

In 2021, Malawi made moderate advancement in efforts to eliminate the worst forms of child labor. The Office of the President assented to legislation amending the Employment Act, establishing provisions that abolish the tenancy system. The tenancy system, which causes tenant farmers and their families to fall into debt bondage, has been a source of forced labor, including for children. In addition, the government launched the National Child Labor Advocacy and Communication Strategy to support the implementation of the National Action Plan on Child Labor and published a Multiple Indicator Cluster Survey, which included updated statistics on the prevalence of child labor in Malawi. However, children in Malawi are subjected to the worst forms of child labor, including forced labor in the harvesting of tobacco and in commercial sexual exploitation, sometimes as a result of human trafficking. Minimum age laws do not meet international standards because protections do not extend to children working in private homes and on non-commercial farms. The government did not provide information on its criminal law enforcement efforts related to the worst forms of child labor for inclusion in this report. Moreover, gaps continue to exist in labor law enforcement related to child labor, including insufficient financial resource allocation.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Malawi are subjected to the worst forms of child labor, including forced labor in the harvesting of tobacco and in commercial sexual exploitation, sometimes as a result of human trafficking. (1) In 2021, the Government of Malawi, with the support of UNICEF, supported a Multiple Indicator Cluster Survey, which included modules on child labor and children's participation in hazardous work activities. (1,2) Table I provides key indicators on children's work and education in Malawi. Data on some of these indicators are not available from the sources used in this report.

Table I. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	22.9 (Unavailable)
Attending School (%)	5 to 14	89.5
Combining Work and School (%)	7 to 14	26.1
Primary Completion Rate (%)		80.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2022. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6, 2020. (4)

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 (1,5-7)
	Planting and harvesting tobacco,† including cutting and bundling, weeding, and plucking (1,5,6,8-10)
	Herding livestock (1,11)
	Fishing (1)
Industry	Brickmaking† (11)
	Construction† (1,11)
Services	Domestic work (1,12,13)
	Begging† (1)
	Vending (1,14,15)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,6,8,16,17)
	Forced labor in herding goats and cattle, farming including tobacco, fishing, brickmaking, domestic work, and work in small businesses such as rest houses and bars (1,6,17-19)
	Forced begging (17)

† 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. (1,21-23) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness. (22,24) They are exposed to pesticides, chemicals, and harsh weather conditions; they also utilize sharp tools. (22) Some children work alongside family members who are tenants on tobacco farms. (8,22,25) In the tenancy system, tenants’ pay is based on the quantity and quality of the 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. (8,26,27) Many children working under these conditions do not attend school. (22)




Most child trafficking for labor in Malawi takes place within the country. (28) Traffickers transport teenage boys from southern Malawi to the central and northern regions for forced labor on tobacco farms, herding of goats and cattle, and brickmaking. (17,28,29) Children in Malawi are subjected to human trafficking to other countries, including Mozambique, South Africa, Tanzania, and Zambia. (30,31) Traffickers may charge children for their clothing and housing; children may be forced to work in debt bondage because of these charges. (32) 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 bar owners; if unable to find other work, the brothel owners may exploit them as bartenders or in commercial sex work to pay off their debts. (8,17,29) Girls living in the Dzaleka Refugee Camp are vulnerable to commercial sexual exploitation. (17)

Primary education is tuition-free and, since 2018, the government has abolished secondary school fees to facilitate access to secondary education. (33,34) However, considerable barriers to education exist, including families’ inability to pay required school-related expenses, such as books and uniforms. (1,35) 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. (1,12,13,23,35) In addition, safety concerns may negatively affect attendance; reports indicate that children are sometimes survivors of sexual assault at school by both peers and teachers. (35) Additionally, many girls in grades six to eight are withdrawn from school to perform domestic work at home. (13) Orphaned children and 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. (36,37)

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	✓

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 lack of legal protections for children working in private homes and on farms.

