

**CHILD LABOUR A THREAT TO FUTURE SKILLED MANPOWER IN
UGANDA.**

CASE STUDY OF MAKINDYE DIVISION KAMPALA

BY

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DECLARATION

I Jacqueline Munyasi, hereby declare that this dissertation is original and has never been submitted for a degree in any other University, college or any educational instutuion for the purpose of meeting any academic requirement. I also declare that any secondary information has been duly acknowledged in this dissertation.

Student

Jacqueline Munyasi

Signature

.....

Date

.....23/3/2011.....


CERTIFICATION

I certify that I have supervised and read this dissertation and in my opinion it conforms to acceptable standard of scholarly presentation and is fully and adequate in scope and quality as a dissertation in partial fulfillment for the award of Degree of Bachelor of Law of Kampala International University.

Supervisor

.....

Signature

.....

Date

.....23/3/2011.....

DEDICATION

First and foremost; I dedicate this research report to my parents Mr and Mrs Munyasi for their financial assistance and tireless efforts they have made to see me through. To my friends Andrew Kimwaga, and Disan Nsereko for all the encouragement and assistance they have given me during the entire process of writing this report. I love you all.

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Special thanks go to my supervisor; Mr Titus Kanya for taking time off his busy schedules to read and advice me on the work, for the constructive criticisms and for sharing his experience of the subject with me. Without his scholarly advice and educative assistance this project would not have been a success.

I also wish to express my profound thanks to all who have inspired me or assisted me. I wish to acknowledge and thank my family and all the colleagues at the Kampala International University during the years of my study.

To all my classmates and friends, am grateful for all your sincere support that you gave me throughout the entire duration of study spent in Law School of Kampala International University.

I am indebted to several writers and experts on child labour issues for all their materials I obtained like journals, Reports, Text books. My thanks and appreciation also go to Human Rights centre of Uganda for all the study guidance I got from the staff and the Library attendants who helped me on sorting out the relevant books I needed for my study.

Lastly I wish to express my thanks to Makindye District Local council for all the guidance during my time in the field.

LIST OF STATUTES

National laws and instruments.

1. The Children Act Cap 59
2. The Employment decree 1975
3. The Penal Code of Uganda
4. Uganda People Defense Forces Act no 7 of 2005
5. The Uganda Constitution.1995
- 6.

National Policies against child labour

1. Government Policy on Child Labour
2. The National Child Labour Policy
3. The National Employment Policy
4. National Plan of Action on Child Labour

International Conventions on Child Labour

1. The ILO Convention No.138 on Minimum age for admission to employment
2. The ILO Convention No 182 (1999) on the worst forms of child labour
3. The UN convention on the rights of the child 1989)

LIST OF ACRONYMS

CBO	Community Based Organization
CLRC	Child Law Review Committee
CRC	Convention on the Rights of the Child
DCCP	Department of Probation and Child Protection
DHS -	Demographic Health Survey
FUE	The Federation of Uganda Employers
GOU	Government of Uganda
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immuno Deficiency Syndrome
ILO	International Labour Organization
IPEC	International Program for Elimination of Child Labour
IPEC	International Programme on the Elimination of Child Labour
LC	Local Council
MDG -	Millennium Development Goals
MGLSD -	Ministry of Gender, Labour and Social Development
MOES	The Ministry of Education and Sports
NGO	Non-Governmental Organization
NPA	National Programme of Action for Children
PEAP -	Poverty Eradication Action Plan
RUDMEC	Rural Development Media Communications
SAP	Structural Adjustment Policy
SCA	Secretary for Children Affairs
SNA	System of National Accounts
UBOS	Uganda Bureau of Statistics
UCRNN	Uganda Child Rights NGO Network
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNDP -	United Nations Development Programme

UNICEF -	United Nations Children's Fund
UNPAN	Uganda National Plan of Action for Nutrition
UPE	Universal Primary Education
USAID	United States Agency for International Development
UWFCL	Unconditional Worst Forms of Child Labour

ABSTRACT

It is generally acknowledged that child labour exists in various sectors in Uganda and the nature, pattern and characteristics of the problem differs from one sector to the other. This research sought to establish factors promoting child labour, the effects of child labour towards the future of skilled manpower in Uganda and to evaluate the efficacy of child labour laws and the enforcement efforts currently in place. However the core objective of this study research aimed at examining whether child labour is a threat to the future skilled manpower in Uganda.

Using a quantitative design, the magnitude and other dynamics of child labour, from the parent, employers and childrens perspective were analyzed. This was triangulated with other methods to gain an in depth descriptive account of the experiences of the child workers, prevalence of practices constituting child labour and perspectives of employers both employing children and those that do not.

Study findings revealed that the phenomenon of child labour is considerably big and requires urgent action. Children were the most preferred category of workers because they are easily influenced and manipulated at the age ranging from 5-15 years of age.

The study revealed that the level of awareness on the problem of child labour and its implication on the future skilled man power was minimal among the children. Parents and some stakeholders.

The finding showed that children work to earn wages, assist in family enterprise, help in family chores while others were not interested in school. These children are mentally, physically, socially and morally affected. Most stakeholders were of the opinion that that child labour had a negative impact on education on future skilled manpower of the country.

The major conclusion is that child labour is a threat to the future skilled man power of the country.

This research recommended that the Government and Non Governmental Organization should build a network focused on prevention and elimination of all forms of child labour.

CHAPTER ONE

1.1 INTRODUCTION

Child labour is common in Uganda. In rural areas, children work in crop farming and in commercial agriculture related to tea, sugar, tobacco, and rice.¹ In urban areas, children sell small items on the streets, work in shops, or are involved in the commercial sex industry.² Children are also engaged in domestic work, stone quarrying, stone crushing, and cross-border smuggling.³ Within Uganda, girls are trafficked from rural areas to urban areas and border towns for sexual exploitation.⁴ The high incidence of HIV/AIDs has left many orphans, resulting in child-headed homes. The orphans drop out of school to work to survive and to fend for their siblings.⁵ Children working as domestic servants frequently work long hours, are denied food, endure physical and sexual abuse, and are isolated from family and friends.⁶

Child labour has been identified as a hindrance to socio-economic development and it has generally got serious implications on the next generation. If left unchecked, there is likely an occurrence of a vicious cycle of poverty; there will be continued exploitation, there will be no education, and so on. Eventually the country will risk of facing shortage of skilled manpower.

Though child labour has long been identified as a problem in many countries both developed and developing Uganda being inclusive, no extensive research has been undertaken to adequately study the problem in Uganda. Therefore, this research report/study will aim at conceptualizing and analyzing the issue of Child labour and its relationship to the Uganda's future labour force.

¹ ILO-IPEC, *"Child Labour in Uganda: A report Based On the 2000/2001 Uganda Demographic and Health Survey*

² U.S. Department of State, *"Country Reports- 2006: Uganda," Section 6d*

³ *Ibid.* See also U.S. Embassy- Kampala, reporting, Dec. 12, 2006, para 2- 3.

⁴ U.S. Department of State, *"Uganda (Tier 2 Watch List)," Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65990.htm>.*

⁵ U.S. Embassy- Kampala official, *Email communication to USDOL official, July 26, 2007.*

⁶ *Children in Domestic Service at vi to vii*

1.2 BACKGROUND OF THE STUDY

Child labour has been identified as a problem in many countries both developing and developed countries. Throughout the world, thousands of children are working as domestic helpers, performing tasks such as cleaning, ironing, cooking, mining, and gardening. According to the ILO⁷, in 2004 there were 218 million children between 5 and 17 years of age worldwide in child labour of whom 126 million were in hazardous work. As already mentioned in the introduction, child labour is still a big socio-economic problem.

Despite this growing urbanization of developing countries, 9 out of 10 employed children globally are engaged in agriculture or related activities, living in rural areas. Available statistics suggest that more boys than girls work. Globally, the ILO estimates that nearly 41 million boys aged 10-14 are working compared to 32.5 million girls. Girls, moreover, tend to work longer hours, on average, than do boys. "This is especially true for the many girls employed in other types of jobs who, in addition to their professional activity, must help with the housework in their parents' home."⁸

Child labour has been increasing steadily in the towns and cities of developing countries as a result of the rapid global urbanization. Urban working children are found mainly in trade and services and to a lesser extent in the manufacturing sector.

In manufacturing industries, children are most likely to be employed "when their labour is less expensive or less troublesome than that of adults, when other labour is scarce, and when they are considered irreplaceable by reason of their size or perceived dexterity," says an ILO report prepared for the ministerial meeting⁹.

⁷ *The end of child labour: Within reach, ILO, Geneva 2006*

⁸ *The ILO Global Estimation of child labour ICLS-Report III 2008.*

⁹ *Child labour: What is to be done, Geneva, 12th June 1996.*

The Uganda Bureau of Statistics (UBOS 2001) estimated that approximately 2.7 million children out of the total 7.9 million children between the ages of 5 – 17 years are engaged in economic activities. About 28% of the working children worked at employers' premises or site, whereas 18% worked in agricultural plantations. More than 50% of the working children were engaged in domestic duties. Girls were more likely (69%) to engage in domestic work than boys (42%).¹⁰ The survey revealed that one in five children in the same range is an orphan. The review of several study reports on child labour reveals how widespread the problem is.

Makindye Division has 12,000 children working illegally, missing schools and are involved in domestic work indicating a real element of Child labour. About 7,300 are females and 5,400 are males making 7 percent of the total population of children in the division. Despite the above statistics, it should be noted that the problem of child labour is still prevalent in Makindye division and Kampala at large and it is not sustainable to address only one form of child labour in any given community. Official statistics indicate that 2.7 million children are in child labour and these 54 percent are working as domestic workers. Even with a narrower focus on children employed in paid labour, research is still difficult and relatively scarce for the developing world. The growth of children's rights movements from the 1990s, however, has facilitated new research institutions and programs, such as the Innocenti Research Centre, which operates under the auspices of the United Nations Children's Fund (UNICEF).¹¹

¹⁰ *Uganda Bureau of Statistics Demographic and Health Survey (UB OS 2001).*

¹¹ *Africa: main cause of child labour in Uganda-report Kampala, November 27, 2009 (CISA) Kampala*

1.3 STATEMENT OF THE PROBLEM

One out of six children in the world today is involved in child labour, doing work that is damaging to his or her mental, physical and emotional development. These children work in a variety of industries, and in many parts of the world. The vast majority are in the agricultural sector, where they may be exposed to dangerous chemicals and equipment. Others are street children, peddling or running errands to earn a living. Some are domestic workers, prostitutes, or factory workers. All are children who have no fair chance of a real childhood, an education, or a better life.¹²

Skilled manpower in a country presents itself as a strong engine that leads to the economic development of the country in terms of industrial development. The implication of this argument is that when indicators of child labour dominate the economy of a country, firstly, it ruins the prospects of achieving industrial growth, and secondly the country risks losing skilled manpower in the near future. This poses a great challenge to the production engine that later affects the economic growth of the country.¹³

In Makindye Division, child labourers are generally paid less than adult workers simply because they are young, whether or not they are equally productive. Children, who are socialized to respect and obey adults, are also less likely to demand higher wages or better working conditions. As a result, employers often keep taking on child workers. In some cases, such as factory work and prostitution, and domestic work children are actively recruited, and often engaged with false promises of education and light work many child workers receive very low pay and work in dangerous conditions. Recent studies indicate that Uganda risks having a shortage of skilled man power in the country. At the moment the number of children engaged in child labour is estimated to be over two million.¹⁴

¹² *Child and forced labour report 2009*

¹³ *Child labour report based on the Demographic and Health Survey 2000-2001*

¹⁴ *Understanding children's work in Uganda, 2008 UBOS, Based on analysis of the 2005/06 Uganda National Household survey*

1.4 OBJECTIVES OF STUDY

1:4.1 General objective

The core objective of this study research aimed at examining whether child labour is a threat to future skilled manpower in Uganda.

