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SENIOR THESIS:

TITLE: CHILD LABOUR ABUSE IN DEBRE MARKOS TOWN; ETHIOPIA.

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DECLARATION:

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ACRONYMS

BBC: British broad cast

CRC: child right convention

CSA: Central statically agency

EU: European Union

GDP: gross domestic product

FAO: food and agriculture organization

HIV/ADIS: human immune virussyndrome/aquariaimmunedeficiency syndrome

ILO: international labour organization

ICCPR: international convention on civil and political right

NAPs: national action plan

No: number

UN: united nation

US: united state

UNCRC: united nation child right convention

UNICEF: united nation international convention emergency fund

GLOSSARY AND LOCAL TERMS

ALEGENA: a specific place in DebreMarkos town where many sexual workers found

WUSETA: local market which found in front of the DebreMarkos university gate

WOYALA: a boy whose role is calling and serving passengers in a taxi

CARETA: a hand gear used to carry things

ABSTRACTS

It has been observed over decades that poverty forces poor families to send their children to work, which results in a serious problem the world is facing nowadays. Child labour can leave many sever consequences on children and their families. When children work it does not means as standard they support their families economically, neither all of them get for their work, many of them works bounded labour or as a slaves. In addition to that, they face many problems which may cause permanent damage to their child hood.

Children usually work to contribute and provide financial support to their families. Their health is often ignored by their parents or they may not be aware of about the children's health. Finding from this study shows that poverty, urban migration, family condition, family number and other similar causes are the major factors of child labour in the study areas. It also shows the negative impacts of child labour on the child, including the interference of child labour and education, impacts on the holistic personality development of the child. It has physical, psychological, health impacts on the working children. Child labour and education are inversely related. Child labour affects the school enrolment of and participation of children, more over child labour legislation and their enforcement in the context of the study area are assessed in the study. It highlights that Ethiopia has adequate legislations that protect children from abuses such as labour abuse.

But, the main problem here is the ill enforcement of these legislations enshrined in different legal documents of the country. Therefore, there is a great gap between the laws and its enforcement.

CHAPTER ONE

1. INTRODUCTION

1.1 Back ground of the study

The issue of child labour has been a national and international concern for a long period of time, particularly following the foundation of ILO in 1919. Following its establishment several conventions were made to mitigate the problem of working children. Through, children toil but the activity they usually perform, the reason behind their enrollment and the working environment vary significantly from region to region, especially between developed and under developed nations.[1] According to the latest estimate from ILOan estimated 246 million children between 5 and 17 were engaged in productive activities.Of these just about 70 percent or 171 million children were toiling in dangerous conditions, such as mining, with chemicals and pesticides in agriculture or with perilous equipment's. Above 73 million of them were below the age of 10, from the international perspective, most of these child labourersare found in the third world nations, and more than half of the working children are in Asia, which is the populous region.[2]There is some indication that the proportion of all children who work may be highest in sub-Saharan Africa, the poorest parts of the world.

Poverty serves as to be the main cause labour in Africa. With this continent higher incidence of child labour depends on the level of economic development of the regions. As the ILO (1998) estimates Africa with around 41 percent of children between the age of 5 and 14 involve in productivity, has the largest incidence of child worker in developing world.In agreement with this it further argues that any other region in the world.[3]In Latin America and Asia a large number of children also toil in the informal sector

[1]PhilpAlson and Mary Robinson,human right and development,towards mutual reinforcement,p-173(published)
[2] Child labour abuse in the informal sector the case of Gulele sub city, Addis Ababa, by Addisu Gedlu,p-44
[3] ID,P-45

for wages. This is less common in Africa, where wage labour market is often incipient. In this respect Audigin in 2005, argues that the bulks of the child labour registered in Africa are not wage labour, but performed in the household where the children live.[4]

In case of Ethiopia, work is the main activities of children as young as four years of age. The incidence and nature of child labour are not well appreciated in Ethiopia. The existing data on the size and nature of the problem is incomplete and insufficient. However it is simply be lived that a large number of under age children are occupied in economic activities, often deprived of any form of education and other ingredients necessary for their proper growth. A large number of Ethiopian children find themselves as victims of famine, disease, poverty, civil war, family disappearance and social instabilities, all of which are contributing factors for high incidence of child labour.[5]

In 1999, the ILO estimates that 53.7 percent or 3.9 million children between the age of 10 and 14 were toiling in the country The 2000s UNICEF report on Ethiopia reveals that children comprises of 50 percent of the country and 20 percent of them live in extremely difficult situations. They are exposed to a lot of dangers, disease and exploitations. These children includes orphan victims of armed conflict abused and neglected child workers, destitute children with or without families, street children, prostitutes and juvenile delinquents.[6] In the 2002, the central statics agency (CSA) reports that around 18,197,783 of the estimated 55.9 million total population were children between the age of 5 and 17. The survey result reveals that about 85 percent of the Ethiopian population is involved in some types of work that is productive activities or housekeeping activities. In general 9,483,611

[4] Supra note 1,p-45
[5] Supra note1,p-46
[6] ibid

children (52.5) the total children were estimated to have engaged in economic activities during the reverence period.[7]

The reality of child labour in Ethiopia is different. Children frequently toil under perilous environment, work a long hours and are low paid. Child labour in Ethiopia may be explained from push and pull factors.Cockburn in 1999 in his study the determinants of child labour in rural Ethiopia depicts regional disparities of the incidence of child labour. The incidence of child labour seems to be high in Amahara region and low in Tigray region.[8]Child labour abuse in Debremarkos town is also serious problem like the condition in the world, in Africa and in Ethiopia. As I can observe from the town there are many children are highly involved in hazardous works and which could directly affects their mental, physical, moral development and which affects their right to education.

1.2 Statement of the problem

Child labour is serious problem in the world. Many millions of children's have lost their right due to various abuses. It is more sever in developing contents in Africa, AsiaLatinAmerica; many millions of children's are forced to work in hazardous conditions. This problem is also burning issue in our country Ethiopia and in Debremarkos town in particular. If this problem continued in this condition it is risky for our country and Debremarkos town specifically. Thus, this research is going to deal with the assessment of child labour abuse in Ethiopia and specifically in debermarkos town. So, this research is going to answer the following key questions:

1.3 Research questions

1.3.1 Main question

The main research "question of thispaper is whether there is child labour abuse or not inDebremarkos town;

[7] Ibid
[8] Supra note1,p-47

1.3.2 Subsidiary questions

1. What are the causes of child labour?
2. What are the negative impacts of child labour on the child?
3. What is the need to protect child labour abuse?
4. What are the types of child labour abuses?
5. Who highly involved in child labour abuses?

1.4 Objectives of the study

1.4.1 General objective of the study:

The main intention of this study is to assess child labour abuse in Debremarkos town together with its causes and impacts, the perception towards child labour abuse and legal consecrations regarding child labour abuse.

1.4.2Specific objective of the study

1. To investigate the causes for the involvement of the children in labour market,
2. To describe the social, economic, heath educational psychological impacts child labour on the working children
3. To explore the perception of child labourers, their employers, and the societies towards child labour,

1.5 Scope of the study

This research is limited to child right violations specifically about child labour abuse in Debremarkos town, Ethiopia.

1.6 Limitations of the study

There are many hindrances to conduct this research, among those limitations, the first one is lack of budget this study is wide and serious problem needs huge amount if budget. Time is the other limitation since it is conducted no more than two months which needs a year due to the seriousness of the problem. Even though, violations of child right is a serious problem there is sufficient literatures. There is also limitation to collect data through interview and other means of data collecting techniques with the victims and concerned bodies and institutions, they are no willing and free to give clear and adequate information. Lack of instruments to collect data, like tape recorder

1.7Significance of the study

This research is useful to Debre markos town child affair officials and all the concerned body to see their gaps and to come up with immediate action. This paper may also important for the neighboring zones which may have the same problems. This research is also serving as an input for the other perspective researchers with related area of study. In addition, this is also used for the victim especially the child to know their rights properly and to struggle for their rights.