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 (38)
Minimum Age for Hazardous Work	Yes	18	Section 22 of the Employment Act; Section 23 of the Constitution (38,39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 1–9 and Paragraph 6 of the Employment (Prohibition of Hazardous Work for Children) Order (40)
Prohibition of Forced Labor	Yes		Section 4 of the Employment Act (2021); 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; Sections 2 and 14–16 of the Trafficking in Persons Act (39,41-44)
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; Sections 2 and 15–16 of the Trafficking in Persons Act (41-43)
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 (41-43)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 19 of the Defense Force Act (45)
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 (33)
Free Public Education	Yes		Articles 2 and 13 of the Education Act (33)

* Country has no conscription (45)

In 2021, the President assented to amendments to the Employment Act to ban the use of tenant labor, the final step for legislative approval. (1,29) Under the new law, any person who enacts or imposes forced or tenancy labor will be liable for a fine of \$6,000 and 5 years imprisonment. (44) 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. (26,27)

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Section 21 of the Employment Act sets the minimum age for employment at age 14 for agricultural, industrial, or non-industrial work. (38) 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. (38,46) The minimum working age also is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (33) Malawian 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. (47)

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. (1,48) Coordinates with the Ministry of Homeland Security and the Ministry of Gender, Children, Disability and Social Welfare (MGCDWSW) 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)
Ministry of Homeland Security	Leads criminal law enforcement and prosecution related to human trafficking laws, coordinating with MGCDWSW on protection and child trafficking issues and MOL on monitoring labor conditions. (29)
Ministry of Justice	Prosecutes criminal offenders of the worst forms of child labor. (1,49)
Tobacco Commission	Oversees regulation of the tobacco industry and enforcement of the Tobacco Industry Bill, including child labor issues. 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, including canceling the registration of growers who fail to satisfactorily report on child labor in their annual reports to the Commission. (1,50)

Labor Law Enforcement

In 2021, labor law enforcement agencies in Malawi took actions to address child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2020	2021
Labor Inspectorate Funding	Unknown (51)	Unknown (1)
Number of Labor Inspectors	Unknown (5)	Unknown (1)
Mechanism to Assess Civil Penalties	No (5,38)	No (1,38)
Initial Training for New Labor Inspectors	Unknown (5)	Unknown (1)
Training on New Laws Related to Child Labor	N/A	Unknown (1)
Refresher Courses Provided	Yes (5)	Yes (1)
Number of Labor Inspections Conducted	1210† (52)	676 (53)
Number Conducted at Worksite	1210† (52)	676 (53)
Number of Child Labor Violations Found	760† (52)	111 (53)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5)	14 (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	Unknown (1)
Routine Inspections Conducted	Yes (5,52)	Yes (1)
Routine Inspections Targeted	Yes (5,52)	Yes (1)

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

Overview of Labor Law Enforcement	2020	2021
Unannounced Inspections Permitted	Yes (38)	Yes (38)
Unannounced Inspections Conducted	Yes (5)	Yes (1)
Complaint Mechanism Exists	Yes (5)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (1)

Under Malawian law, child labor is a criminal offense and, as such, labor investigators refer violations related to child labor to criminal law enforcement authorities for investigation and the imposition of penalties. (38) 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. (1,8) 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 about 123 labor inspectors as its workforce consists of more than 5 million workers. (54,55) 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. (1,5) To increase monitoring of the tobacco sector, the MOL and tobacco companies have an 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. (1) 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. (5,56)

Although research could not determine the total number of child labor violations identified through labor inspections during the reporting period, there were 111 child labor violations for the period of July 2021 to February 2022; of this total, 98 children were withdrawn from child labor, of which 44 were sent back to school, 4 were placed in vocational training, and 41 received other rehabilitation measures. (53) Similarly, in fiscal year 2020–2021 (July 2020 to June 2021), there were an estimated 553 children withdrawn from child labor, of which 241 were returned to school, 62 were repatriated, and 11 received rehabilitation measures. There is no publicly available information on the whereabouts of the remaining children. (1) The MOL has a program for individuals to report potential labor law violations through phone calls, social media, and at labor offices. The MOL also maintains a labor information management system to capture and store information on labor law violations, including child labor cases. (1)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Malawi took actions to address child labor.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2020	2021
Initial Training for New Criminal Investigators	Yes (5)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (5)	Unknown (1)
Refresher Courses Provided	No (5)	Unknown (1)
Number of Investigations	9 (5)	Unknown (1)
Number of Violations Found	16 (5)	Unknown (1)
Number of Prosecutions Initiated	15 (5)	Unknown (1)
Number of Convictions	12 (5)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (5)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (1)

