

**COMBATING CHILD LABOUR IN THE
AGRICULTURAL SECTOR IN NAMIBIA: THE ROLE
OF THE MINISTRY OF LABOUR**

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ABSTRACT

Child labour is a pervasive problem throughout the world, especially in developing countries. Africa and Asia together account for over 90 percent of total child employment. Child labour is especially prevalent in rural areas where the capacity of enforcing minimum age requirements for schooling and work is lacking. Children work for various reasons, the most important being poverty and induced pressure upon them to escape from this plight. Though children are not well paid, they still serve as major contributors to family income in developing countries including Namibia. Schooling also contribute to child labour, whether it be the inaccessibility of schools or the lack of quality education which spurs parents to enter their children in more profitable pursuits. Traditional factors such as rigid cultural and social roles in Namibia further limit educational attainment and increase child labour. Lack of awareness on the extent of child labour among the working children as well as the lack political will also contribute to child labour.

Working children are the object of exploitation in terms of toiling for long hours for minimal pay. Their working conditions are severe, often not providing the stimulation for proper physical and mental development. There

are no easy solutions to combat child labour. Many children have to work to go to school and to supplement the family income, stopping these children from work is stopping them to go to school. Labour inspectors in the Ministry of Labour should create awareness on the effects of child labour and the government should come up with adequate alternatives to help the children withdrawn from work.

This research paper provides information related to the causes of child labour in agricultural sector in Namibia and to look at the laws and regulations regulating child labour how effective they are and if not, to come up with policy alternatives.

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ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
CPI	Consumer Price Index
GDP	Gross Domestic Product
GNP	Gross National Product
HDI	Human Development Index
HIV	Human Immunodeficiency Virus
ILO	International Labour Organisation
IMF	International Monetary Fund
IPEC	International Programme on Elimination of Child Labour
ISS	Institute of Social Studies The Hague
MOL	Ministry of Labour
NGO	Non-Governmental Organisation
UNAM	University of Namibia
UNICEF	United Nation Children's Fund
UNDP	United Nations Development Programme
WB	World Bank

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May God bless all who contributed to my study!

DEDICATION

Dedicated to the memory of my dad and mom, you are my inspiration.

DECLARATIONS

This research is a true reflection of the candidate's own research and has not been submitted for a degree in any other Institution of higher learning.

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CHAPTER ONE: INTRODUCTION

1.1 The Country and People

MAP 1: MAP OF NAMIBIA



The Republic of Namibia is a vast, sparsely populated country situated along the south Atlantic coast of Africa between 17 and 29 degrees south of the Equator, with its surface

area of 824 268 square kilometers. Namibia is the 31st largest country in the world. It stretches for about 1 300 km from south to north and varies from 480 to 930 km in width from west to east. Namibia, previously known as South West Africa, is bordered by South Africa in the south, Angola and Zambia in the north and Botswana and Zimbabwe in the east. The oldest desert in the world, the Namibia Desert stretches along the whole west coast of the country, while the Kalahari Desert runs along its southeastern border with Botswana.

The social and political relations in pre-colonial Namibia were disputed forever when Germany proclaimed South West Africa a German protectorate in 1884. German rule ended after defeat by an invading South Africa force in 1915. The League of Nations granted a mandate to the Union of South Africa over South West Africa including Walvis Bay. The progressive expropriate by settlers led to organized resistance by Namibian communities. In 1966, the South-West Africa People's Organization (SWAPO) launched a war of independence for Namibia, but it was not until 1988 that South Africa agreed to end its administration in accordance with a UN peace plan for the entire region. The Republic of Namibia gains independence on 21 March 1990 (from South African mandate). The capital city Windhoek is situated 1,650 meters above sea level in the central highlands of the Khomas Region and has an estimated population of 183, 000 (1996 estimate). Windhoek is a cosmopolitan city with excellent hotels, restaurants, shops, banks and hospital facilities and houses. There are three branches of government, namely the executive, legislature and judiciary.

The legal system is based on Roman-Dutch law and 1990 constitution. In general, Namibia is a rich country in which mineral exist such as diamonds, copper, uranium, gold, lead, tin, lithium, cadmium, zinc, salt, vanadium, natural gas, hydropower, fish, suspected deposits of oil, coal, and iron ore. The country is demarcated into 13 regions, namely, Caprivi, Kavango, Kunene, Omusati, Oshana, Oshana and Oshikoto Regions in the north, the Omaheke, Otjozondjupa, Erongo and Khomas Regions in the central areas and the Hardap and Karas Regions in the south. The majority of people are

Christians. Christians are 80% (Lutheran 50%), and other beliefs are 10% to 20%. About 50% of the population belong to the Ovambo tribe and 9% to the Kavangos ethnic; other ethnic groups are: Herero 7%, Damara 7%, Nama 5%, Caprivian 4%, Bushmen 3%, Baster 2%, Tswana 0.5% and small fraction are other indigenous tribes. The age structure of the population in Namibia is as follow: 0-14 years: 42.74% (male 389,028; female 379,229), 15-64 years: 53.54%, (male 480,075; female 482,375), 65 years and over: 3.72% (male 29,109; female 37,861). Table 1 summaries the Namibia's population structure.

Table 1.1: Selected Population Statistics, 2001

Indicator	Number/ %
Total Population	1.8 million
Population Growth	3.16%
Population per Square Kilometres	1.7
Rural Population	68 %
Rural Growth	2.0 %
Urban Growth	5.5 %
Population Under 15	41.7 %
Population over 65	4.8 %

Source: Government of the Republic of Namibia: First National development Plan (NDP 1) Volume 1- 1995/1996- 1999/2000

According to Table 1.1 the population of the country is reactively youthful with almost 42.0 per cent of the population are under 15 even today. The majority of people live in rural areas.

Agriculture is the largest employer in Namibia. Presently there are 12763 commercial farms in the country engaged in different productions. The number of communal farms is not available as it involves small subsistence farming.

The largest employment group is in agriculture, 47 % of the employed aged 15 and above. Table 2 shows the proportion of males and females in the labour market. The research study took place at Karas, Omaheke, Oshikoto and Ohangwena Regions.

Table 1.2: Proportion of Males and Females in the Labour Market in Percentage

	Urban	Rural	Total
Males	75	65	69
Females	53	48	49
Both	64	56	58

Source: Namibia National Progress Report on the Implementation of the Beijing Platform for Action, Office of the President: Department of Women Affairs July 1999

Looking at the data provided by the table above, It is clear that the number of men is higher then that of women but in reality women play greater role in farming with their children in the rural areas. Not withstanding that women's role in the economy has been extremely undervalued, because economic studies and policy review normally focus on formal sector rather than the informal sector in which women and children are mainly involved.

Population growth rate is estimated to be 3.15% (2001 estimates). Arable land constitutes about 1% and permanent pastures occupy 46 % while forests and woodland occupies 22% and other occupies 31 percent (1993 estimates).

Although per capita GDP is four times the per capita GDP of Africa's poorer countries, the majority of Namibia's people live in pronounced poverty because of large-scale unemployment which accounts for 35%, the great inequality of income distribution, and the large amount of wealth going to foreign investments. Agreement has been reached on the privatisation of several enterprises in coming years, which should stimulate long-run foreign investment. Growth in 2001 was 3.6%.

The Republic of Namibia has a highly developed and sophisticated physical and communication infrastructure per capita, which is second to none on the African continent. Furthermore, Namibia is a member of Southern Africa Development Community (SADC)¹. Namibia, Lesotho, Botswana, Swaziland and the Republic of South Africa are members of Southern Africa Customs Union, an institution that provides for common external tariffs and aims at an equitable distribution of benefits from economic development. The Common Monetary Area is the agreement between Namibia, Lesotho, Swaziland and South Africa to use the latter's currency as either sole legal tender or as parallel legal tender, and as par-value external trading medium for the smaller currencies.

On the economic and investment front, the Republic of Namibia has one of the lowest corporate tax structures in Southern Africa, in addition to other generous manufacturing incentives such as: No capital gains tax; a non-resident shareholder's tax rate of 10%; a

¹ SADC- Southern African Development Community: This is an economic integration of Southern African Countries which include Angola Botswana, D.R Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia South Africa, Swaziland, Seychelles, Tanzania, Zambia and Zimbabwe.

facility for building infrastructure to be written off at 20 % in the first year and 4 % per year for the next 20 years no tax on dividends accruing to companies; tax free importation or acquisition of manufacturing machinery and equipment; and deductions for direct wages, training costs and exports.

1.2 Child Labour – Background Information and Causes

As in most developing countries, child labour continues to be a serious problem in Namibia. We know that every community in the world has had concerns about the welfare of children, at least their own children. Children can be easily be exploited in the process of labour and they cannot organise themselves to defend themselves. Thousands of Namibian children sacrifice their education, their health, and their childhood in a daily struggle for survival. The majority of these children are working in violation of international² and national standards. Often they work in dangerous and hazardous occupations, which are harmful to their mental, physical and moral development. The exploitation and subjugation of children in Namibia at and through work is perhaps the single most common form of child abuse and neglect today.

Repressive laws in Namibia enforced the exploitation of human resources, providing the majority of workers including working children no protection against maltreatment by employers. Health and welfare provision was racially segregated. Child labour issues were not raised anywhere. Working children were exploited like adults. The consequence of all this is that child welfare has been an issue for the new Namibia. It forms part of political agenda of several levels of government, of workers and employers organisations, NGOs, and community based organisations.

² United Nations Convention on the Right of Child: The Conventions in fact constitutes a comprehensive listing of obligations that States are prepared to recognise towards the child. These obligations may be of a direct nature- providing education facilities and ensuring proper administration of juvenile justice. Convention traditionally, these have been classified as civil and political on one the hand, and economic,

1.3 Causes of Child Labour

Poverty is the reason why people who employ children are able to exploit their labour, because they know that children will be forced by circumstances to work for low pay. Cheap labour due to poverty is therefore one reason for people to employ children. There are also numerous factors pushing children out of school and pulling them into labour. Although poverty is the main cause s of child labour, there are many other factors as well. Man made disasters such as war and civil strife, illiteracy, powerlessness and the lack of viable options force poor families to put their child at work. Children work in order to increase household income for their family survival.

There are also interrelation between poverty , fertility, child work, school enrolment and economic development (e.g. Mueller, 1976; Kamal et al, 1993; Anker, 1995) Couples in poor households have more children, partly because the existence of child labour reduces the cost of having children.

