

In 2020, Malawi made moderate advancement in efforts to eliminate the worst forms of child labor. The government brought into force the International Labor Organization 2014 Protocol to the Forced Labor Convention and the 2001 Safety and Health in Agriculture Convention, which increase protections against forced labor and child labor in agriculture, respectively. The government also adopted an updated National Action Plan on the Elimination of Child Labor, established district-level coordinating committees to improve responses to child trafficking at the local level, and, with the support of the International Labor Organization, launched a 4-year initiative to address decent work deficits in the tobacco sector, including elimination of child labor. In addition, criminal law enforcement officers increased the number of investigations, prosecutions, and convictions related to the worst forms of child labor. However, children in Malawi are subjected to the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation, each sometimes as a result of human trafficking. Although the government made meaningful efforts in all relevant areas during the reporting period, minimum age laws do not meet international standards because protections do not extend to children working in private homes and non-commercial farms. Prohibitions related to the use of children for illicit activities also do not meet international standards. Moreover, gaps continue to exist in labor law enforcement related to child labor, including financial resource allocation.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Malawi are subjected to the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation, each sometimes as a result of human trafficking. (I) Table I provides key indicators on children's work and education in Malawi.

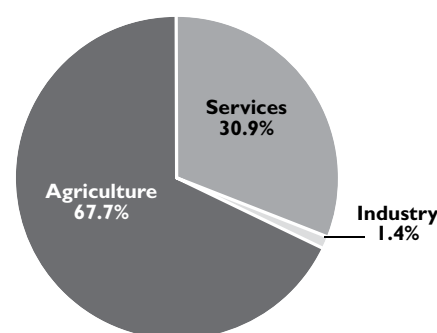
**Table I. Statistics on Children's Work and Education**

| Children                      | Age     | Percent          |
|-------------------------------|---------|------------------|
| Working (% and population)    | 5 to 14 | 43.2 (1,965,690) |
| Attending School (%)          | 5 to 14 | 89.9             |
| Combining Work and School (%) | 7 to 14 | 45.4             |
| Primary Completion Rate (%)   |         | 80.3             |

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (2)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey (Simpoc), 2015. (3)

**Figure I. Working Children by Sector, Ages 5-14**



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

| Sector/Industry | Activity   |
|-----------------|--|
| Agriculture     | Production of tea (1,4,5)  |
|                 | Planting and harvesting tobacco, clearing land, building tobacco-drying sheds, cutting and bundling, weeding, and plucking raw tobacco† (1,4,6-10) |
|                 | Herding livestock (11,12)  |
|                 | Fishing (1)  |
| Industry        | Brickmaking† (12)  |
|                 | Construction,† activities unknown (11,12)  |

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**Table 2. Overview of Children’s Work by Sector and Activity (Cont.)**

| Sector/Industry                         | Activity   |
|---|--|
| Services                                | Domestic work in third-party homes (11,13,14)  |
|   | Begging† (1)   |
|   | Vending (11,15,16)   |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,17-19)   |
|   | Herding goats and cattle; farming, including tobacco; fishing; brickmaking; domestic work; and work in small businesses such as rest houses and bars, each sometimes as a result of human trafficking (4,18,20,21) |
|   | Forced begging (18)  |
|   | Use in illicit activities, including the sale and trafficking of drugs (11,22)   |

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children in Malawi are engaged in hazardous work in the production of tobacco. (11,23-25) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness. (24,26) They are exposed to pesticides, chemicals, and harsh weather conditions; they also utilize sharp tools. (24) Some children work alongside family members who are tenants on tobacco farms. (6,24,27) In the tenancy system, tenants’ pay is based on the quantity and quality of tobacco sold to farm owners after the harvest season, and parents have an incentive to use their children to increase their earnings. Tenants often incur loans from farm owners during the growing season; in many cases, they are unable to repay these debts, resulting in them, and often their families, falling into debt bondage. (6,28) Many children working under these conditions do not attend school. (24)

