



**BRIEF REPORT ON THE EATUC/ILO SUB REGIONAL  
WORKSHOP ON EAST AFRICAN TRADE UNIONS  
INITIATIVES TO FIGHTING CHILD LABOUR HELD AT  
TOM MBOYA LABOUR COLLEGE, KISUMU FROM 28<sup>TH</sup> -  
29<sup>TH</sup> MARCH, 2011**

**1.0 INTRODUCTION**

The latest global estimates on child labour point to some real gains, but also grounds for serious concerns. 215 million children across the world are still trapped in child labour and 115 million of them are in the worst form of child labour. While child labour has been declining in the Asia-Pasic region and in Latin America and the Caribbean, it continues to increase in sub-Saharan Africa. Child labour in Africa is exacerbated by wars, civil strife, and disease and governance problems. Yet, the child labour situation in the region is far from homogeneous. Child labour is all too

often analyzed and dealt with in isolation. Yet the issue is deeply linked to key social outcomes and welfare indicators. If well synchronized with economic and social policies at large, efforts aimed at the elimination of child labour have the ability to decisively contribute to poverty alleviation and educational upgrading, and vice versa.

Trade unions are fighting child labour as defenders of the most oppressed. Trade unions also have an objective interest in combating child labour. The presence of large numbers of children in the labour market undermines the trade unions' bargaining position and makes it difficult to fight unemployment among adults.

It is against this background that EATUC with the help of ILO-IPEC organized a workshop on trade unions initiatives to fighting child labour. This workshop brought together 27 participants<sup>1</sup> 17 male participants and 10 female participants from the five EAC member states, drawn from the East Africa Employers organization, ILO-IPEC and ILO-ACTRAV Addis Ababa, Tom Mboya College, trade union national centers namely CESTRAR(  

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Rwanda), COSYBU( Burundi), COTU(K)- Kenya, NOTU( Uganda), ZATUC ( Zanzibar), TUCTA ( Tanzania), EATUC and media.

The objectives of the meetings as follows:

- To examines practical actions s by trade unions, and their contribution to the struggle against child labour,
- To share lessons and best practices,
- To document achievements, failures and challenges,
- To chart out the way forward.

The following issues, challenges, lessons and good practices have emerged in the course of implementing programmes against child labour in East Africa:

- Awareness raising has increased through intensive mobilization of communities and other stakeholders;
- Networking and linkages facilitates child labour efforts;
- Capacity building is critical in implementing quality anti-child labour programmes;
- Poverty remains a major challenge;
- Staff turnover affects the quality of programmes and projects and is, therefore, a hindrance in the fight against child labour;
- Concern for quality of education calls for continuous review and introduction innovative approaches for the free education programme to benefit child labourers;
- Children continue to be viewed a source of cheap labour in some communities and by some employers;

- The HIV/AIDS scourge has resulted in increased number of orphans some of whom are heads of households;
- Community expectations exceed available resource by far; Resources to address child labour concerns are always inadequate;
- Empowerment levels for children are low and their participation is therefore, limited;
- Poor infrastructure and inadequate structures at the community level and schools to address all the needs of children is a hindrance in the fight against child labour;
- and Cultural practices and gender disparity at the community and local levels remain a challenge in the fight against child labour.

## ***2. PRESENTATIONS***

**Bro. Parry ILO-Addis Ababa “Trade unions and child labour”**

### **2.2 what is Child Labour?**

Child labour is defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development; work that is mentally, physically, socially and/or morally dangerous and harmful to children and Interferes with children's education by denying them an opportunity to attend school, forcing them to leave school prematurely, or requiring them to attempt to combine school attendance with long and heavy work; Hazardous work,

which by its nature or the circumstances under which it is performed, jeopardizes the health, safety and morals of children;

Worst form of child labour specifically include to indulge children in slavery or similar practices, children in trafficking, to use children in conflicts and wars, to attract them into prostitution and use them in the production of pornography, to use them in producing and trafficking of drugs.