The government does not operate a hotline, rather it works with a local NGO that operates a 24-hour National Helpline Service; during the reporting period, the NGO received 119 calls related to human trafficking, of which 51 pertained to children. (1) The government did not provide comprehensive information on its criminal law

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enforcement activities for inclusion in this report. (1) Although the Malawi Police Service reported 78 arrests, involving 133 victims, and 7 convictions during the reporting period for crimes related to trafficking in persons, research could not verify the ages of the victims and whether the cases pertained to the worst forms of child labor. (57)

Many children in Malawi lack birth certificates. The inability of law enforcement officials to verify the ages of child survivors of human trafficking and commercial sexual exploitation may have impeded efforts to prosecute traffickers under the Child Care, Protection and Justice Act, and the Trafficking in Persons Act. (58) In addition, police sometimes arrest and detain child sex trafficking survivors alongside adults. In some instances, these children fall victim to abuse, including sexual extortion, by the police. (1,17)

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 a lack of standardized guidelines for coordination across 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, including Homeland Security and MGCDSW, as well as trade unions, employers, development partners, and civil society organizations. (1,36,59) 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. (60) Active during the reporting period. (1)
District and Community Child Protection Committees	Coordinate all child protection activities at the district and community levels and improve local coordination of child protection issues. Trained 80 district child protection workers in case management and psychosocial support; 18 case workers were active during the reporting period. (1,61)
National Coordination Committee Against Trafficking in Persons (TIP)	Coordinates and oversees investigations and prosecutions, training, survivor care, and human trafficking data collection. Mandated by the Trafficking in Persons Act of 2015. (62) In 2021, oriented 118 senior traditional leaders on TIP and the smuggling of migrants; sensitized 35 representatives of faith-based organizations on TIP and the smuggling of migrants; trained 82 labor officers, 78 journalists, and 34 investigative journalists on their roles in addressing TIP; carried out meetings to review progress and plans; and conducted monitoring and evaluation of the activities of districts coordination committees in order to strengthen the district level response to TIP. (63)

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. The MOL is coordinating with Winrock International to develop uniform guidance and training procedures to respond to child labor. (5)

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 a lack of harmonization of child labor into key national policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
National Action Plan (NAP) on Child Labor (2020–2025)	Outlines the government's strategies for the elimination of the worst forms of child labor, with a focus on six critical areas: (1) laws and policy; (2) the institutional and human resource capacity of stakeholders in child labor elimination; (3) public education and awareness; (4) prevention, withdrawal, rehabilitation, and social re-integration of children in child labor; (5) mitigating HIV/AIDS and other chronic illnesses; and (6) improving the availability of information on child labor. (64) NAP also includes the Child Labor Mainstreaming Guide, which provides guidance to government ministries, departments, and agencies, as well as other stakeholders in addressing child labor. (65) During the reporting period, the government launched the National Child Labor Advocacy and Communication Strategy under NAP. (1) The Strategy aims to coordinate media messaging to raise awareness and sensitize parents to the risks of child labor. (66)
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. (67) 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 for vulnerable children and children withdrawn from child labor. (51,60) 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: (1) strengthen prevention; (2) provide support and protection for human trafficking survivors; (3) strengthen detection, investigation, and prosecution of offenses; (4) encourage partnership and coordination; and (5) conduct research, monitoring, and evaluation. (68,69) Research was unable to determine whether activities were undertaken to implement the National Plan of Action Against Trafficking in Persons 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. (70,71)