1:4.2 Specific objectives

1. To establish the factors promoting child labour
2. To determine the effects of child labour towards the future of skilled manpower in Uganda.
3. To evaluate the efficacy of child labour laws and enforcement efforts currently in place.

1.5 RESEARCH QUESTIONS

1. What are the factors promoting child labour?
2. What are the likely effects of child labour towards Uganda's future skilled manpower?
3. What is the efficacy of child labour laws and enforcement efforts currently in place?

1.6 SIGNIFICANCE OF THE STUDY

Child labour is a major obstacle to social and economic progress; hence this study research intended to provide remedies in form of recommendations so that social and economic progress can eventually be achieved in Makindye and Uganda at large.

The study tried to advocate for legal reform efforts underlying child labour phenomenon so that the problem can be combated in the country.

The study illustrated the range of work that children do and the ways it can affect them. The study also examined some of the main reasons why children work and discusses approaches to the issue from a child's rights perspective.

The study research helped in unveiling and exposing the ongoing child labour abuses that are being carried out undercover. It should be noted that these abuses are quite many and have not been attended to by the right concerned agencies both in the Government and sidelined NGOs. Therefore, the study intended to help the Government and Non Governmental Organizations realize the necessity of curbing down child labour, to protect children's future as well to achieve economic development of the country.

1.7 SCOPE OF THE STUDY

The research study was conducted in Makindye Division. The study was carried out within a range of five months that is from August to December 2010. The study sought to examine whether child labour is threat to future skilled manpower in Uganda.

1.8 AREA OF STUDY

The study research was undertaken in Makindye Division, Kampala District. Makindye Division is bordered by Nsambya to the north, Kibuye to the northwest, Najjanankumbi to the west, Lubowa in Wakiso District to the south, Luwafu to the southeast and Lukuli to the east. Kansanga and Kabalagala lie to Makindye's northeast. The coordinates of Makindye are: 00 16 45N, 32 11E (Latitude: 0.2791; Longitude: 32.5862). The road distance between Makindye and the central business district of Kampala is about 7 kilometres (4.3 mi).

1.9 HYPOTHESIS

Child labour is a threat to future skilled manpower in Uganda.

1.9.1 RESEARCH METHODOLOGY

1:9.2 Introduction

This section is a descriptive summary of the procedures and tools that were deployed to accomplish the research objectives. It also navigated through the research design, research methods, data collection and other research instruments that were used in data collection.

1.9.3 Sample Population and Sampling Method

Purposive sampling was used and it intended to target children and the parents. Children and the parents were the target respondents because they are the focal center in the study.

1:9.4 Interviews

This involved a face-to-face interview with the respondents particularly the children and their parents plus guardians, as well as the employers. The interview guide helped to obtain first hand information and direct information.

1:9.5 Questionnaires

This was the main instrument that was used to obtain information in the course of data collection. Questionnaires were self administered to the sampled respondents; it generated the views of the respondents. Open, closed and optional questions were used to widen the chances of responses and generated based and genuine information from the respondent.

1:9.6 Data processing and analysis

The data collected was analyzed using the following methods:-

1:9.7 Editing

This was done at the end of every working day so as to ensure that the information given by the respondents is compiled accurately. Here work was done personally and this

involved careful scrutinizing questionnaires, cross checking wrong entries plus standardizing solutions while checking the omissions and inconsistencies.

1:9.8 Limitations of the study

- Most respondents and in this case the employers were busy at work they never attended to me effectively.
- The other difficulty is that many employers did not will to open up to give information freely. This was attributed to the fact that some got scared and others became suspicious. In some other areas roads were poor which denied me access.
- The study team found general lack of understanding of child labour among the employers and a lot of time was spent to first of all enlightening them.

1:9.9 Ethical considerations

The investigator or researcher made sure that respect, and acknowledgement of the ethical codes was highly considered with maximum attention. Sensitive information was consciously handled with a lot of care and confidence which preserved the rights and freedom of respondents.

1.10 LITERATURE REVIEW

1:10.1 Introduction

This section reviews past studies and literature related to issue in question and in this case the issue is Child labour.

1:10. 2 Factors promoting Child Labour

A survey carried out on the effects of poverty by **R. Hussmanns** on Child Labour, states that poverty is one of the major reasons behind child labour. As the poorest continent, Africa has a higher incidence of child labor due to poverty incidence which is further differentiated within the continent itself. Countries in which a large share of children is working are, on average, poor countries Uganda being inclusive.¹⁵ This literature makes an important contribution in the study on some of the factors that promote child labour. Poverty defined as human deprivation goes to the root of the child labour problem, hence acute poverty is usually advanced as a reason of sending children to work.

Tom Mwebaze argues that Ignorance and lack of Information on child labour issues is one of the major causes of child labour in Uganda. Parents believe that their children will be gainfully employed and in return be able to cater for the family; but little do they know about dangers of child labour both on the future skilled labour of the country and to the health and economic position of the child, however, this literature creates a gap in the sense that there is a strong belief among parents especially in the rural areas who consider work as an integral part of growing up, and child work is taken as socialization where future roles are learnt. Parents and communities in general feel that it is normal for children to work to help their families while employers also think that employing a child is actually helping them to find means of survival. This in the end has exacerbated child labour in Uganda.¹⁶

¹⁵ R. Hussmanns, F. Mehran and V. Verma: *Surveys of effect of poverty on child labour, economically active population, employment, unemployment and underemployment: An ILO 199*

¹⁶ *Extent and Determinants of child labour in Uganda, 2002.*

Sarah Muscroft stresses that in most of the societies, learning how to undertake different kinds of work is an integral part of growing up. Domestic, agricultural or craft skills complements, and may be seen as the important than, those acquired through formal schooling. This is particularly the case with girls for whom domestic skills are essential for marriage, and in areas where crafts are passed down from generation to generation, or where there is no major source of livelihood, such as pastoralist. This eventually pushes them to allow their children engage in labour below the minimum age the law speculates hence promoting child labour.¹⁷

Sarah's argument on work as an integral part of growing up contributes, positively to the study on factors as to why children work ,although some forms of work are harmful to children and the risks they present vary considerably this applies to Uganda

Sarah Muscroft further argues that willingness to exploit cheap labour is a major cause of child labour. Children, who are socialized to respect and obey adults, are also less likely to demand higher wages or better working conditions. As a result, employers often keep taking on child labourers. She further laments that in North and South, children are generally paid less than adult workers simply because they are young. As a result, employers are keen to take on child labourers.¹⁸ In Uganda; Children are exploited for cheap labour because of their innocence and lack of bargaining skills. .This literature is relevant to this study as it tries to bring out some of the factors that promote child labour under the objectives.As a result of children being less likely to demand higher wages employers are often every keen to take on child workers.

¹⁷*International Save the Children Alliance, "Children rights" Editor Sarah Muscroft*

¹⁸*International Save the Children Alliance, "Children rights" Editor Sarah Muscroft*

Kabasita Margaret argues that the state of gainful engagement in any economic activity usually sends children in search for work. It is rather regarded as an opportunity and not a threat on their own future. More often payment was in kind and in form of food, shelter and sometimes, old and used clothes.¹⁹

This literature is useful to the study on some of the causes of child labour however it does not apply to Uganda thus creating a gap, this is because child labour undermines the government's economic and social development objectives for the country's future.

The literature described above about the causes of child labour, did not differ a lot as regarded different places and localities the researcher accessed. The causes of child labour in one region are the same causes in another region. Therefore, the literature was useful in the process of research findings. At the same time it was useful in trying to find out the parameters between the researchers' findings and the described literature. In addition several studies and rapid assessments on child labour have been carried out and they all point to the existence of the problem and highlight the different categories, their causes and associated factors and consequences.

¹⁹ *Combating child labour in Uganda by Kabasita Margaret (2009).*

1:10.3 Effects of Child Labour towards the Future of Skilled Manpower in Uganda

Tom Mwebaze argues that it is generally acknowledged that child labour as a concept poses a direct impact on the future skilled labour of a given country. It is a development issue in that child labour affects the composition of labour that can exist in the country at a given period of time. A country's development takes course when the people's education and skills have been exploited at the right time. Therefore, given the prevailing child labour scenario in Uganda, it is noted that if the same scenario continues the same way or even escalates beyond what it is now, then Uganda's economy risks facing shortage of skilled manpower in the coming future.²⁰ This literature is relevant to the study because it emphasizes on the hypothesis in the sense that child labour jeopardize the children's potential to become a productive adults, if they are not taken to school, therefore child labour has a direct impact on the future skilled manpower of a country.

Kabasiita Margaret 2009, in her book 'Combating child labour', laments that vicious cycle is in operation. Child labour hinders economic development and economic growth by keeping vulnerable children out of school and limits their prospects for upward social mobility. These children are tomorrow's labour force and when they are denied of education it means that the prevailing labour in that generation will be unskilled which would not be productive enough to achieve both economic growth and economic development²¹. The literature above is important to the study because it brings out the effect of child labour on the future skilled manpower of the country. Skilled manpower in a country presents itself as a strong engine that leads to economic development, therefore a country dominated with child labour risks losing skilled man power in the future.