Most child trafficking for labor in Malawi takes place within the country. (17) Traffickers transport boys from southern Malawi to the central and northern regions for forced labor on tobacco farms, herding of goats and cattle, and brickmaking. (17,18,29) Children in Malawi are subject to human trafficking to other countries, including Mozambique, South Africa, Tanzania, and Zambia. (30,31) Traffickers may charge children for their clothing, food, housing, and transport; children may be forced to work in debt bondage because of these charges. (28) Girls from rural areas sometimes move to larger cities in search of work. In some cases, they receive clothing and lodging from brothel owners and, if unable to find other work, the brothel owners may exploit them in commercial sex work to pay off their debts. (6,18,29) Public reporting indicates that there has been an increase in child trafficking, and other worst forms of child labor, including work on tobacco farms, resulting from school closures during the COVID-19 pandemic. (32,33)




Primary education is tuition-free, and in September 2018, the government abolished secondary school fees to facilitate access to secondary education. (34,35) However, considerable barriers to education exist, including families’ inability to pay required school-related expenses, such as books and uniforms. (14,36) Long distances, a lack of teachers, poor school infrastructure, and the lack of water, electricity, feminine hygiene products, and sanitation facilities also negatively impact children’s attendance at school. In addition, safety concerns may negatively affect attendance; reports indicate that children are sometimes victims of sexual assault at school by both peers and teachers. (11,13,25,36) Additionally, many girls in grades six to eight are withdrawn from school to perform domestic work at home. (14)

Children with family members with HIV/AIDS may need to assume responsibility as heads of their households, including working to support their families. These children, especially those who become orphaned, are at increased risk of leaving school early and entering into the worst forms of child labor. (37-39)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Malawi has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

| Convention   | Ratification |
|--|--------------|
|  ILO C. 138, Minimum Age                    | ✓            |
| ILO C. 182, Worst Forms of Child Labor   | ✓            |
|  UN CRC                                     | ✓            |
| UN CRC Optional Protocol on Armed Conflict   | ✓            |
| UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography                                   | ✓            |
|  Palermo Protocol on Trafficking in Persons | ✓            |

In 2020, the government brought into force the 2014 protocol to the Forced Labor Convention (ILO C. 029) and the Safety and Health in Agriculture Convention of 2001 (ILO C. 184), after initially ratifying the conventions in 2019. (11,40) These instruments extend to the tobacco sector, in which children in Malawi are subject to both forced labor and hazardous work conditions, and commit the government to a minimum age of 18 for agricultural labor. (41,42)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Malawi's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

**Table 4. Laws and Regulations on Child Labor**

| Standard  | Meets International Standards | Age | Legislation   |
|---|-------------------------------|-----|---|
| Minimum Age for Work  | No                            | 14  | Section 21 of the Employment Act (43)   |
| Minimum Age for Hazardous Work  | Yes                           | 18  | Section 22 of the Employment Act; Section 23 of the Constitution (43,44)  |
| Identification of Hazardous Occupations or Activities Prohibited for Children | Yes                           |     | Sections 1–9, and Paragraph 6, Sections 1–6 of the Employment (Prohibition of Hazardous Work for Children) Order (45)   |
| Prohibition of Forced Labor   | Yes                           |     | Section 4 of the Employment Act; Section 27 of the Constitution; Sections 140–147 and 257–269 of the Penal Code; Sections 79 and 82 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (43,44,46–48) |
| Prohibition of Child Trafficking  | Yes                           |     | Sections 140–147 and 257–269 of the Penal Code; Section 79 of the Child Care, Protection and Justice Act; Section 15 of the Trafficking in Persons Act (46–48)  |
| Prohibition of Commercial Sexual Exploitation of Children                     | Yes                           |     | Sections 137–138, 140, 142, 147, and 155 of the Penal Code; Sections 23 and 84 of the Child Care, Protection and Justice Act; Sections 15 and 20 of the Trafficking in Persons Act (46–48)  |
| Prohibition of Using Children in Illicit Activities                           | No                            |     |   |
| Minimum Age for Voluntary State Military Recruitment                          | Yes                           | 18  | Section 19 of the Defense Force Act (49)  |
| Prohibition of Compulsory Recruitment of Children by (State) Military         | N/A*                          |     |   |
| Prohibition of Military Recruitment by Non-state Armed Groups                 | No                            |     |   |
| Compulsory Education Age  | Yes                           | 18  | Article 13 of the Education Act (34)  |
| Free Public Education   | Yes                           |     | Articles 2 and 13 of the Education Act (34)   |