However, all work done by children that does not affect their health and personal development or interfere with their education is generally regarded as being a positive learning experience (household chores);

### **2.3 Sectors prevalent with child labour**

- Agriculture
- Domestic service
- Armed Conflict
- Mining and Quarry
- Manufacturing
- Informal sector
- Child trafficking

## **2.4 Causes of Child labour**

- Poverty
- Social customs and attitudes
- Failure of the Education system
- Informal economy
- Lack of Social protection
- Low cost of child labour
- Absence of trade unions

## **2.5 International Labour standards on child labour**

These are international legal tools for fighting child labour. There are two ILO conventions that are fundamental to fighting child labour, No.138 on Minimum Age Convention (1973) and No. 182 on Worst Forms of Child Labour Convention (1999)

ILO Convention No. 182 defines the worst forms of child labour as: a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; c)

the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

It must be stressed, however, that not all activities that children undertake in agriculture are bad for them or would qualify as work to be eliminated under the ILO Convention No. 138 or Convention No. 182. Age-appropriate tasks that do not present hazards and do not interfere with a child's schooling and right to leisure can be a normal part of growing up in a rural environment. Indeed, many types of contributions to the household's livelihoods can be positive for children, providing them with practical and social skills for work as adults. Improved self confidence, self-esteem and work skills are attributes often found in young people engaged in some aspects of farm work. But the prevalence of hazardous child labour in comparison to the above described, educative household help, is alarmingly high in agriculture and as such it severely undermines decent work, sustainable agriculture and food security principles.

## **2.6 Child labour a Union issue**

Trade unions play an important role in giving workers a collective strength to fight injustice and resist exploitation. This puts them in a best position to fight child labour at the same time helping their members.

Trade unions need to understand the dangers that child labour plays on the labour market. Children forced to do work meant for adults get lower wages and this lowers wages and conditions of working. Child labour increases the stress already put in the labour market which already has an increased unemployment rate.

With most unions reporting decrease in membership fighting child labour, provides an opportunity for unions to organize sectors that are unorganized such as informal sectors that accounts for a large percentage of child labour in Africa.

## **2.7 Union policies and action plans**

The following were some of the policies and actions that were proposed

- Unions need to do fact-finding on child labour, investigate and document concrete cases of child labour so as to take effective action
- Awareness-raising , mobilization and campaigning are strong tools for the prevention and elimination of child labour. This also goes a long way towards building public opinion of how unacceptable child labour is.
- Use of international labour standards unions should make sure that conventions No. 182 and 138 are not just ratified but they are implemented. Trade unions should monitor the implementation and give a report to the ILC on any violation or progress of implementation.
- Promotion of education provides an effective way to stop most forms of child labour
- Rehabilitation through the provision of support services
- Promotion of income generating opportunities for families
- Collective bargaining agreement that ensure that child labour is not used or practiced at workplaces through minimum age requirement
- Codes of conduct and framework agreements are international negotiations that spell out codes of conduct for

companies on issues such as child labour, forced labour, freedom of association and non-discrimination in the workplace.

- Social clauses and social labeling through trade agreements in order to establish a link between trade agreements and minimum labour standards and putting labels on products which provide social conditions under which a product is made, or whether the production process respected environmentally sustainable development.
- National or local bargaining
- Rehabilitation to avoid the children from falling back into child labour.

### **3.0 Wangui Irimu - ILO-IPEC “Support to the implementation of the National Action Plan- Kenya”**

Sis. Wangui in her introductory remarks gave a brief history of ILO-IPEC work which has been in Africa for almost 20 years. The programme has created awareness on worst forms of child labour. Notably, on the global level the fight against child labour is being won but being lost in Africa. On this note, ILO-IPEC

under the Focus Africa programme will specifically deal with the African problem on child labour.

Under the SNAPs the main objective of the programme is to provide support to advance towards government's goal of eliminating WFCL by 2015 through a 2 pronged approach:

- Implementation of the NPA at District and Local level through an integrated area based approach – Foundations for Child Labour Free Areas
- Integration of child labour concerns into policies and programmes and strengthen enforcement capacity

The two approaches will however focus on child labour in rural areas and especially in agriculture and children aged 15-17 years.

The main objectives of the SNAPs are as follows:

- At the end of the project, relevant national policies, programmes and legislation harmonized with the national Action Plan to eliminate child Labour and enforced
- At the end of the project, the capacity of national and local authorities and social partners is enhanced to support the effective implementation of the National Action Plan

- By the end of the project, effective models for establishing child labour free areas are tested in three (3) Districts with documented processes and experiences

The NAP has established three intervention strategies in line with ILO Convention No. 182 to eliminate and prevent child labour, particularly its worst forms. These are Prevention, Protection and Withdrawal, rehabilitation and integration.