²⁰ *Extent and Determinants of child labour in Uganda, (2002)*
combating childlabour in uganda(2009)

1:10.4 Efficacy of Child Labour Laws and Enforcement Efforts currently in place

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Sarah Muscroft laments that all countries have laws that sets minimum ages for work and outlaws certain forms of child labour. However, the laws are not being enforced, because there is little local acceptance of its provisions. Labour inspectorates are often overstretched with very little pay which does not give them motivation to monitor and enforce the existing labour laws thus rendering the laws idle. Even where employers are prosecuted, low fines are attached to them as corruption takes its route within the judicial system. This has further impeded the laws and rendered them ineffective as a deterrent to the abuse of child workers.²² This literature is relevant to my study in relation to child labour and law enforcement. The above problems are also compounded in Uganda, despite the fact that enforcement efforts are put in place, the problem of child labour is still a challenge.

Paul Obua asserts that Uganda has various laws and statutes that are aimed at protecting children against child labour. These legislations as well protect children from hazardous forms of child labour that might pose a potential threat to their lives in the process. It has also implemented quite a number of national programmes to fight child labour incidences since August 1999. However, the lack of a comprehensive plan to implement and monitor the existing statutes, data, and information on child labour has not allowed these laws and programmes to work and produce the desired impact. This has constituted a serious gap in the fight against child labour in the country.²³ The literature above was of importance in the study in examining both national, international policies and legal frameworks currently in place in relation to child labour. The efficacy of child labour laws and enforcement efforts of the government.

²² *International Save the Children Alliance, "Children rights" Editor Sarah Muscroft.*

²³ *An outlook of child labour legislations in Uganda, Paul Obua, (2003*

1:10.5 Gaps Observed in the Literature

The above literature on child labour has been viewed with some missing link in it as different scholars endeavored to stress their arguments regarding the concept of child labour. The missing link identified relate to how these scholars have conceptualized the meaning of child labour and how they have drawn the line between the acceptable and unacceptable forms of child labour. By large, the scholars have not drawn the line between what kind of child labour can be acceptable and unacceptable. In most of their discussions, they never realized that some child labour can be a necessity to children at a certain age. Most of their discussions considered one way emphasis against the negative influence of child labour. For this matter therefore, I intended to address this in this study

The other gap is directly related to the relationship between child labour and the country's social economic destiny as well as the victim's future. In emphasizing their arguments, most of the authors focused a lot on how child labour can be an obstacle to social and economic development of the country and how it can be harmful to children in terms of their health and never realized that also child labour can be a cause and a consequence of the country's social economic destiny and to the victim him/herself. You realize that children get trapped in the vicious cycle of poverty simply because they have no bright future. I also intended to address this problem in this study.

1:10:6 Addressing Existing gaps in the literature of other authors

The literature on child labour that was referred to by the researcher has some gaps in it as different scholars endeavored to stress their arguments regarding the concept of child labour. The first gap identified relate to how these scholars have conceptualized the meaning of child labour and how they have drawn the line between the acceptable and unacceptable forms of child labour. The second gap is directly related to the relationship between child labour and the country's social economic destiny as well as the victim's future.

1:10:7 A line was not drawn between the acceptable/light and the unacceptable forms of child labour

By large, the scholars have not drawn the line between what kind of child labour can be acceptable/light and what can be unacceptable. In most of their discussions, they never realized that some child labour can be a necessity to children at a certain age. Most of their discussions considered one way emphasis against the negative influence of child labour. Light work is acceptable in every community.

Light work is a term that refers to non-hazardous activities done by children within their homes under observation and supervision by their families in an environment free of exploitation. Light work can enable children to learn the roles that they are expected to take on during their adulthood. Household activities if done moderately and in consideration of the capacity and age of the children are acceptable as a process of learning and exercising responsibility within the household to the extent that such activities do not constitute a threat to the well-being of children or prevent attendance in education programmes (MGLSD, 2006).

Children's participation in work that does not affect their health and personal development or interfere with their schooling is generally regarded as being something positive. This includes activities such as helping their parents care for the home and the family, assisting in a family business or earning pocket money outside school hours and during school holidays. It contributes to children's development and to the welfare of their families; it provides them with skills, attitudes and experience, and helps to prepare them to be useful and productive members of society during their adult life. In no way can such activities be equated with child labour, a term used in this research. In its most extreme forms, it involves children being enslaved, separated from their families, exposed to serious hazards and illness or left to fend for themselves on the streets of large cities – all of this often at a very early age.

1:10:8 Child Labour is a Cause and Consequence of the country's social economic destiny.

Authors forgot to understand that child labour is a cause and consequence to the country's social economic destiny. In emphasizing their arguments, most of the authors focused a lot on how child labour can be an obstacle to social and economic development of the country and how it can be harmful to children in terms of their health and never realized that also child labour can be a cause and a consequence of the country's social economic destiny and to the victim him/herself.

Child labour is a cause and consequence of the country's socio-economic destiny. The effects of child labour are gradual and they do not only affect individuals who are the core victims but also affect the community, nations, and the whole world in terms of socio-economic development. There is an increased number of children living on the streets. Children are involved in begging, cleaning of vehicles, drug abuse and sniffing of fuel and scavenging. For as long as children are forced to work and/or prevented from attending school, they will remain powerless and trapped in a vicious circle of poverty for generations to come since they do not have a bright future to look forward to.

Basically the promise of a new generation is largely lost if child labour remains unchecked. Without an enlightened generation, there leaves room for the not so empowered generation, who will not have intellectual competence for job placement, then they shall never afford or have access to the basic needs in life like education, health service, shelter, food and others and the vicious cycle keeps revolving.

The other gradual effects that are brought about by child labour are but not limited to; an underdeveloped economy since this can only be well managed by an elite society. With a vicious cycle of poverty resulting from child labour, chances become high that the whole economy will remain underdeveloped. This encompasses a lot other areas of development like high mortality rates, increased poverty indicators where a society cannot afford its basic needs like food, shelter, health, education and clothing. The bottom line here is the

fact that education is a key to development but for a child denied education due to child labour, may never have a bright future. Unlike the arguments of the other authors who biased their ideas on the effects of child labour to the future labour of a country only, the argument on the other side is that child labour can be a cause of a negative consequence on the side of the victim.

CHAPTER TWO

CONCEPTS OF CHILD LABOUR AND ITS EFFECT ON THE FUTURE SKILLED MANPOWER IN UGANDA

2.0 Introduction

This chapter discusses concepts of child labour in detail. It looks at its forms, its causes as well as its effects on the future skilled manpower in Uganda.

2.1 Conceptualizing Child Labour

According to **Jose W. Diokno**²⁴, while there is a clear-cut definition of the term "child", the same cannot be said about "child labour" which has been defined and interpreted in many different ways. Child labour, in its general sense, is the participation of children in a wide variety of work situations, on a more or less regular basis, to earn a livelihood for themselves or for others. There is a need, however, to distinguish "child labour" from "child work". Not all types of child work are considered child labour. Child work refers only to economic activities or "those activities which are socially useful and remunerable, requiring manual and/or intellectual effort, which result in the production of goods or performance of services."

According to International Labour Organization²⁵, child labour is defined as "work situations where children are compelled to work on a regular basis to earn a living for themselves and their families, and as a result are disadvantaged educationally and socially; where children work in conditions that are exploitative and damaging to their health and to their physical and mental development; where children are separated from their families, often deprived of educational and training opportunities; where children are forced to lead prematurely adult lives."²⁶

²⁴ Jose W. Diokno (1998) "understanding child labour", *ILO-IPEC Frame work child Labour*

²⁵ *International Programme on the Elimination of Child Labour (ILO-IPEC)*

²⁶ *ILO-IPEC: A future without child labour, Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, Report I (B), International Labour Conference, 90th Session, Geneva, 2002.*

Children in Makindye Division involved in child labour have been found out to be working on a regular basis. They spend most of their time working all day long and this is attributed to the fact that they want to survive by earning a living. The other reason is that since the rewards are very minimal at the end of each day's work, the only way to earn much is to keep working for longer hours. This has corresponded with health effects which are harmful to their health. By working so hard at such a tender age, it has resulted into risks of facing health complexities such as weakening their immune systems and easily become prone to diseases like fever²⁷.

This stricter definition throws caution to those child advocates who tend to equate all forms of child labour with exploitation, thereby hiding the real issues, by capitalizing more on emotions rather than on reason. The types of child labour which are really exploitative should first be identified instead of lumping all forms of child labour and in the process, loose sight of the forms of child labour that should be fought.

A certain amount of uncertainty currently surrounds the operational definition of the term "Child labour". Most of the controversy is founded on the debate as to what constitutes the set of non-school activities on the basis of which child labour is identified. Following the practice adopted by most countries in quantifying child labour, the ILO approach²⁸ takes child labour, for identification purposes, as being the total of a subset of working children engaged in any activity falling within the production boundary of the System of National Accounts (SNA).

Child labour (slated for abolition) should therefore reflect the engagement of children in undesirable activities and could fall into the following categories:

(i) Labour that is performed by a child who is below the minimum age specified for that kind of work (as defined by national legislation in accordance with accepted international standards), and that is thus likely to impede the child's education and full development.

²⁷ *Child labour report based on the Demographic and Health survey 2000-2001*

²⁸ *ICLS-Report III (2008-08-0064-1) global child labour estimates.*

- (ii) Labour that jeopardizes the health, safety or morals of a child, either because of its nature or because of the conditions in which it is carried out (known as hazardous work).
- (iii) The worst forms of child labour other than hazardous work which are internationally defined to encompass children (persons below 18 years of age) in slavery, trafficking, debt bondage and other forms of forced labour, forced recruitment of children for use in armed conflict, their use in prostitution and pornography, and illicit activities.

2:1.2 Child Labour Classified

Most child labor in Africa takes place at home. In Makindye, some labor might be harmful, while other kinds of labor are either harmless or develop skills. Furthermore, the health and the nutritional status of the individual child, greatly affects to what degree the same labor is harmful or helpful. We cannot expect to find an easy, operational way to divide child labor into “good” and “bad.” This does not mean that it would not be worthwhile in empirical work to develop informal guidelines that identify most of the labor activities in the homesteads likely to harm children.

The following gives a general economic definition of child labor: By child labor; we mean labor performed by children believed to be too young, meaning that by doing so they unduly reduce their present economic welfare or their future income earning capabilities, either by shrinking their future external choice sets or by reducing their own future, individual productive capabilities.

By child work, we mean work performed by children under eighteen years of age. Child work is simply a descriptive term in which we assume nothing about welfare consequences.²⁹

²⁹ Unfortunately, we will not be able to consistently use this language in the remainder of the documents because it does not reflect common usage to distinguish between labour and work in the way. We will often use child labour and child work synonymously only when we need the distinction will it be reintroduced. (UNICEF 1998).