Schooling problems also contribute to child labour. Many children seek employment simply because there is no access to schools (distance, or no school at all). When there is access, the low quality of education often makes attendance a waste of time for the students. Schools in many areas suffer from problems such as overcrowding, inadequate sanitation and apathetic teachers. As a result, parents may find no use in sending their children to school when they could be at home learning a skill (for example in agriculture) and supplementing the family income. Because parents have so much control of their children, their perception of value of school is a main determining child schooling and employment (Tiena, 1979). School attendance by a child is also highly

social and cultural on the other. Conventions is to emphasise the inter-connected and mutually reinforcing nature of all rights in ensuring what UNICEF terms the "Survival and Development" of Children.

correlated with family income (Ilon and Mooock 1991). Therefore when children drop out of school, it is not necessarily

The majority of the Namibian population live in rural areas, and depend on agriculture for their livelihood. Women are more affected by the conditions of poverty than men because poverty among women is linked to inequality situation in the society, in the world of employment, unfair treatment under social welfare and their cultural status.³

The activities most children are engaged in the informal sector are subsistence agriculture, herding or keeping animals is common, and a wide range of small business activities in the urban and rural areas, including washing vehicles, and selling of newspapers. However, child labour in most developing countries is regarded as an important part of socialization. The greater prevalence of working children in such rural economic activities like cultivation, cattle herding, masonry, maize stamping, water and fire wood collection, carpentry etc. is considered as an essential means of socializing them into various economic roles. Children work because they have important social and economic functions

Traditional factors are also important. The established female role in certain countries dictates that women will not fit into traditional roles if they become educated (Bequele and Boyden 1988). There are no pervasive notions that educated females will not get married nor have children. Therefore, many families raise daughters solely to take over the household duties in order to release the mother for paid labour. Such cultural practices restrict the education of females and promote child labour. The acceptance of social class separation perpetuates child labour as well (Weiner 1991).

³Namibia National Progress Report On The Implementation Of The Beijing Platform For Action 1999

1.3. International Efforts in Combating Child Labour

Namibia is a member of United Nations (UN)⁴ and International Labour Organization (ILO). Child labour is the world problem. The International Labour Organisation (ILO) has since its establishment been at the fore front in the struggle against child labour, and its actions have played an important role in the protection of working children and reduction of child labour⁵. As in most of developing countries, the bulk of the population is rural and engaged in subsistence agriculture. The combating of child labour is one of the most urgent challenges of our time. Today we have a better grasp of the size and the shape of the problem. About 246 million children ages 5 to 17 worldwide, are involved in child labour-a number nearly as large as the entire population of the United States (280 million)⁶. This represents one out of every six children in the world today⁷. They are in jobs for which they are too young, or jobs that endanger their health and well-being. Nearly three quarters of the world's child labourers, about 180 million are now suspected to be toiling in the worst forms of child labour.

⁴ United Nations Convention on the Right of the Child: The entry into force of the UN Convention on the Right of the Child on 2 September 1990 marked the culmination of nearly 70 years of efforts designed to ensure that the international community give proper recognition to the special needs and vulnerability of children as human beings. The first expression of international concern about the situation of children came in 1923, when the Council of the newly- established non-governmental organisation" save the Children International Union" adopted a five declaration of the rights of the child, known as the Declaration of Geneva, which was endorsed the following year by the Firth Assembly of the League of Nations. In 1948, the General Assembly of the United Nations approved a slightly expanded version of the text, and went on to adopt a new Declaration, containing ten basic principles of child welfare and protection, in 1959.

⁵ The International Labour Conference has over years adopted a series of conventions and recommendations dealing with the employment or working children and young persons. The first such convention adopted by the conference as early as 1919 Fixed at 14 years the minimum age for admission to industrial employment. ILO, Geneva 1989.

⁶ ILO Convention 138 Concerning the Minimum Age for Admission to Employment: Summaries of International Labour Standards: Second Edition, updated in 1990. Geneva

⁷ ILO Magazine: World of Work, Geneva, 2002.

The International Labour Organisation (ILO) Minimum Age Convention, 1973 (No. 138), states that ratifying Members shall “rise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons”. The minimum age shall not be less than 15 years, although developing countries, whose economies, education and administrative facilities are insufficiently developed, may initially permit children of 12-14 years to carry out light work of certain type and under certain conditions. Children in most societies undertake a variety of labour force and non-labour force activities, even at a very young age. The integration of children into social and working life may be so gradual that it is not possible to separate the phases. Others demarcate childhood from adulthood either by fulfilment of certain social rites and obligations, or by age. The international instruments generally use to define a child under the age 18 (the UN Convention on the Rights of the Child, and the ILO). The minimum age shall not be less than 15 years, although developing countries, whose economies, education and administrative facilities are insufficiently developed, may initially permit children of 12-14 years to carry out light work of certain type and under certain conditions.

Worst forms are those types of work that are hazardous for children. This has been termed by the UN and the ILO member states as inexcusable under any circumstances and must be eliminated.

As already mentioned, that majority of the world’s working children are in the informal sector where they do not have legal or regulatory protection. Most work on farms and plantations, 70 per cent are in agriculture, 8 per cent are in manufacturing, 8 per cent in wholesale and retails, 7 per cent are in community, social and personal services like domestic work. 4 per cent are in transport, storage and communication, 2 per cent in construction and 1 per cent are in quarrying⁸.

⁸ ILO: Facts on Child Labour, Department of Communication 2002.

In recent years, governments all over the world both developed and developing countries are called upon to put in place policies and strategies that will eliminate child labour more especially worse forms of child labour, which exists mostly in agriculture. Children in agriculture are made to work at a tender age and most of them work in risk prone areas, which hamper their personal development both mentally and physiologically and need the efforts of every one.

1.4 Government of Namibia Efforts in Combating Child Labour

In Namibia, much of the work has been done by the Government of Namibia through the Ministry of Labour in combating child labour such as adopting of the Constitution, which is protecting child from abuse including child labour. The Namibian government has adopted the Labour Act, Act No 6 of 1992,⁹ and appointed labour inspectors to implement the act. In its section 42 of the Labour Act is clear that children between the ages of 14 and 15 may not work. The Act adopted the ILO Convention 138 of 1973 on minimum age. Namibia pressed by the manifestations of its organised civil society, the Namibian Government ratified ILO Conventions 138 and 182, while the number of individuals and institutions that became mobilised vis-à-vis the issue has multiplied through out the country.

Namibia has signed and ratified the Convention on the Rights of the Child in 1990, and the Convention on the Elimination of All Forms of Discrimination Against Women in 1992. The government is discussing the bill on Child Welfare and Protection Act under the Ministry of Women Affairs and Child Welfare.

⁸ Labour Act No 6 of 1992

The government together with employers and workers unions agreed on minimum wages in agricultural sector at the rate of N\$ 429.00 per month this alone will eradicate poverty within the sector.

Affirmative Action Act was also passed by the government which protect the women against discrimination at work as they are discriminated and unable to send their children to schools.

1.5 Justification of the Study

The economic crisis coupled with rapid population growth in Namibia has exacerbated the child labour and poverty situation in the country. Rural development has been further constrained by the reduction of investment in essential infrastructure. At the same time, the labour force has continued to grow, thus aggravating further the problem of child labour. The obvious answer to the serious child labour in Namibia, and poverty situation is development policy and institutional environment intervention to child labour problem. The research results show that there have been considerable efforts made by Government to obtain reliable statistics on child labour, and the involvement of the Ministry of Labour in combating child labour countrywide. It is now well known that the large proportion of children is engaged in child labour and in agriculture. Societies have been unfair to children's development. Today child labour remains a problem and is a concern for everybody who love children and their development. Despite the legal framework in place, the child labour remains in existence in the country especially in the agriculture sector. It is important to investigate the reasons behind the failure over the years for various laws and conventions to combat child labour in the country and why agriculture sector employs more child labour.

1.6 Aims and Objectives of the Study

In the context that has been outlined above, the aims and objectives of this study are:

1. To analyse and review child labour situation in agriculture in the country and the role of the Directorate of Labour in the Ministry of Labour
2. To investigate and examine the factors which attract children to work?
3. To assess the impact of national policies, labour policies and regulations in protecting children welfare.
4. To advise and recommend additional or alternative measures or policies to reduce child labour in agriculture in Namibia.

1.7 Research Questions

The following are the research questions:

1. What are the causes of child labour in agricultural sector in Namibia?
2. Is the policy on child labour adequate?
3. Are the efforts on combating child labour coordinated between different stake holders?

1.8 Research Methodology

The study used primary and secondary information and data on child labour in Namibia. On primary information and data, the study conducted a sample survey in selected areas. The main instruments were questionnaires designed to gather the views of various stakeholders including trade unions, employers organisations as well as interested organisations involved in child labour. The questionnaires were sent to respondents in advance so that they could prepare information. Each respondent then interviewed individually. Interview took, an average of a half an hour to carry out. The results from the questionnaire and interviews were analysed and summarized. On secondary information data, literatures including legislation were reviewed to gather more information on child labour to supplement primary information and data collected. The researcher benefited from the views of my colleagues in the Ministry of Labour and social partners the Trade Unions and Employers Organisations in some part of the country.

1.9 Sampling Procedures

In this research a sample size of 230 people of different categories, age, occupation and status were interviewed. A breakdown of the number of respondents is in table 1.3 below. As such, the sampling plan attempted to capture the factors that had been noted to influence behaviour in the child labour. Research subsequently concentrated on 20 farms, 5 commercial farms in Omaheke, 5 from Karas regions. 10 farms were from communal setting, 5 communal farms from Oshikoto and 5 communal farms from Ohangwena regions. The information was very useful.

Table 1.3 Farms and respondents and areas covered by the researcher

REGION	NUMBER OF FARMS	CATEGORY OF RESPONDENTS	NUMBER OF RESPONDENTS
OSHIKOTO	5	Employers, parents and children	44
OHANGWENA	5	Employers, parents and children	70
OMAHEKE	5	Employers, parents and children	84
KARAS	5	Employers, parents and children	32
TOTAL	20		230

Source: Primary data

1.10 Scope and Limitations

The study was limited to child labour and policy implication in the agriculture, which is part of informal sector economy. Due to limited funds and time constraints, the researcher conducted interviews only 20 farms. Recommendations have been presented on the basic of information collected in both the field and library. Beside limited funds and time constraints, the collected information was very useful in drawing up recommendations.

CHAPTER TWO: THEORETICAL AND CONCEPTUAL FRAMEWORK

2.1 Introduction

Discussing the implementation of child labour in agriculture, raises conceptual issues that need to be clarified. Whilst the theories that underlie the study is also explained. It is important that a framework for the analysis of the study is adopted. In this chapter therefore concept of child labour, child work and child labour, worst forms of child labour will be defined. The theory of state intervention will be introduced and analytical framework on policy implementation will be touched.

2.2. The Concept of Child Labour

The struggle against child labour is an issue and a problem that is of concern to Namibian society as a whole. Presently it is a part of the political agenda of several levels of governments, of workers and employers organisations, NGOs, and community based organisations.

Although the Namibian legislation prohibits child labour, the Namibia Child Activities Survey of 1999 carried out by the Ministry of Labour has shown that of the household population of 1,126,263, children aged 6 to 18 years amount to 445,007 were found to be working. The survey also reveals that 69,050 are in rural agriculture. It is therefore important to examine how child labour can affect the future of the children as a whole.

Children who work are disadvantaged in relation to their capacity for development and further advancement for acquiring the necessary skills. Most children who work today may risk becoming the unemployed of tomorrow. When stating that child labour is both a cause and consequence of poverty, the necessity of taking measures to break this vicious cycle must be highlighted in Namibia today for the future of our children. Child labour is neither one of the ills of poverty that will disappear along with it, nor is it a fatality. At comparable development levels the results of the fight against child labour can vary considerably. The elimination of child labour in Namibia and other developing countries in the world implies the adoption and application of a policy that puts to work a set of means in a coordinated fashion.