\* No conscription (49)

# Malawi

## MODERATE ADVANCEMENT

Malawi currently lacks a specific legal framework for the tenancy system, which is often used in tobacco production, and leaves children vulnerable to the worst forms of child labor. Families working under the tenancy system are particularly vulnerable to debt bondage because loans advanced to farmers operating under this arrangement are often of a higher value than the profits farmers receive from crop yields. (6,50,51) The government has drafted an amendment to the Employment Act that would abolish the tenancy system, though it has delayed consideration of the bill in Parliament pending the finalization of an ILO study on the policy effects of abolishing the tenancy system. (1)

Section 21 of the Employment Act sets the minimum age for employment at age 14 in agricultural, industrial, or non-industrial work. (43) The minimum age does not extend to workers in private homes, such as in domestic work, or non-commercial agriculture, sectors in which children work. (43,52,53) The minimum working age is also lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (34) Malawi law does not have criminal provisions for the use of children in illicit activities, such as the selling of drugs. Furthermore, although non-state armed groups are not known to recruit children for military activities in the country, Malawi law does not meet international standards because it does not explicitly prohibit this practice.

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

| Organization/Agency           | Role  |
|-------------------------------|---|
| Ministry of Labor (MOL)       | Performs inspections and investigates all labor complaints, including those related to child labor. Through its Child Labor Unit, monitors and implements child labor law compliance through child labor monitoring visits. (54,55) Coordinates with the Ministry of Homeland Security and the Ministry of Gender, Community Development and Social Welfare (MGCDSW) to investigate and refer children for social services, respectively. (1)                 |
| District Labor Offices        | Enforce child labor and trafficking in persons laws at the district level. (1)  |
| Malawi Police Service         | Investigates suspected cases involving the worst forms of child labor. Analyzes and operationalizes systems to track human trafficking trends. (1,56)   |
| Ministry of Homeland Security | Enforces human trafficking laws and prosecutes human trafficking offenses. (1)  |
| Ministry of Justice           | Prosecutes criminal offenders. (1,57)   |
| Tobacco Commission            | Oversees the regulation of the tobacco industry and enforcement of the Tobacco Industry Bill, including child labor issues. (11,58) Receives annual reports from tobacco growers on child labor issues in their supply chains, including efforts to prevent and eliminate child labor, and may penalize growers, including canceling contracts, of growers who fail to satisfactorily report on child labor in their annual reports to the Commission. (1,58) |

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Malawi took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including financial and human resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

| Overview of Labor Law Enforcement           | 2019           | 2020         |
|---|----------------|--------------|
| Labor Inspectorate Funding                  | \$198,924 (59) | Unknown (11) |
| Number of Labor Inspectors                  | 78 (59)        | Unknown (1)  |
| Inspectorate Authorized to Assess Penalties | No (11,43)     | No (1,43)    |
| Initial Training for New Labor Inspectors   | Yes (11)       | Unknown (1)  |
| Training on New Laws Related to Child Labor | Yes (11)       | N/A          |
| Refresher Courses Provided                  | Yes (11)       | Yes (1)      |