System of National Accounts (SNA) developed with the adult labour force in mind might be inadequate at times to capture with precision the complete range of children's production activities. In such instances, approximations would have to be used judiciously, especially in the task of translating the list of prohibited hazardous work by children into the standard industrial and occupational classifications.³⁰

These concerns point to the need for a statistical language for child labour measurement different from that used in measuring the adult labour force. Working children (those children engaged in any activity falling within the SNA production boundary) might be a better term than "economically active", to which "currently" and "usually" could be added to reflect the length of the reference period. Reference periods, in turn, are relevant in the light of the fact that many forms of children's economic production are seasonal in nature. The term children in non economic production could be used for those who engage in unpaid household services. Children seeking work could be applied to reflect children not at work in economic production, but who want to work, and thus, a group at risk of becoming child labourers.³¹

2:1.3 Identifying Child Labour

The identification of child labour within a given national setting is by no means straight forward. International legal standards accord national legislators in conjunction with national organizations of employers and workers considerable flexibility in setting precise standards and cut-off points for determining which forms of children's work and employment should constitute child labour for eventual elimination. Informed decisions on these matters by the competent authority require comprehensive and reliable statistical data on child labour. The effective targeting and prioritizing of policy interventions relating to child labour, and the proper monitoring of their impact, also depend on adequate child labour statistics.³²

³⁰ *ILO: System of National Accounts, SNA-88*

³¹ *ICLS-Report III [2008-08-0064-1]-En.doc/v4*

³² *The United Kingdom Committee for UNICEF Child Labour Resource Guide*

In Uganda, a national statistical programme on child labour has an important role in generating statistical information on child labour for all of these purposes. Deriving from the previous discussion on legal concepts, particularly important in this context is information on the “nature” of work children perform, on the “circumstances” under which they perform this work, and on how work might “harm” health and development. Indicators relating to the nature of work, circumstances and harm therefore has been core elements of a national statistical programme on child labour in Uganda.³³

2.2 Forms of Child Labour

ILO Convention No. 182 supplements Convention No. 138 by emphasizing the urgent focus on the worst forms of child labour requiring immediate action. Convention No. 182 makes no distinction between developed and developing countries and applies to all children, a child being defined as an individual under the age of 18 years (Article 2). For the purposes of the Convention, the worst forms of child labour comprise: (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, as well as forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procurement or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant international treaties; and (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (Article 3). The activities referred to under Article 3(a) to (c) of Convention No. 182, that is, the worst forms of child labour other than hazardous work, are commonly termed “unconditional worst forms of child labour”.³⁴

³³ *State of the Uganda Child Labour report 2006*

³⁴ The term “unconditional worst forms of child labour (UW FCL)” was first introduced in the ILO Global Report on child labour in 2002 to distinguish between “hazardous work” and other worst forms of child labour, by denoting the latter as UW FCL. See ILO: *A future without child labour, Report 1 (B), International Conference, 90th session, Geneva, 2002, Par. 31*).⁴

Makindye Division is comprised of children engaged in child labour most of whom below the age of 18 years. The Division has most of children working ranging in the age between 9 years and 16 years. These children have been seen indulging in different forms of child labour almost on all busy streets of the division. These forms of child labour practiced amongst children in Makindye Division, have been closely perceived as among the worst forms of child labour being practiced in Uganda. These include; Child prostitution and pornography this is very much significant on the most of the busy streets in Makindye Division, Domestic child servants/market for domestic services, Street workers or labourers / children and any others.³⁵

Director-General in the ILO's Global Report on child labour in 2006, asserts that there has in recent years been a sea change in attitudes towards child labour. The sense of hopelessness and resignation that previously prevailed on the subject; the feeling that, regrettable though it is, there is little that can be done to prevent or eliminate child labour as it is so deeply rooted in poverty and cultural attitudes: these have been replaced by a worldwide consciousness that it is today not only possible but also urgently necessary to eradicate at least the most unacceptable forms of child labour within a short time frame rather than in some indefinite future, and to set in motion an irreversible process leading to the total elimination of the scourge of all forms of child labour. Programmes of action have been launched in many countries to this end, and the international community has mobilized significant efforts and resources - most notably in the framework of the ILO's International Programme on the Elimination of Child Labour (IPEC) - to support national Programmes.³⁶

2.3 Causes of Child Labour

During one on interaction with some respondents in Makindye Division, it was found out that poverty appears to be the major reason for child labor. As the poorest continent, Africa has a higher incidence of child labor due to poverty incidence which is further differentiated within the continent itself. . Countries in which a large share of children is working are, on average, poor countries Uganda being inclusive.

³⁵ *Child labour report based on the Demographic and Health survey 2000-2001*

³⁶ *ILO: The end of child labour: within rich, Report 1 (B), International Labour Conference 95th Session, Geneva, 2006, P. Vii*

As **Basu (1999)** states it, sending their children into the labor force is the family's last income earning resort. As soon as income increases, the children are withdrawn from the labor force. The poorer the family, the poorer the district, the poorer the country, the higher the incidence of child labour. The death or illness of the adult bread winners has often been documented to be direct cause of child labour.³⁷

HIV/ AIDS pandemic is one of the leading causes of orphan hood and child labour in Uganda affecting 15 percent of children out of estimated 2 million.³⁸ These children in Uganda are compelled to participate in paid work or the girls get married early and some had to become heads of households. Makindye Division has over 500 HIV/AIDS orphans involved in child labour. Even with the support from extended families, such children have to work to survive. Some of these children are rejected by their relatives and they resort to manual jobs like riding bicycles to transport people around trading centre at a tender age.

Sarah Muscroft asserts that in all societies, learning how to undertake different kinds of work is an integral part of growing up. Domestic, agricultural or craft skills complements, and may be seen as the important than, those acquired through formal schooling.³⁹ This is particularly the case with girls in Makindye Division, for whom domestic skills are essential for marriage and in areas where crafts are passed down from generation to generation.⁴⁰

In an interview with children falling victims of child labour in Makindye Division, it was found out that employers tend to resort to children as child workers. Many children used as workers, receive little pay and work in harmful conditions.⁴¹ Uganda has legislation that set minimum wages for work and outlaws certain forms of child labour. However, legislation is frequently not enforced, because there is little local acceptance of its provisions because there frequently not enforced and labour inspectorates are often low.⁴³

³⁷ R. Hussmanns, F. Mehran and V. Verma: *Surveys of effect of poverty on child labour, economically active population, employment, unemployment and underemployment: An ILO 1990*

³⁸ Reported by INEA News Agency Ltd.

³⁹ International Save the Children Alliance, "Children rights" Editor Sarah Muscroft

⁴⁰ *Combating child labour in Uganda: challenges and prospects from a development perspective* by Kabasiita Margaret (2009)

⁴¹ *Child labour report based on the Demographic and Health survey 2000-2009*

2.4 Effects of Child Labour to the victims (children)

Information on actual harm to children caused by work helps identify hazardous forms of work and the boundaries of light work. National statistical programmes on child labour in this context collect information on the impact of work both on health and safety and in terms of educational implications (the relevant international legal standards also mention spiritual, moral or social development outcomes, but these are beyond the realm of empirical measure with current tools).⁴²

Florence (2002), finds out that reports of work-related ill-health and injury are one common measure of the impact on health. Much of the relationship between child health and work is dynamic (that is, current health is affected by past as much as present work, and current work affects future as much as present health), a fact not captured by measuring reported illness over a short period.⁴³

Children employed in quarries and mines are affected by serious injuries and illness. There are no limits to the hours a child may work. Children work without adequate protective equipment, clothing or training. On the other hand, children are more sensitive to influences of noise, heat, certain chemicals, and toxics, and they are more prone to accidents than adults. Furthermore, children tend to work in the most unsafe sectors.

⁴² *Report of the Thematic study on Health and Child Labour in Uganda, 2004*

⁴³ *Child labour and health: Evidence and research issues*, UCW Working Paper (Florence, Jan. 2002) *the context of the UNCRC, which this work should not "prejudice attendance at school" or children's "capacity to benefit from the instruction received calls for protection of children from work.* *of Economic Literature* (Nashville), Vol. 37, No. 3 (Sep. 1999), pp. 1086-1087. Basu used ILO (1996) ||||

2.5 Child Labour and its Implication on the Future Skilled Manpower in Uganda.

Syda Bumba argues that Child labour is one of the main sources of child abuse, exploitation, and a potential threat to the health, safety, moral and psychological development of children. This phenomenon has gained prominence in contemporary interventions promoting the rights and welfare of children worldwide and is recognized as one of the five core standards of the international Labour Organization (ILO) Child labour is an old scenario in the Ugandan society and goes on unnoticed by individuals and organizations to understand its effects, causes and ramifications.⁴⁴

Michael Matovu asserts that recent studies indicate that Uganda risks having a shortage of skilled manpower in the future if more children continue to be employed in the country at the rate at which the number is growing. Presently, the number of children engaged in child labour in Uganda is estimated to be over two million⁴⁵

Hamid Kizito laments that child labour is a development issue. National development is only possible when the people's education and skills are exploited at the right time and if the country is to be productive, then children should go to school instead of working. If the current tendency of employing children continues at the same rate, then Uganda is bound to run short of skilled manpower in the future.⁴⁶ Furthermore, a working child abandons education and grows into an adult engulfed in unskilled and poorly paid jobs, works under hazardous conditions and remains wallowing in the vicious circle of absolute poverty. In a bid to achieve the millennium development goals (MDGs),⁴⁷ all efforts must be geared towards equipping younger generation with educational knowledge so that children can attain productive labour skills to be able to boost industrialization and also to rescue LDCs from all their social economic problems. This can only be realized with the elimination of child labour

⁴⁴ *Syda Bumba, former Minister of Finance*

⁴⁵ *Michael Matovu, Industrial relations officer of Federation of Uganda Employers (FUE),*

⁴⁶ *Hamid Kizito, coordinator of Rural Development Media Communications (RUDME)*

⁴⁷ *UNDP, 2000*

CHAPTER THREE
A CRITICAL REVIEW OF THE EFFICACY OF POLICY, LEGAL
FRAMEWORK AND ENFORCEMENT EFFORTS AGAINST CHILD LABOUR
CURRENTLY IN UGANDA.

3.0 Introduction

This chapter reviews the general enforcement efforts and examines both national and international policy and legal framework as well as conventions on child labour laws and enforcement efforts currently in place. It examines the efficacy of child labour laws and all enforcement efforts in existence. It also discusses recent or proposed initiatives government is undertaking to strengthen the child labour laws and enhance enforcement. Uganda has laws prohibiting work by children under a certain age and regulating conditions of work for older children. In some cases, child labour laws are unclear or inconsistent, making them difficult to enforce. Not all labour institutions or departments are capable of enforcing child labour laws. Labour inspectorates are often understaffed and lack resources for transportation and other vital expenses. In many cases, the low pay of inspectors makes them easy targets for corruption. When inspectors do attempt to enforce child labour laws, they may be faced with public indifference, the hostility of powerful economic interest groups, and parents' reluctance to cooperate. The court systems at times are slow and ineffective.