Children in most societies undertake a variety of work and other activities, even at a very young age. The integration of children into social and working life phases may be so gradual that it is not possible to separate the phases. Others demarcate childhood from adulthood either by fulfilment of certain social rites and obligations, or by age the so-called socialization process. The international instruments generally use to define a child under the age 18 (the UN Convention on the Rights of the Child¹ and the ILO). The

¹ The United Nations Convention on the Rights of the Child contains three major substantive innovations. Firstly, it introduces "participation" rights for children, which were notably from previous Declarations. Linked with this is the explicit recognition of the need to ensure that children themselves are informed about their rights. Secondly, the Convention takes up questions never previously dealt with in an international instrument: the right to rehabilitation of children who have suffered various forms of cruelty and exploitation for example, and the obligation of governments to take

minimum age shall not be less than 15 years, although developing countries, whose economies, education and administrative facilities are insufficiently developed, may initially permit children of 12-14 years to carry out light work of certain type and under certain conditions.

Not all work is harmful to children. From a young age, many children help around the homes, assist their parents in the family farm or business. As they get older, they take on light jobs or learn valuable traditional trades. In this way, the children acquire the skills and attitudes they will need as future workers and useful members of the community. Light work carefully monitored, can be an essential part of children's socialization and development processes, where they learn to take responsibility, and gain pride in their own accomplishments. This kind of work is not without risk.

Child labour is classified as children's work that is detrimental to their schooling or harmful to their health and development. The issue is with the children who are denied their childhood and a future, work at too young age, work longer hours for low wages, work under conditions harmful to their health and to their physical and mental development, separated from their families, or who are deprived of education. Such

measures to abolish traditional practice harmful to children's health. Thirdly, it includes principles and standards that have so far figured only in non-binding texts, notably those relating to adoption and juvenile justice.

child labour can create irreversible damage to the child and is in violation of international law and national legislation².

Numerous frameworks have been proposed for defining child labour. Some have focused on different patterns of child activities (e.g. Rodgers and Standing, 1981). Others have defined child labour according to negative effects of work on children (e.g. Boyden, 1994; Fyfe, 1993). The following are activities, which are similar to the later. Child labour involves one or more of the following elements:

Work by very young children;

Long hours of work on regular full-time basis;

Hazardous working conditions (physically or mentally);

No or insufficient access, attendance or progress in school;

Abusive treatment by employer;

Work in slave-like arrangements (bonded labour).

The main concern of this study, therefore, is not child work as such, but rather the concern is work, which is detrimental to children's physical and mental development such as child labour in agriculture, which is exposed to chemicals. Children working in agriculture are also exposed to long hours of work, extreme weather conditions heavy

² ILO, IPEC: Child Labour in Commercial Agriculture in Africa, Technical Workshop on Child Labour in Agriculture 1996, Dar-es-Salaam, Tanzania.

workloads, daily and weekly hours of physical strenuous work, to injuries caused by tools, snakebites just to mention a few ³.

The ILO Convention No 138 (1973) and 182 (1999), identified four forms of child labour as follow: slavery, sexual exploitation, illicit activities, and hazardous work. The first three categories above are likely to be criminally illegal and the responsibility primarily of police authorities. The labour inspectors are only concerned with the last category, although as part of a larger team and more comprehensive approach, they have the role to play with all. In Namibia, the question of sexual exploitation is covered by the Rape Law of 2001, and the slavery category does not exist in Namibia according to the NCAS of 1999.

2.3 Child Work and Child Labour

. The United Nations Convention on the Right of Child defines the child as a person who is under eighteen years of age. International labour conventions make a distinction between two categories of persons up to the age of eighteen: one category concern children strictly speaking which ends at around fifteen years of age (give or take a year) whereas the second category, young persons, would cover from the end of this period to age of eighteen. Therefore, my starting-point is the UN Convention on the Rights of the

³ ILO: Combating Child Labour: A Handbook for Labour Inspectors, ILO/IPEC 2002, Geneva.

Child 1989. Article 32 begins:“ States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or harmful to child’s health or physical, mental, spiritual, moral or social development.” The protectionist attitude that proposes to exclude children from certain kinds of work is notable feature of some people, by contrast with other Articles of the Convention that emphasise children’s rights to self-determination and social participation⁴ In the quest to protect children from worst experiences of exploitation and labour hazardous industries, there is a risk that they will also be prevented from working or that their circumstances will be made worse by national and international legal and commercial regulation (White, 1996).

Child work and child labour international instruments and in this research study do not consider occasional work by adolescents, that is, working several hours a week to earn pocket money, nor the work carried out by children who help their parents out in agriculture. These instruments are aimed at work carried out by children that life treats as adults before their time, those that have the same working days as adults in conditions that are harmful to their health and physical and moral development, that are deprived of any serious educational or training opportunities which would offer them a better future. This type of work indeed must be abolished in Namibia.

⁴ United Nations Convention on the Right of Child also introduces two significant conceptual elements with important substantive ramifications: The” best interests of child” (Article 3) becomes the compulsory criterion “ for all actions concerning children: necessarily in conjunction with all pertinent rights set out elsewhere in Convention. The principle that parents (or other responsible for child) should provide

2.4 Worst Forms of Child Labour

The ILO Convention 138⁵ aims at protecting children and adolescents less than 18 years of age from work, which by its nature or the circumstances in which it is carried out is likely to jeopardise their health, safety or morals. International labour conventions on night work of children and young persons (Convention No 79 and 90) enshrine the principle of the prohibition of night work for persons under the age of 18. Children are engaged in different type of work, be it cleaning the house, herding sheep just to mention a few. There some work which are regarded of worse forms. These includes all forms of slavery or practices similar to slavery, such as the sale and trafficking of children⁶ debt bondage and serfdom and forced labour, including forced or compulsory recruitment of children for use in armed conflict. Child prostitution and production of pornography or pornographic performances form part of worse forms of child labour.

guidance to their child in exercising his/her rights, in accordance with the child's evolving capacities (Article 5).

⁵ Also see ILO Recommendation 146 on the Minimum Age for Admission to Employment and African Charter on Rights and Welfare of the Child by then Organisation of African Unity. Article XV: Child Labour which states that "Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral or social development.

⁶ Namibia as a member of then Organisation of African Unity now African Union signed African Charter on Rights and Welfare of Child which Article XXIX: Trafficking and Abduction the country shall take appropriate measures to prevent the abduction, the sale of, or traffic in children for any purpose or in any form by any person including parents or legal guardian of the child and the use of children in all forms of begging.

Work which, by nature or circumstances in which it is carried out is likely to harm the health, safety or morals of children are regarded as worse forms of child labour.

2.5 State Intervention

Before independence the collection of key economic and social data in the communal-tenure farming area were discouraged and therefore of key aspects of smallholder agricultural production remains patchy including that of elimination of child labour. Until the late 1970's, the predominate definition of the proper economic, political and social role of the state was that it should intervene where economic, social and political activities failed to achieve the desired objectives. Most activities of the public sector were justified on those grounds. The state was also to use its legitimate powers to redistribute income and resources to the poor, the underprivileged and the weak in the society (Mackintosh 1992). State intervention came into the forms of legal provisions, policies, programmes that were directed towards the inefficiency.

According to Bjorkman (1994) factors contributing to the reaction and outcome include the amount of change the policy calls for. Using the incrementalist theory he advises that incremental changes are more likely to be acceptable than a drastic change. In addition Palumbo et al (1990) caution that the fact that seems to be that irrespective of the commitment and resources of agencies in charge of implementation, some policies by

themselves are impossible to implement from the outset. The complexity in the implementation process therefore means that it is not enough to draft a better policy or write a better law; rather an effective implementation depends on several factors including a well co-ordinated organisation and a carefully designed implementation process incorporated at the policy formulation stage.

2.6 Implementations

The scanty literature on implementation as compared to the intellectual attention given to policy analysis and decision-making explains the extent to which implementation has lagged behind the policy process. Policy makers and analysts tend to assume that decisions to bring about change automatically result in changed policy or institutional behaviour once resources are made available, a situation described by Lane (1993) as mechanical translation of goals into routine procedures and Grindle (1991) as linear. Using the linear model, they explained that most decision makers and policy analysts in the past have created the impression that a proposed reform gets on the agenda for government action, a decision is then made on the proposal or it is rejected. If accepted the new policy is then implemented either successfully or unsuccessfully. In this model, the decision is seen as the most crucial choice and implementation is seen as a matter of carrying out that which has been decided upon.

Other contributors to implementation (Wildvasky 1983, Edwards 1980, Grindle 1980, Elmore 1978) have disputed this notion of seeing implementation as simple, straightforward and mechanical. Instead, they have described implementation as a complex, interactive and ongoing process of decision-making, which is the most crucial part of the policy process since the policy outcome, depends on how successful or not the implementation has been. In place of the linear model Grindle (1991) proposes the interactive model as a more realistic representation of the implementation process. It is very important that the government strengthen the implementation process of the state as well as to involve different stakeholders.

For any policy to be well implemented following feature must be considered; policy intentions are preserved in the working programs, rules must be set, investigating machinery should be in place, enough resources both human and capital be available, good communication two way communication, involvement of citizens who are beneficiaries of the policy and the linkage multiple sites and phases of the policy process.

This study adopts the above interactive of policy implementation fully as it provides a comprehensive framework for analysing the various and possible conflict areas in policy implementation. It enhances our analytical skills in analysing the status of a new policy such as child labour policy, which the study is investigating and also sharpen our tools towards making better input to policy implementation.

CHAPTER THREE: THE ROLE OF INSTITUTIONS, LAWS AND POLICIES IN PROTECTING WELFARE OF CHILDREN

3.1 ILO and the World of Employment in the Elimination of Child Labour

The International Labour Organization exists to help countries like Namibia put into practice the principles of social justice, freedom, economic security and equal opportunities for all. Its action is directly related to the daily realities of the working world. The ILO works to eradicate poverty and unemployment in the world, to satisfy the basic needs of the very poor and protection of children and to create a new world of employment. It encourages every country to enable the poorest to reach minimum standards of living as soon as the economic development of the country allows. These minimum standards include basic material needs - food, clothing and housing as well as education, security, health care and protection from diseases they include opportunities for gainful and productive employment, and the right to act freely and welfare of child as per Convention 138. The central commitment of the Convention resides in the pursuit of a national policy designed to ensure the effective abolition of child labour and to rise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young person.

The main fields of ILO activity in employment are improvement of living and working conditions, a practical method to humanize work and raise living standards, promotion of employment, the condition for collective prosperity and individual well-being, the development of human resources, since training and uses of these resources are the key to economic expansion and social progress and development of social institutions, that is the establishment and strengthening of the administrative bodies, professional organizations, and the channels of participation and communication which are the frameworks of modern society.

