

# Review of Child Labour Potential in the Malawi's Fisheries Sector

---

Paper for the National Conference in Eliminating Child Labour in Agriculture in Malawi

**Steve Donda and Friday Njaya, Department of Fisheries, Lilongwe**

## **Abstract**

The Malawi's fisheries sector is dominated by the small-scale fishers that operate various traditional gear and craft types. Few people under the age of 16 have been formally engaged in seining operations. However, the extent of child labour prevalence in the fisheries sector is not established. The current fisheries policy review takes note of child labour issues. There is need to raise awareness about child labour policies to all stakeholders engaged in fishing, fish processing, boat building and other ancillary activities. Capacity to enhance child labour regulations should also be considered.

Key words: Malawi, child labour, capture fisheries sector, seining operations, legal instruments

## Table of Contents

<b>1. INTRODUCTION.....</b>	<b>4</b>
<b>2. CONTEXT.....</b>	<b>4</b>
<b>3. METHODOLOGY.....</b>	<b>5</b>
<b>4. FINDINGS.....</b>	<b>5</b>
4.1 CHILD LABOUR AS A CONCEPT AND ITS APPLICABILITY IN FISHERIES ACTIVITIES.....	5
4.2 CHILD LABOUR IN FISHING OPERATIONS .....	6
4.3 LEGAL FRAMEWORK ON CHILD LABOUR .....	8
<b>5. DISCUSSION .....</b>	<b>9</b>
<b>6. CONCLUSIONS AND RECOMMENDATIONS .....</b>	<b>10</b>
<b>7.0 REFERENCES .....</b>	<b>11</b>

## 1. Introduction

The fisheries sector in Malawi is of great importance to the national economy as a source of employment, food, rural income, export, import substitution and bio-diversity. The sector directly employs nearly 60,000 fishers and indirectly over 500,000 people who are involved in fish processing, fish marketing, boat building and engine repair (GOM 2010). Furthermore, nearly 1.6 million people in lakeshore communities are supported by the fishing industry. The living aquatic resources provide between 60 - 70% of the nation's animal protein supply and nearly 40% of total protein supply. Much of the fish is consumed in rural areas and thus contributes to the nutritional needs of some of the poorest people in the country.

The sector is categorically divided into two, the industrial or commercial fisheries and the artisanal or small-scale fisheries. The small scale fisheries employs about 90 to 95% of the fishing force (Thomson 1980; Bland 1991) and lands about 45 to 50% of the total world fish production. In Malawi, the small-scale fisheries lands about 85 to 90% of the total fish landings in Malawi.

Various age groups including children (under the age of 16), are employed in fishing related activities including fishing, processing and marketing. There are several activities in which children are engaged globally. These include fishing, cooking on boats, diving free snagged nets, herding fish into nets, peeling shrimp or cleaning fish and crabs, repairing nets, sorting, loading, unloading, and transporting catches, and processing or selling fish (FAO 2010).

This paper aims to review prevalence of child labour in the Malawi's fisheries sector. The review is based on the hypothesis: *Child labour exists in the fisheries sector of Malawi*. It specifically examines child labour in fishing operations, and reviews legal instruments and gaps.

## 2. Context

Child labour is of great concern in various parts of the world including Malawi. It is estimated that there are around 215 million child labourers globally (FAO-ILO 2011). While in Malawi child labour issues dominate the agricultural sector, very little is documented about the fisheries sector. The proportion of children in the age group of 5-14 working in the agricultural sector in Malawi is estimated at 88% (*The Nation*, 2012). Furthermore, the author states that children as young as 12, work on tobacco farms for the whole day without any protective clothing to the hazardous effects of pesticides, fertilizers and nicotine.

Child labour issues are well documented in the agricultural sector unlike in the fisheries sector. It becomes difficult to obtain reliable data to establish the extent of the child labour problem and consequently challenging for any policy intervention. This is due to the fact that child labour in the small-scale fisheries is so widely dispersed.