3.1 INTERNATIONAL CONVENTIONS ON CHILD LABOUR

3.1.1 The ILO Convention No.138 on Minimum Age for Admission to Employment

The ILO Convention NO. 138 (1973) on the minimum age for admission to employment urges member states to ensure success of the national policy and to effectively abolish child labour. The convention also urges countries to progressively extend the minimum age for admission to employment to a level consistent with physical and mental growth of young persons. The convention sets the minimum age at 14 years for developing

countries (and 15 for developed countries) and urges countries where the cut-off is not possible to fix the minimum age for all employment.

The convention also commits countries where the minimum age of admission to types of employment or work which are likely to jeopardize the health, safety or morals of young persons is still below 18 years, to take immediate steps to raise it to that level.

3:1:2 ILO Convention No 182 (1999) on the Worst forms of Child Labour

The convention urges member states to aim at eliminating the worst forms of Child Labour. The convention targets practices like child slavery, forced labour, serfdom, bondage, prostitution, pornography, children in armed conflict, use of children for illicit activities such as trafficking in drugs, engaging children in work which is likely to endanger their health, safety and morals and various forms of hazardous and exploitative work. It calls for immediate and effective measures to secure their prohibition and elimination as matter of urgency.

Government has ratified the ILO conventions No. 138 of (1973) on Minimum age of admission to employment and ILO convention No. 1999 on the worst forms of Child Labour.

3:1:3 The UN Convention on the Rights of the Child 1989)

The UN Convention on the rights of the child calls for guaranteeing the basic human rights including survival, development, full participation and protection rights in order to ensure their individual growth and well being. Article 32 urges state parties to protect children from economic exploitation and from any work that is likely to be hazardous or interfere with the education, or to be harmful to the child's health, or physical, mental or social development.

It should be noted that since the early 1930s the ILO has been able to address the situation of child domestic labour in its several forms through its forced labour convention (No29) that addressed forced and compulsory labour for both child remand adult with the adoption of the minimum age convention (No 138) in 1973 and the worst forms of child labour convention (No182) in 199, The implementation of these conventions is a key starting point to target child domestic labour and eradicate its worst

forms. Under these conventions governments are called on to commit to action and implement specific measures to eliminate child labour and a specific minimum age for the admission to employment.⁴⁸ IPEC has also been working at local level on target direct action aimed at progressively preventing and eliminating child labour.

Since 2001, it has implemented a number of technical co-operation projects on child domestic labour, if the child below the legal minimum working age, the objective is immediate removal from the exploitative situation and reintegrate into the exploitative situation and integrate into the family, educational system and committee. If the child is above the legal minimum working age, the objective is to ensure his or her protection by ensuring that he or she is not working under hazardous conditions and that he or she enjoys her or his rights as a worker and a child.⁴⁹

3:2 CURRENT GOVERNMENT POLICIES AND PROGRAMMES TO ELIMINATE CHILD LABOR

3:1 Government Policy on Child Labour

In Uganda, any person below the age of 18 years is considered to be a child. However, reference is made to children in the age bracket of 5-7. Like in many societies in Africa, Ugandan children are expected to perform several tasks as they progress to adulthood under the principle of preparing them to be good adults, what is generally referred to as socialization.⁵⁰

Light tasks such as cooking, washing and fetching firewood, if done in moderation and in consideration of the capacity of the child's other rights, in particular, the right to education, are acceptable as a process of living and a means of transmitting skills from parent to child. However, tasks that place children in danger or expose them to unhealthy, dirty, strenuous moral and exploitative conditions of the children are not acceptable.

⁴⁸ (IPEC)International program in the elimination of child labour

⁴⁹ILOchild labour conference (2000)

⁵⁰ *Child Labour in Uganda; A report based on the 2000/2001 Uganda Demographic and Health Survey.*

3:1.1 The National Child Labour Policy

The ministry of Gender, Labour and Social development is in the process of formulating a national policy on child labour. The policy identifies and enumerates the social-economic context of child labour in Uganda, the nature, extent and magnitude of child labour, the causes and consequences and effects of child labour, government response and milestones achieved, strategies for implementation and the institutional framework within which the national child labour policy will operate.⁵¹

The national child labour policy identifies the worst forms of child labour based on data generated from various studies supported by ILO-IPEC⁵² and other development partners and include: children engaged in commercial agriculture especially in sugar plantations, children in the informal sector, street activities and commercial sexual exploitation, children in armed conflicts and children in the construction sector.

3:1.2 The National Employment Policy

The national employment policy being drafted is an attempt by government to formulate a comprehensive policy on employment. The employment policy emphasizes the importance the government attaches to the protection and promotion of employment opportunities. Furthermore, given the multi-dimensional nature of employment situation in the country, its contribution to the poverty reduction efforts need to be over emphasized. The objectives of employment policy among others include; i) Promote the goal of full employment of labour, ii) Provide the fullest opportunity to each worker, iii) Secure improvement in the productive of labour, iv) Safeguard the basic rights and interest of workers and, v) Stimulate economic growth and development.⁵³

⁵¹ *Child Labour in Uganda-A report based on the 2000/2001 Uganda Demographic and Health Survey.*

⁵² *Baseline survey in Kakira Sugar works, Sugar Corporation of Uganda and Kinyara Sugar works.*

⁵³ *Child Labour in Uganda-A report based on the 2000/2001 Uganda Demographic and Health Survey.*

3:1.3 Plan of Action on Child Labour

The draft plan of action on the elimination of child labour was adopted by the National Steering Committee and has been disseminated to districts. The Child labour unit of the Ministry of labour, Gender and Social development (MGLSD) is making follow ups at national and district level. The unit coordinates activities on child labour at the national and district level.⁵⁴

3:1.4 The ministry of Gender, Labour and Social Development (MGLSD)

The ministry of Gender, Labour and Social Development (MGLSD), is mandated to deal with employment and occupational health and safety at work places and labour matters. A national steering committee on child labour has been constituted with the MGLSD providing the secretariat. In addition, MGLSD is the Government Ministry housing the child labour unit. The major task of the Unit is to advocate for the elimination of child labour and the promotion of general public awareness of national policies on child labour. Another sister department in the same ministry is responsible for advocating for the rights of children. The labour is currently under review and is expected to become law soon. The Ministry of Gender, Labor, and Social Development (MGLSD) houses the Child Labor Unit (CLU), which develops policies and programs on child labor.⁵⁵ The MGLSD, also provides the Secretariat for the National Steering Committee on Child Labor.⁵⁶ The National Council for Children (NCC) is a semi autonomous body charged with monitoring the implementation of the National Plan of Action for Children. The NCC also falls within the mandate of the MGLSD.

⁵⁴*The Child Labour Unit also promotes coordination and networking among key stakeholders and monitors the implementation of programs to eliminate hazardous child labor. See FIDA (Uganda), Children in Domestic Service*

⁵⁵*ILO-IPEC, Child Labour in Uganda.*

⁵⁶*Parliament, Social Services Committee Report on the Ministerial Policy Statement and Budget Estimates for the Financial Year 2003/2004.*

3:1.5 The Ministry of Education and Sports (MOES)

The Ministry implements the policy of Universal Primary Education to encourage the enrollment and retention of primary students by improving access to education, enhancing the quality of education, and ensuring that education is affordable.⁵⁷ In Financial Year 2003/2004, 31 percent of the general budget was allocated to the MOES for education. Of this amount, 65 percent was allocated to primary education and 10 percent to secondary education.⁵⁸ With USAID assistance, the Ministry of Education and Sports developed a “Basic Education Policy and Costed Framework for Educationally Disadvantaged Children” to increase access among children not served by the current education system, including children engaged in hazardous work.⁵⁹ This policy was adopted in November 2003 and aims to expand and coordinate current non-formal education efforts targeting underserved populations. The MOES also funds 46 vocational schools for children who cannot afford to attend secondary school. The Government of Uganda implements several programs to improve girls’ education.⁶⁰ In 2004, the Ministry of Education and Sports extended the Ministry’s education advocacy campaign to local governments and local communities. Several donor governments and international organizations support the government’s education efforts.⁶¹

⁵⁷ *Ministry of Education and Sports, the Ugandan Experience of Universal Primary Education (UPE), the Republic of Uganda, Kampala, July 1999, 10.*

⁵⁸ *U.S. Embassy- Kampala, unclassified telegram no. 1811.*

⁵⁹ *The framework is part of Uganda’s commitment to the international Millennium Development Goals which establish education goals to be met by 2015.*

⁶⁰ *These programs include: the Girl Education Movement, which seeks to improve girls’ leadership and technical skills; the Girl Child Education Strategy, which seeks to increase girl student enrollment; and, in conjunction with UNICEF.*

⁶¹ *USAID, Uganda. See also UNICEF, At a Glance: Uganda. See also World Bank Group, Northern Uganda Social Action Fund Project.*

3.3 Legal and other interventions to Eliminate Child Labour

3:3.1 The Constitution of the Republic of Uganda. 1995

The Uganda constitution 1995 provides for the protection of a child from hazardous and exploitative work. The constitution clearly spells out the following rights of children; Children are entitled to be protected from social and economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with education or to be harmful to their health or physical, mental, spiritual, moral or social development⁶²

3:3.2 The Employment Decree 1975

There exists the employment decree of 1975 that limits employment of children between 12-18 years and prevents (or prohibits) it for children below 12 years (Part IV section). The decree however, restricts employment for those aged between 12 and 18 years and empowers labour inspectors to monitor compliance.⁶³

3:3.3 The Children Act Cap 59

The purpose of the Children Act is to consolidate the laws relating to children and to provide for the care, protection and maintenance of children amongst other functions. The Act prohibits harmful employment for all children and empowers Local Councils to safeguard children and to promote their welfare within their areas. Each Local Council has a Secretary responsible for children to ensure this and the community is further expected to report any case where a child's rights are infringed upon. It thus provides a framework for monitoring child labour at the community / source level.⁶⁴

⁶² Chapter 1, Article 34 (4)

⁶³ *Child Labour in Uganda; A report based on the 2000/2001 Uganda Demographic and Health Survey.*

⁶⁴ *A Draft Report Kids in need: The responsiveness and effectiveness of communities towards the challenge of child labour in Uganda, "Children out of work into schools" April 2007.*

3:3.4 The Uganda People Defense Forces Act no 7 of 2005

The Act outlaws involvement of persons under the age of 18 years in the national armed forces.⁶⁵

3:3.5 The Children's Statute No. 16 of 1996

The children's statute 1996 spells out the right of a child and the welfare principles that guide those under care for children. Part 2, section 9 states "A child has a right not to be made to work or take part in any activity whether for pay or not which is likely to injure the child's health, education, mental, physical or moral development. For example, all children have to help out in household work, but they must do so according to their age ability".⁶⁶

3.4 Constitutional Provisions on Child Labour

Right to Education

The State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State, by law, may determine⁶⁷.