The government is reviewing a draft Child Labor Policy, which will guide the direction of Malawi's efforts to address child labor, including the National Action Plan. The draft policy also includes a light work framework. (5) The government also has drafted an updated National Action Plan for Vulnerable Children, which expired in 2019, but has yet to launch or make these policies available to the public. (5,60)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2021, 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 lack of implementation of programs.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Child Labor Monitoring System†	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†	MGCDWSW-led program that supports low-income families in high-risk districts to enable children to stay in school. (1,5) In 2021, the government made monthly social cash transfers to 292,000 households across the country, a slight increase from the previous reporting period. (5)
Education Assistance Programs†	Government-funded programs to provide educational assistance and support for vulnerable families. (5) Includes the Complementary Basic Education Program, a \$1.1 million project that promotes school enrollment for children removed from child labor. (1) As of 2020, the government had 12,000 early childhood development centers, providing services to 2.4 million children through the program; in addition, 2,158,428 primary school learners receive assistance with school meals. (5) Also includes MGCDWSW's Early Childhood Development (ECD) Program. The ECD Program supports preschools and parenting groups, supporting 60 government-constructed preschools and plans for construction of an additional 100. (1) To date, 2.7 million children are enrolled in the program. (1)
Orphans and Vulnerable Children Intervention†	\$4.9 million USAID and President's Emergency Plan for AIDS Relief-supported program with MGCDWSW, that 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	Multiple-country programs, totaling \$9.7 million, aimed at promoting employment, inclusive growth, and social protection; acceleration of progress towards Sustainable Development Goals; elimination of child labor; addressing decent work deficits in the tobacco sector; and other issues related to work and social protection. (72) Include Accelerating Action for the Elimination of Child Labor in Supply Chains (ACCEL), a partnership with the Ministry of Foreign Affairs of the Netherlands, targeting the 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. (51,73,74) In 2021, the project launched a joint program with the Tea Association of Malawi to advance policies and a code of conduct, including child labor elimination, in the tea sector; presented research on the tenancy system to MOL; and entered into an agreement with the Teachers Union of Malawi to advance school improvements and educational access. In addition, the project supported an updated Occupational Safety and Health Profile that mainstreams child labor issues. (72,75,76) The Decent Work Country Program assisted with updates to Malawi's Occupational Safety and Health Profile and conducting a national dialogue on decent work in the tobacco sector. (1) Also include Addressing Decent Work Deficits and Improving Access to Rights in Malawi's Tobacco Sector (ADDRESS), a 4-year project, with support from the Government of Norway, to address decent work deficits in Malawi's tobacco sector. During the reporting period, the project, with partial support from USDOL's MAP-16, began a quantitative assessment of workers and their families under the tenancy system. (72) Finally, through the Research to Action (R2A) program, 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. (77)

† 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. (5,78,60,79-83)

The government, with the European Union, UNICEF, and the U.S. Centers for Disease Control and Prevention, supports programs to increase birth registration and data collection in various districts across the country. (80,84) During the reporting period, the government, with support of the ILO, the World Food Program and UNICEF implemented a short-term urban cash transfer program aimed at protecting children and vulnerable urban populations affected by the COVID-19 pandemic. Urban cash transfers reached 53,000 people in 7 towns. (85,86) The government has issued birth registration certificates to approximately 60 percent of the population. Preliminary figures indicate that 1.13 percent of children were issued birth registration certificates during the reporting period. Most of these registrations occurred in urban areas. (87)

An evaluation of the National Social Cash Transfer Program found that, although the program provided benefits for other aspects of children's well-being, it had achieved little reduction of child labor as the work of children only shifted from external employment to labor within the household farm, resulting from families using funds from the program to expand their household agricultural activities. (88) 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 in domestic service 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 that all forms of children's work, including work conducted by children in private homes and on non-commercial farms, receive legal protection, including a minimum age for work that complies with international standards.	2009 – 2021
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2021
	Criminalize the use of children in illicit activities.	2020 – 2021
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2021
Enforcement	Publish information on labor law enforcement efforts, including labor inspectorate funding, the number of labor inspectors, and inspectorate trainings.	2016 – 2021