The partners in implementation of the project are

- Government
- Employer Organisations
- Workers' Organisations
- International organisations
- Non-governmental organisations, CBOs and others

### **3.2 Role of trade unions in the fight against child labour**

In terms of implementation of C138 and C 182, there has been progress. However, at the policy level, notably in the context of the integrated promotion of fundamental rights at work reflected in the Decent Work Agenda and in the 2008 Declaration on Social Justice for a Fair Globalization, there is still more to be done to ensure that child labour elimination is always adequately reflected in Decent Work Country Programmes (DWCPs).

- Workers organisation should be part of tripartite committees to oversee the implementation of NAPs and IPEC Programmes (For ownership and sustainability)
- Be part of drawing up the list of hazardous work required under C 182
- Be part of preparing reports to the ILC on C 138, C182 (Holding Gov't to account?)
- Influence policy development and reform within the sphere of key socio-economic areas, such as employment, trade, social welfare and education.
- Integrate CL issues and concerns in national development frameworks and programmes (based on social dialogue). The upstream policy efforts are handle by the TU centre while direct workplace action is handled by affiliates. TUs can tackle CL by organising e.g. in the informal and rural economies
- Awareness raising, mobilization and campaigning at all levels
- Negotiate with employers at several levels for the elimination of child labour including CBAs

- Campaign for governments to devote adequate budgetary resources to child labour
- Work with teachers organizations to promote quality , free, compulsory basic education
- Leveraging additional resources (Human and Financial) for the fight against CL and implementation of NAPs
- Contribute to the setting up of NAPs, preferably in the context of DWCPs. DWCPs should be the coherent frameworks through which activities and actions are financed by IPEC
- Develop internal TU policy on CL and mainstream CL in Unions programmes
- Lobby and contribute to the implementation of the Roadmap and GAP (Focus on Africa)

### **3.3 Role of ILO-IPEC to trade unions in the fight against child labour**

- Capacity building / Technical assistance
- Support trade union role in anti-child labour movements in the country e.g. by creating a sustainable network of CL focal points
- Support the implementation of NAPs / DWCPs

- Provision of information, good practices, materials and tools / sharing knowledge

#### **4. Bro. Kabyemera- East African Employers Organisation - Tackling Child Labour: Employers' Contribution**

Bro. Kabyemera give a brief history on the role of Employers in the discussions of the Conventions on fighting child labour.

Some employers organisations were of the view that no child within primary and secondary school going age should be required to do any work; even in their own homes. Children below and within school going age, should be allowed to concentrate on school assignments, sports, games and other activities that contribute to their formal education.

However, employers, especially from developing countries, reminded our colleagues from developed countries of apprenticeship schemes and the role our ancestors played in teaching our parents various trades, without necessarily sending them to formal training institutions.

Bro. Kabyemera gave an insight of how the employers in Tanzania have been working closely with trade unions particularly in the plantation unions and government to fight child labour

## **5.0 . SUMMARY OF COUNTRY REPORTS**

A full report of the five National centers from Kenya, Uganda, Rwanda, Burundi and Tanzania mainland have been annexed in the report.

5.1 The following causes were identified from the country presentations and cut across most of the countries.

- Increase in poverty even with the record of economic growth among EAC member states
- Lack of social protection net mainly for children in family affected and infected with HIV-AIDS, and Orphans and venerable children
- Social Customs and Attitudes
- Failure of the education system
- Informal economy
- Low cost of child labour

- Absence of unions
- Lack of capacity in implementation of labour laws, policies on child labour
- Contradiction of laws and policies

## **5.2 Sectors prevalent with child labour**

- Agriculture
- Domestic service
- Armed conflict
- Mining and quarry
- Manufacturing
- Informal sector
- Fishing

## **5.3 Milestones made in fighting child labour**

- Ratification of the ILO conventions 138 and 182 by all the EAC member states
- Most EAC member states National action plans on child labour either being implemented or in draft form
- There exist National policies on elimination of worst forms of child labour
- All the trade unions have a Trade union policy on child labour

- Most of the trade unions have done extensive training, campaigning and awareness building materials
- There has been appointment of child labour officers who specifically deal with implementation of child labour policies and programmes
- Trade unions have numbers of rehabilitation of children saved from worst forms of child labour
- Most EAC member states have a Children's Act
- All the Governments have created a Ministries in charge of Youth to facilitate youth programmes and promote decent youth employment
- There elitists subsidized Secondary Education in Kenya and Tanzania
- There exists a Child labour Policy either in draft form of already adopted

#### **5.4 Proposed Strategies on elimination of child labour, trade unions should:**

- Promote a holist approach and policies towards fighting child labour bearing in mind the complexity of child labour that includes the gender aspects of child labour, migration of

child labourers from sectors that have established fighting against child labour to sectors that do not see child labour as an issue and cross border child labour.