Reports on experiences on child labour in fisheries from elsewhere in Africa are limited, apart from Uganda and Ghana. In Uganda a study conducted on Lakes Victoria, Kyoga, Edward and George, showed that child labour existed in the fishing areas (Walakira and Byamugisha 2008). The authors reported that out of the sampled children (boys and girls they found working on the fish landing 94% were in child labour with proportion of those affected increased with age, and was highest among 15-17 year olds (95%). The results further indicated that the proportion of children in hazardous work was 71%. The main fishing related activities recorded included fishing (45%); scaling fish (35%), cleaning fish (26%), collecting firewood for 5-11 year olds (30%) and hotel/bar/entertainment (32%) of girls. Other activities included loading and offloading fish, washing nets, fish bisecting, fish smoking, fetching water, and assisting in casting nets.

### **3. Methodology**

This review is based on secondary sources of information. Both published and grey literature was used. In addition to this, the authors' personal experiences in the fisheries sector guided the formulation of some of the critical statements used in this paper. In very limited circumstances, primary data was collected through interviews made by phone to various field based fisheries staff. This methodology was adopted due to the time constraint the authors had as well as lack of research funds to conduct field studies.

### **4. Findings**

The review examines the discourse of child labour as it situates it within the fisheries sector. It also presents results from observations and literature to establish prevalence of child labour in the fisheries related activities including fishing operations, fish processing (smoking or sun drying), boat building, net construction or mending and fish marketing. Due to the limited time for the study, the review has mainly centred on the fishing operations.

#### **4.1 Child labour as a concept and its applicability in fisheries activities**

According to the 1989 UN Convention on the Rights of the Child, a child is a person under 18 years of age. The 1999 ILO Convention on Worst Forms of Child Labour (C182) also states that the term “child” shall apply to all persons under 18 years (Iversen 2006). In the Malawi’s Constitution, a child is defined as a person under the age of 16 (GoM 1996). In view of this, observations along the lakeshores of lakes Malawi, Malombe, Chilwa and Chiuta indicate that a lot of people aged below 16 years (herein classified as children) engage in a wide range of activities in capture fisheries, post-harvest and related activities, especially in the informal small and medium scale sectors. There are gender differences in the nature of work children undertake in fisheries. Girls tend to be more involved in post-harvest activities mainly in processing and marketing of fish while boys undertake most of the work related to capture fisheries.

Experience in Malawi has shown that most of the people under the age of 16 who participate in fisheries activities, do so based on socio-cultural requirements of their societies. In most cases, they do this as means of learning and gaining fishing skill that they will need as adults, if they have to earn a living from the fishery. Sometimes they do fishing as a leisure activity.

#### **4.2 Child labour in fishing operations**

There is no adequate data in this review to fully quantify existence of child labour within the fisheries sector. However, a few studies have shown that children below the age of 15 have been engaged in fishing activities. Box 1 shows that in *chirimila* fishing, a young person locally called *Chimgubidi* is recruited as fishing crew member to bail out water from a fishing craft that is leaking.

##### **Box 1: *Chirimila* operation (SOFTDP 2005)**

*Chilimira* fishery, a subcomponent of the small-scale fishery, is the most important fishery on Lake Malawi. It lands the highest catches of any fisheries on Lake Malawi accounting more than half of the annual total yield from the lake. The total catch landings in 2007 were estimated at 31,000 tonnes accounting for approximately 57% of the total landings from Lake Malawi. This annual *chilimira* fishery yield corresponded to total revenue to the lake community of about MK4.2 billion. In 2008, it provided direct employment to more than 27,900 people lake-wide representing about 50% of the total fishers. Many people join the fishery on a temporary basis to supplement farm or other incomes. This movement into and out of the fishery varies from year to year depending on a range of factors, not least of all the weather conditions.