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 – 2021
	Ensure that the number of labor inspectors in Malawi meets the ILO's technical guidance.	2017 – 2021
	Publish information on criminal law enforcement efforts.	2021
	Ensure that criminal law enforcement investigators receive training.	2019 – 2021
	Ensure that child survivors of commercial sexual exploitation do not fall victim to sexual extortion and are not arrested or detained.	2018 – 2021
Coordination	Ensure that there is a standardized approach and guidance for training and responding to child labor to strengthen coordination and referral mechanisms.	2020 – 2021
Government Policies	Make publicly available key national policies, including the National Action Plan for Vulnerable Children.	2019 – 2021
	Ensure that activities are undertaken to implement the National Children's Policy and publish the results from the activities implemented during the reporting period.	2020 – 2021
	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 – 2021
	Integrate child labor elimination and prevention strategies into the National Education Sector Plan and the National Youth Policy.	2011 – 2021
Social Programs	Ensure that additional educational costs, an 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 – 2021
	Ensure that all children are registered at birth, and increase efforts to register children who are not issued birth certificates at birth.	2018 – 2021
	Ensure that activities are undertaken to implement the Child Labor Monitoring System and the Orphans and Vulnerable Children Intervention during the reporting period and make information about implementation measures publicly available.	2017 – 2021
	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 – 2021
	Increase the scope of social programs to reach more children at risk of the worst forms of child labor, and develop specific programs to target children in domestic service and commercial sexual exploitation.	2011 – 2021

REFERENCES

- U.S. Embassy- Lilongwe. Reporting. January 19, 2022.
- Government of Malawi. Multiple Indicator Cluster Survey Report 2019-20. December 23, 2021. <https://www.unicef.org/malawi/reports/malawi-multiple-indicator-cluster-survey-report>
- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from the National Child Labour Survey (SIMPOC), 2015. Analysis received March 2022. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- U.S. Embassy- Lilongwe. Reporting. January 14, 2021.
- ILO Committee of Experts. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963492
- Malawi24. We Need to Inspect Estates to Combat Child Labour - Minister. December 18, 2019. <https://malawi24.com/2019/12/18/we-need-to-inspect-estates-to-combat-of-child-labour-minister/>
- U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. January 16, 2018.
- Zegers, Mei, et al. Evaluation of Malawi Child Protection Strategy 2012–2018. UNICEF Malawi, November 2018. Source on file.
- Malekezo, Feston. Child labour in tobacco industry worries ministry. The Times Group, May 6, 2020. <https://times.mw/child-labour-in-tobacco-industry-worries-ministry/>
- Africa News. Poverty, Culture Drive Child Labour in Malawi. June 12, 2019. <https://www.youtube.com/watch?v=tPhIHLhikBw>
- ILO, Fundamental Principles and Rights at Work Branch. Understanding Child Labour and Youth Employment in Malawi. Geneva: ILO, September 2018. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecl/documents/publication/wcms_651037.pdf
- U.S. Embassy- Lilongwe. Reporting. January 31, 2019.
- Kandodo, Ayamba. Child vending exposing girls to sexual violence. The Nation, January 3, 2018. <https://www.mwnation.com/child-vending-exposing-girls-sexual-violence/>
- Malawi News Agency. Child labour worries authorities in Ntcheu. The Nation, May 15, 2020. <https://www.mwnation.com/child-labour-worries-authorities-in-ntcheu/>
- Khamula, Owen. NGO rescues 40 children from sexual exploitation. Nyasa Times, December 4, 2020. <https://www.nyasatimes.com/ngo-rescues-40-children-from-sexual-exploitation/>

