ALP the Working Group, form a sub-working group to propose to TC minimum labour and forced labour standards for the tobacco sector (growers, contractors, auction floors, farmers organisations, TC and ARET). Once endorsed by TC, the resultant common standard to be made a condition for buying, contracting and auction licenses, and to be distributed to all growers (contracted and independent growers).

**2**

Through the ALP Working Group, form a sub-working group to propose to TC common indicators and measurement system to track and communicate progress against child labour at industry level.

**3**

Through the ALP Working Group, form a sub-working group to consolidate farmer training and communications materials for distribution to all contractors, buyers, auction floor, TC, ARET and farmers organisations.

**4**

Through the ALP Working Group, form a sub-working group to develop and propose an industry operational grievance mechanism and child labour data base for the tobacco industry.

Table 2 below, shows the specific tasks as assigned to each sub working group that was formed.

Sub-Working Group	Assigned task
1	<ul style="list-style-type: none"> <li>• Develop common child labour definition for tobacco sector</li> <li>• Develop minimum child labour standards for tobacco sector</li> <li>• Develop minimum forced labour standards for the tobacco sector</li> </ul>
2	<ul style="list-style-type: none"> <li>• Develop common indicators and measurement system to track and communicate progress against child labour at industry level.</li> <li>• Develop a child labour data base for the tobacco industry.</li> </ul>
3	<ul style="list-style-type: none"> <li>• Consolidate farmer training and communications materials for distribution to all contractors, buyers, auction floor, TC, ARET and farmers organisations.</li> </ul>
4	<ul style="list-style-type: none"> <li>• Develop and propose an industry operational grievance mechanism</li> </ul>

**Table 2: Task allocation for the sub working groups.**

### Tobacco Industry ALP Sub Working Group Meetings

To track progress and get feedback from the four ALP Sub-working groups which were working on the recommendations from the baseline survey meetings were scheduled for the groups to give updates on the tasks that were given. During these meetings, the groups were requested to do a presentation of what has been discussed and agreed by the group on the tasks/objectives that they were given (refer to table 2). The meetings for the presentations were scheduled and took place on 11th May, 2023 and 25th May, 2023.

After these presentations, the Tobacco Commission consolidated all the work from the Tobacco Industry Sub-Working Groups and the tobacco industry stakeholders ALP information materials. This resulted in development of the Agriculture Labour Practices Code which sets guidelines, regulations or laws that govern the employment practices and working conditions, including family and hired labour in tobacco production in Malawi. This draft ALP Code document was then sent to the stakeholders in the tobacco industry for Executive Management for approval. After incorporating industry input and expertise, the draft was sent to Twentyfifty, a UK-based management consultancy specializing in human rights due diligence, for validation.





# **MALAWI TOBACCO INDUSTRY AGRICULTURE LABOUR PRACTICES CODE**



# NEXT STEPS ON THE OUTCOMES OF THE SELF-ASSESSMENT SURVEY







**Following the development of the ALP Code which is responding to gaps identified in the self-assessment survey, there are a number of activities that have planned to continue addressing the gaps that were identified in the survey.**

1. Development of the Tobacco Industry Child Labour Policy
2. Development of the Tobacco Industry ALP data base
3. Development of the Tobacco Industry Operational Grievance Mechanism
4. Development of the Information Education and Communication materials for distribution to growers

### **Development of the Tobacco Industry Child Labour Policy**

One of the improvements plans that have been set in the Malawi tobacco industry is the development of the Tobacco Industry Child Labour Policy. The self-assessment survey revealed that only 58.8% of the stakeholders in the tobacco industry have a child labour policy. Therefore, the tobacco industry plans to develop a child labour policy deriving from the Malawi Child Labour Policy. This will help all the stakeholders in the tobacco industry to be able to conduct child labour due diligence in their value chains.

comes from the efforts shown by different stakeholders in the industry, who already have their respective ALP data base.

### **Development of the Tobacco Industry ALP data base and Geo-tagging of growers**

The tobacco industry currently does not have the ALP data base where information regarding ALP issues can be stored. The tobacco industry therefore is planning to develop the industry ALP data base in order to easily track progress and the impact the ALP programs in the industry. As part of creation of the data base, the Tobacco Commission intends to carry out geo-tagging to easily trace the location of the licensed growers. The pilot district for this exercise is Ntchisi district. The opportunity for the implementation of the ALP data base

### **Development of the Tobacco Industry Operational Grievance Mechanism**

The tobacco industry is also in the process of developing and setting up an industry Operational Grievance Mechanism to assist different stakeholders to report the issues that negatively affect them in the tobacco sector. These issues include but not limited corruption, harassment, child labour and other issues relating to the tobacco sector.

### **Development of Information, Education and Communication Materials for distribution to growers**

The tobacco industry is also in the process of developing information, education and communication materials regarding the ALP Code for distribution to growers as one way of sensitizing and educating growers on issues to do with ALP Code. This is one way of reaching out to growers regarding ALP Issues.

# OTHER PLANNED ACTIVITIES







### **Launch of the ALP Code**

The Tobacco Industry is in the process of the launching the ALP Code for the stakeholders to start implementing the activities. This Code will be launched in the month of May, 2024.



### **ALP Code Sensitisation meetings**

The Tobacco Commission is planning to carry out grower's sensitisation meetings on ALP Code across the tobacco growing districts in Malawi. These sensitisation meetings will open a platform for discussions and clarification to growers on the issues that they must have a better understanding of in relation to the Code.



### **Development of the ALP Code Training Guide**

The Tobacco Industry is finalizing the development of the ALP training guide which will be used by the trainers during ALP Code trainings. This training guide standardises and sets direction for the trainers to follow so that there is a benchmark for information sharing to achieve a common goal for the industry.



### **Tobacco grower's trainings on ALP Code**

Through ARET, Tobacco Growers Associations and Tobacco Contracting Companies, the Tobacco Industry will carry out massive trainings on ALP Code to all its licensed growers. This will be done in order to educate growers on ALP principles and help them implement these principles in their respective day to day activities for sustainability of the Tobacco Industry.



# CONCLUSION





Since 2022, there has been a huge success in the implementation of the ALP related activities. A lot of planned activities were successfully done and yielded desirable results. This success had been as a result of commitment from TC Executive Management, Managers, Officers and the stakeholders in the tobacco industry.





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