**Table 6. Labor Law Enforcement Efforts Related to Child Labor (Cont.)**

| Overview of Labor Law Enforcement  | 2019         | 2020        |
|--|--------------|-------------|
| Number of Labor Inspections Conducted  | Unknown (11) | Unknown (1) |
| Number Conducted at Worksite   | Unknown (11) | Unknown (1) |
| Number of Child Labor Violations Found   | 10 (59)      | Unknown (1) |
| Number of Child Labor Violations for Which Penalties Were Imposed                  | N/A (11)     | Unknown (1) |
| Number of Child Labor Penalties Imposed that Were Collected                        | N/A (11)     | Unknown (1) |
| Routine Inspections Conducted  | Yes (11)     | Yes (1)     |
| Routine Inspections Targeted   | Yes (11)     | Yes (1)     |
| Unannounced Inspections Permitted  | Yes (43)     | Yes (43)    |
| Unannounced Inspections Conducted  | Yes (11)     | Yes (1)     |
| Complaint Mechanism Exists   | Yes (11)     | Yes (1)     |
| Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services | Yes (11)     | Yes (1)     |

Under Malawi law, child labor is a criminal offense; as such, labor investigators refer violations related to child labor to criminal law enforcement authorities for investigation and imposition of penalties. (43) The government did not provide information on its labor law enforcement efforts for inclusion in this report; however, research indicates that funding resources are likely inadequate to enforce laws related to child labor. (6,11,14) While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Malawi would need to employ roughly 175 labor inspectors as its workforce consists of over 7 million workers. (60,61) Due to personnel and resource constraints, most labor inspections take place in or near major towns where district labor enforcement offices are located, leaving workplaces in remote and rural locations less protected. (17) To increase monitoring of the tobacco sector, MOL and tobacco companies entered into a memorandum of understanding (MOU) that includes industry support for training of labor inspectors and financing of labor inspections on tobacco farms, such as covering transportation costs to inspection sites. The MOU also establishes a complaint mechanism by which field technicians working for tobacco companies report child labor findings to labor officers for follow-up investigation and response. (1,62) In 2020, tobacco companies provided training for labor officers on identification of child labor occurring on tobacco farms. (1)

During the reporting period, MOL launched a new tip program for individuals to report potential labor law violations through phone calls, social media, and at labor offices. (1) In addition, MOL, with funding from the African Development Bank, is developing a labor information management system to capture and store information on labor law violations, including child labor cases. (62) Labor officers received training on using the new information management system. (1)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Malawi took actions to combat child labor (Table 7). However, gaps exist within the operations of criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

| Overview of Criminal Law Enforcement  | 2019       | 2020    |
|---|------------|---------|
| Initial Training for New Criminal Investigators                                       | No (59)    | Yes (1) |
| Training on New Laws Related to the Worst Forms of Child Labor                        | Yes (59)   | N/A (1) |
| Refresher Courses Provided  | No (59)    | No (1)  |
| Number of Investigations  | 3 (17)     | 9 (1)   |
| Number of Violations Found  | 4 (17)     | 16 (1)  |
| Number of Prosecutions Initiated  | 13 (17,59) | 15 (1)  |
| Number of Convictions   | 4 (17)     | 12 (1)  |
| Imposed Penalties for Violations Related to the Worst Forms of Child Labor            | Yes (17)   | Yes (1) |
| Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services | Yes (11)   | Yes (1) |

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During the reporting period, the Malawi Police, in coordination with members of the Mchinji District Coordinating Committee Against Trafficking in Persons and non-governmental organizations, made arrests of human traffickers in Mchinji District, bordering Zambia, which resulted in the rescue of at least 14 children. (33) In a separate case, police arrested two men for crimes related to human trafficking, resulting in the rescue of two children who were being taken to Mozambique for work on maize farms. (21)

Many children in Malawi lack birth certificates. The inability of law enforcement officials to verify the ages of child victims may have impeded efforts to prosecute traffickers under the Child Care, Protection and Justice Act, and the Trafficking in Persons Act. (63) In addition, police sometimes arrest and detain child sex trafficking victims alongside adults. In some instances, these children fall victim to abuse, including sexual extortion, by the police. (1,64)

## IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including coordination among agencies.

**Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor**

| Coordinating Body  | Role & Description   |
|--|--|
| National Steering Committee on Child Labor                     | Provides policy guidance to support the elimination of child labor and implementation of the National Action Plan on Child Labor. Chaired by the Ministry of Agriculture, with MOL acting as the main technical advisor and secretariat, and includes representatives from government ministries, trade unions, employers, development partners, and civil society organizations. (37,65) Also includes the National Technical Working Group on Child Labor and Protection, which oversees child protection issues and development of child labor elimination strategies for approval by the National Steering Committee on Child Labor. (59) During the reporting period, the National Steering Committee on Child Labor finalized and launched the Child Labor Mainstreaming Guide and National Action Plan on the Elimination of Child Labor. (1) |
| District and Community Child Protection Committees             | Coordinate all child protection activities at the district and community level and improve local coordination on child protection issues. District and community child protection committees were active during the reporting period, with at least one district committee participating in a trainer of trainers workshop on child labor elimination and responses. (1)   |
| National Coordination Committee Against Trafficking in Persons | Coordinates and oversees investigations and prosecutions, training, victim care, and human trafficking data collection. (66) Mandated by the Trafficking in Persons Act of 2015. (54) In 2020, the committee established district coordinating committees on Trafficking in Persons in Karonga, Mzimba, Dedza and Mangochi districts, bringing the total number of district coordination committees to six across the country. The other two districts are Mchinji and Phalombe. (67) The national committee also facilitated the development of an action plan for all district coordination committees and conducted sensitization meetings in Mangochi, Mchinji, and Phalombe to facilitate the establishment of the district coordination committees. (67)   |

MOL officials, district child protection committees, and community child protection committees lack standard guidelines for training on child labor issues, leading to lapses in case management and coordination of child labor responses. MOL is coordinating with Winrock International to develop uniform guidance and training procedures to respond to child labor. (1) These efforts included a 3-day workshop for 20 members of the Mzimba District Child Labor Committee on child labor prevention and responses. (1,68)

In 2020, the government, with the support of Winrock International, launched the Child Labor Mainstreaming Guide to advise government departments and public sector organizations, at both the national and district levels, on integrating child labor prevention and elimination mechanisms into their activities. (11,69)

## V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.



**Table 9. Key Policies Related to Child Labor**

| Policy  | Description  |
|---|--|
| National Action Plan on the Elimination of Child Labor (2019–2025) <sup>†</sup> | Outlines the government's strategies for the elimination of the worst forms of child labor. (1,70) During the reporting period, the government launched and finalized the National Action Plan to align with the ILO's Decent Work Country Program for Malawi; however, the government has not yet made the policy publicly available. (1)   |
| National Children's Policy (2019–2025)  | Aims to facilitate the coordination of all policies related to the needs of children to ensure child protection, including the prevention of child labor and trafficking. (69) Research was unable to determine whether activities were undertaken to implement the National Children's Policy during the reporting period.  |
| National Action Plan for the Child (2019–2025)                                  | Reinforces child labor elimination through awareness raising and vocational training to vulnerable children and children withdrawn from child labor. (11,59) Research was unable to determine whether activities were undertaken to implement the National Action Plan for the Child during the reporting period.  |
| National Plan of Action Against Trafficking in Persons (2017–2022)              | Outlines objectives to counter trafficking in persons: strengthen prevention; provide support and protection for victims; strengthen detection, investigation, and prosecution of offenses; encourage partnership and coordination; and conduct research, monitoring, and evaluation. (71,72) In 2020, the National Coordination Committee Against Trafficking in Persons worked to strengthen the implementation of the National Plan of Action at the local level through the development of District Coordination Committees, drafting an action plan for District Coordination Committees, and conducting sensitization meetings. (67) |

<sup>†</sup> Policy was approved during the reporting period.