MODERATE ADVANCEMENT

- 17 U.S. Department of State. Trafficking in Persons Report- 2021: Malawi. Washington, DC, July 1, 2021.
<https://www.state.gov/reports/2021-trafficking-in-persons-report/malawi/>.
- 18 Magalasi, Chikondi. Hot season for child trafficking. The Times Group, October 17, 2020.
<https://times.mw/hot-season-for-child-trafficking/>
- 19 Staff Reporter. Police arrest child traffickers. Nyasa Times, August 10, 2020.
<https://www.nyasatimes.com/police-arrest-child-traffickers/>
- 20 Kanjere, Peter. Danger on street corner. The Times Group, June 17, 2019.
<https://times.mw/danger-on-street-corner/>
- 21 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2018.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3339648:NO
- 22 Boseley, Sarah. The children working the tobacco fields: 'I wanted to be a nurse'. The Guardian, June 25, 2018.
<https://www.theguardian.com/world/ng-interactive/2018/jun/25/tobacco-industry-child-labour-malawi-special-report>
- 23 Matekenya, Zenak. Malawi: Project geared to curb child labour in Mzimba. Nyasa Times, December 22, 2020.
<https://www.nyasatimes.com/project-geared-to-curb-child-labour-in-mzimba/>
- 24 France 24. Poverty, Culture Drive Child Labour in Malawi. September 13, 2018.
<https://www.youtube.com/watch?v=5LygDfpGBW4>
- 25 Chirambo, Rodrick. The Burley Tobacco Value Chain Analysis Report. Centre for Social Concern, January 2018. Source on file.
- 26 ILO CEACR. Individual Observation concerning Forced Labour Convention, 1930 (No. 29) Malawi (ratification: 1999). Published: 2017.
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3298802
- 27 Milanzi, Tony S. Living on the Edge: Smallholder Growers' Responses to a changing tobacco economy. Lexington: University of Kentucky. 2017: PhD dissertation.
https://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1027&context=anthro_etds
- 28 U.S. Embassy- Lilongwe. Reporting. February 14, 2020.
- 29 Chimjeka, Rebecca. Lazarus Chakwera nods to Labour Bill The Times. October 15, 2021.
<https://times.mw/lazarus-chakwera-nods-to-labour-bill/>
- 30 Pondani, Mandy. Pangs of child trafficking. The Times Group, October 18, 2019.
<https://times.mw/pangs-of-child-trafficking/>
- 31 U.S. Embassy- Lilongwe. Reporting. February 26, 2021.
- 32 United Nations Office of Drugs and Crime. UNODC Helps Malawi to Tackle Human Trafficking. June 2020.
<https://www.unodc.org/unodc/en/frontpage/2020/June/unodc-helps-malawi-to-tackle-human-trafficking.html>
- 33 Government of Malawi. Education Bill, 2012. Enacted: 2013. Source on file.
- 34 Nyale, Enelless. Govt abolishes secondary school fees. The Nation, September 26, 2018.
<https://mwnation.com/govt-abolishes-secondary-school-fees/>
- 35 Government of Malawi. Improving Education Outcomes Among Children in Malawi's Social Cash Transfer Programme: A Summary of Research Findings and Policy Options. August 2020.
<https://www.unicef.org/malawi/reports/improving-educational-outcomes-among-children-malawis-social-cash-transfer-programme>
- 36 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Malawi (ratification: 1999). Published: 2019.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3963489
- 37 Khonje, Vincent. When children turn into breadwinners. The Times Group, September 21, 2020.
<https://times.mw/when-children-turn-into-breadwinners/>