Therefore, ILO helps work out development policies and strives to ensure that the fundamental rights of workers and children are protected. It supports efforts by the international community and by nations to achieve full employment, raise living standards, share the fruits of progress fairly, and protects the life and health of workers, children welfare and to promote cooperation between workers and employers in order to improve production and working conditions including protecting the exploitation of children. All ILO activities are concerned to a greater degree with the rights of people. But there is one group of basic rights of particular concern to the organization, namely trade union rights, protection against forced labour, protection against discrimination among workers, children and the right to work¹. To a greater degree ILO activities are concerned with the right of people and children through their programme known as International Programme for Elimination of Child Labour (IPEC).

Nations like Namibia which has embarked upon programmes of economic development often run into unsuspected barriers which threaten, and often halt the desperately needed growth of the economy. When economic growth and productivity fail to respond to the country's goals of raising living standards for its people, people tend to be frustrated and start to exploit children. The ILO policy and programme such as IPEC aimed at the effective abolition of child labour must be coordinated with employment policy, incomes policy and in particular with those measures taken for the reduction of poverty and risks of exclusion, as well as social security measures. Recommendation 146 which accompanies the Convention specifies the possible policy content regarding child labour. The recommendation particularly underlies for high priority to be given to a set of measures covering a

¹. More Information: The ILO and the World of Work. Geneva 1984.

wide field and on the essential coordination of measures to be taken for the abolition of child labour, as well as measures in education, health or employment²

3.2 The Ministry of Labour in Namibia

Prior to Namibia's independence the task involved labour issues were done by Department of Manpower which was an extension of the South African Ministry of Manpower Development. The main tasks of the department were to strengthen the oppressive mechanisms of the South African apartheid regime than to address labour issues in Namibia. After independent the Department of Manpower was transformed into a full-fledged then the Ministry of Labour and Manpower Development. In 1990, the Government inherited very unhealthy labour relations including that of child labour. There were industrial strife, unfair conditions of employment, poor health and safety standards, no freedom of association and the suppression of trade unions. There were almost no dialogue between employers and employees. In 1992, the Labour Act was promulgated by the National Assembly, in line with Chapter 11 of the new Constitution. The Government through the Ministry of Labour had enacted policies and legislation aimed at furthering labour relations conducive to economic growth and improved wages and conditions of employment through the promotion of an orderly system of free collective bargaining and elimination of child labour. Within the Ministry of Labour, a Labour Commission is established under the Labour Act of 1992³.

The Ministry of labour is responsible for developing and implementing labour and employment policies. The Ministry is responsible for:

² Further see: ILO Recommendation 146 on the Minimum Age for Admission to Employment: Geneva.

³ Further see: Labour Act of 1992

1. Promoting employment, sound labour relations, equitable conditions of employment and a safe working environment.
2. Carrying out research on human resources availability.
3. Planning, designing, and implementing basic development and artisan training, and
4. Protection of workers against the loss of income as result of work-related accidents or disease.

Amongst its major functions, the Ministry was also entrusted with the responsibilities of promoting harmonious labour relations, through the system of tripartism or dialogue between government, employers and the workers and the elimination of child labour in the country.

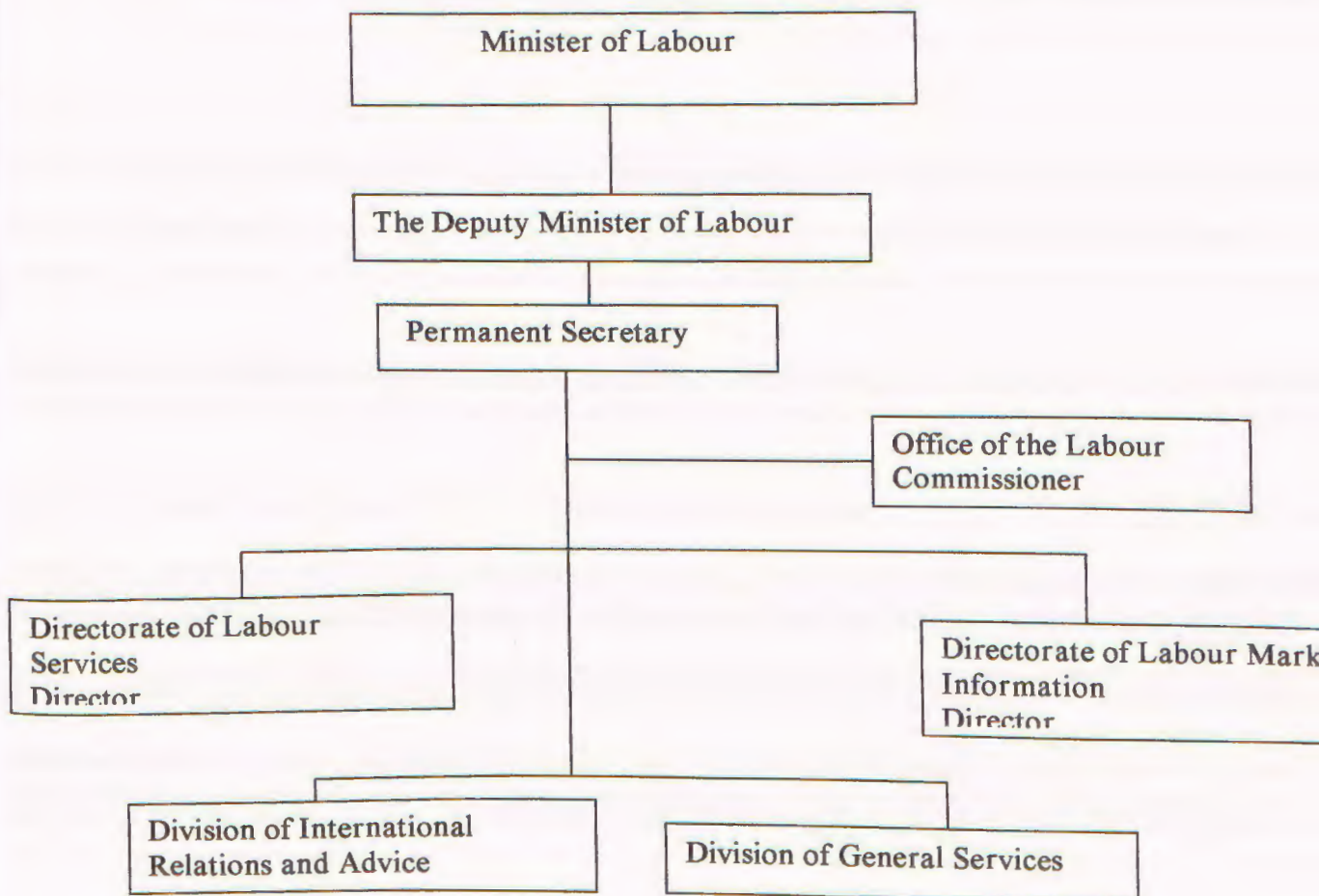
3.3 The Structure of the Ministry

The Ministry is composed of the Directorate of Labour Services; the Directorate of Labour Market Information; Division General Services; Office of the Labour Commissioner; and the Division

International Relations and Advice. The location of inspection system within a central authority, such as ministerial directorate, facilitates the establishment of a uniform labour inspection and enforcement policy for Namibia. Namibia is in line with ILO Labour Inspection Convention, 1947 (No. 81), which in its Article 4, paragraph 1, and also the Labour Inspection (Agriculture) Convention, 1969 (No. 129), which in its Article 7, paragraph 1 which stress the desirability of placing labour inspection under the supervision and control of central authority.

All divisions of the Ministry of Labour have certain common interests and a common field of action. This fact favours close cooperation and effective mutual assistance. Cooperation may take place at various levels and assume a variety of forms. Exchange of information among divisions is very useful; for example, the labour inspection service is certainly able to put to good account the result of surveys undertaken by the labour market service division. A good and memorable survey is the Namibia Child Activity Survey of 1999. Figure 2 shows the structure of the ministry of labour.

Figure 2: The Structure of the Ministry of Labour in Namibia



3.4 The Directorate of Labour Services

For the purpose of this research, the Directorate of Labour Services, which deals with the enforcement of all the labour laws, is critically looked at. Its main objectives is also to enforce the laws, ensure harmonious labour relations and safe work environment through raising awareness of labour laws to different stakeholders and through carrying out inspections at all work places in the country. Presently it is only man by 39 labour inspectors headed by the Director and the Deputy Director. The service for labour inspectors is decentralised with 16 labour offices through out the country.

Therefore, the major task for the Directorate of Labour services today is to execute government labour policy and administration by providing advice on labour policy, investigating and settling labour complaints and disputes. The Directorate is an important element in improving or increasing productivity in any undertaking. At the Headquarters directly performs certain work which cannot be done effectively by any single region. The following are the basic responsibilities of the Headquarters: -

1. The Headquarters establishes policies which will govern the operation and the conduct of labour matters countrywide.
2. It develops the necessary methods and procedures, technical material, tools, form

References' documents, the standards of performance which are required in the regional offices to carry out the labour service tasks. It issues all necessary instructions to regional offices.

3. It provides constructive inspection and supervision of the operations of the respective regional offices.

The Headquarters places prime emphasis upon assisting the regional offices in overcoming deficiencies which may be revealed in the course of inspection and evaluation including that of child labour. Inspection and supervision are made on the basis of objective standards of quality and quantity.

3.5 The Role of Labour Inspection on Child Labour

Labour inspection is very important task in the Directorate of Labour Services. Through labour inspection are able to discover the working children in both formal and informal sectors. Most of the working children are in informal sectors. Therefore, labour inspectorate must have a clear and comprehensive national enforcement policy including clear policy instructions on labour inspections which should at least:

- emphasise prevention as the main aim and develop prevention-oriented methods of intervention;
- address the need to balance advisory and supervisory elements, unannounced inspections and the considered use of sanctions; and
- address the use of complementary input such as birth registration and school attendance records, information services, use of media, voluntary compliance programmes and code of practice, credible monitoring systems, and collaboration with other organisations and authorities.

Provided there is both a clear policy and the political will for action, the central inspection authority can organise inspection programmes that either include child labour among other aspects to be investigated, or are dedicated specifically in elimination of worse form of child labour in the country child labour. Sometimes inspection plans are based on campaigns, or special national or sectoral action programmes aimed at problems that are already serious, or expected to become serious.

3.6 The Directorate of Labour Market Information

The Directorate of Labour Market is very important because in the economy, no planning or decision making process can function without statistical and non-statistical information. In order to get reliable information and data on child labour the Directorate of Labour Market information plays a major role in collecting data and information on child labour. In 1999 they carried survey on Namibia Child Activities Survey. Therefore, in the planning and execution of economic plans, human development including that of elimination of child labour constitutes a vital element. They are both a means as well as an end of economic growth. Information on various aspects of supply and demand and utilization of these resources is thus vital. With the changed of the objectives in economic development and growth. Labour market information has assumed great significance and urgency in Namibia. Emphasis on the economic growth is now placed much more on the maximization of productive employment so as to involve all persons in the process including that of child welfare. Satisfaction of basic needs of the people and ensuring equitable distribution of the proceeds of growth and resources has widened considerably the scope of labour market information and has enhanced its role and importance in the country.