1.8 Research methodology

1.8.1 Research approach

This research is a qualitative, as we can understand from the research topic, objective, and from its research questions. This is going to use the primary data collection technique.

1.8.2 Population and sampling

For this research the appropriate sampling technique is purposive sampling ,because our academic level allows this kind of sampling technique since I

believe that the respondent will have known about the issue. I will conduct an interview with victims in the town and child and women's affair officials, from Debre markos town and worda court with the respected judges.

1.8.3 Instrumentation and data collection technique

For this research I will use mainly qualitative research approach where data's are collected through an interview with the concerned body like, women's and child affairs, from the court and other place where data's are existed. I will personally observe the situation in different areas of the town, an interview with the victim especially with the child. I will use this technique since this kinds of data collection is appropriate to save time, cost and to get accurate data .semi-structured interview is used to collect the data.

1.8.4 Data analysis and interpretation:

Here, this research involves mainly the primary sources of data I will critically analysis and interpret an interview to identify the main themes that emerge from the responses given by the respondent and interpreter what I have sought through my personal observations. I will capture data's by Mobil recording and in the form of notes. All the original data's are going to collect in Amharic and translate to English, after translation, I would analysis and interpret without changing its content and ideas of the respondent.

CHAPTER TWO

2. CONCEPTUAL UNDERSTANDINGS OF CHILD LABOUR ABUSE

2.1Definition of child labour abuse

Child labour is the employment of children's in many works that deprives children's of their child hood, nterferes with their ability to attend regular schooling and that is mentally, physically, socially or morally dangerous.[9]Child labour is a widely perceived to impede the educational attainment of children in multitude of ways. The child labour (prohibition and regulation) act, 1986 defines child as any person who not attend his fourteenth years of age. Part 2 of the act prohibits children from working in any kinds of occupation listed in part A of the schedule which includes among others construction, work on a railway, or anywhere near the tracks, plastic factories, and automobile garages.[10] The act also prohibits children from working in places where certain process are being under taken as listed in part B of the schedule which includes among others, beedi making, tanning, soap manufacturing, brick kilns and roof of tiles units. According to this act anybody or person who invites children's who is under the age of 14to participate in the stated kinds of works is considered as child labour abuse.

According to the **ILO**, child labour is often defined as a work that deprives children of their childhood, their potential and their dignity and that is harmful to their mental and physical development. ILO argues that child labour is difficult to define. It depends on the types of job and if the age is under 18 and it interferes their children's education and development.[11]

Food and agriculture organization(**FAO**)refers child labour as a work that is mentally, physically, socially, or morally dangerous and harmful to children and interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave them prematurely, or requiring them to attempt to combine school attendance with exclusively long and heavy works.[12]

According to the convention on the right of the child (CRC) child labour abuse may be regarded as a denial of right. Child labour is mainly

[9]En.wikipedia.org/wiki/child-labour, accessed on October 15,2009E.Cat 3:30 local time
[10] The child labour prohibition and regulation act,1986
[11] The international labour organization(ILO 1919)
[12] The food and agriculture organization report

attributed to mainly to exploitation, discrimination, powerlessness and gender operation.

Bhat asserts that the definition of child labour is simple because it includes three difficult concepts of definition which are Child, Work and labour. He claims that the terms of child hood can be defined by age, but in some societies people ceases to be a child at different ages. The onset of puberty occurs at different ages for different peoples. Therefore, ART 1 of the UN convention on the right of the child and ILO convention on the worst forms of child labour, convention, 1999(No-182) defines Childs who is under the age of 18 years. The definition of child labour differs among societies, for example, in Africa, and Asia they do not consider the works of 15 years old person as a child labour, they view child labour was good task that children learn skills from work.[13]

Not all work that children do is severing. According to ILO report in 2002if a work does not hinder children's schooling or do not affect their health physically and mentally it is not generalize categorized as child labour. For instances, helping parents at home, looking after sibling or working for pocket money after school hours and during holidays. Also Aqil in201 assumed that all work that children do not harm their health or considered as exploitative, but it depends on what kinds of work they are involved in and how many hours they work. It also depends on work conditions or environment .However, Weston in 2005 argues that any work children do not damaging to their health,Omokhodino and Oudstoe in 2009 argues that any work that does outside home classified as child labour. According to them working outside home usually exposed to environmental hazardous which may affect their health and safety.[14]

Child labour is a much narrower concept and refers to a children working in contravention of ILO standards contained in convention 138 and 182. This means all children below 12 years of

[13] https://ilo.ipec/facts/ang....en.index.htm accessed on october,17,2009,at 3:45 at local time
[14] ibid

Age working in any economic activities, those aged between 12 and 14 engaged in more than light work, and all children engaged in the worst forms of child labour.[15]

2.2 Child Labour abuse at international level

Dissenting in hammer VS Dagehart in 1918, Justice Holmes wrote that if there is any matter up on which civilized countries have agreed …. It is the evil of premature and excessive child labour. Worldwide conditions of child labour however remain an issue in 21th centuries.[16]

The international labour organization has called child labour, the single most important source of exploitation and child abuse in the world today.ILO child labour targeting the intolerable (1996).ILO estimated that in developing countries alone at least 120 million children between five and fourteen full time work, the estimated of workers in this age group is 250 million in part-time worker are encountered.[17] Working conditions are deplorable. The organization describes "many millions of children"… trapped in forced labour, debt bondage, prostitution, pornography, and the kinds of works which causes lasting damage and immediate dangers.[18] American companies directly or indirectly employ many of these children, and Americans purchase many of the goods manufactured by child labour abroad, frequently at prices that would be considerably high without such labour.[19]The ILO estimates that in 1995, some 250 million children between the age of five and fourteen working in the developing world, at least 120 million of these children were working in full time. This undoubtedly helps to raise public awareness of the scale of the problem and promotes actions against it.[20]this estimates were based on the data available at the time primarily from replies to special questionnaires sent national statically

[15] ILO convention minimum age convention No,138 and No,182
[16]Sarah H.Ramsen and douglasse,Abrams,child labour and the law,p-422(unpublished)
[17] ibid
[18] ibid
[19] Supra note,17
[20] Reports of director-general a future without child labour,p-29

office and some experimental child labour surveys, along with published labour force and population statics. While neither estimates core-responded to global numbers of “child labourers” (according to the provisions of convention No-138) they nonetheless give a clear indication of a magnitude of the problem to be tackled.[21]

An estimated 246 million children are engaged in child labour. Nearly 70% or 171 million of these children works in hazardous conditions including working in mines, working in chemicals and pesticides, in agriculture or with dangerous machineries.[22] They are everywhere, but invisible, toiling as domestic servant in homes, laboring behind the walls of workshops, hidden from view in plantation. The vast majority of working children about 70% works in agriculture.[23]Millions of children works as domestic servants and unpaid, household help and are especially vulnerable to exploitation and abuse. Millions of others work under horrific circumstances. They may be trafficked (1.2 million) forced in debt bondage or others forms of slavery (5.7 million), forced in to prostitution and/ or pornography (1.8 million) or recruited as a child soldiers in armed conflicts (300,000).[24]

A regional estimate indicates that:

- The Asia and pacific region harbours the largest number of children who works in five to fourteen year group, 127.3 million in the total (19%of children are working in the region).[25]
- Sub-Saharan Africa has an estimated 48 million children workers, almost one child in three (29%) below the age of 15 is economically active.[26]

[21] ibid
[22]United nation international convention emergency fund, Child labour P,1
[23] ibid
[24] ibid
[25] Ibid
[26]Ibid

- Latin America and carbine harbours approximately 17.4 million child workers (16%of the children in the region are working).[27]
- 15% of children in the Middle East and North Africa are working; approximately 2.5 million and 2.4 million are working in developed and transitions economy respectively.[28]

It is not on the factories but on the street of developing cities where most of today's urban working children can be found. Some actually live on the street having left or lost their families, while others earn their living by hawking food, drinking and a whole range of others product carrying everything from some ones shopping to crippling loads and ranging to and fro at their employers order.[29] Almost by definition the informal sector is unregulated .Whatever labour laws and regulations apply in the formal economy, such as factories and civil services, are not observed and little attempt is made to enforce them. This applies both the laws governing a minimum age for employment and those covering health and safety at work.[30] The millions of children living in and work on the street around the world come in to this category, as do many apprentice serving and hammering away in small workshops.