- 38 Government of Malawi. Employment Act No. 6 of 2000. Enacted: May 14, 2000.
<http://www.ilo.org/dyn/natlex/docs/WEBTEXT/58791/65218/E00MWIo1.htm>
- 39 Government of Malawi. Constitution of the Republic of Malawi. Enacted: 2004.
[https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/162d151af444ded44125673e00508141/4953f2286ef1f7c2c1257129003696f4/\\$FILE/Constitution Malawi - EN.pdf](https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf/162d151af444ded44125673e00508141/4953f2286ef1f7c2c1257129003696f4/$FILE/Constitution%20Malawi%20-%20EN.pdf)
- 40 Government of Malawi. Employment Act, Employment (Prohibition of Hazardous Work for Children) Order, 2012, Cap. 55:02. Enacted: February 17, 2012. Source on File.
- 41 Government of Malawi. Child Care, Protection and Justice Act, No. 22 of 2010. Enacted: July 29, 2010.
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/90369/104130/F179063148/MW190369.pdf>
- 42 Government of Malawi. Penal Code, Chapter 7:01. Enacted: April 1, 1930.
[http://iglhr.org/sites/default/files/Malawi Penal Code 7-01.pdf](http://iglhr.org/sites/default/files/Malawi%20Penal%20Code%207-01.pdf)
- 43 Government of Malawi. Trafficking in Persons Act. No. 3 of 2015. Enacted: April 17, 2015.
http://www.ilo.org/dyn/natlex/docs/MONOGRAPH/99187/118283/F-139474004/MW199187_1.pdf
- 44 Government of Malawi. Employment Amendment Act (2021). October 14, 2021. Source on file.
- 45 Government of Malawi. Defence Force. Enacted: May 14, 2000.
[http://www.africanchildforum.org/clar/Legislation Per Country/Malawi/malawi_defence_2004_en.pdf](http://www.africanchildforum.org/clar/Legislation%20Per%20Country/Malawi/malawi_defence_2004_en.pdf)
- 46 U.S. Department of State. Country Reports on Human Rights Practices-2020: Malawi. Washington, DC, March 30 2021.
<https://www.state.gov/wp-content/uploads/2021/03/MALAWI-2020-HUMAN-RIGHTS-REPORT.pdf>
- 47 Maine, Rebecca, et. al. Interpersonal violence in peacetime Malawi 4th World Trauma Congress Article. 2018.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6326358/pdf/tsaco-2018-000252.pdf>
- 48 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. May 15, 2019.
- 49 Government of Malawi. Malawi Ministry of Justice and Constitutional Affairs. Accessed July 9, 2021.
<https://www.justice.gov.mw/>
- 50 Government of Malawi. Tobacco Industry Bill, 2018. Enacted: May 25, 2018. Source on file.
- 51 U.S. Embassy- Lilongwe. Reporting. January 14, 2020.
- 52 Government of Malawi. Annual Economic Report 2021 2021 Source on file.
- 53 Government of Malawi. Annual Economic Report. 2022 Source on file.
- 54 UN. World Economic Situation and Prospects. 2020 Statistical Annex. New York, 2020. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.un.org/development/desa/dpad/publication/world-economic-situation-and-prospects-2020/>
- 55 ILO Accessed Labor Force Statistics (LFS) – Population and labour force. February 7, 2022. Labor force data is government-reported data collected by the ILO. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://ilostat.ilo.org/data/>
- 56 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. February 23, 2021.
- 57 U.S. Embassy- Lilongwe. Reporting March 4, 2022.
- 58 U.S. Embassy- Lilongwe. Reporting. March 1, 2019.
- 59 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. July 2, 2020.