Each *chilimira* fishing unit employs about 9-10 persons depending on the fishing operations. Plank boats with an outboard engine (>8hp) or without are predominant and dugout canoes are the fishing crafts associated with its fishing operations in the central

and southern waters of Lake Malawi. Dugout canoes are the fishing crafts that are in majority in the northern waters of Lake Malawi.

Of recent however, the use of three canoes, two *siginala* (canoes used by those that give signals during a fishing operations) and 4-6 pressurized lamps mounted on each of the two *siganala* canoes in association with large nets is also becoming common but both use the same fishing net. The recent trend is believed to increase the catch rates. This is perhaps a further indication of declining fish catches as this usage of such nets seemed to be a response to the decline in the target species. When the night catch is poor, *chilimira* is cast and drag in shallow water acting both as a beach and open water seine during daytime to maximize the catch usually operated by another set of crew members.

Within a fishing crew, a young person under the age of 16 is employed as “*Chimgubid*”. His role is to bail out water from a leaking fishing craft.

Observations were also made whereby it was common to see very young boys (under the age of 15) frequenting fish landing sites of Lakes Malawi, Malombe, Chilwa, Chiuta and Shire River (Chirwa, Donda, Njaya *pers.comm*). Chirwa (*pers.comm*) indicated that boys of the age 10-11 are engaged in seining operations at night. They use their own smaller beach seines made of mosquito nets and catch juvenile fish along the shallow waters of Lake Malawi. However, the main point is for them to develop fishing skills so that they become competent fishers when they grow up.

A study on HIV/AIDs along the value chain in Mangochi showed that young men are susceptible to HIV infection and vulnerable to the impact of AIDS, predominantly because of high incidences of migration and mobility. Migration occurs between beaches on lakes depending on fishing season and market conditions, resulting in greater levels of social and sexual interaction outside home communities. The different mobile and migrating groups have different working conditions, but low literacy levels, poverty and poor infrastructure are the common constraints. The age groups that are working as mobile fishermen, processors and traders can vary from one professional group to the other, but was found to be as young as 11 years old as part of the targeted group (Njaya and Kachilonda 2007).

Another socio-economic study by SOFTDP (2005) showed that a population structure with a mean age of 32 was skewed to the left which formed an active fishing population. It indicated that people begin to get involved in different economic activities from the age of less than 15 to over 70 years of age. This shows that children are engaged in fishing activities.

### 4.3 Legal framework on child labour

There are legal instruments on child labour in Malawi as shown in Box 2. However there is none that specifically deals with the fisheries sector. To mitigate this, recent initiatives on the review of the fisheries policy has captured issues of child labour, as it is considered an important area for development of the children residing along the lakeshore areas.

Box 2: Existing legal instruments on Child Labour (*The Nation* of Monday, April 2, 2012)

A number of legal instruments at international level exist to which Malawi is affiliated. On the international level, Malawi is signatory to the UN Convention on the Rights of the Child (CRC), which was adopted by the United Nations in 1989. The Convention includes a section on the need to protect children from work that is dangerous, or might harm their health or their education. Malawi has also ratified the Minimum Age Convention (ILO Convention No. 138) and the Convention on the Worst Forms of Child Labour (ILO Convention No. 182, 1999) adopts 15 as the minimum age of employment.

At national level, Malawi has a legislative framework that includes the Constitution, which sets employment of children below the age of 16 years and the Malawi Employment Act of 2000 raises the bar by condemning the employment below the age of 14. In addition to this is the coming into force of the Child Care, Protection and Justice Act of 2012, the Constitution of Malawi Section 23 accords the children the right of protection from any form of work that is of hazardous nature, may prejudice their attendance at school or inflict any harm their health and development. Additionally, there are a number of sectoral policies that support interventions against child labour. For instance, there is a National Code of Conduct developed by the Ministry of Women and Child Development together with UNICEF.