- Promote the establishment of free compulsory quality basic education, support children being rehabilitated from child labour and provide skills development for those past the basic education stage.
- Promote cooperation, coordination and achieve policy coherence on child labour among the Partners, and to develop policy and programme links especially at the field level;
- Create awareness of and mainstream child labour concerns by use of mass media and other modes of communication, into existing activities, bodies to understand effects of child labour on the labour market and the future of the country
- Promote action and cooperation in operational activities aimed at improving rural livelihoods, creating alternative income-generating activities;
- Promote action and cooperation in operational activities to ensure that children do not carry out hazardous work in agriculture;

- Promote opportunities for decent youth employment in rural areas and informal sector where child labour seems to be highest through organizing and recruitment.
- Ensure that they have clauses in their collective bargaining that prevent use of child labour in value chain of production
- Ensure they participate in the implementation of the National Action Plans on child labour through contributing at the tripartite forums
- Ensure they participate in the implementation of the decent work country programmes for ownership purpose and ensuring sustainability of the programmes
- Promote sensitization of the International labour Standards on child labour C.182 and C138 and ensuring the implementation of the ratified conventions through participation in the preparation of the ILC reports and reporting violation of the conventions

## **5.5 Challenges**

The participants agreed that there are challenges that hinder the fight of child labour in East Africa. The following are some of the challenges that were identified:

- Inadequate skills building institutions (village polytechnics) most of village polytechnics have been alleviated to institutions of higher learning, hence denying children the opportunity to access skills for those who can not proceed to secondary schools.
- Lack of capacity on negotiations skills for trade union negotiators which have led to collective bargaining agreements that are not compliant to child labour issues.
- Lack of coordinated efforts by both workers and employers to address the challenges of child labour at the workplace
- Frequent change in leadership of most trade unions has slowed the progress and gains made on fighting child labour.
- Inadequate research capacity. Most of the unions have no adequate human resource and funds to undertake assessment on the impact of child labour in their respective sectors.
- Frequent lay-off of workers that have been trained on child labour issues.
- Impact of HIV and AIDs on workers and their families that has led to children headed families, who carry out income generating activities at a very tender age.

- Lack of awareness of the policies/legislations on child labour by the Trade unions
- Inadequate labour laws

## **6.0 Conclusion**

Child labour deprives children of their childhood, their dignity and rights. Children who do not complete their primary education are likely to remain illiterate and never acquire the skills needed to get a decent employment and contribute to the development of a modern economy. In this respect, child labour strongly undermines the efforts to promote decent youth employment which is a key element in revitalizing the economy around the Africa. When children are forced to work long hours in the fields, their ability to attend school or skills training is limited, preventing them from gaining education that could help lift them out of poverty in the future.

## **7.0 Way forward**

The participants through group work came up with a way forward focusing on three themes, the role of trade unions in fighting child labour, challenges in the fight against child labour and their measures and finally the strategies and actions by trade

unions in the fight against child labour. National centres and EATUC need to ensure that they provide advisory services and sharing of best practices that are necessary on dealing with the complexities of decent rural employment promotion, which needs to be addressed through a combination of political, labour markets, educational, economical, human-rights and development instruments.

### **7.1 Why should the Trade Unions continue to be involved in the fight against child labour?**

- Child labour affects the life of a lot of their members ( who have their children employed or themselves employ children as domestic workers),
- By having access to a large number of adult workers and their families , trade unions are in unique positions to combat child labour,
- Trade unions have a tradition of defending human rights, i.e. workers' rights. Child labour violates both adults' rights ( right to employment and decent wages )and children's right to education and a secure future

- Trade unions organizations should be part of tripartite committees to oversee the development and implementation of NAP (National Actions Plans) and priorities child labour issues hence drawing up a list of hazardous work required under ILO convention 182.
- Trade Unions should endeavor to ensure decent work programmes at the workplaces hence mainstreaming child labour in collective bargaining agreements.
- Trade unions as stakeholders and part of the community should continue to play a role in the fight against child labour. Trade Unions should collectively take responsibility in the fight against child labour with the other stakeholders.
- Trade unions should confront the problem of child labour by learning how to better operate in the informal sector by building on their numbers through formation of associations in the informal sector.
- Influence policy development and reforms within the spheres of key socio-economic areas, such as employment, trade, social welfare and education.