Among the young people who are old enough to be working in Europe, north America ,or Japan, there are some whose work is harbours or otherwise unacceptable, particularly children who have been trafficked in to this countries especially so that some can make money out of them. In most industrialized communities children routinely starting earning money before reaching the minimum age for full time employments(variously set at14,15 or16)and some of the workers are engaged in harbours or illegal work.[31]Estimates of the number of young people working on farms in the US vary from300, 000 -800,000. Many are from minority groups, particularly

[27] Ibid
[28] Ibid
[29] www.uniteforsight.org/gender-power/module4,accesed on novmber, 12,2009,at 3:30 local time.
[30] Ibid
[31] ibid

Spanish-speaking immigrant families9many of whose children were born in the US), under US laws, the legal age for most farm work is only 12 if a parent companies the working child.[32] However, like so much other legislations on employing children this contains loopholes. It requires children to be 14 years of old to work in cherry or chards, but only 13 to work in cucumber, berry and Spanish fields.[33]

Until recently many school age children in parts southern parts of Europe skipped school work in family business. However, in southern Europe and other EU countries different categories of children are now subjected to economic and sexual exploitation, this brought in to the EU especially for this purpose from other parts of the world. They include children from Albania begging in Greece children brought from Romania to France, Italy and elsewhere to take part in criminal activities, Eastern Europe teenage girls forced into prostitution , and children imported especially from West Africa to work as live in domestic workers in France UK and elsewhere.[34]

2.3 Child labour abuse at regional level

International labour organization (ILO) estimates that agriculture is the largest employment of child labour in Africa. Fast majority are unpaid family workers. Children in Africa have worked in farms and at home over a long history.[35] This is not unique to Africa a large number of children have worked in agriculture and domestic situations in America, Europe, and in every other world throughout history, prior to 1950s. Scholars suggest that this work especially in rural areas was a forms of schooling and vocational education, where children learns the arts and skills from their parents, and adults continued to work in the same hereditary occupations.[36] Child labour

[32] Id,p-34
[33] id
[34] Id, p-36
[35] https//:wikipidia.org/wiki/child labour in Africa, accessed on October 22 at 3:30 at local time
[36]ibid

in Africa as other parts of the world was also viewed as a way to instill a sense of responsibility and a way of life in children particularly in rural subsistence agricultural communities.[37] In rural pare people of northern Tanzania, for example, a five year old would assist adults intending crops, nine year old help to carry fodder for animals and responsibilities scaled with age.[38]

The growth of colonial rule in Africa, from 1650-1950 by powers such as Britain, France Belgium, Germany and Netherlands encouraged and continued the practice of child labour. Colonial administrators preferred Africa's traditional kin-order modes of production that is hiring a household for work not just the adults.[39] Millions of children worked in colonial agricultural plantations, mines, and domestic services industries. Children in these colonies between the ages of five-fourteen were hired as apprentices without pay in exchange for learning a craft.[40] Colonial British law for example, offer the native people ownership of some of the native land in exchange for making a labour of his wife and children available to colonial government needs such as in farms in Africa,picannis.[41] Child labour is found in all region of the world, it is overwhelmingly a developing countries phenomenon. Recent ILO estimates that some 250 million (140 million boys and 110 million grills) children between the age of five to fourteen are obelized to work either full-time or part-time mostly in developing countries with 61 percent (112 million in Asia) 32 percent (80 million in Africa) and 7 percent (8 million in Latin America).[42] Close to one-half on them work full time while the remaining half coming economic activities and non-economic activities such as schooling.[43] Some estimates shows that the overall number of child labour in Africa between the age of

[37] ibid
[38] ibid
[39] https//:wikipdia.org/wiki/ child labour in Africa, accessed on October 22 at 4:10 at local time
[40] ibid
[41] ibid
[42] The incidence of child labour in Africa with empirical evidence from rural Ethiopia,p-17
[43] ibid

five-fourteen years could reach 80 million and on the rise.[44] According to the ILO estimation it appears that more boys (56 percent) participate in economic activities than girls (44 percent). Boys are employed more commonly in visible types of employment while grills work mostly in unpaid house work. Furthermore girls work on a longer hours on average than boys. Child labour participation rate is higher in rural areas than in the urban areas. About 90 percent of the working children in rural areas are engaged in agriculral activities, while their urban counter parts are found mostly in the trade and service sector.[45]

Several children are also found working in the marginal economic activities like, street trade in Africa which exposes them to car accident and excusive heat. Many children are also trapped in slavery like, debt bondage practices in the containments.[46] If we look at the major regions we see that of all the regions, sub-Sahara Africa has the highest child labour rate. According to the ILO spastics 41 percent children under the age of fourteen, approximately 80 million are working. This number is almost twice the Asian rate.[47]

Poverty appears to be the major reason for the child labour in Africa. As the poorest continent Africa has a higher incidence of child labour which is further differentiated within the continent itself. Countries in which large share of children are working on average poor countries.[48]asBasu (1999) states that, sending their children into the labour force is the last resort to earn income. As soon as income increases the children are withdrawn from child labour force.[49] However, when we look at the sample of African countries for which ILO has a child labour statics', the negative association between the child labour participation rate and the national income becomes almost nonexistent. At the same level of national income, we find

[44] ibid
[45] Id ,p-20
[46] ibid
[47] The issue of child labour in Africa,p-8
[48] ibid
[49] ibid

countries with widely different child labour participation rate, and countries with similar participation rate may have different national income.[50]

Compared with other continents Africa countries are more rural and still dominated by household production, not land holding combined with the labour market. All factors cause high participation rate. There are cultural factors and norms that pull children towards the labour force. Of this, Bradley (1993) has highlighted the most important. Using data's from ninety-one different societies in the world that focus on assignment among both adults and children she found that children of both sexes did more of women's than men's tasks. Traditionally children in most African tribes for which ethnographic evidence exists tend to do allergen share of work in Africa homestead than children elsewhere because women shoulder a large share of the economic tasks in Africa agriculture[51].

According to the ILO Africa has the largest number of child labourers, 59 million child labourers between the age of five and seven are involved in hazardous works. More than one child out of five children's in Africa is employed against their will in stone quarries, farms, and mines. Poverty remains the major reason behind the issue.[52] Globally the number of child labourers has declined by 1/3 since 2000, from 246 million-168 million. But, sub-Saharan Africa continues to be a region with the highest incidence of child labour with more than one child in five children's in child labour.[53] The percentage of children in hazardous work is the highest in sub-Saharan African region (10 percent). The number of children labourers also decreased in sub-Saharan African (by 6 million) the net impacts of these regional trend is that the population of the child labourers is becoming more concentrated in the region. Accordingly, the regional distribution of child labour for the five-seventeen years of age for 2008-2012 sub-Saharan

[50] ibid
[51] Id,p-7
[52] www.ilo.org>ilohome>regions and countries >Africa>areas of work accessed on October 24,2009 at 3:40 local time
[53] ibid

Africa has accounted 30 percent of all five-seventeen years old in child labour.[54]

Although the decline in child labour during 2008-2012 offers some cause for optimism, sub-Saharan Africa is still the region where children faces by for the highest risk of child labour and also the region where progress has been slowest and least consistent.[55] An increasing of African countries are developing national action plan (NAPs). However progress towards the achievement of the targeted goals is slow. Nearly half of the 54 countries in the continent have yet to begin to designing their NAPs. There is agrees need to improve and scale make up implementation efforts in nearly all countries.[56]