Prohibition of Employment of Children in factories

No child below the age fourteen years shall be employed in work in any factory or mine or engaged in any other hazardous employment⁶⁸

The State shall, in particular, direct its policy towards securing:-

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength⁶⁹

⁶⁵ *A Draft Report Kids in need: The responsiveness and effectiveness of communities towards the challenge of child labour in Uganda, "Children out of work into schools" April 2007.*

⁶⁶ *Government of Uganda (1996) The Children Statute No. 16 of 1996 (Government printer Entebbe)*

⁶⁷ *Article 21*

⁶⁸ *Article 24*

⁶⁹ *Article*

3.5 EFFICACY OF THE LAWS AND ENFORCEMENT EFFORTS IN UGANDA

National Legislative Frameworks and other enforcement efforts have been put in place against child labour in Uganda as described above. However, the frameworks have not produced the desired effects.

For instance Government efforts to protect children from sexual exploitation, lack a preventive strategy. There is an obvious lack of programmes to protect children before they are sexually abused.

The Uganda child rights committee (UCRC), notes that insufficient information is provided with respect to the assistance and cooperation provided by the State party at all steps of the penal or criminal procedure with regard to the offences committed against child rights in Uganda as provided in article 3, paragraph 1, of the Optional Protocol, that is in the detection, investigation, prosecution, punishment and extradition proceedings. Because of this, child rights have not been well protected within the courts of law thus accelerating child labour in Uganda.

The Constitution was promulgated on October 8 1995 and was widely publicized during the Parliamentary and Presidential elections of 1996. There have been efforts at political education by Government. Sensitization about gender equity has also received support. All these have created a conducive atmosphere for the realization of human rights, including child rights. However, the extent to which child rights have been advocated for is still very low; there is still need for Government to take the lead in sensitizing and educating people about child rights in its own right so that children can be protected from the incidence of child labour. Currently most work on child rights is done by relatively few NGOs; as a result awareness about child rights as advocated by the CRC is still low.⁷¹

⁷⁰ *Convention on the Rights of the Child Distr. GENERAL CRC/C/OPSC/UGA/CO/1 16 October, 2008*

⁷¹ *Response Report to the Government of Uganda Country Report on the Implementation of The UN Convention On The Rights of the Child by Uganda Child Rights NGO Network (UCRNN), 1997.*

The Children Statute (1996) is a milestone in child care and protection because it makes both care and protection legally enforceable. The Statute has received Presidential assent and a Task Force has been established to develop a National Implementation Strategy. The position of Secretary for Children Affairs (SCA) will be created in the LC structure, juvenile justice reforms are proposed, and Children and Family Courts will be established, at District level to ensure the welfare of children in the judicial systems. The Statute recognizes the key role of the family, community and state as partners in the care and protection of children. However, although the Department of Probation and Child Protection (DCCP) in the Ministry of Gender and Community Development (MoG&CD) has the mandate to ensure the implementation of the Statute, the DCCP is grossly underfunded and under-resourced, and heavily dependent on donor funding which has rendered it ineffective in its operations. Although a task force has been established to develop a National Implementation Strategy, and government has provided support 'in kind', the major operational costs are being underwritten by child-oriented international NGO's. Government must, however, make a commitment to provide sufficient resources to ensure the effective implementation of the Statute in this way child labour will be combated.⁷²

At the level of administering Justice, that is where most of the measures are geared, there are serious limitations relating to the criminal justice system. On the whole, the existing administering justice machinery is inadequate as is reflected in the number of child labour cases being referred to NGO Legal clinics by clients who have been inadequately dealt with by the Government machinery. In addition there is no cross referral between NGO clinics and Government. In view of the practical problems associated with the monitoring and enforcement of the existing penal code provisions relating to child labour, Government should review this law to ensure justice for the children. The reviewed/revised law should send a clear protective message and be seen to defend the child rather than the employer.⁷³

⁷²*Response Report to the Government of Uganda Country Report on the Implementation of The UN Convention on The Rights of the Child by Uganda Child Rights NGO Network (UCRNN), 1997*

⁷³ *Uganda UCRNN NGO Report, 1997*

The above problems are compounded by the fact that the existing legal provisions against child labour have not been adequately disseminated; consequently they have lost their protective value. Child Prostitution is on the increase partly as a result of increasing poverty, urbanization, and increasingly liberal society and external marketing which are all promoting child prostitution in Uganda.

Further still, the government has not committed itself to uphold all constitutional provisions against children so that they can be protected from child labour. The constitution has not recognized the need to protect children aged sixteen years or below, from social or economic exploitation or to be employed to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.

The existing legal framework does not have child prostitution as a crime. Cases of child sexual abuse and exploitation can be handled generally by the criminal code where the defilement is specified as a capital offence and the Children's Statute. Some of the cases handled by Slum Aid Project's youth program are frustrated due to lack of specified legal framework where prostitution can be handled. However, enforcement of the existing legal framework is hampered with lack of facilitation experienced by the police and the judicial system. In addition, part of work of NGOs, there are no social supporting mechanisms where children abused and exploited through prostitution can go for redress.⁷⁴

Despite the enforcement efforts put in place, the problem of child labour in Uganda is still a challenge and not declining as expected. The need to understand the dynamics of the problem in the Ugandan context is very important. The fact that child labour continues to thrive even in those areas where initiatives and measures have been implemented calls for a study on the understanding, responsiveness, attitudes and practices of the affected communities. There is need for community assessment of the effectiveness of the measures that have been employed so that child labour effect toward Uganda's future skilled manpower is down played or cleared completely.

⁷⁴ *Slum Aid Project's Youth Program (sapyop), 2009.*

CHAPTER FOUR

LESSONS DRAWN FROM COUNTRIES EXPERIENCING CHILD LABOUR

4.0 Introduction

This chapter tackles relevant examples drawn from other countries that are experiencing the problem of child labour and explores lessons that can be learnt. The countries in focus are basically from Africa though a few outside Africa will also be referred to.

4.1 Overview

Child labour has long been identified as a problem in many countries both developing and developed, and the relationship between child labour and the future skilled manpower in any given country is a significant issue that needs to attract great concern from the right organizational bodies, governments and the stake holders on how to address the issue so that the two variables cannot conflict. When child labour overrides skilled manpower in any given country, the next thing to happen is a potential threat to the availability of future skilled force in the country.

Many studies that focus on child labour issues emphasize the negative consequences of child labour by showing the trade-off with human capital accumulation. However, there are reasons to expect positive pecuniary benefits to young labour such as vocational training, learning by doing, general workplace experience as well as the potential for making contacts.⁷⁵

The findings of the empirical investigations from countries that experience the problem of child labour show that:

- child labour has a large negative impact on adult earnings for both male and female children

⁷⁵ *P.M. Emerson, 2004*

- the negative impact of starting to work as a child reverses at around age 14
- working in agriculture as a child has no negative impact over and above the loss of education
- domestic work, particularly important for females, does not seem to harm the adolescent worker there are no gains for male workers associated with starting to work in the same occupations as their fathers

Child labour is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development. In Tanzania for example children are more vulnerable in poor families as poverty is transferred from one generation to another thus a cycle of poverty associated also with a high level of fertility and illiteracy. Children work for less payment without absenteeism, unionism and without demanding any overtime payments. Therefore there is need for programs supported by national policy and legislation to address this issue of child labour in any given country faced by the problem of child labour.⁷⁷

Iversen refers to Kenya, and argues that despite the prevalence and the many dangers associated with child labour, the phenomenon has received the attention of researchers, academicians and policy makers only recently, and not until International Labour Organization (ILO) estimates showed a large and increasing number of working children in this country and worldwide. It is now recognized that in order to combat child labour effectively, policies should be grounded in an informed understanding of its causes, roles and implications.⁷⁸

⁷⁷ *African Region Human Development working paper series; Issues in Child Labour in Africa, September 2001*

⁷⁸ *Iversen, 2000*

4.2 KEY ISSUES AND LESSONS LEARNT FROM OTHER COUNTRIES

4:2.1 The Relationship of HIV/AIDS and Child Labour in a Country

In their survey, **Bwibo and Onyango** argue that, before the AIDS epidemic had become so serious in Kenya and elsewhere that adults were dying in large numbers.⁷⁹ Recently we have descriptions of how children have to cope on their own when parents/guardians have died because of AIDS or, in the case of Rwanda mainly through violent deaths. After the genocide UNICEF believed that one had somewhere between 40,000 to 80,000 child-headed households in the country, but only 1939 children were actually registered as living in such households, so the number is uncertain, but the existence of the phenomenon is no⁸⁰ In this case sibling groups tried to band together and establish new rural households headed by persons so young that they have to be considered as children themselves.

Dorrington et al., laments that HIV prevalence rate is not one of the highest in the world. However, South Africa has the largest number of people living with HIV/AIDS. The United Nations estimates that more than 4 million South Africans, or 9% of the population, live with HIV/AIDS (United Nations, 2001). A recent Medical Research Council report has shown that AIDS accounted for about 25% of all deaths in the year 2000, making it the single biggest cause of death in South Africa⁸⁰ The relative global silence on HIV/AIDS and its consequences is based on ignorance, fear and denial. However, there have been some developments in breaking the silence in many countries especially after the 1999 world AIDS conference. Life expectancy in affected countries is rapidly declining; the number of AIDS orphans who need attention is increasing every day in southern Africa; and poverty in households is escalating because people who would otherwise have generated income have died or are ill.⁸¹

⁷⁹*Bwibo and Onyango's 1987*

⁸⁰*World Vision, 1999*

⁸¹*Dorrington et al., 2001.*

⁸²*Anne Kielland, 2001*

HIV/AIDS is producing types of families that were rare prior to the epidemic. Both parents die or are too ill to earn a living, so the elder children work to support their siblings. This is the main reason for girls and boys working under age in Lesotho thereby becoming child workers.⁸³

4:2.2 The Effect of Child Labour to the future skilled manpower

Bagley and Mallik, assert that It should be noted that skilled manpower in a country presents itself as a strong engine that leads the economic development of the country in terms of industrial development. Therefore, the implication of this argument is that when indicators of child labour dominate the economy of a country, firstly, it ruins the prospects of achieving industrial growth, and secondly the country risks losing skilled manpower in the near future. This poses a great challenge to the production engine that later affects the economic growth of the country. In low income countries like Uganda, Kenya, Tanzania, Rwanda and many others, child labour is closely related to poverty and culture with major social consequences and economic burden for the families. Child labour is a risk factor for occupational diseases, injuries and violence and is associated with poverty and a lack of educational opportunities.⁸⁴

In Kenya, Child labour problem remains enormous and is a challenge to the development as a nation. It jeopardizes their education, health, safety, morals and generally violates their right to childhood. It in turn hampers economic growth by hindering the development of a qualified and skilled adult labour force. Moreover when children are at work, they deny able bodied and willing persons opportunities of work. This militates against efforts to improve the national employment opportunities to the ever-increasing numbers of unemployed persons actively seeking a means of livelihood.⁸⁵

⁸³ *UNICEF rapid assessment (Kimane and Mturi, 2000),*

⁸⁴ *BAGLEY AND MALLIK, 2000.*

⁸⁵ *ILO, 1996*

4:2.3 Hazardous Forms of Child Labour Children involve in other countries.