- As a pressure group, Trade unions continue to push and advocate for good policies and legislations on the elimination of the worst forms of child labour.

Therefore in today's global economy strong unions are an important protection against child labour and active struggles against child labour tend to strengthen trade unions and workers' rights in general

## **7.2 Practical strategies and Trade union actions on the fight against child labour**

### *National Strategies*

- Identify and priorities child labour issues in the National Action Plans
- Workers organization should be part of tripartite committees to oversee the implementation of NAPs and IPEC Programmes (For ownership and sustainability)
- Network child labour programmes and interventions with other stakeholders at the national level

- Effective participation and involvement of trade leaders in dialogue issues related to child labour at the workplaces and the community levels.
- Enforcement of punitive laws on perpetrators of child labour.
- Develop schools and forums that absorb and address child labour challenges
- Carryout workshops at workplace levels and also form a workplace Joint Child Labour Committee
- Record keeping /documentaries of issues related to child labour
- Formation and strengthening of District Child labour Committees and the National Child Labour Committees to fight against child labour
- Trade Unions should organize and recruit workers in the informal economy where the child labour problem is mostly being sighted.
- Conduct social mapping and research to identify locations and which sectors are highly affected with child labour
- Trade Unions should use Collective Bargaining to address the issue's of Child Labour

### 7.3 Regional Strategies

- Networking child labour programmes and issues among East African Community regional organisations
- Initiate regional projects and programmes to combat child labour in the region.
- Harmonize and promote child labour issues at regional levels, like the Regional Action Plans
- Document and share learning experiences of child labour in the region
- Conduct periodic forums to discuss and issues of child labour



EATUC/ ILO Workshop on  
East African Trade Unions Initiatives to Fighting Child Labour

*Tom Mboya Labour College, Kisumu.*

28<sup>th</sup> -29<sup>th</sup> March, 2011  
**WORKSHOP PROGRAMME**

<b>DAY 1 – Monday, 28 March 2011</b>	
8.30- 9.00	Registration
09.00 – 10.00	Opening Remarks <i>Br. Emmanuel Nzunda, EATUC</i> <i>Br. Moses Kachima- Principal Tom Mboya Labour College</i> <i>Br. Fred Parry – ILO Addis Ababa</i> <i>Br. Francis Atwoli, MBS , EATUC Chairman/ Secretary General COTU(K)</i>
10.00 – 11.00	<ul style="list-style-type: none"> <li>• Trade Unions and Child Labour:</li> <li>• ILO Standards on Child Labour; <b>Br. Parry ILO Addis Ababa</b></li> </ul>
11.00 - 11.30	- Discussions
11.30 – 12.00	TEA BREAK
12.00 - 12.30	Child labour initiatives being undertaken by the employers : <b>Employers’ Representative</b>
12.30- 13.00	ILO-IPEC “Support to the implementation of the National Action Plan- Kenya- Wangui Irumu
13.00 – 14.00	LUNCH
14.00 – 14.30	<i>Country Status Reports</i> <i>Uganda</i> <i>Tanzania</i>
14.40 - 15.20	Country Status Reports Kenya Rwanda
15.20 – 15.40	<i>Country Status Reports cont.</i> <i>Burundi</i>
15.40 – 16.40	<i>Reflections on the Country status reports</i>
16.40 – 17.00	<i>TEA BREAK and close of Day 1</i>

**DAY 2 – Tuesday, 29 March 2011**

09.00 – 09.20	Reflection on previous day <i>EATUC</i>
09.20 – 10.45	Group Activity on tentative strategy to elimination of child labour <ul style="list-style-type: none"><li>• Country level</li><li>• Regional Level</li></ul>
10.45 – 11.00	TEA BREAK
11.00 – 11.30	Presentation of group work
11.30 – 13.00	-Discussions on group work presentations
13.00 – 14.00	LUNCH
14.00 – 15.00	Presentation on final draft strategy paper/ on child Labour <i>EATUC</i>
15.00 – 15.30	- Discussions
15.30 – 15.40	<b>Closing Remarks</b> <i>Br. Emmanuel Nzunda, EATUC</i> <i>Br. Fred Parry- ILO Representative</i> <i>EATUC Chairman/Secretary General COTU-K</i>
15.40 – 16.00	<b>Tea break and Close of workshop</b>