2.4 Child labour abuse at national level

There is no reliable research finding that clearly sheds light on the trend and nature of child labour in Ethiopia. However it is evident that it has been customary in Ethiopia that children have always been parts of the production and reproductive role societies since time immemorial.[57] The fact that there has not been legal customary laws in the long history of the country that define the age that should have been categorized as working force, has made the society to continuous to use children's labour to sustain families both socially and economically.[58] The available scanty information in relation to child labour in the country reveals the disturbing picture. Like in many sub-Saharan Africa countries large number of children in Ethiopia joins the labour force usually below the age of 15. Survey conducted in 2001, has reported that one half of all Ethiopian children with in the age of 5-14 years were engaged in one or another forms of child labour.[59]

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[54] ibid
[55] www.ilo.org>ilohome>regions and Africa>areas of work accessed on October 29, 2009 at 4:00 local time
[56] ibid
[57] GermawAlemu, YonasBirmeta and WondmagnTadesse, ethiopian human right hand book, 2013, p-180(published)
[58] ibid
[59] The 2001,survey

Thought the available literature on the pattern of child labour in Ethiopia shows a strong correlations between different forms of child labour and vulnerabilities to different forms of violence, the situation of child worker in Ethiopia and the nature of work that they are forced to be engaged in have been not yet adequately studied.[60] The few studies conducted on violence against child labour in Ethiopia provide only blurred information that is not sufficient to understand fully the extent of the problem and its impacts at national level. This therefore has impeded the development of a viable strategy to address the actual problem that resulted from child labour in the country.[61]

The scope of child labour in Ethiopia varies among a range of sectors and in both urban and rural context. Nevertheless, the available documents and observations assert that, child labour in Ethiopia is not recognized as one of the major social problem that is contributing to the extreme poverty which in turn exacerbates the problem of child labour.[62] In rural parts of the country, children are considered as available assets. The" more children (male) one family has the more respected it is "this social value for children uphold by the societies in almost all parts of the country has both economic and social motives.[63] More than 85 percent of the population of Ethiopia resides in the rural parts and live on subsistence agriculture.[64] The way of production in the subsistence agriculture is extremely backward that call for amassing as much labour force a family can command as possible. A family with a small number of children usually remains as there is less labour force to enhance the productivities of the house hold to sustain it.[65]

The report on the annual workshop on child labour of Ethiopia organized by ILO in 1995 indicates that values uphold culturally by the societies in rural

[60] Supra note,75 at p-181
[61] ibid
[62] A study on the situation of child labour in Ethiopia, review of existing studies and brief assessment,july,2009,p-20(unpublished)
[63] Ibid
[64] Ibid
[65] Ibid

Ethiopia are strong factors for perpetuating child labour. Parents quite often believe that sending their children school is simply wastage of valuable time that can otherwise be used for other economic activists that benefit the household.[66] They feel that the time that the children spend in school could have been used in economic activities there by enabling them to acquire the necessary skills in agriculture or other kinds of economic sectors to lead their future survival.

In face of extreme poverty in Ethiopia especially in rural areas, coupled with the rapid growth of population, survivals of families can also be possible through child labour intensive subsistence farming where children at young age take part vigorously.[67] It is therefore evident that in Ethiopia children join the world child labour at early age for different reasons. Some of the major factors that force children to become labourer at their early age is extreme poverty, death of parents, indifference of parents, changing family structure, harmful traditional belief, gender imbalance and rural-urban links in terms of push and pull factors that contribute massively for the voluntary and forced migration of children from rural to urban center.[68] The nature and scope of child labour in Ethiopia varies between rural and urban setting, between sexes and different sectors.

2.4.1 Child labour in the formal sector

The formal sector of the economy in Ethiopia is relatively less developed as there is no many industrial establishments. Even cottage industries are not that much developed in the country and the existing one does not face shortage of labour. [69] According to a paper presented on annual workshop on child labour in Ethiopia organized by ILO in 1995, these children and youth are employed in small scale (cottage industries privately owned). Although the nature of their employers, and usually denied their basic

[66] ibid
[67] ibid
[68] Supra note,81
[69]A study on the situation of child labour in Ethiopia, review of existing studies and brief assessment,july,2009

rights that should have been respect according to the labour laws of the country and more so by the constitution. In the formal sector of the economy, small scale industries commonly prefer to employ children who are under 18 years. This is absolutely a calculated move by the employer as children cannot negotiate the terms of the employment such as wages.[70]

Some of the most common sectors that are known for employing children for different reasons includes, the construction sector(road, real state) small scale manufacturing industries(wood and metal work shoe factories) and agro-industries.[71] Children employed in such kinds of small scale industries in urban center works extremely arduous activities to both their physical as well as psychological wellbeing. Most children working in this enterprise are usually forced to undertake heavy tasks that do not much with their physical and psychological strength.[72]

2.4.2 Child labour in the informal sector

Agriculture in Ethiopia is predominantly subsistence farming and pastoralist. In both sectors of agriculture the production technique are extremely back ward that hinder productivity. To compensate for the back ward farming and animal husbandry techniques the sector remains characteristically labour intensive.[73] All members of house hold regardless of age and sex are expected to play a role in the production process of the subsistence agriculture.[74] Children in rural parts of the country work under hazardous conditions and most commonly for a long time. The problem lies however in rural Ethiopian child labour is not considered as hazardous rather it is considered as one aspect of educating children to socialize in the community and learn the essentials of life skills they grow adult. The informal sector of the economy, in urban areas like the agriculture sector massively use child labour in Ethiopia. Since the expansion of industries is

[70] ibid
[71] ibid
[72] ibid
[73] Supra note,76
[74] ibid

at its infant stage and the low level of the large scale commercial farm, children starting at the age of five get themselves employed in the informal sector. That has variety of forms.

In urban settings the most common type of child labour are shoe shinning, lottery ticket selling in the street, vending Ingra, kolo, and bread, peddling, working as a taxi assistant(weyala's in local language), begging, prostitution, weaving, baking, and carrying a good for the people.[75]

2.5 Types of child labour in general:

Child labour exists in many forms. Sometimes it can be easily observed sometimes it is hidden from our view. Here is a list of different forms of child labour that includes some of the most widespread forms and some of the worst forms of child labour.However, these are not a complete list of all existing forms.

1. **Domesticwork**: it is the very common and sometimes seen as acceptable, it happens in family home or outside the home. When domestic home outside the home children all most always girls work very long hours, have no chance to go toschool and are isolated from their family and friends.[76]
2. **Work in industries**: this work can be regular or causal, legal or illegal as parts of the family or by the child by his own for an employer. It includes carpet weaving, gemstone polishing, making garment, chemicals, glass wear, firework, matches and a range of other works. These tasks exposes the children to hazardous chemicals that lead to poisoning, respiratory and sin disease, radiant heat fire and explosion, eyesight and hearing , damage cuts, burn and even death.[77]

[75] ibid
[76]Lana osment child labour, effect on childcaus and remides to the revolviong menace,p-32(unpublished0
[77] ibid

3. **Agricultural work**: a lot of working children are found in agricultural work. They often work on the family from or with the whole family, as a unit for an employer.[78]
4. **Working in mines or quarries**: child labour is used in small scale mines in many countries. They work long hours without adequate protection and training. Child miners suffer from physical strain. Fatigue and disorder of muscular and skeletal system.[79]
5. **Prostitution and trafficking**: it is one of the worst forms of child labour. The dangers faced by children are extreme and range from moral corruption to sexual transmuted disease to death.[80]
6. **Work in the informal sector**: These includes a whole range of activities such as, shoe cleaning, begging, pulling rickshaws, selling newspapers, or collecting rubbish. Some forms are very easily observed while other is hidden from the public view.