Rwanda and child soldiers. It has been estimated that over 20,000 children had taken part in hostilities in Rwanda. One estimate noted that between 14,000 and 18,000 children are recruited into the armed forces every year. Rwandan representatives denounced this claim as being “ridiculous”. During a survey carried out in 1997, 2,134 Rwandan children associated with the military were documented. Of these, 725 had an army number implying that they were soldiers. The remaining were called kadogo, simply because they were living with soldiers. It is likely that they were working as cleaners or servants. UNICEF reported that there were 5,000 child soldiers in Rwanda during the war.⁸⁶

Child servants. In 1997, in post-genocide Rwanda 200,000 to 400,000 children lived with families other than their own, and they were often obliged to work as housemaids. Until the 1994 conflict, child domestic work, though it is common in other African countries, had not been identified as a significant phenomenon in Rwanda. A 1997 Ministry of Labour study found that child domestic workers, primarily girls aged between 10 and 14, earn the equivalent of \$4 a month. They work 7 days a week from 5 a.m to 9 p.m, with the entitlement of a family visit once a year. Their pay is sent home and generally used to pay siblings' school fees.

As it is the case with Uganda, in South Africa, some girls and boys involve in hazardous work which, in some cases, do not depend so much on the type of occupation. Child prostitution, for example, is notoriously hazardous because it exposes children to HIV infection. Children engage in prostitution in KwaZulu-Natal, engage in guarding cars, farm work and other domestic work. Because of this, it has caused the percentage of school dropouts of children in South Africa to shoot high over 60%. Most of the children work only part-time during weekends and school holidays. Some drop out of school temporarily so they could work full time to raise money for school fees and uniforms. Others drop out of school permanently, but intend to return if their circumstance changed.⁸⁷

⁸⁶ *A Study Report on Special Child Protection Issues against Child soldiers in Africa, 1998*

⁸⁷ *Child and Forced Labour Report, 2009*

In South Africa, boys are encouraged to develop some degree of autonomy and independence from the family. Where social welfare measures for those unable to care for themselves are not in place, children are expected to look after their parents during times of need, especially in old age and during sickness. When parents are ill or die prematurely, these obligations impose themselves even earlier than they normally would. This has led many children, especially girls, to drop out of school to augment the family income, and the number of children-headed households has been steadily rising. This eventually has led to increased child labour in the country.⁸⁸

Especially in cities, children are engaged in scavenging, rag-picking, and jobs that expose them to drugs, violence, criminal activities, and physical and sexual abuse. South Africa has one of the highest incidences of child labour in Africa. Various forms of problems are evident throughout the country, particularly in the three big cities of Johannesburg, Durban and Cape Town. In addition, high levels of work-related child abuse are reported. Girls and boys increasingly have to leave school and search for work due to home situations that include illness or death. A number of cases identified in Mpumalanga Province involved children as young as 6 years of age employed on farms. Other children, reportedly, are engaged in prostitution or drug trafficking.⁸⁹

O'LOUGHLIN stresses that in some other countries, child domestic workers are often rural girls recruited by employers in urban areas. Like most types of child labour, child domestic work tends to be hidden, and thus makes it difficult to estimate how many children are really involved. Many children in Africa are employed thus; with 11% of child domestic workers in Kenya and 16% in Togo aged just 10 years or younger⁹⁰. One of the most pressing problems associated with child labour especially while dealing with its worst forms, as defined in the ILO's Worst Forms of Child Labour Convention, 1999 (No. 182) - is the growing involvement of children in prostitution and pornography, which is now prevalent even in traditional Asian and African countries.

⁸⁸ *UNAIDS/UNICEF, 1999.*

⁸⁹ *World Development Report, 1998.*

⁹⁰ *O'LOUGHLIN, 2000.*

African countries identified by the mid-1990s as having a child sex trade problem included Burkina Faso, Côte d'Ivoire, Ghana, Kenya, Zambia and Zimbabwe (ILO, 1996). Girls and boys are not only exposed to commercial sexual exploitation, "one of the most brutal forms of violence against children, as the victims suffer extreme physical, psychological and emotional abuse which have lifelong and life-threatening consequences, they risk early pregnancy, maternal mortality and sexually transmitted diseases" (ILO, 1996). Other forms of child labour include girls and boys engaged in commercial agriculture, manufacturing, construction and mining industries.⁹¹

Grootaert argues that in some countries, studies have estimates that about 22% of working children in Brazil and about 24 % in Bangladesh are employed in child commercial sex. Venezuela, where the service employs about 60 % of employed girls (between 10 and 14 years of age), has the highest incidence.⁹²

⁹¹*African Region Human Development working paper series; Issues in Child Labour in Africa, September*

⁹²*Grootaert (1998).*

4:2.4 Policy Measures taken to Combat Child Labour (Lessons to be Learnt).

4:2:4.1 Kenyan Government

Since 1992, the Government of Kenya as a whole, with the Ministry of Labour in the lead has taken a series of action in attempt to eliminate child labour problem. Such action includes:-

(i) Ratification of a range of international instruments addressing aspects of child labour:

- UN Convention on the Rights of Child.
- ILO Minimum age Convention, (138) 1973
- UN Convention on the Rights of the child CRC), 1989
- The African Charter on the Rights and Welfare of child, 1990
- ILO Declaration on Fundamental Principles and Rights at work, 1998
- The ILO Worst Forms of Child Labour Convention, (182) 1999

(ii) In 1992 the Government of Kenya signed a Memorandum of Understanding with the International Labour Organization aimed at ensuring that Kenya benefited from international experience and assistance in addressing child labour in our country.

(iii) The Ministry of Labour also immediately assumed formal overarching responsibility for child labour, at least in an employment context, and set up a child labour Division with a permanent staff establishment to monitor and facilitate work in this field.

(iv) The Division serves as secretariat to the National Child Labour steering Committee which has the sole mandate to oversee issues of child labour in the country. The Committee is representative of key stakeholder groups and government departments, has been coordinating work on child labour.

v) Inco-operation with the ILO, the Government has carried out various studies on Child Labour and even conducted a statistical survey.

(vi) Reviewed Labour laws to ensure compliance with international Standard.

(vii) Conduct labour inspections to ensure that goods are not manufactured using child labour.

(viii) Lastly and importantly, the Government through the initiative of the Ministry of Labour and in consultation with stakeholders managed to draw a draft policy and a National Action Plan to eliminate Worst Forms of Child Labour by 2015. The policy which is set to be placed before cabinet for consideration and possible adoption. These efforts are indicative of the government's strong commitment to eliminate child labour and much success has been realized, especially in the terms of awareness rising.

4:2:4.2 Child labour Social Policies to combat Child Labour in South Africa

The South African Constitution, and article 9 of the Children's Charter of South Africa, states that children have the right to protection from child labour or any other economic exploitation that endangers their lives. It especially emphasizes that children should be protected from engaging in prostitution, and that rural children should be protected from hard labour on farms as well as domestic or manual labour. It further states that no child should be forced to leave school due to work, and that penalties should be applied to those who violate these rights (International Children's Summit, 1992).

Since its inception in 1994, the Government of National Unity, together with NGOs, community-based organizations (CBOs), professional associations and labour and other representatives of social organizations in South Africa, has engaged in fundamental and dynamic policy change.

South African public and social policies are formed by the Constitution of the Republic of South Africa, the Bill of Rights, and a range of international Conventions. The clearest and most utilized policy regarding children is embodied in the Child Act, amended in 1996.

Although South Africa has taken policy positions and outlined broad strategy areas to combat child labour and to protect working children, the country still has to meet the great challenge of developing a national policy addressing the exploitation of children. Only a few countries have recently developed national policies on child labour, the United Republic of Tanzania being the only instance in Africa. (ILO/IPEC, 1997)

CHAPTER FIVE

DISCUSSION OF MAJOR FINDINGS, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This chapter presents the discussion of field findings, conclusion and the assumed viable recommendations to the problem in question. The findings are presented in accordance with the study objectives.

5.1 Background Characteristics of Respondents

The respondents were adult male and women. The study findings showed that the majority of adult respondents were aged between 28-38year who were either employers or the parents of the children involve in child labour.

TABLE 1.SEX RATIOS OF RESPONDENTS

SEX	FREQUENCY	PERCENTAGE
MALE	52	43
FEMALE	68	57
TOTAL	120	100

It is from the table above that it is possible to tell that more females were interviewed than males. There were 68 females and 52 males at 43%.The females unlike their counter parts the males, were more welcoming and little was done to convince them to take part in the research.

The study findings revealed that the level of awareness on the problem of child labour in Makindye was very minimal among the parents.60% of the respondents who employed children were male while 40% were women this shows that most employers are men as

compared to the women this made it possible to get viable and reliable information about child labour 70% of the respondents were married while the remaining 10% were single parents and 20% were widowed. This provided reliable information to the study since most of those married and the single parents have children involved in child.

TABLE 2 MARITAL STATUS

MARITAL STATUS	FREQUENCY	PERCENTAGE
Married	102	70
Single	75	20
Widowed	50	10
Total respondents	227	100

Majority of the respondents level of education were as follows, 5% had masters, degree holders had a percentage of 40% followed by diploma holders 35%, certificate holders were 15% lastly but not least un educated respondents were 5%. This means that since 95% of the respondents were educated, the responses given were reliable for the respondents had a clear understanding of child labour.

5.2 Child Labour.

The study findings established that in the context of labour force in the Division, children are the most preferred category of workers and range between the age of 5-15 years of age as shown in the table below simply because they are easily influenced and manipulated at the expense of them being greedy for any kind of salary, after all at the end of the day what matters to them is to have some money in their pockets to be able to survive and entertain themselves in the evening video cinemas

The age bracket was crucial and was broken down so as to know which group is most affected by child labour.