Previous studies in the lakeshore districts of Mangochi, Salima, Nkhotakota and Nkhata bay have shown that the age group that largely constitutes the crew is between 20 and 40 years and dominated by male fishers. The main fishing gears studied included Chambo beach seines, Kambuzi beach seines, Nkacha seines, Usipa seines and Gill nets, implying that formal child labour hardly exist within these fishing activities (Donda 1995). However, along the shores of Lake Malawi and other major water bodies including big rivers, one finds women and children scooping fish using scoop nets or fish traps, and sometimes using hand lines and beach seines.

## 5. Discussion

From this review, it is evident that child labour exists in the fisheries related activities only that empirical data to support such assertion is limited. Employment in the industrial fisheries is well controlled and issues of formal child labour hardly exist as employment is based on the national or international employment regulations. The situation is however different in the small-scale fisheries, where fishers are either employed by gear owners or are self-employed, and sometimes the act of fishing is done voluntarily either as a social or cultural activity. In some cases child labour is dependent on the gear type used such as *Chirimila* (open water seines) that target Utaka (*Haplochromine* spp) and Usipa (*Engraulicrypris sardella*) with modification and some of the fishers own small beach seines especially along Lake Malawi as observed by Chirwa (*per. comm.*).

Main causes of child labour include social inequalities, structural unemployment, poverty and vulnerability to shocks as well as migratory (direct and indirect impact) and demographic considerations. While poverty is a major cause, child labour perpetuates poverty (Iversen, 2006). The fact that the fisheries sector offers quick access to money and food, more people, including children, participate in various fisheries activities. However, poor quality, low relevance or absence of formal education and low level of parental education are important additional causes of child labour in fisheries and aquaculture world-wide (Iversen, 2006). Fishing communities are often in remote rural areas with often very poor access to modern requirements of life. Cultural practices, such as social attitudes towards child work/labour /ideas about childhood and work, can contribute to the prevalence of child labour in fisheries.

Fishing brings money instantly to poor households based along lakeshore areas. Affluent people owing fishing gears mainly seines recruit people of different age groups within fishing communities to operate their gears. In some parts of Mangochi, owning a seine net is more or less for a community rather than an individual as the whole community tend to benefit from it.

Apart from the actual fishing operations, fish processing and marketing are other areas that children venture into. It is common to find children younger than 14 years on landing beaches waiting to buy fish or get free fish after assisting in pulling the seines locally called "*kutoma*" (see Annex 1: beach pictures showing involvement of children in fishing activities from various lakeshore beaches).

## **6. Conclusions and recommendations**

There is potential of child labour prevalence in the fisheries sector. Socio-economic factors trigger engagement of the young people in the fishing activities. In some fishing communities along lakeshore areas, schools are not within easy reach of children. Consequently drop outs are high and in the end they take up fishing as an easy way of making money. To address the problem, rural development initiatives including construction of school blocks should target fishing areas for access to the rural based children. The government sectoral initiative to address this is evidenced by the phased out Lake Malawi Artisanal Fisheries Development Project which had a component on rehabilitating school blocks and clinics along Lake Malawi. However due to limitation of financial resources not many areas were covered. Therefore it should be a policy that any development initiative in the fisheries sector should consider education and health facilities as key issues.

While child labour policy issues are stipulated within the Labour Policy not much is mentioned in the fisheries sector. Recent plans to review the fisheries policy take note of the child labour issues. It is imperative that public awareness campaigns are mounted along the lake shore areas where fishing and trading take place so that people under the age of 16, defined as the child age group, are spared from being recruited as fishing crew members.

Knowing that fishing involves mobility, it is risky to involve young people in the enterprise due to the high level susceptibility of the fishers to HIV/AIDS. The children may be prone to unprotected sexual practices due to the money they get from fishing.

Of particular importance is to define what constitutes child labour in the fisheries sector. In some areas it is culturally and traditionally acceptable to pass on skills from the old people to the young ones. Fishing being a specialised vocation, need future fishers but these can only be skilled through learning while they are young.