2.6 Types of child labour in Ethiopia:

1. **Tid or bonded labour**: this is a forms of child labour in which children work to pay the debts of their parents and grandparents. It is also forms of forced labour in which children enter in to servitude as a result of some initial financial transactions.
2. **Domestic work**: This task includes cleaning, cooking and looking after youngerbrothers and sisters at home.[81]
3. **Nondomestic and non-paid work:** this types of work most found in agricultural sectors.[82]
4. **Wage labour:** This includes work in construction, manufacturing, mining, service enterprises etc.[83]

[78] Ibid
[79] Supra note,p-33
[80] ibid
[81] Mini action guide, ITUC-international trade unionconfedration,June,2008(unpublished)
[82] ibid
[83] ibid

5. **Marginal activities:** This consists of work activities which are more informal and difficult to identify and measure.

2.7 The causes and impacts of child labour abuse in general:

2.7.1 The causes of child labour abuse in general:

This presents theoretical framework, which resulted to the socio-economic factors that causes a child labour. These are among the causes for a child to enter in to labour force unwillingly.

1. **Poverty**: there are several circumstances that affect child labour. Studies have demonstrated that the most notable reason is being poverty. Decisions about child labour and schooling are generally made by parents.[84] If the family live below the family line, parents see their children as a parts of contributors in their family income. Basu in1998 used theoretical model of child labour because of their low income, where he showed the only reason parents send their children to labour because of their low income.[85] Consequently poor parents cannot afford schooling for their children. Thus mainly poor household are to send forced their children to labour instead of sending to school.[86]Rena in 20005 shows that poverty and under development drives child labour.[87] She found that the high prevalence of poverty amongst countries including India, china, Bangladesh, Pakistan, srilanca, Ethiopia….., and Chad increase the child labour.[88] There for child labour is wide spread throughout Asia and Africa.
2. **Family size**: indeed large poor household usually have more children involved in child labour than from smaller household, which demonstrates family size have an affecter.[89] Child labour, parents obliges their children to work because they are not able to manage their

[84] www.ilo.org/ipec/regions and countries/Africa...en/index.htm?sourcesitled
[85] Child labour,the effects on the child, causes and remidies, to the revolving menace,byLana Osment,p-20
[86] ibid
[87] ibid
[88] ibid
[89] Id,p-21

demands of a large size family. This is also gender difference among the household size.[90] Not everyone and of all are in the family are working as child labour, which depends on the child's age and gender, for example boys are more likely to attend to school than girls, older siblings are often contributing more to the family income.[91]

1 **Family condition**: as growing number of children who have either lost one or both the parents' and those impacted by HIV/ADIS in the family are forced to working in or ordered to support themselves and their siblings.[92] The numbers of orphaned children are increasing particularly in sub-Saharan Africa, many whom become street children and live in very different circumstances.[93]

2 **Traditional or cultural factors**: culture is another factor which is driving children in to labour force. Different cultures of many societies make children start work at very young age which are related to traditions and cultural factors.[94]

3 **Corruption**: corruption is one of the main reasons for abusing resources wherever there is poverty, there is also corruption.[95] According to the united nation development program (UNDP), corruption exacerbates poverty and inequality, under mines human development and stability, encourages and sustains conflict, violates human right, and erodes democratic function of the countries.[96] Corruption and have hugely negative effect on children right that deprives basic services such as health care, education and infrastructures. Corruption and diminish children's ability to escape poverty. For example, in many countries employers corrupt labour in sectors to hide under age children such as

[90] id
[91] Id,p-22
[92] ibid
[93] Lana Osment, child labour, the effects on the child, causes and remidies to the revolving menace, Universty of Sewden, spring,2014,p-20
[94] Ibid
[95] ibid
[96]Onyymeachi,tomasuche(2010)children status and the law in Nigeria. An interantinalmulti disciplinaryjornal, Ethiopia,vol.4(3a)pp.378-398

India, where the incidence of child lanoureres indicate towards corruption.[97]

4 **Civil war**: it is another factor to child labour. The war destroys the economy of the country people become much poor all resources go to the war. As Douct noted in a BBC articles on September, 25, 2013 that Syrian refugee families who have fled Syria's civil war send their children to work to earn money for basic necessities of life.[98] These children are exposed to labour abuse, war burns all good things that any country would have. It brining diseases, poverty, damages and many other horrible things.[99] Again no help will be of use as long as the war continues.

5 **Urban migration**: Many rural families migrate to urban areas because of rural push and urban pull factors. As a consequences that they are often forced to live and work in the street as they lack accessed to basic requirements such as food, shelter, and this children become street workers as vendors.[100] Mostly street workers are vulnerable to violence and become more suscepeciable to illegal works, such as stealing, trafficking drugs and prostitution, (this children live urban poverty, many child labourers live in unhealthy poor condition, slum areas and works in poor environment such as domestic work, or work in hotels and restaurants etc…[101] many cities in developing countries have experienced rapid urbanization. This means that the population is increasing in cities due to immigration and natural growth.[102] Urban poverty is multidimensional phenomena, urban poverty in developing countries face many challenges in their daily lives.[103] Many poor people live under great

[97] ibid
[98]Doucetlyce, 2013, desititution derives Syrian refugee child work, 25 september 2013 BBC news channel (online) available at http:// www.bbc.co.uk/new/world 24229079
[99] ibid
[100]Kailashsatyarithic comprehensive case studies of chuld domestic labour commercial sexual explotation,2014,p-6
[101] Ibid
[102] Id p-7
[103] Id,p-8

hardship due to unemployment, housing shortage violence and unhealthy environment. The problem of poverty can have a weakness in the economy and lack of entity to the provisions of services. Urban poverty raises slums. These areas are characterized by high unemployment, poor sanitation, inadequate access to clean drinking water and inadequate housing.[104]

6 **Globalization**: globalization is another cause if child labour. It has positive and negative impacts nonetheless, globalization high gives developing countries the opportunity to increase their domestic gross production (GDP) per capita via anew trade possibilities and ascend their foreign direct investment inflows.[105] Globalization also has brought diverse impact on child labour in developing countries. In recent years, many international companies moved their production abroad. These companies often indulge in hiring children's as a cheap labourer as they are endurable.[106] Globalization has obliged more children to work in hazardous occupation like bricks kiln motor garage, hotels, shops transpiration, manual loading work etc.....

9. Lack of education: among the poorer sections of societies a leading cause for children to start working early. Ignorant and illiterate people do not think twice ssd harm full physical and mental trauma it can inflict on the child.[107] Being poor they cannot afford decent education for the children lives.

2.7.1 Causes and impacts of child labour in Ethiopia:

2.7.1.1 Causes of child labour in Ethiopia:

Poverty and its related problems are some of the main cause of child labour in Ethiopia. The 2001 survey reported that about 90 percent of the children

[104]The ILO web page on the child labour and new convention http://www.ilo.org/public/english/comp/child/standards/index.htm, accessed on november17/20016 at 3:00 pm local time.
[105] Supra note,125 p-22
[106] id
[107] Supra note,125,p-21

working in productive activities replied that they were working to either supplement family income (23.8 percent) or to improve it (66.0 percent).[108]Poverty in Ethiopia is chronic due to among others, population pressure, land degradation, unemployment and under employment among adults and school leavers (youth). Children are paid lower wages than adults not unionized, and do not demand workers right, they are also thought by some to be more efficient in certain types of work, thought these has not been demonstrated.[109]

The other main causes of child labour is cultural value, the Ethiopian culture encourage children to work to develop skills. Children are considered as assets to generate income in time of poverty. Children therefore, be given a work at early in life and be obliged to assist their families.[110] The other reason include educational problem, like distance from school, poor quality of education, inability to support schooling(food, uniform, exercise books, school fees…) family disintegration due to HIV/ADIS and rapid urbanization.[111]

2.8Impacts of child labour abuse in general:

Child labour has a negative effect primarily on the working children on the societies and the country at large. International organizations like, the UN, ILO, UNICEF and other international organizations and national governments seriously condemn the involvement of under age children in labour market. The main reason behind this is that child labour has deleterious effect on the holistic personality development of the child.