Although the Government of Malawi has adopted a National Youth Policy and a National Education Sector Plan, child labor elimination and prevention strategies have not been integrated into these policies. (77,78)

The government is reviewing a draft Child Labor Policy, which will incorporate a light work framework and drafts of the National Action Plan for Vulnerable Children and the Child Strategic Plan to replace policies that expired in 2019, but has yet to launch or make these policies available to the public. (1,59)

As of 2019, Malawi is a Pathfinder country under Alliance 8.7, which involves accelerating commitments toward the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030; the government intends to participate in a strategic meeting, with the ILO, in 2021 to outline its commitments as a pathfinder country. (1)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including implementation.

**Table 10. Key Social Programs to Address Child Labor**

| Program   | Description  |
|---|--|
| Child Labor Monitoring System <sup>†</sup>                | MOL system in pilot districts that identifies working children. Collects various data including school attendance. (1) Research was unable to determine whether activities were undertaken to implement the Child Labor Monitoring System during the reporting period.   |
| National Social Cash Transfer Program <sup>†</sup>        | MGCDSW-led program that supports low-income families in high-risk districts to enable children to stay in school. As of 2020, 621,074 children had received benefits under the cash transfer program. (1) In 2020, the government made monthly social cash transfers to 290,000 households across the country, with 6,240 child-headed households receiving benefits under the program. (1)  |
| Education Assistance Programs <sup>†</sup>                | Government-funded programs to provide educational assistance and support for vulnerable families. (1) Includes the Complimentary Basic Education Program, \$1.1 million project that promotes school enrollment for children removed from child labor. As of 2020, the government has 12,000 early childhood development centers, providing services to 2.4 million children; in addition, around 2,158,428 primary school learners receive assistance with school meals. (1) Also includes the National Early Childhood Program, a MGCDSW-led program that supports pre-schools and parenting groups. MGCDSW, with support of civil society, was undertaking an expansion of the National Early Childhood Program in early 2020. (1,79) |
| Orphans and Vulnerable Children Intervention <sup>†</sup> | \$4.9 million USAID and President's Emergency Plan for AIDS Relief-funded program that, in partnership with MGCDSW, provides education, child protection services, birth registration, and shelter and care to vulnerable children from birth to age 17 through the establishment of Community Based Care Centers. (1) Research was unable to determine whether activities were undertaken to implement the Orphans and Vulnerable Children Intervention program during the reporting period.  |

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**Table 10. Key Social Programs to Address Child Labor (Cont.)**

| Program             | Description   |
|---------------------|---|
| ILO-funded Programs | Includes Accelerating Action for the Elimination of Child Labor in Supply Chains (ACCEL), a partnership with the Ministry of Foreign Affairs of the Netherlands, targeting elimination of child labor in the coffee and tea sector by addressing the root causes of child labor; strengthening knowledge sharing and collaboration among supply chain actors, and improving policy, legal, and institutional frameworks. (11,75,80) During the reporting period, the program held consultations with government and community stakeholders and supported the Employers Consultative Association of Malawi to develop an action program to promote child labor elimination policies and practices across the private employment sector. (1,81) In addition, the ILO, with the Government of Malawi, conducted a qualitative study of the tenancy system to inform government policies; a quantitative study, measuring the number of families under the tenancy system, will be undertaken in 2021, with partial funding support from USDOL through its <u>Measurement, Awareness-Raising, and Policy Engagement (MAP-16) Project on child labor and forced labor</u> . (1,82) In 2020, the ILO and the Government of Norway, in coordination with the Government of Malawi, signed a cooperative agreement to launch Addressing Decent Work Deficits and Improving Access to Rights in Malawi's Tobacco Sector; a \$2 million, 4-year program to address decent work deficits, including child labor and forced labor, in the tobacco sector. (1,83) Finally, through the Research to Action (R2A) program, the ILO, with funding from USDOL, engaged in discussions with the Government of Malawi to map policies and knowledge gaps to develop a National Research Agenda to inform evidence-based policymaking. (84) |

† Program is funded by the Government of Malawi.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,52,59,73,85-88)