The fisheries legislation should also be reviewed to set regulations that would deter engagement of children in fisheries-related activities. These include fishing operations, fish processing, and fish marketing where girls are also commonly engaged.

Finally, there is a need to build capacity in the review process of the policies and legislation on child labour and also enhance capacity to enforce such regulations. It is also important to harmonize the legal instruments. Of concern are the Child Care, Protection and Justice Act of 2010 that recognizes as a child as the one below the age of 16. The 2000 Employment Act restricts the employment of a person below the age of 14. We need to harmonize these ages for proper guidance to employers and guardians of the children. More studies (both qualitative and quantities) are needed to establish the extent of child labour in the Malawi's fishing related activities by characterization into gender; formal or informal engagement; and supporting or remunerated scenarios.

## 7.0 References

- 1) Bland, S.J.R. 1991. Managing Artisanal Fisheries and their Development, MSc Thesis, Centre for the Economics and Management of Aquatic Resources (CEMARE), University of Portsmouth, UK.
- 2) Donda, S.J. 1995. A Study of Artisanal Fishermen's Incomes: Case study of Malawi. MSc Thesis, Centre for the Economics and Management of Aquatic Resources (CEMARE), University of Portsmouth, UK.
- 3) FAO. 2010. Report of the FAO Workshop on Child Labour in Fisheries and Aquaculture in cooperation with ILO. Rome, 14–16 April 2010. FAO Fisheries and Aquaculture Report. No. 944. Rome, FAO. 2010.
- 4) GoM 1999. The Constitution of the Republic of Malawi. Lilongwe, Malawi. GOM, 2010. Annual frame survey. Department of Fisheries, Ministry of Agriculture, irrigation and Water Development, Lilongwe.
- 5) GOM, 2011. Frame survey results for 2010, Department of Fisheries, Lilongwe.
- 6) Iversen, V. 2006 – Children's work in Fisheries: A cause for alarm? School of Development Studies, University of East Anglia, Norwich, NR4 7TJ, UK
- 7) Njaya, F and Kachilonda, D. 2008. Fish value chain and HIV/AIDS vulnerability analysis: The case of dried usipa on Lake Malawi, Mangochi district. Study report submitted to FAO.
- 8) SOFTDP 2005. Socio-Economic Study: Fishing Profile for Chiwalo, Madzedze and Sumbi I. Survey Report No. 2. GoM/ICEIDA.
- 9) Thomson, D. 1980. Conflicts within the fishing industry ICLARM News, 3(3): 3-4. Walakira, E.J. and Byamugisha, J. 2008. Child labour in the fishing sector in Uganda A rapid assessment. A study for the ILO and Fed. of Uganda Employers.

Annex 1: Photos depicting children involved in fishing and beach related activities



Picture 1: Children participating in organising and mending a gillnet in readiness for fishing trip.

*Source: M. Chirwa (2012)*



Picture 2: Children operating a beach seine at Mwawa Beach, Mangochi This is how young boys learn the art of fishing without any instructor

*Source: M. Chirwa (2012)*



Picture 3: Children participating in pulling ashore a beach seine net in Salima

*Source: S. Donda (2001)*



Picture 4: Children waiting to get some fish from a boat, either as payment for some services on the beach or as “*kutoma*” on Lake Malombe

Source: S. Donda (2001)



Picture 5: Children in a fishing boat that has landed with fish in their hands which they may sell or take home as relish for their families. This was on Lake Malombe

*Source: S. Donda (2001)*



Picture 6: Children collect fish from boats that have landed their catch on Lake Chilwa. This fish may be sold or taken home for consumption (both boys and girls participate in this)

*Source: S. Donda (2001)*

## Annex 2

### Key informant

- Mathews Chirwa, Gear Technologist, Malawi College of Fisheries on 5-6 April 2012