3.7 ILO Conventions Ratified by Government of Namibia

In 1946, ILO became the first specialized agency of the United Nations, with a special responsibility for social and labour development. ILO has played an active role in international technical cooperation in Namibia such as collection of information and data on child labour. ILO directs efforts towards the protection of basic human right, the improvement of living and working conditions and the promotion of full employment⁴. The work of ILO grew from the concept of establishing international labour laws as a means of eliminating merciless competition. Today that idea has taken the form of international standards and conventions. The Ministry of Labour in Namibia has three main labour legislations as follow: The Labour Act (Act No. 6 of 1992), The Social Security Act (Act No. 34 of 1994), and The Affirmative Action (Employment Equity) Act (Act No. 29 of 1998) which all are in line with ILO Conventions and Recommendations.

Namibia was a fully-fledged member of the ILO even before Namibia became an independent state in 1990. The Government of Namibia has ratified eight ILO Conventions so far. Conventions are designed as international treaties whereby a ratifying state undertakes to discharge certain binding legal obligations. There is a regular international supervision in which these obligations are observed. The

⁴ Standard Setting Activity of the ILO: International conventions adopted before 1973 referred specifically to industrial employment (Convention 5 and 59), commercial (Convention 33 and 60) or underground work (Convention 123) and work in the agricultural sector, without specifying whether or not it was paid or unpaid (Convention 10). These Conventions were aimed at the adoption and application of legislation banning the labour of children under a certain age. Each member for which these convention is in force undertakes to pursue a national policy designed to

recommendations on the other hand, give rise to no binding obligations but provides guidelines for national policies and actions. The ratified Conventions by Namibia are as follows:

- Convention No. 87 of 1948 on Freedom of Associations and the Right to Organise,
- Convention No. 98 of 1976 on Tripartite Consultation,
- Convention No.150 of 1978 on Labour Administration,
- Convention No. 105 of 1957 on Abolition of Forced Labour,
- Convention No. 158 on Termination of Employment,
- Convention No. 111 on Discrimination,
- Convention No. 138 of 1973 on Minimum Age of Employment, and
- Convention No. 182 of 1999 on the Worst Forms of Child Labour.

3.8 The Ministry of Labour Efforts in Combating Child Labour According to Labour Laws and ILO Conventions

At independence, Namibia's labour sector was characterised by many inequalities. Working conditions were bad and unbearable. Children were made to work continuously and women were discriminated against. As the Constitution of Namibia does not permit the use of child labour and states that children are entitled to be protected from economic exploitation and shall not be employed to perform any work that is likely to be hazardous or interfere with their education, or to be harmful to their health or physical, mental, spiritual, moral or social development. According to the Constitution children shall be persons under the age of sixteen (16) years. The Constitution further stated that no children under the age of fourteen (14) years shall be employed to work in any factory or mine, save under conditions and circumstances regulated by the Act of Parliament.

After independence, the government of the Republic of Namibia through the Ministry of Labour felt it right that there is a need to protect the disadvantaged groups, women and children from exploitation at work. As a result a special office for children and women was established in the Ministry of Labour. The main effort the ministry of labour and its Directorate of Labour Services was to make sure that children are not exploited or made to work as stipulated in the Constitution the country which is a supreme law of the land. This specific office was also charged to put more efforts and emphasis on the problems arising from the agricultural sector.

In the efforts of inspection and receiving complaints in 1991 alone the office received 740 complaints from agricultural sector and out of this 13 cases were child related⁵. Since the inception of Labour Act (Act No 6 of 1992) several child labour cases were reported from the agricultural sector, putting child labour as an issue in the country for the first time. The issue rose ranged from non-payment of salaries, unpaid leave, working on public holidays and Sundays, overtime work without pay. Unfortunately there was no case reported on working at early age. Most people did not know about child labour law, which prohibited children to work.

In 1992, the provision of the Constitution has been amplified by the Labour Act (Act No. 6 of 1992). It was the first labour legislation in Namibia to deal with Child Labour. Section 42 states the followings:

- No child under 14 years may be employed for any purpose.
- No child under 15 may be employed in any mine or industrial undertaking.
- No child under 16 may be employed underground in any mine.

⁵ Namibia Ministry of Labour Annual Report of 1991.

In support of the above legal provisions, several international agencies based in Namibia (UNICEF, WHO, UNESCO, UNDP etc. and local Non Governmental Organisations, Trade Union Organisations and Employers Organisations, have also been supporting the government's efforts in combating child labour.

In the efforts to combat child welfare especially child labour in Namibia, in 1999 Namibia Child Activity Survey was established with the aim to provide baseline data on the activities of child population in Namibia for planning, policy formulation and implementation of government development programmes so that the status of the vulnerable socio-economic groups in Namibian population is improved. This resulted into the Ministry of Labour in Namibia to ratify the ILO Convention 182 of 1999 on the Worst Forms of Child Labour in the year 2000⁶.

3.9 Challenges in Combating Child Labour in Agriculture in Namibia

Apart from the problem of child labour, children on farms can be at risk in particular their inexperience, their lack of awareness of hazards and their immaturity at work place.

3.9.1 Finding and Gaining Access to Premises

One of the difficulties in eliminating child labour or improving the working conditions of minors is that the work often takes place in the informal sector. If labour inspections are planned solely on the basis of the official registers of businesses, they will cover only a fraction of the establishments in the country. It is not often that the significant number of child workers will be found in these officially registered businesses.

⁶ More information sees ILO Convention 182 of 1999.

Since most cases of child labour occur in the informal sector in both urban and rural areas, in home-based activities carried out by children's families or, as in the case of domestic service, in invisible workplaces such as the child's own or someone else's home, they are very difficult and often legally impossible for inspectors to reach. Inspectors face problems of legal intervention in these informal sectors, not to mention the practical difficulties of gaining access to these places as well to allocate the shifting workplaces.

The labour inspectors also mentioned the problem of lack of cooperation from the children workers and their parents. At times the child or parents do not provide the labour inspector with the correct age. Where children do not cooperate with labour inspectors, there has been success using multidisciplinary approach working with, for example, the use of social workers and child abuse centres.

3.9.2 Hazards and Risks to Children in Agriculture

The term agriculture covers an enormous range of activities from highly mechanized to subsistence farming by family units in remote regions of Namibia. Hazards include manual, mechanical and transport hazards found in commerce and industry, and the hazards arising from the use of a range of chemicals products. There are hazards associated with animals, with buildings and when workplace is also the home, with risk to the family themselves, and especially to children.

Agriculture is considered to be one of the most hazardous sectors, next to mining and construction. It is in agriculture that the highest rates of accidents are recorded in industrialised and developing countries. This is compounded by the whole range of diseases and injuries related to agricultural tasks, which despite their frequency, are not always diagnosed and notified to the appropriate

authorities. In some countries only certain categories of agricultural workers are covered by the national legislation. In Namibia is unique that the Labour Act covers all economic sectors being it formal or informal.

According to ILO estimates, of an annual total of 335,000 fatal workplace accidents world wide, some 170,000 agricultural workers are killed every year. The World Health Organisation estimates the total cases of pesticide poisoning as between 2 and 5 million each year, of which 40,000 are fatal. Developing countries Namibia included consume more than 20 per cent of the world production of agrochemicals and are responsible for approximately 70 per cent of the total number of acute poisoning occurring in the world, corresponding to more than 1.1 million cases.

In developing countries the prevalence of common agricultural hazards is exacerbated by ignorance, especially regarding diseases with delayed effects, and compounded by factors such as illiteracy, unwillingness to complain or report ill health for fear of losing one's job, and perhaps one's home, malnutrition, lack of health care or adequate medical care or medical treatment, and farm worker's economic vulnerability to exploitation.

3.9.3 The Law and Welfare of Children

Law is like a railway engine sleeping in the locomotive yard, which begins to heave when fuelled and fired. Law will not work until invoked or provoked. This is true, at least, in the case of children for whom all laws are dormant and inoperative against their exploitation. Observers have it that there is hardly a case in Namibian Courts against employment of children in hazardous jobs. Up to date there is actually no prosecution of employers in whose establishment, children are becoming warped and perverted. No law reaches these innocent lambs of God for their help.

Although the Labour Act applies to agriculture, there are few inspectors to assure even a token appearance at more than a tiny proportion of workplaces, and the larger the number of farms and more remote the agricultural activity, the greater the problem.

One of the major obstacles faced by the labour inspectors in combating child labour is the lack of political will or support. The Ministry of Labour in Namibia receive the smallest budget allocation compare to other ministries. In 1999/2000 financial year the Ministry of Labour only received 0.47 per cent of the total National Budget. Labour inspection services only receive a fraction of that sum. This is in stark contrast to the fact that the cost to the State of poor labour protection in the form of accidents, illnesses, abusive exploitation, industrial conflict and the like can contribute to negative economic of the country.

3.10 The Workers Union Efforts in Combating Child Labour

In Namibia trade union representatives of agricultural workers do exist, but because of the scattered nature of the employment and the small numbers of employees in agriculture this pose the problem to organisers. Workers in the agricultural sector have problem to organise themselves because of the distances between farms, fear of being discriminated against by the employers as union members, ignorance of the law and employment rights, and illiteracy.

In agriculture, traditionally children have always worked on family farms, not always as a matter of economic necessity, but as a way of interesting them and involving them in the business. However, there are also many incidences of exploitative, illegal forms of child labour in the sector.

3.11 The Employers Organisation Efforts in Combating Child Labour

Employers range from large multinational or national enterprises to the smallest units employing children as casual labour at peak times. Many of them are self-employed and may not be covered by law. Many employers, when confronted by the labour inspectors, give reasons that they are just giving a helping hand to poor children, and surrender the children to the inspector to take them.

3.12 Other Government Departments Efforts in Combating Child Labour

The working relation between the labour inspectors and the social workers are of paramount importance. In Namibia, these state of affairs is non-existent this was confirmed by one of the social worker interviewed by the researcher. The relation between the Ministry of Labour and the Ministry of Women Affairs and Child Welfare is very slim. Each ministry do their business separately without consulting one another more especially at technical or operational level. Apart from the institutions mentioned above, the Ministry of Labour also does not have a working relationship with the Ministry of Basic Education Sport and Culture, Ministry of Health and Social Services as well as the Ministry of Agriculture, Water and Rural Development therefore a lack of coordinated efforts to tackle the causes of child labour is inadequate.

3.13 NGOs Efforts in Combating Child Labour

Community involvement through awareness rising is crucial in efforts to eliminate or reduce child labour. For example, making communities aware of difference between child labour and child work is important. Communities are not always

aware that some work are bad and therefore is important to make them aware. Organisations which are closer to communities are the NGO and they have experience in dealing with communities.

CHAPTER FOUR: CHILD LABOUR RESEARCH FINDINGS AND ANALYSIS

4.1 Introduction

Of late child labour has caught the attention of sympathetic people in Namibia. Shortly after independence, the Government of Namibia, recognising the consequences of its colonial history and the impact of such history on its population, took steps to start attending to observable inequalities in the country. The economic structure of the country still displays typical features of the post-colonial legacy whereby exploitation by large multinational companies and firms continue to dominate the main sources of wealth, particularly the natural resources making child labour to be serious issue in the society. The Agricultural sector in many developing countries falls under informal sector and is the major employer of child labour. Their working condition in general is not attractive to working children, and against country's regulations. We discuss much of child labour, their welfare and its international solidarity, but even in the new millennium we have not resolved all labour issues regarding the welfare of children. This chapter review research findings and its analysis.