- The child who works child labour will have no chance of improvement in his life, children who are working as a child labour does not have time complete their education. The usually lag behind in studies or

[108]www.ilo.org/ipec/regionsand countries/Africa…en/index.htm?sourcesitled..
[109] ibid
[110] ibid
[111] ibid

completely stops their education before even completing high school.[112]

- The economy and growth of the country faces a lot of problems if children are not properly educated, children who start working at early stage have little parent monitoring so that they are first target for illegal activities, they are easily addicted to drugs and there by running their life.[113]
- Child labour dose more than deprive children of their education and mental and physical development, their childhood is stolen, immature and inexperienced child labourers may be completely unaware of the short term and long term risks involved in their work. Working long hours, child labourers are often denied basic school education, normal social interaction, personal development and emotional support from their parents. Besides these problems children faces many physical dangers and death from forced labour.[114]
- Physical injuries and mutilations are caused by badly maintained machineries of farm and in factories, machine accident in plantations and any number of hazards encountered in industries such as mining, ceramics and fireworks manufacture. Pecs tide poisoning is one of the biggest killers of child labourers, in Sri-lanka, pesticide kill more than diphtheria, malaria, polio and tetanus and combined. The global death toll each year from pesticides is supposed to be approximately, 40,000.[115]
- Growing deficiency is prevalent among working children, who tend to be shorter and lighter than other children, this also impacts on adults' life. Long term health problems such as respiratory diseases,

[112] Child labour-negative effects and reasons of-fit-my daily alters
[113] ibid
[114] www.eclt.org/about/over veiw.htm ,accessed on November 12, 2009,at 10:00 local time
[115] ibid

asbestosis and varieties of cancer are common in countries where children are forced to work with dangerous chemicals.[116]

- HIV/ADIS and other sexually transmitted disease are rife among the one million children forced in prostitution every year, pregnancy; drug addiction and mental illness are also common among child prostitutes, exhaustion and malnutrition are results of under developed children performing heavily manual labour working, long hours, in unbearable condition and do not earning enough feeding themselves.[117]
- Child labour shifts the interest of the child from education and can increase the criminal nature of the child, this can exploit future generation.
- The presence of a large number of child labourers is regarded as serious issues in terms of economic welfare. Children who work fail to get necessary education, they do not get the opportunity to develop physically, intellectually, emotionally, and psychologically.[118]

2.8.1Impacts of child labour abuse in Ethiopia:

The safe growth of children is the only way for any societies to thrive and ensure future survival. In the middle of extreme poverty however, the safe growth of children remains at risk which have a negative bearing on national development as a children are the next generation to chain the past with the future through their productive role. Children who enter in to the labour market in both formal and informal economic sectors in the country suffer tremendously. [119] The vulnerability 0n of working children for various forms of right violations and heath related problems are evident. The impacts of child labour on the life of children can be short and long terms on children's.

[116] ibid
[117] ibid
[118] Https://en.wikipidia.org/wiki/child labour, accessed on November 12, 2009, at 10:30 at local time
[119]

2.8.1.1short term impacts:

It mainly has the nature of basic right violations. Regardless of what the CRC, the African charter on the right of the child and the ILO conventions, that Ethiopia has come to ratify and amalgamate in its national polices, the right of working children are subject to violations by employers, parents or guardians, and the societies at large. Its short impact on the child includes:

- Lack access to education: most parents especially in rural areas of the country tend to discourage their children from going to school to attend their education. Rural household use the labours of the children to maximize productivity on the increasingly fragmented plots of production there is little room for them to pursue their education.[120]
- Basic health service: most of the studies in the areas of child labour in the country reveal that working children are forced to work under arduous conditions by their employers or parents /guardians. As a result they are exposed to various types of healthy problems in their place of work.[121] Their employers in the urban formal and informal sectors do not provide them with necessary health care services enough time to rest that exacerbates their ill health condition.[122]
- The right to play and protection: children are entitled to play with their peers as it is a natural right of the children in their early developmental stages. The UNCRC, the African charter on the right of the child and above all the FDRE constitution affirms that children have absolutely the right to play with their peers during their formative age. Child labour however, deters children from enjoying this uninfringeable right to play. As results of their occupation with hard work to assist their families in income generations or in an attempt to sustain themselves working children do not have time to

[120]A study on the situation of child labour in Ethiopia: review of existing studies and brief assessment, people in Ethiopia,july,2009, Addis Ababa, p-21
[121]ibid
[122]ibid

play and nurture their whole social and psychological developments with their peers.[123]

- The right to remain at place of origin: most of literatures on the issue of child labour in Ethiopia indicate that children are usually forced to leave their place of origins to become bread winner. The migration of children voluntarily as well as forced by traffickers and brokers from their place of origin is setoff primarily by the need to child labour in urban as well as rural areas.[124]

2.8.1.2 Long term impacts:

Physical impacts: the working children faces physiological problem in long run as they work in unsuitable conditions necessary for the kinds of job they are forced to do.[125]

Psychological impacts: the working children usually exposes for different types of abuse that inflict sever damage on they psychological makeup of the children.[126]

2.9 Legal frame works concerning child labour abuse:

2.9.1 Legal protections child labour abuse at international level:

The child right convention (CRC) various articles concerning to child labour. As stated in ART 32/1 of the convention state parties recognize the right of the child to be protected from economic exploitations and from performing any work that likely to be hazardous or to interfere with the child's education, or to be harmful to child's health or physical, mental, spiritual, moral or social development.[127] Art 32 relates with the broader of issuesof the economic exploitation of the child. Under ART 33, states that state parties shall take all appropriate measures to prevent the use of children in the illicit production and trafficking of narcoticdrugs and psychotropic substances. According to art 35, state parties shall take all appropriate

[123]Id p-22
[124]ibid
[125] Id,p-23
[126] ibid
[127] Child right convention,1989

measures to prevent the child abduction, sale or traffic of children for any purpose or any form and art 36 affirms more generally that state parties shall protect the child against all other forms of exploitationprejudicial to any aspect of the Childs welfare.[128]

The international convention on economic, social and cultural rights asserts the same principle stating in its art 10(3) that “child and young people “should be protected from economic and social exploitation. Their employment in work harm full to their morals or health or dangerous to their life or likely to hamper their moral development should be punishableby law. States should also set age limitsbelow which the paid employment of child labour should be prohibited and punishable by law.[129]

The universal declaration on human rights and international covenant on civil and politicalright include provisions prohibiting salivary (UDHR art 4) and forced labour ICCPR art 8). The supplementary conventions on the abolition of slavery, the slave trade and institutions or practice where by a child or any young person under the age of 18 years is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not with a view to the exploitation of the child or young person or of his labour.[130]

In refuges law art 24 of the 1951 convention relating the statues of refuges affirms that obligations regarding child labour, stating that “the contracting state shall accord to the refuges lawfully staying in their territory , the statement is accorded to nationals in respect of the… minimum age of employment, apprenticeships and training….[131]

The international labour organization (ILO) forced labour convention of 1930 (No-29) covers such problems as exploitation of children through debt bondage and “other contemporary forms of slavery” such as child prostitution. The ILO minimum age convention of 1973 (No-138), upheld by

[128] ibid
[129]International convention on civil and political right
[130] Universal human right declaration,1948, art 4
[131] Refugee convention,1951,art,24

the committee on the right of the child as an appropriate standard, provides principles which apply to all sector of the economic activities. Ratifying state are to fix a minimum age for admission to the employment or work under taken to pursue national policy designed to ensure the effective abolition of child labour and raise progressively the minimum age for admission to employment or work to level suitable with the fullest physical and mental development of young persons.[132]

In November 2000 the ILO convention concerning the prohibition and immediate action for the elimination the worst forms of child labour (No-182) entered into force. It applies to all young persons under the age of 18, and defines among other things, forced or compulsory recruitment of children for use into an armed conflict as one the worst forms of child labour.[133]