The government, with the EU, UNICEF, and the U.S. Centers for Disease Control and Prevention, support programs to increase birth registration and data collection in various districts across the country. (76,85,89) The government worked with the ILO to develop an updated Decent Work Country Program, to outline key programming priorities related to child labor prevention and elimination. (1) In addition, the Tobacco Commission launched a pilot "Know Your Grower" campaign, which involves collection of data from tobacco-growing farmers, including farmers under the tenancy system; the data include household characteristics, number of family members, and sources of inputs. The government will use the data to inform policies and interventions, and will make the information available to tobacco companies. (1,62) Moreover, Care Malawi, a Malawi-based NGO, with tobacco industry funding, launched a 4-year project to target elimination of child labor in Mchinji and Ntchisi districts, with an emphasis on the agricultural sector. (1)

An evaluation of the National Social Cash Transfer Program found that it had achieved little reduction of child labor, as the work of children only shifted from outside to inside the household, resulting from families using funds from the program to expand their household agricultural activities. (90) Although Malawi has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem in all relevant sectors, including agriculture and commercial sexual exploitation.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Malawi (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

| Area            | Suggested Action  | Year(s) Suggested |
|-----------------|---|-------------------|
| Legal Framework | Ensure legal protection for children working in the tenancy system.   | 2009 – 2020       |
|                 | Ensure that all forms of children's work, including work conducted by children in private homes (domestic services) and on non-commercial farms, receive legal protection, including a minimum age for work that complies with international standards. | 2009 – 2020       |
|                 | Raise the minimum age for work from 14 years to the age up to which education is compulsory.  | 2018 – 2020       |
|                 | Criminalize the use of children in illicit activities, particularly in producing and trafficking drugs.   | 2020              |
|                 | Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.  | 2016 – 2020       |
| Enforcement     | Publish information on labor law enforcement efforts.   | 2016 – 2020       |



**Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)**

| Area                | Suggested Action  | Year(s) Suggested |
|---------------------|---|-------------------|
| Enforcement         | Increase resources to the labor inspectorate to conduct regular labor inspections, including in remote and rural areas.   | 2009 – 2020       |
|                     | Ensure the number of labor inspectors in Malawi meets the ILO's technical guidance.   | 2017 – 2020       |
|                     | Institutionalize training for criminal law enforcement investigators, including providing refresher courses.  | 2019 – 2020       |
|                     | Ensure that children who are victims of commercial sexual exploitation do not fall victim to sexual extortion and are not arrested or detained.   | 2018 – 2020       |
| Coordination        | Ensure that there is standardized approach and guidance to training and responding to child labor to strengthen coordination and referral mechanisms.   | 2020              |
| Government Policies | Make publicly available key national policies, including the National Action Plan on the Elimination of Child Labor and the National Action Plan for the Child.   | 2019 – 2020       |
|                     | Publish activities undertaken to implement the National Children's Policy and the National Action Plan for the Child during the reporting period.   | 2020              |
|                     | Adopt national child labor and child protection policies, with consideration to child labor in agriculture, domestic services, and other sectors in which children in Malawi are working.   | 2009 – 2020       |
|                     | Integrate child labor elimination and prevention strategies into the National Education Sector Plan and the National Youth Policy.  | 2011 – 2020       |
| Social Programs     | Ensure that additional educational costs, inadequate school infrastructure and number of teachers, long travel distances to reach schools, exposure to sexual violence, and the impact of HIV/AIDS do not serve as barriers to education. | 2012 – 2020       |
|                     | Ensure that all children are registered at birth, and increase efforts to register children who are not issued birth certificates at birth.   | 2018 – 2020       |
|                     | Publish activities undertaken to implement the Child Labor Monitoring Systems and the Orphans and Vulnerable Children Intervention during the reporting period.   | 2017 – 2020       |
|                     | Improve harmonization of child labor prevention and elimination measures into the National Social Cash Transfer Program to increase its effectiveness in preventing and removing children from child labor.                               | 2020              |
|                     | Increase the scope of existing social programs to reach more children at risk of the worst forms of child labor, and develop specific programs to target children in agriculture and commercial sexual exploitation.                      | 2011 – 2020       |

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