4.2 Social Economic Analysis

In 1990 Namibia attended the first World Summit for Children in New York during which the World Summit Declaration of Survival, Protection and Development of

children and plans of action to implement the declaration were adopted. Since then, Namibia has committed itself to the National Plan of Action (NPA) for the Children of Namibia.

Child labour is a problem in all developing countries including Namibia and is serious in Africa; where over 50 percent of the children in these countries are not enrolled in schools and could be working¹. As a result, in Namibia, urban and rural families increasingly resort to survival strategies, which involve children contributing to the household economy through the informal activities in agriculture. In both rural and urban areas, working children are common feature of the employment within the context of unpaid family work in the agricultural and other informal activities such as back street workshops, garages or carpentry shops etc. Agriculture is a dominant form of child labour in Namibia. During the survey I noted that payment is minimal and at the discretion of the employer. Many of these children are working on the pretence of being apprentices without any of the relevant conditions applying.

The research findings established that declining economic circumstances to some families have acted a strong pressure on children to seek employment. Sometimes parents force their children to work in agriculture instead of encouraging them to go school in order to earn money to supplement family incomes. The research findings also noted that some of children engaged in child labour but not schooling want to go to

¹ Condition of Work Digest Vol. 10|1| 1991. ILO Geneva 1991.

school, but due to poverty of their families, they are forced to work to ensure family survival. Children have their personal needs but due to their parents poverty they are forced to work in the agriculture and other informal activities in order to earn money to satisfy those needs.

4.3 Child Labour Analysis in Agriculture

Agriculture currently contributes more than 8% to overall economic activity, a figure which has changed remarkably little over the past decade. However, agriculture's contribution to rural livelihoods, particularly in the communal - tenure area is much more significant than in figure reflect. The sector is the main source of employment and livelihoods for the population, with an estimated 70 % dependent to a greater or lesser extent upon it. Furthermore, the private-tenure farms employ approximately 36,000 farm workers, representing some 13 % of those employed in the rural areas and, together with their families, number approximately 200,000 people, (the reflection of child labour). The employment afforded by the sector help to stem the flow of migrants to the towns. At the same time the poorest rural households, many of which do not have access to off-farm source of income, depend almost entirely on the land and its products². The sector is also an important source of foreign exchange-providing more

² Government of the Republic Namibia: First National Development Plan (NDP1) Volume- 1995/1996-1999/2000, Windhoek

than 15 % of visible export earnings and an important source of raw materials for local industries³.

Therefore, the importance of agriculture as a provider of livelihoods for the Namibians cannot be ignored in the short, medium to long term. Agriculture is very flexible and easy to enter, in terms of labour absorption and this makes agriculture the single (and important) largest employer. However, the findings show that most of the agricultural employment represents the under employed, with low levels of productivity and hence low levels of income. As pointed out early that this research is child labour in agriculture because most of Namibian are subsistence farmers. Most farmers use their children in day-to-day work in the field. The research Findings found out that children engage in agriculture sector suffer insecurity and instability in their live. This happen at field and other workplaces because law does not protect the working children and unprotected labour can never is secure and safe.

As already indicated early that most families in Namibia live and work in agriculture in the rural areas where poverty is higher compared to urban areas. Poverty levels among Namibians range from 47%- 50% that translates into almost 700,000 people and in specific localities it goes up to 77% (Devereux et al 1995:5). From the statistics, it is clear that most Namibians are poor and it is clear that child labour is a major problem

³ Government of the Republic Namibia: First National Development Plan (NDP1) Volume- 1995/1996-1999/2000, Windhoek

among children in agricultural sector as shown in Table 4.1 Human Poverty (HPI1 and HPI-2 for Regions in Namibia showing the dimensions of poverty in each region.

Table 4. 1: Human Poverty Indices (HPI-1 and HPI-2) For Regions in Namibia

Region	Dimensions of Poverty								
	Non-Survival 40 yrs	Illiteracy	Under Weight Children	No Water Supply	No Health Services	Living Standards	Poor Households	Human Poverty Index I	Human Poverty II
Ohangwena	15.8	48	19.8	72.0	64	51.9	9.9	43.9	40.0
Omaheke	21.1	51	14.4	2.0	89	35.1	25.1	39.5	36.9
Kunene	15.9	55	5.4	26.0	47	24.5	11.3	39.7	36.2
Kavango	22.7	44	20.6	54.0	38	36.9	19.6	36.8	34.0
Oshikoto	17.7	38	14.6	53.0	68	44.2	9.0	37.1	33.7
Omusati	13.1	30	10.7	85.0	38	44.6	9.0	34.0	30.9
Oshana	16.5	28	15.7	45.0	54	37.6	5.5	30.2	27.4
Caprivi	28.4	23	12.8	52.0	42	43.6	7.0	29.9	27.2
Otjozondjupa	18.2	39	12.0	2.0	52	22.0	10.8	29.4	26.8
Hardap	19.6	27	9.8	2.0	43	18.3	4.7	22.3	20.3
Karas	18.9	17	19.9	3.0	43	22.0	4.1	19.5	19.7
Erongo	13.5	19	7.3	5.0	27	13.1	7.1	15.7	14.4
Khomas	10.1	12	22.0	1.0	17	13.3	1.1	12.0	10.9
Namibia	18.0	32	15.2	41.0	31.7	8.7	31.7	29.5	26.9

Source: Namibia National Progress Report on the Implementation of the Beijing Platform For Action, Office of the President: Department of Women Affairs July 1999.

According to Table 4.1 poverty in Namibia varies considerably from one region to other. This table indicates that Ohangwena's Human Poverty Index is higher followed by Omaheke, than Oshikoto and Karas has the lowest Human Poverty Index out of the four selected regions for the study. These figures indicate that poverty is one of the cause of child labour. The government's specific targets and objectives for poverty reduction from 1995 to 2005 include stimulating the economy, creating jobs and reducing inequalities and the elimination of worst forms of child labour. Table 4. 2 shows working children in agriculture sector in the country.

Table 4.2: Working Children in Namibia in 1999 and those Interviewed by the Author

Indictor	Number	Percentage
Total Population	1,126,263	100
Total Children (Age between 6 to 8 years)	445,007	39.5
Total Number of Children	444,007	100
Estimated Number of Children Working	72,405	16.3
Estimated Working Children in Regions the Survey Conducted	23,605	100
Estimated Number of Girls Working	11,151	47.2
Girls Interviewed by the Author (2002)	105	1.0
Estimated number of Boys Working	12,454	52.8
Boys Interviewed by the Author (2002)	140	1.0

Source: Author Findings and Namibia Child Activities Survey 1999

Of the total 20 farms investigated the researcher found out that there were 542 children aged between 6 to 17 years. But during the interview the researcher found only 105 girls and 140 boys were working. As already indicated, many working children do not attend school, which is against the country's constitution. Based on the information revealed by this report, out of 245 children working 145 of them were working because there were no schools in their farms and 42 children complained that the school was too far from their farms and only 58 children left school because they were not motivated.

Table 4.3: Reason for Working and Not Attending School

Reasons	Number of Children	
No School in the Farm	145	58.2%
School is Far from the Farm	42	17.1%
No Motivation for Schooling	58	23.7%
Total	245	100%

Source: Primary data

Table 4.3 summarises why children are working instead of attending school in the country. Indications are that schools are not available in the farms and where there are schools children are not motivated to attend.

Further, according to the Namibia Child Activities Survey of 1999, of the population of 1,126,263, there are 445,007 children aged 6 to 18 years or 39.5 per cent of the total population. Of these children, 72,405 or 16.3 per cent were found to be working. In addition, the overall labour force participation rate among children is 16.3 per cent for both sexes. 15.4 per cent females and 17.2 per cent males. Out of a total of 72,405 working children in the country 69,050 or 95.4 per cent are in rural areas, implying that the phenomenon of working children in Namibia overwhelmingly rural, and primarily in the agriculture sector. The estimated working children working in the surveyed regions are 23,605 or 47.2 percent girls and 52.8 boys which put 2.0 percent of the interviewed children.

Further from other reliable statistics data indicates that the Oshikoto harbours the largest absolute number of working children, with almost 29,771 working children of 445,007. It was observed that out of the total of children working in Oshikoto, 99.2 per cent are in rural areas and only 0.8 per cent is in urban areas. Ohangwena come second followed by Oshana and Omusati. These two regions are unique that 100 per cent of the children working are in rural areas, and none in urban areas. Indications are that some of these children are doing child work and some are involved on child labour.

In order to reduce child labour in the country international organisations such as ILO and UNDP promised to put more efforts in terms of development programmes such as poverty reduction, economic management, technical co-operation and strengthening of

regional and local government functions. At the same time the Government of Namibian is committed itself to ensure appropriate legal and institutional reforms for extending assistance to help poor families and also to allow them to participate in country's development efforts for poverty alleviation. Such measure might reduce child labour to same extent. Children from poor families will attend schools instead of working.

4.4 Poverty and Child Labour Analysis

According to Table 4.1 accessibility to health services seems to be a major factor in all regions where child labour is taking place. Large numbers of people have to walk long distances to get health care. The hardest hit case are Omaheke Oshikoto, Ohangwena where the survey took place and Otjozondjupa. Poor household is mostly felt by those Omaheke, and Kavango. Using the HPI-1 and HPI-2, the overall poverty picture is that of Ohangwena, Omaheke, Kunene, Kavango, Oshikoto and Omusati are the region most severally hit by poverty.

The research found that poverty is the reason why people who employ children are able to exploit their labour, because they know that children will be forced by circumstances to work in the agriculture sector for very low pay. Respondents in both communal and commercial farms mentioned poverty as the main cause of child labour. In the communal farms respondents blamed the lack of excess to land as a major problem that small farmers have either small land or no land at all. Beside the shortage of land it was

also revealed that the land is not fertile as a result food crops and cash crop production is very poor. Respondents from poor families said that they cannot afford to buy fertilisers to improve the quality of land in order to get more production. Additionally, they do not apply modern farming methods such as terracing and application of pesticides because it is unaffordable.

The working children were interviewed regarding the reasons why they work. They said; "we are looking for money". They said that their parents are poor and they work to help them. When asked whether they enjoy working they all responded that they do not, but said they have no alternatives. When asked whether they have seen any labour inspector at their work place they indicated that none.

Farmers in the communal farms also indicated that poor market for their agriculture products is one of the major problems for small farmers. As a result people do not have enough money to meet their requirements and the only alternatives are for the children to engage in child work.

Therefore, according to this research findings child labour is an outcome of poverty and unemployment among black population in agriculture. The economics of child labour are known in general terms. The supply of working children is found primarily among poor black families in need of the supplementary income provided by their children's labour. The burden of expenditures required to attend school as well as the loss of

income provided to the family by children who are attending school, combine to make education too costly for such families.