It is the responsibility of the government to ensure the safety of children residing within that country. The government is responsible for providing a minimum age for admission to employment, appropriate penalties or the sanctions to ensure effective enforcement. Such protection is to be accorded to refugee children's and national children's (CRC, art, 2(1). In practice however many countries which have signed international conventions' in respects of child labour simply do not have the structure and mechanism for monitoring and enforcement.[134]

2.9.2 Regional legalprotection on child labour abuse:

Art 11of the African charter on the right and welfare of children stipulates about child's right to education. When we see art 15(1) of the charter which deals about child labour, it states that all children shallbe protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with child's physical, mental, spiritual, moral, or social development. Art 15(2) of the same charter stipulates state

[132] Minimum age convention no-138 of 1973
[133] Convention on worst forms of child labour No-182 OF 2000
[134] Action on the right of children , abuse and exploitation

parties to the present charter take all appropriate legislative and administrative measures to insure the full implementation of this article which covers both the formal and informal sectors of employment and having regarded to the relevant provisions of the international labour organizations instruments relating to children, state parties shall in particular:

a), providing for legislation, minimum wages for admission to every employment,

b), provide for appropriate regulations of hours and conditions of employment,

c),provide for appropriate penalties or sanctions to ensure the effective enforcement of this article,

d), promote the dissemination of information on the hazards of child labour to all actors of the communities.

Governing contract of employment may vary most children are employed in the small scale industries of causal workers.[135]There are therefore vulnerable for all kinds of labour abuse by

2.9.3 National laws that protect child labour abuse:

Apart from the international and regional(in Africa), conventions that Ethiopia has ratified as a member of the international communities, there are no distinctly separated legal provisions(code of laws) there are exclusively made national policies child protection. However, laws and policies on protections of child right exist in another as scattered manner in both federal and regional legislations. The most in important legal provision that existed in the country to protect the rights of child includes:

1. The 1995 FDRE constitution:

The constitution of the FDRE in its art36 provides the protection of child rights in the country.[136] The full content of the article is:

[135] African charter on the wale fare and right of childen ART15/2

[136] The federal democratic republic of Ethiopia constitution negarit gazeta 1st year No-1,Addis Ababa 21st august 1995 ART 36

A. Every child has the right,

- ✓ To life, name and nationality
- ✓ To know and be cared for by his or her parents or legal guardians
- ✓ Not to be subject to exploitative practice, neither to be required nor permitted to perform works which may be hazardous or harm full to his or her education, health or wellbeing
- ✓ To be free of corporal punishment or cruel and inhuman treatment in school and other institutions responsible for care of the children.

B. In all actions concerning children under taken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the "best interest of the child".[137]

C. juvenile offender admitted to corrective or rehabilitative institutions and juveniles who become wards of the state or who are placed in public or private orphanage shall be kept separately from adults.

D. children born out of wed lock shall have the same right as children born wed lock.

E. The state shall offer special protection to organs and shall encourage the establishment of institutions which ensure and promote their adoption and advance their welfare and education.

2. The 1960 civil code:

The existing civil code of Ethiopia has been in issue since 1960. The civil code has useful provisions to protect children from violations of their rights especially in duress.[138] Generally speaking the code has been designed to govern their relationship between citizens whether between two private citizens or state organs and citizens. The civil code makes it crystal clear that the securing agreement through duress might result in invalidation of

[137] ibid

[138] The civil code of the empire of Ethiopia negarit gazeta,proclamation no-165 of 1960.

the agreement.[139] Art 1706(3) of the civil code reads “the nature of the duress shall be determined having regarded to the age and positions of the parties concerned”. A child of either sex whose consent was vitiated may invoke these provisions and where the victim of the duress happens to be a girl child, she can avail herself of both ages and sex to have the contract invalidated.[140] There are however some articles in the civil code that create concerns as they follow some forms of physical punishment by parents and guardians the civil code also revokes the liabilities of parents or guardians when they inflict some damages on children when they physically punish them(art2067/2)and art(258/2).[141]

3. The federal family code of Ethiopia: The family code is another very important legal frame work in the country that is useful to protect children from right violations. The family code regulate the ages of spouses under article (7/1), the revised family code states that “neither a man nor a woman who has not attend the full age of 18 years should conclude marriage”. This legal provision protects from coercions of under age grills to establish marred life. This contributes the protection of sexual protection.[142]

5. The labour proclamation No-377/2003:

It stipulates that the minimum age for employment is14 years. Children below the age of 14 are not allowed to work at all.[143]According to the proclamation14 years is as a bottom line for labour market in the country. Nevertheless, children in the age group of 14-17 are only employed or enter into employment contract with a list of conditions that are presented in the labour law.[144] According to the proclamation in chapter 2 art 89/3 “it is prohibited to employ young workers which on account of its nature or due to the conditions in which it are carried out, endangers the life or health of

[139] ibid
[140] Ibid ART,1706/3
[141] Ibid ART 2067/2 and 258/2
[142]The federal democratic republic of Ethiopia,negaritgazeta,the revised family code proclamation no-2000 extra ordinary no 1/2000ART 7/2
[143]The federal democratic republic of Ethiopiav,negaritgazeta,labour proclationNo-377/2003,10th year No-12 AddiaAbaba,February,2004
[144] ibid

the young worker performing it". Art 89/4 of the same lists the types of activities that the ministry might prohibit child employees in the age of 14-18 as follows,[145]

a), work in the transport of passengers and goods by road, railway, air and internal water way, docksides, and warehouse involving heavy weight lifting, pulling or any other related types of labour,

b), work connected with electronic power generation plants transformers or transmission, lines,

c), under ground work, such as mines, quarries and similar works,

d)Works in sewers and digging tunnels.

However, due to various factors children under the working age, that is, less than 18 years of age old engaged in different sectors of the economy without having employment contract.

2.10 The need to protect child labour abuse:

- In adequate care and protection violates children's right: the UNCRC (1989) is the most widely and rapidly ratified human right treaty in history, with all but two countries having ratified. The convention committees states to taking action on child protection through a number of articles including those relating with child labour, trafficking and sexual exploitation, abuse and neglect within and outside the home, family support and separation from parents and provisions of alternative care. The convention is supported by several another international agreements, including those relating to alternative care and child labour. Together this agreement represents an obligation to ensure that girls and boys are free from abuse, neglect and exploitation and that all children grow up safe and protected within families.[146]

[145] Ibid ART 89/4

[146]United nation Child right conventuion,1989

- In adequate care and protection is killing children:[147]Violence and neglect are the major causes of early death. For example, girls forced in to early marriage and sexual activities commonly become pregnant before their bodies are ready, leading to an increase in both maternal and child mortality, in conflict situation children are often recruited to armed force or groups and placed at risk violent death.
- In adequate care and protection threatens wellbeing and stops children from reaching their full potential: [148] there are several ways in which inadequate care protection stops children from developing and learning to their full potential, firstly poor care and lack of stimulation have particularly harmful effects on the development of very young children with in children institutional care who lack an attainment with consistent care commonly facing problems with physical development, language and intelligence. Secondly, children who experiences inadequate care, abuse or exploitation in homes or communities are less likely to go to school.
- Inadequate care and protection are the major causes of inequalities:[149]many children who experience a lack of care or protection have severally diminished life chances as they are unable to learnor develop to their full potential. These children commonly come from already improvised and discriminated against groups and such girls and boys are further discriminated and stigmatized by communities' because the exploitation and abuse they have suffered.
- Inadequate care and protection is hindering economic growth:[150] child abuse and exploitation carry high economic costs for example, the wide reaching impacts of a lack of care and protection on education and child development diminishes human capital which has a major

[147]Terre Des Hommemes, protect our future, why child protection matters, 2010,p-5(unpublished)
[148] ibid
[149] Id,p-6
[150] Id,p-7

impact on the growth of economies, the economic costs of a child abuse and neglect include, lost earning andtax revenues as consequences of premature death and costs of child wale fare, alternative care and health service.