TABLE 3 DISTRIBUTION OF CHILDREN BY AGE

AGE	MALE	FEMALE	FREQUENCY	PERCENTAGE
5-11	18	15	33	28
12-14	17	22	39	32
15-17	17	31	48	40
TOTAL	52	68	120	100

A total of 120 children age between 5-17 years were interviewed and they were the most by child labour. The employers of this children said that good number of these children in the Division are employed as maids, collectors of scraps, used bottles, plastics, food sellers, garbage collectors, street vending, caring for domestic animals, and sex workers.

TABLE 4 Reasons for children's employment as perceived by parents and children.**PARENTS %****CHILDREN %**

Buy personal effects 47.1	Earn wages 11.5
Buy school materials 44.7	Assist in family enterprises 19
Household income 36.9	Failed at school 20
Pay debt 3.3	Help household chores 8.2
Earn school fees 2.7	Not interested in school 6.6
Get pocket money 0.6	Illness 2.5
Education not suitable 1.5	Work in one's own business 2.5
School is far away 0.3	
Cannot afford schooling 7.2	

The findings showed children work to earn wages, assist in family enterprises to help in family chores and some were not interested in school while others school was too far, to get pocket money. Children involved in child labour in Makindye reported that they are mentally, physically, socially and morally affected. They are subjected to torture like

verbal abuse, uncaring attitudes, they are beaten at work, made to carry heavy physical work they are sexually assaulted and at worst, they are robbed of their earnings either by the employers or those they fend for. This in the long run has caused many to suffer social upsets, psychological torture and many unable to work harder at later times of their lives.

The respondents when asked whether they were aware of child labour laws. The findings revealed that the level of awareness was very low especially to the parents and children. Even the existing policy and legal provisions on child labour were not well known to the law enforcement agencies. This showed that there was lack of strong and effective child labour law enforcement efforts in Makindye..

5.3The Impact of Child Labour on Future Skilled Manpower

The study revealed that child labor in Makindye is work performed by children who are too young for the task, the parents of the affected children said that they work because it is an integral part of growing up and also because of poverty they did not seem to understand its implications on the future skilled manpower of the country. One child by the names Tushabe during the interview said that he works because his father is dead and his mother is poor.

Most stakeholders interviewed were of the opinion that child labour in absolute reality is a potential threat to children, families and the entire nation at large, hence child labour has a negative impact on education and the future skilled manpower of the country.

The challenges identified by some stakeholder in the fight against child labour were ignorance on the part of the community, lack of awareness, inadequate funding, extreme poverty, bad attitude of the community against elimination of child labour and failure of policy makers to implement the laws. The stakeholders interviewed went on to propose that in order to join efforts as a way of combating child labour effectively and successfully, key actors must play a major role the central government and district local Government should take role in co-ordination, networking and building links at national level against child labour.

TABLE 5 Involvement of stakeholders in the Plight of the children

Characteristics	Frequency	Percentages
Heard about child labour	40	100
Involved with elimination of child labour programmes	10	40
Not involved with elimination programme	5	50

All stakeholders visited and interviewed have heard of child labour, its worst form and all the related issues concerning child labour. 10 stakeholders at 40% were physically involved and were not involved in the elimination programme though they heard about it.

Conclusion

According to the research findings of the study, the general objective of the research study was thoroughly achieved. The findings established that child labour is a development issue. Uganda's economic development is only possible when the people's education and skills are exploited at the right time. If Uganda's economy is to be more productive and achieve an outstanding productive labour force, then children should go to school and gain vibrant and necessary labour skills instead of labouring at a very tender age.

The findings realized that if the current tendency of employing children continues at the same rate, Uganda is bound to run short of skilled manpower in the future. This ascertains that child labour is a potential threat to future skilled manpower in Uganda. This further qualifies the positive statement of the research study hypothesis as true.

According to research findings, child labour is a development issue as well it is a potential threat to skilled manpower resource in any given country. National development is only possible when the people's education and skills are exploited at the right time and if the country is to be productive and achieve an outstanding productive labour force,

then children should go to school and gain vibrant and necessary labour skills instead of working. If the current tendency of employing children continues at the same rate, Uganda is bound to run short of skilled manpower in the future.

The study findings revealed that the level of awareness on the problem of child labour was very minimal among the expected key actors, employers, local leaders, district officials, community members, parents and the children. Even the existing policy and legal provisions relevant to child labour are not well known by the law enforcement agencies. Awareness raising should therefore be across the board and cover both the district political and technical personnel from the offices of Labour.

The need for social mobilization through sensitization of communities is necessary for effective implementation of measures to address the problem. The media as an advocacy and communication tool should be employed so that awareness on the problem of child labour is achieved

The study findings further revealed that children not knowing that child labour abuses their rights caused them to become victims of circumstance. Therefore, participation and involvement of children is key for effective implementation of measures against child labour. The children need to be aware of the fact child labour is an abuse of their rights. The awareness will enable them resist exploitation. The children will be facilitated to participate actively in the fight against child labour in the areas where they live and study.

The findings also established that children involved in child labour are mentally, physically, socially and morally affected. They are subjected to torture like verbal abuse, uncaring attitudes, they are beaten at work, made to carry heavy physical work they are sexually assaulted and at worst, they are robbed of their earnings either by the employers or those they fend for. In combating child labour, key levels have been identified and should be supported. These include victim support, education, policy and institution sustained media campaigns.

Through interviews conducted it was generally confirmed that child labour is one of the violation of rights of children. It is the modern day slavery and it targets children who have lost their parents and relatives, those out of school, those hardest hit by poverty and those that mainly live in abusive family environments. If left unchecked, the future of development is doomed since the future of any country depends on the young generation.

The study findings revealed that one of the causes of child labour in Makindye is school dropouts. Therefore, the Ministry of Education should be supported to address problems of children dropping out of schools, a situation that renders children very vulnerable. The ministry is charged to lead the coordination of all efforts geared at addressing child labour related issues.

The study findings also established that there is lack of strong and effective child labour law enforcement efforts in Makindye Division. Therefore, there is need to train law enforcement personnel, teachers, local and community leaders, civil society and other stakeholders on how to deal with the problem of child labour in general. The study revealed that child labour exists and the population is quiet about it thus putting the lives of many innocent children in danger

5.1 Recommendation

The government should assign a more active role to local government in promoting education in Makindye division and also co-operate with the NGOs. The government should empower the national council for children make it part of implementation of programs and policies, address the issue of non financial factors influencing high drop-out rates and low enrollment by providing students with uniforms, safety and security in Makindye.

The Non Governmental Organizations should build a network focused upon prevention and elimination of all forms of child labour in Makindye division. The need for ongoing learning in the field of child labour must be recognized. Still there are many unclear issues and as such require engagement in more research so as to improve our knowledge and understanding.

Government needs to promote free national education, for example universal primary education, bursaries and education loan schemes, this would reduce child labour through a decline in the dropout rate caused by lack of school fees in Makindye division

The children should be made aware that child labour abuses their rights. Therefore participation and involvement of children is key for effective implementation of measures against child labour. The awareness will enable them resist exploitation.

Promoting a worldwide movement is one of the primary strategies that need to be established in order to abolish child labour. Local and national-level action needs to be reinforced and supported by key global actors such as The international financial institutions. Social dialogue, trade unions and employers' organizations can contribute to building solidarity and commitment at the national and local levels.

The government of Uganda needs to sign a declaration by all government members and civil servants stating that they will not employ a child in their household to send a clear moral signal to the public further sensitize the public especially in the rural areas, about child labour and child rights in general through awareness raising campaign and especially designed educational service.

The Government should develop a clear child labour policy. It should also strengthen the existing employment policy and other associated laws by ensuring compliance and heavy penalties against those who do not comply with the laws against child labour.

6.0 APPENDICES

6.1 APPENDIX I: QUESTIONNAIRE FOR EMPLOYERS ENGAGING CHILDREN IN CHILD LABOUR.

KAMPALA INTERNATIONAL UNIVERSITY

Dear Sir/Madam,

I am a student of Kampala International University pursuing a Bachelors degree in Law. I am conducting a study research examining whether child labour is a threat to the future skilled manpower in Uganda. The study research is a requirement of the award of a degree in Law of Kampala International University. You have been identified as a resourceful person for the study and your genuine responses will be of great importance to the study. The information given will be treated with greater and sincere confidentiality and will be used for only academic purposes.

Thank you.

Yours truly,

Jacqueline Munyasi

Part A Background characteristic of respondents

1. Age.

18-25 ☐ 25-30 ☐ 30-35 ☐ 35-40 ☐ 40 and above ☐

2. Sex.

Male ☐ Female ☐

3. Marital status

Single ☐ Married ☐ Widowed ☐

4. Education level

Certificate ☐ Diploma ☐ Degree ☐ Masters ☐ None ☐

5 Religion

Catholic ☐ Protestant ☐ Muslim ☐

Any other.....

Part B Child labour

1 What is the average age of children you employ?

5-7 ☐ 7-9 ☐ 9-11 ☐ 11-13 ☐ 13-15 ☐ 15-17 ☐

2 What kind of work do they do?

.....

3 Why did you choose to employ children?

.....

.....

5 What is the average time for employed children?

4 hours ☐ 5 hours ☐ 6 hours ☐ 7 hours ☐ 8 hours ☐

Any other.....

6 What are the health and safety conditions at work place?

.....

.....

7 . Why did you prefer children to adult workers?

.....

.....

8 . Why do children opt to engage in child labour?

.....

.....

9 . Are you aware of any laws protecting children against child labour?

(a) Yes ☐

(b) No ☐

(i) If **Yes** are they being enforced?

.....

(ii) If **No** why do you think are not being enforced?

.....

Part C Impact on future manpower

1. What are your future prospects regarding child labour?

.....

.....

2. Do you think child labour can be a threat to the future skilled man power in Uganda?

(a) Yes

☐

(b) No

☐

If **Yes** what do you suggest as solutions to child labour in Uganda?

.....

.....

6.2 APPENDIX: II TIME FRAME

Number of activities	Activity	Time taken
1	Writing of chapter one	1 week
2	Writing of chapter two	2 weeks
3	Writing of chapter three	2 weeks
4	Collection of data	5 weeks
5	Data processing and analysis	4 weeks
6	Research report writing	1 week
7	Type setting of the report	2 weeks
8	Printing and binding of the report	1 week
Total period		18 weeks

6.3 APPENDIX: III ESTIMATED BUDGET

ITEM	UNIT	UNIT COST	TOTAL COST
Duplicating papers	2 reams	10000/=	20,000/=
Clip boards	1	5000/=	5000/=
Envelopes	3	1500/=	4500/=
Transport			40,000/=
Air time			10,000/=
Refreshments	20	500	10,000/=
Lunch			30,000/=
Internet			15,000/=
Typesetting and printing			35,000/=
Photocopying			5,000/=
Emergencies			10,000/=
Total			184500/=

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