According to research findings, the challenges posed by poverty and unemployment in urban and rural areas of Namibia, as we are in the new millennium are indeed enormous, demanding a critical assessment with a view to ameliorating the causes of poverty and child labour in general. Nearly 30 percent of population in developing⁴ countries are poorest of poor who are not even able to earn enough for day food with big family have to largely depend on children to earn and feed. Parents of these children are mainly illiterate or semi literate are unable to find job, which can provide enough income or salary. Dream of education to children is impossible unless suitable employment opportunities made available to at least one person in the family. We need to understand that the reason behind child labour is poverty and unemployment among the Namibians and other parts of developing countries. Minimizing poverty and creation of more suitable jobs to parents are the only solution of majority of child labour problem in Namibia.

According to these research findings, these children being deprived of educational opportunities, live in stressful situation throughout their life and give birth to a generation of their own type when they grow old. Therefore, the chain of poverty, unemployment and darkness is never broken. Working children hardly find an

⁴ UNDP Human Development Report 1997.

opportunity to rise in life as educated youth with avenues to exercise their options. The poverty and unemployment situation in every country, whether developing or developed, affects the development and growth of younger generation. In Namibia, poverty-ridden black children enter the labour market with low paid jobs and longer working hours whereas white children adopt different professions, comparatively with better working conditions due to overall economic situation.

The widening gap between rich and poor is creating a serious problem for children in Namibia. Children in Namibia can improve their situation only if action plans concentrate on family empowerment, spread of education and vocational training in multiple trades are introduced by the state. Private sectors are not willing to help poor children and their families because their objective is to maximize profit and exploit the poor.

4.5 Children Working Condition – Health and Safety Analysis

Children working in the agricultural sector are engaged in different activities and their working conditions differ from one activity to another. Most children engaged in the agricultural activities are working in open space they are subject to hot sun during the daytime and inhaling dust along the road. Children also work in cold and wet conditions. Most children work longer hours, poorly paid and not paid in time, no

holidays or paid holidays, no protective clothes, verbally abused etc. Most children work more than 18 hours a day.

The researcher established that children often work with poorly maintained and dangerous machinery and in intrinsically dangerous work situations in the agriculture sector. The study noted that the working children worked without protective equipment and did not have proper clothing against cold or warm weather; they have no rain coats nor boots, the latter which should protect them from snakes. They were seen carrying heavy loads and reported these loads such as bricks to build houses, maize from the maize field, carrying water from far as well as stamping mahangu (staple food for Wambos is made out of mahangu) for the whole day. Children irrespective of status whether staying with both parents, single parents, guardians or in the street, like every child, deserve the right of health care, education, safety and social concern. Working children have no means of support and are from poor family background, when employed they face several occupational and health hazards such including malnutrition, and substance abuse. The issue of environmental and occupational health hazards is more serious in agricultural sector.

Further, the study noted that children are more prone to occupational contact dermatitis from situations otherwise harmless to adults. Children have open bone ends (open epiphyses). Children who carry heavy loads and work for this period of their development for some years may develop shortened stature with improper limit

annulations. Children have immature organ system. The immaturity of these systems make them very vulnerable to environmental exposures especially to those chemicals that in normal circumstances would not harm an adult. Therefore, the research findings established that working children would have worked longer when they are adults and therefore at that age, they would have accumulated more toxic materials in their bodies and these would have deleterious effect to them. There is no medical aid and most of them do not attend any school or any type of training.

4.6 Child Labour Income Analysis

Income from employment is part of labour market process. A labour market may be defined as mechanisms and institutions, which play a role when labour power as a commodity is sold and purchased. The concept of labour market segmentation is widely used to indicate that such a market is heterogeneous, it may be defined as a historical process whereby political - economic forces encourage the division of labour market into separate sub-markets, or segments, distinguished by different labour market characteristics and behavioural rules. Until recently wage fluctuation were seen as the main instruments through which equilibrium between demand and supply of labour is to be reached. Children when they work are being paid as a process in the labour market. But their income in the labour market is not controlled by any legislation

because the majority of these children are working in violation of international and national standards.

Their average monthly payment ranges between N\$50 to N\$80. Most of children give this small amount payment to the parents or guardians in order to share the little for the benefit of the family. They had no annual leave; security of employment was absolutely zero. Further, the research established that working children in agriculture are exposed to all forms of intimidations and abuse. They are penalised - wage deducted in case they broke anything, that the employer feels important. Wages are sometimes paid piecemeal. Sometimes they lack protective gear e.g. when working in farms. One important finding which disturbs me as a parent is that most of these working children are deprived their rights to meet other children for general relationship building because of labour market demand in agricultural sector. Efforts to eliminate child labour from the employment market alone cannot resolve the issue. Measures are required to control population growth, expand industrial base, as government's Vision 2030 put it, enhance productivity and generate employment avenues for the adults including females.

4.7 Child Labour and Unemployment Analysis

The study also found that the majority of the parents who were interviewed were unemployed and underemployed. As a result they are unable to support their children financially. Employment creation should remains one of the major development

objectives in Namibia as it is seen to be one of the main strategies of dealing with the problem of poverty and child labour. On the domestic front, it appears that high growth rates of the past have not necessarily translated into high levels of job creation because of the concentration of the growth in capital-intensive import-dependent sectors, and of the dominance of relatively stagnant and low productivity agricultural sector.

The research findings also noted that HIV/AIDS is contributing to child labour especially among orphan children. The 1998 UNDP Report pointed out that the global epidemics threaten not only world people but also the achievements in human development. So far, HIV/AIDS has been one of the most devastating factors, claiming nearly 12 million lives since it appeared 20 years ago. The most devastating aspect of the HIV/AIDS epidemic compared with other epidemics is that it usually affects people in their most productive years. The report further points out that some experts claim that we are only 10 percent into the epidemic in infections and mortality, with the real impact on people, communities and economies. In Namibia more than twice as many people of all ages die of HIV-AIDS related illness as compared to malaria, the country number-two killers. In addition, in 1999, UNDP reported that South Africa has one of the fastest-spreading HIV epidemics in the world. Therefore, HIV/AIDS in the region and in Namibia in particular is having a significant impact on economies, creating shortages of skilled labour in all sectors of the economy and child labour.

4.8 Policy Implication

The report found that the laws are quite adequate and covered almost everything. The only obstacle is the implementation of those laws. The farms in the country are too many compared to the number of labour inspectors who are to inspect those farms and arrest the situation of child labour in the farms. The distances and vastness between the farms is also another major problem which requires resources and commitment. In the case of the rural agriculture setting, it is not easy for labour inspectors to monitor child labour since the whole arrangements are informal. The situation is opposite in commercial agricultural setting. It was also observed that the Ministry of Labour receives meagre budget allocation from the National Budget. There is a need to lobby for political will to realise the importance played by the labour inspectors toward economic development of the country. Although the paper reveals that the inspectors to some extent cooperate with other organisations, there is still a need to include more stakeholders especially community leaders and children themselves in combating child labour with special emphasis to informal sectors including households.

CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

The study concludes that child labour exists in commercial and communal agriculture, and that it is one of the worst forms of child labour. Working children in agriculture work under poor conditions that affect them physically, psychologically and intellectually. In both areas the children work for longer hours without rest and food, do not have time to go to school, are exposed to extreme weather without appropriate gear, carry heavy loads that can affect their regular growth, and are exposed to harmful agricultural chemicals. It is also clear that the working children are exploited by their employers as well as by their own family members or parents.

The causes of child labour in both commercial and communal farms include poverty, lack of schools, bad culture and customs, family problems as well as inadequate of policy implementation and monitoring.

The main reason for child labour is household poverty. It is also concluded that child labour is caused by both internal and external factors. Internal factors include family problems such as poverty, separation of parents (due to divorce,

excessive drinking), lack of awareness and HIV/AIDS epidemic. External factors include economic policies that are not conducive to the elimination of child labour, irregular salary payment to workers due to lack of working capital by the employers, the uncertainty of global market of the agricultural products, higher agricultural input and unreliable local market.

It was found that most of the working children belong to the female-headed households. For example in Oshikoto region all 20 women respondents had a total number of 15 working children. Some children stopped school completely and some go to school for few months in a year.

The study also concludes that social cultural factors contribute to child labour. Traditionally the girl child and the boy child perform different types of work. Unequal gender division of labour exists.

From this study we now know why agricultural sector employ more children and why in general children are made to work in the informal sector. Also from this paper one will know why the legislations are failing to effectively combat child labour. Of the total 20 farms investigated the researcher found out that there were 542 children aged between 6 to 17 years. But during the interview the researcher found out only 105 girls and 140 boys were working.

Based on the information revealed by this report, out of 245 children working 145 of them revealed that they were working because of lack of schools in farms. Another 42 children complained that the school was too far from their farms, and only 58 children left school because they were not motivated. In the rural areas it was observed that many children combine work with going to school. In most cases they are absent from school due to busy agricultural season.

Although the Government of Namibia has always held education as a matter of high priority, the study revealed that there is increasing trend of involving primary school children in the agricultural sector. Children are being forced to work to get funds to buy school requirements such as uniforms, stationeries, fares and pay fees and contributions as their parents are not in the position to meet these costs and the situation is more alarming when the children are orphans. Nevertheless, children have their own personal needs but due to the parents' poverty, they must work to get them. Furthermore, from the research findings confirm the existence of child labour in agricultural sector. It is therefore obvious that children are deprived of the fundamental rights, which is the right for education. Children are also subject to all types of physical and mental hazards.

Among the working children who are not at school say that they are out of school due to poverty and diseases. The affordability and accessibility of schools in the farms are the major issues which need serious attention of the government. This

report also reveals that working children in agriculture are exposed to dangerous chemical hazards. This is more experienced in the commercial agriculture compared to communal farms. In all the working conditions of working children are found to be very poor and inhuman.

The numbers of farms in the country are too many compared to the number of labour inspectors who are to inspect those farms and arrest the situation of child labour in the farms. The distances and vastness between the farms is also another major problem which requires resources and commitment. In the case of the rural agriculture setting, it is not easy for labour inspectors to monitor child labour since the whole arrangements are informal. The situation is opposite in commercial agricultural setting. It was also observed that the Ministry of Labour receives merger budget allocation from the National Budget. There is a need to lobby for political will to realise the importance played by the labour inspectors toward economic development of the country. Although the paper reveals that the inspectors to some extent cooperate with other organisations, there is still a need to include more stakeholders in combating child labour with special emphasis to informal sectors including households.

The exposure to occupational health hazard risks is taken as a proxy indicator for the occupation health status. Three main categories which working children are affected, namely: physical risks, emotional and mental risks as well as work

environment risks. The research findings further reveals that, for many children's working places there are no protective gear. Whatsoever is available for use by working children still children had no pre- medical examination before joining any employment. Nobody is sure of their health status, for example such condition like eyesight, hearing capacity, epilepsy or any other ill health they might be suffering from prior to joining any employment.

The role of the NGO and International Organisations should be encouraged in the fight against child labour.