- 60 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. March 17, 2020.
- 61 Government of Malawi. Program Based Budget 2022/2023. 2022. Source on file.
- 62 U.S. Embassy- Lilongwe. Reporting. January 10, 2017.
- 63 Government of Malawi. TIP Report to U.S. Embassy- Lilongwe. 2022. Source on file.
- 64 Government of Malawi. National Action Plan on Child Labour, 2020-2025. 2020. Source on file.
- 65 Government of Malawi. National Child Labour Mainstreaming Guide. April 2020. Source on file.
- 66 Government of Malawi. Adopt and Launch the National Child Labour Advocacy and Communication Strategy (NCLAS) and Build Media and Stakeholder Capacity for Implementation. 2021. <https://endchildlabour2021.org/wp-content/uploads/2021/06/Malawi-Ministry-of-Labour.pdf>
- 67 Government of Malawi. National Children's Policy. January 2019. Source on file.
- 68 UNODC. Malawi Launches National Plan of Action Against Trafficking in Persons. August 29, 2017. https://www.unodc.org/documents/southernafrica/Stories/Webstory_on_the_National_Plan_of_Action_against_Trafficking_in_Persons_ZA.pdf
- 69 Government of Malawi. National Plan of Action Against Trafficking in Persons, 2017–2022. 2017. Source on file.
- 70 Government of Malawi. Ministry of Education, Science, and Technology. National Education Sector Plan 2008–2017. June 2008. <https://www.globalpartnership.org/sites/default/files/2008-Malawi-Education-Sector-Plans-2008-2017.pdf>
- 71 Government of Malawi. Ministry of Education, Science, and Technology. National Youth Policy. August 2013. http://www.youthpolicy.org/national/Malawi_2013_National_Youth_Policy.pdf
- 72 ILO. Factsheet: ILO at a Glance and its Work in Malawi October, 2021. https://www.ilo.org/africa/countries-covered/mozambique/WCMS_824807/lang--en/index.htm
- 73 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. June 24, 2020.
- 74 ILO. Project on accelerating action for the elimination of child labour in supply chains in Africa. 2020. Source on file.
- 75 Government of Malawi. National Occupational Safety and Health Profile, 2020. February 2021. https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---ilo-lusaka/documents/publication/wcms_773286.pdf
- 76 Van Tromp, Dylan. ILO Partners with Teachers Union of Malawi to Reduce Child Labour ILO. December 2021. https://www.ilo.org/africa/countries-covered/zambia/WCMS_833226/lang--en/index.htm
- 77 ILO. From Research to Practice: Using Knowledge to Accelerate Progress in the Elimination of Child Labor and Forced Labor. 2020: Technical Progress Report. Source on file.
- 78 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Malawi (ratification: 1999). Published: 2019. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3953519
- 79 United Nations in Malawi. The United Nations Development Assistance Framework Malawi: 2019–2023. May 17, 2018. <https://www.unicef.org/about/execboard/files/Malawi-UNDAF-2019-2023-17May2018.pdf>
- 80 U.S. Embassy- Lilongwe official. E-mail communication to USDOL official. July 11, 2019.
- 81 Save the Children. Save the Children Hosts the National Inclusive Education Conference. September 13, 2018. <https://malawi.savethechildren.net/news/save-children-hosts-national-inclusive-education-conference>
- 82 USAID. USAID-Supported National Strategy for Adolescent Girls and Young Women Launched. August 24, 2018. Source on file.
- 83 World Food Program. Promoting Sustainable School Meals Fact Sheet. April 2018. https://docs.wfp.org/api/documents/WFP-0000073218/download/?_ga=2.204951696.1616830882.1564432892-812763964.1564432892
- 84 U.S. Department of State. Trafficking in Persons Report- 2018: Malawi. Washington, DC, June 28, 2018. <https://www.state.gov/reports/2018-trafficking-in-persons-report/malawi/>
- 85 World Food Program. COVID-19 Response in Malawi: "The work did not stop". May 2021. <https://www.wfp.org/publications/2021-covid-19-response-malawi-work-did-not-stop-may-2021>
- 86 Lubanga, Symon. COVID-19 Emergency Urban Cash Transfers Commence. National Local Government Finance Committee. 2021. <https://www.nlgfc.gov.mw/index.php/component/k2/item/655-covid-19-emergency-urban-cash-transfers-commence>
- 87 U.S. Embassy- Lilongwe. E-mail with USDOL official. April 27, 2022.
- 88 de Hoop, Jacobus and Valeria Groppo. How Do Cash Transfers Affect Child Work and Schooling? Surprising Evidence from Malawi, the United Republic of Tanzania and Zambia. UNICEF. 2020. <https://www.unicef-irc.org/publications/1113-how-do-cash-transfers-affect-child-work-and-schooling-surprising-evidence-from-malawi.html>