5.2 Recommendations

Following are the proposed interventions to address the worst forms of child labour in the agricultural sector:

Respondents and the researcher agreed that there is no single solution to eliminate child labour. Therefore various interventions are proposed to contribute to the elimination of worst forms of child labour. It was also realised that there is no institution that can act alone to eliminate child labour; therefore join efforts must be made. The government at all levels (national, regional, and village); NGOs, Trade Unions, employers, parents and children themselves should play a role in the efforts to eliminate child labour in agriculture.

Major interventions proposed by the respondents and the researcher include: withdrawal of children from working especially those on worst forms from agriculture, and this should be accompanied by a whole range of supportive measures. This is especially important if the children have been stunted in their development. In addition to education support through waiving of school fees, provision of free school meals and other supplies, clothing, and providing credit to parents to improve their income, recreational activities and intensive counselling are needed.

Although much is being done by the Ministry of Labour and other stakeholders to eliminate child labour, it is clearly not enough. What is needed first is more and better information about the extent, dynamics and effects of child labour. The next step is to increase, amplify and improve educational and training opportunities for children from pre-school through universities and technical institutions and then to provide means for children of the poor families to take advantage of them.

Well drafted legislation and regulations, reinforced by such international efforts as the ILO Conventions need constantly to be revised and strengthened in the light of current developments in child labour, while effectiveness of their enforcement should be enhanced.

The Labour Act, No 6 of 1992 should be vigorously implemented as it provides the basis of child protection. The proposed Commission of Children established by the Child Welfare Act, be established as a matter of urgency in order to coordinate the physical infrastructure of children.

Quality education is a vital part of the solution to child labour. Schools must be available, accessible. Teachers need to be taught to work with working children and to use innovative training techniques. The schools should have hostels in the farms with. The involvement of the employers and the government is of paramount important. Employers should be encouraged to contribute to the establishment of schools in the farms.

Due to cultural practices that resulted in unequal gender division of labour forcing women and girls to have greater workloads than men and boys and leaving little opportunity for girl child to attend primary education, community members should be educated on gender issues. The Central Government should take affirmative actions especially towards girl children in primary schools in areas where child labour exists.

Many children are forced to work in order to supplement the family income. In many instances, therefore, removing children from work must be combined with alternative income-earning opportunities for the parents and children. The

government should address the problems associated with poverty, as they are the main cause of child labour in agriculture. These include market problems for farm produce, lack of rural credit facilities, higher prices of agricultural inputs, lack of land etc.

The central or local government should introduce the cost of sharing policy and introduce subsidies to assist poor families. The land redistribution to the poor must be one of the government priority since land issue is one of the problem identified by the researcher.

These strategies should go hand in hand with public awareness campaign on the negative effects of child labour. The community members including children should be involved in the process to formulate strategies to address the problem of child labour.

The Ministry of Labour through its Directorate of Labour must take a lead in combating child labour. The Unions and employers organisations should continue to educate its members on the effects of child labour in general and in agriculture in particular.

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**The role of the Ministry of Labour in combating child labour in
agricultural sector in Namibia**

Interview Schedule for both Non and Working children

1. Name of the Child _____
2. Did you do any work for pay, profit or family gain during last week, even
for one hour on any day?

1. ☐ Yes

2. ☐ No

3. If yes, what was the employment status of the child?

4. What was the nature of work on jobs that was done?

5. What are the main activities of the jobs?

6. Since when did you work for an income? _____

7. How was the employer's relationship with you?

- 1. ☐ Good
- 2. ☐ Bad
- 3. ☐ Indifferent

8. If bad give main reasons (more than one answer)

- 1. ☐ wants too much work done
- 2. ☐ want work done for long hours
- 3. ☐ pays poorly
- 4. ☐ does not pay in time
- 5. ☐ abuses physically
- 6. ☐ abuses verbally
- 7. ☐ other

9. How many hours a day do you usually work?

(for paid employees only)

10. What is the usual amount of pay during a month for the child?

cash N\$

in kind (give market value)

11. If a child is working for someone indicate which of the following benefits were provided.

1. ☐ paid holiday
2. ☐ paid sick leave
3. ☐ social security
4. ☐ protective clothes
5. ☐ free lodging
6. ☐ free meals
7. ☐ no benefit at all

12. Do you give your money to your parents or guardians?

1. ☐ 100 %
2. ☐ 75 %
3. ☐ 50 %
4. ☐ 25 %

5. ☐ no

Unemployment

13. If the child did not work for the past week, was the child available or looking for work or job?

1. ☐ Yes

2. ☐ No

14. Did the child work before?

1. ☐ Yes

2. ☐ No

15. Why was the child out of work

1. ☐ too young to work

2. ☐ started going to school

3. ☐ started helping at home

- 4. ☐ could not do the job
- 5. ☐ did not like the job
- 6. ☐ the pay was too small
- 7. ☐ other

16. Any general comment by the interviewer:

Education and Training

17. During which time of the day a child attends school or training institutions?

- 1. ☐ school, morning only
- 2. ☐ school, afternoon only
- 3. ☐ training institution, morning only
- 4. ☐ training institution, afternoon only
- 5. ☐ other

18. Is she/he engaged in part-time work either before or after school?

1. ☐ Yes

2. ☐ No

19. If yes in Q 18., which of the following work is she/he engaged in?

1. ☐ work for wages

2. ☐ help in household

3. ☐ help with younger feeding

4. ☐ other

20. How many hours does she/he usually work per day on part-time basis?

Health and Safety

21. Has a child suffered from illness/injury in the past?

1. ☐ Yes

2. ☐ No

22. If yes how often did she/he suffer from this illness/injury?

1. ☐ often/frequently
2. ☐ occasionally
3. ☐ seldom/rarely

23. If she/he suffered from illness/injury, what type was it?

1. ☐ general such as fever
2. ☐ eye infection
3. ☐ ear infection
4. ☐ skin problem
5. ☐ breathing problem
6. ☐ other

24. How serious was the illness/injury?

1. ☐ did not need any medial treatment
2. ☐ medically treated
3. ☐ hospitalized
4. ☐ stopped work
5. ☐ other

25. Who paid for medical aid

1. ☐ employer
2. ☐ parents
3. ☐ self
4. ☐ free
5. ☐ other

26. Does she/he wear the following protective clothes while working?

1. ☐ glasses
2. ☐ gloves
3. ☐ boots
4. ☐ none
5. ☐ other

27. Are you currently attending school at training institution?

1. ☐ Yes full time
2. ☐ Yes part-time

3. ☐ No

28. If no what is the main reason for not attending school or training institution?

1. ☐ no suitable school or training institution available
2. ☐ school is too far
3. ☐ quarterly of school
4. ☐ school was not functioning properly
5. ☐ fell pregnant
6. ☐ cannot afford schooling or training
7. ☐ poor in study
8. ☐ to help in household
9. ☐ to work for wages
10. ☐ other

29. Did you do any work not directly related to study at school or teacher's home, or helped with cleaning, fixing or do other maintenance at school or at a teacher's home.

1. ☐ Yes
2. ☐ No

The role of the Ministry of Labour in combating child labour in agricultural sector in Namibia

Interviews for Parents/ Guardians of non and working children

1. Ag _____ 2 Sex _____ 3. Nationality _____ 4 Level of education _____
5. Do you do have any physical disability?
 - ☐ Yes
 - ☐ No
6. Married or single? _____ 7. Windowed? _____
8. Divorced/separated _____ 9. Occupation _____
10. How many children do you have by gender? Boys _____ girls _____
11. How many dependents? _____ Of the dependents how many are orphans? _____
12. What do your children do?
13. Do you have children who are employed in the farms? Yes _____ No _____
14. If yes how many are boys? _____ and girls _____
15. If no what are the reasons?
 - (a) _____
 - (b) _____

(c) _____

16. If yes, why?

(a) _____

(b) _____

(c) _____

17. Why do people get their children employed in the farms? ____

18. Do your children go to school? Yes _____ No _____

19. If no why? _____

20. What is your income per year? _____

21. What are problems that working children encounter? _____

22. How are the problems solved? _____

23. What type of activities do children perform in agriculture? _____

24. Who owned the farm? _____

25. What should be done to do away with child labour in the farms?-----

26. What should the government do to alleviate the problem of child
labour?-----

Interview Scheduled for Managements

1. Location-----
2. When did you start this activities?-----
3. What is the size of the farm in hectors?-----
4. What are the types of crops or product growing in this farm?-----

5. How many workers do you have in the farm?-----
men-----women-----boys-----
girls-----
6. What are major activities done by children in the farm?-----

7. Do you have any migrant labourers? Yes-----No-----
8. How many times do you employ children in a year?-----

9. Do you have formal contract with the children?-----

10. Why do you employ children?-----

APPENDICES

A.2 SELECTED RELATED ECONOMIC/EMPLOYMENT DEFINITIONS

Affirmative Action

Positive steps to meet targets for employment of vulnerable groups.

Central Government Expenditures

Expenditures, by government offices, departments, and other agencies of the central authority of a country.

Child

Child means every human being below the age of eighteen years, unless, the law permits otherwise.

Collective Agreement

Trade Unions - Employer agreement governing wages and other terms of employment for a specified period.

Collective Bargaining

Negotiation between one or more unions and one or more employers over wages and other conditions of employment.

Compulsory Education

The existence of law that stipulates that children, unless exempted, must attend a certain number of grades at certain ages

Demand for Labour, Market

Schedule relating to wage rate to quality for labour demanded by all employers in the market.

Economic Sectors

Primary sectors that is agriculture, mining and quarrying; (secondary sectors) that are manufacturing, electricity and water, building and construction; tertiary sector that is services.

Employee

Includes regular employees, self-employed, active business partners and unpaid family workers.

Employment

The action of employing to any acceptable activity that is wage employment and self-employment

Gross National Product (GNP)

Comprises G.D.P plus net factor income from abroad, which is the income residents receive from abroad, which is the income residents receive from abroad for factor services labour and capital, less similar payments made to non- residents who contribute to the domestic economy.

Informal/ Micro Sector

Informal /micro sector is distinguished by the scale of the economic activities, which often small, weakly organised and have a poor capital base.

Labour

Human effort exerted in production

Labour Force

Includes person working or actively seeking employment

Labour Market

Interaction of demand for and supply of labour services.

Poverty Line

Based on the concept of an absolute poverty line, expressed in monetary terms: The income or expenditure level below which a minimum. Nutritionally adequate diet plus essential non- food requirements are not affordable.

Policy

A guideline, plan of action, statement of ideals.

Self Employed

Persons working independent and for profit or family gain and not for an employer.

Unpaid Family

Persons working completely without payment in cash or kind in family enterprises

Vulnerability

Vulnerability has two faces: external exposure to shocks, stress and risk, and internal defencelessness, a lack of means to cope without suffering damaging loss.

People interviewed

Peter Nahole –NUNW

Alfred Angula----NAFWU

Ernest Sauber Farmer

R Thiessen Farmer

R. Ahelenstorf Farmer

P. Vlermuis Namibia National Farmers Union

P Ya Otto Labour Inspector

L Dausab Labour inspector

C. Hengari Labour inspector

M. Tjoutuku Labour inspector

Dr L Mulongeni Director of Labour

D. Sobota Dirk Chairman of Agricultural Employers' Association

Fiina Nicodemus Hango Social Worker