Child labour damages economic growth in numerous ways. While child labour is illegal, business do not report or pay tax on child employees. Child labour can damage the export sector as many rich nations are reluctant to import goods associated with child labour. Child labour can also encourage the growth of illegal economic activities, particularly the earnings from child trafficking or children's involvement in drugs and arms smuggling and prostitution fund criminal network.

CHAPTER THREE

3. CHILD LABOUR ABUSE IN DEBRE MARKOS TOWN:

Deber Markos is the capital city for East Gojjam zone. It is one of the Amhara regional state zones. This city have a population number of 107,438 which is most of the population is from Amhara.[151]But there are from other

[151] An interview with AtoDerjachew Belay, women's and Child affair expert on November,21,2009,e.c

regions especially from Oromia, Tigray, Benishangul Gumuz. But here the women's and child affair in the town does not have the total number of children who are below the age of 18. This indicates that they are not committed enough to protect any violations against children's including child labour abuse. But according to their estimation there are many under age children in the town who are far from education and work in hazardous works which affects their physical, educational moral development.[152]

3.1 Types of child labour abuse:

There are many kinds of works which are done by children who are below 18 years of age in Debermarkos town. But due to the absences of information there are some of the works are visible and the other is not visible for us. But we can see many kinds of works which are still done by those children's in the town. The following are some of the visible lists of works in the town:

1. **Begging:** begging is the common practice of children's in the town and it is taken as a habit for children's. If we go to different areas of the town there are many children's especially, below 10 years of age engaged in begging. As my interview with the victim's they are feeding themselves and support their weak and ill mothers, since most of their parents are unable to feed and take care for them. They are incapable to work since they are very young so their option is surviving their life by begging.[153]
2. **Domestic work:** many children in the town they are working in home. Especially, girls are exposed to this kind of work. They work for a long time, they have no time to play, and they are not allowed to go outside the home. According to the estimation of the women's and child affair in the town above half of the children in the town they house prisoners. More seriously, most of the domestic workers they

[152] Ibid
[153] ibid

are coming from the country side and hidden by their employers no to go back to their parents.[154]

3. **Café and restaurant work:** children's here they are working for a long time. They have no even time to sleep, they wake up at 10, o'clock and they are going to sleep around 6 o, clock at night. They have only 4 hours four sleeping which is immoral to human being. Plus to that their wage is not proportional with their hours of work and burden. They have no time for rest at day time and they are4 working 7 days a week.[155]
4. **Daily labour:** children's in the town also engaged themselves in daily labour.The amount of payment here also is low which is difficult to feed, cloths and other basic needs. They are not paid more than 50 birr per day.[156]
5. **Child prostitution:** many girls who are below 18 are also engaged in sexual work as a means of income which is immoral to the observer. If we go to the town especially around the place called Alegena sexual work is considered as permanent way to earn money. Most of the child prostitutes in the town are coming from the rural areas.[157]

   In addition to the above types of child labour, there are many other kinds of work which are done by children's. Children's participate in the economic activities by selling soft, kolo and related works which is especially common around the bus station of the town. They are working as" woyalas" with the passenger which are strictly prohibited to participate in such kinds of work by the labour proclamation and other laws of the country.[158] Here, children who work as a woyala are mostly below 14 years of age. Plus to that, children are also working

[154] ibid
[155] An interview with the victm in the town on November,21,2009,e.c
[156] An interview with child labourer in the town on novmber 21,2009 e.c
[157] An interview with w/roHiwote fenta, social science, expert in debremarkoswordacourt,onnovmber 20,2009
[158] My personal observation on novmber,23 2009 in debremarkos town bus station and child labourers

by carrying different goods from place to place. It is especially true around “wusetayege by amaekel”. A child with a better positions use “careta even if it is still dangerous for them.

3.2 Causes of child labour abuse in the town:

Many factors like that of at international, regional and at national level forces children to enter in to labour force in debre markos town. Among the factors that obelize to labour are:

1. **Poverty:** Ethiopia is still the poorest country in Africa and high incidence of child labour due to mainly poverty. In Debre markos town most child labourers are due to their poverty. Due to this children’s are forced to support their families and themselves to fulfill their basic needs especially to their daily food. Their parents are incapable to take care and feed them and they order them to work instead of send to school. They are incapable to buy clothes, teaching instruments like exercise book, education fees, and even incapable to feed their children. So, children are whether they like or not send to work to fulfill these needs.[159]
2. **Urban migration:** it is the other contributing cause for child labour, most child labourers are comes from the rural areas due to different reasons. Like disagreement with their families, and other in convinces to live there. They are coming to the town to avoid such problems that existed around their residence. But still, they are not successful to achieve their goals. As I can understand from child laboureres, girls are coming no to marry at their early age at their home. Their parents forced them to marry without their consent to not to marry, they leave their residence and families

[159] An interview with a child who baggies,in the town on novmber 24,2009 e.c

but, they are also forced to work in the town which is beyond their capacity and for long hours.[160]

3. **Lack of education:** the parents of child labourers are still ignorant and illiterate, they do not think about the impacts of child labour on the child, instead they are waiting and forcing their children to work. They are not aware of the harmful and mental impacts of child labour. Being poverty they cannot provide adequate education for their children, they did not still understand the importance of primary education in children's life. They are simply worrying about the temporary benefit derived from children's.[161]
4. **Cheap labour**: this is the other cause that contributes for child labour abuse in the town next to poverty. There are many child labourers and they working with very low amount of payment. They work above their physical ability, and age even more than the adults but their wage is very low compared with that of the adults. Many people need them since; they are many in number and cheap in price. Employers instead of employing adult workers they prefer children's, the employer can employ more than two child workers instead of one adult worker**.** Children's did not donot argue like the adult workers with the amount of payment, instead they accept what their employer give tom them.[162]
5. **Cultural attitude**: since most of the community in general and the parents in particular illiterate they are considering their children as a means of income or assist. They believe that children's are born to work and their parents. Parents discourage children's to go to school instead to work to save to their future life. According to

[160] An interview with atoderjachew belay, womens and child affairs expert in the town,on novmber,20,2009 e.c
[161] An interview with w/rohiwote fenta, social science,expert in debremarkos town worda court on novmber,20 2009 e.c
[162] An interview with atoderjachew belay womens and child affairs experty in the town on November,21,2009 E.c

parents a child who goes to school is the one who wastes his time and he would not have a food for his future, for thesis reason they encourage children to work rather than going to school.[163]

6. **Family condition**: most of child laboures in the town they have lost either two of their parents or one of his fathers or mother. Due to this the remaining father or mother could not support the family due to poverty. Their parents are also ill, HIV/ADIS victim, old enough to take care for children's. In addition parents are also engaged themselves in begging and other similar kind of immoral activities.[164]
7. **Family number**: this is the other factor for children labour abuse in Debre markos town. Many women's in the town are not using still the contraceptive method, due this they give birth many children's. If there are many children in one home, at the same time there is also many demands. The father and mother could not satisfy all the demands of their children. So children's are forced by their parents to support and survive themselves.[165]

   These and other related factors causes children's to enter in to child labour, which is risky for them and the country as a whole.[166]

3.3Actors of child labour abuse in the town:

There are many responsible bodies that seriously abuse the child's labour. Starting from the family up to the government children's are abuse physically.[167]**Here parents** are the first degree to abuse their children's labour.[168]Parent's uses children's labour by many ways at home and outside home. At home they are using the child to prepare

[163] ibid
[164] An interview with a child labourer in the town on novmber,24,2009,e.c
[165] An interview with w/rohiwotefenta,social science expert in debremarkos town worda court, on November 20 ,2009 E.C
[166]ibid
[167] An interview with atoderjachew Belay womens and child affairs expert in the town on novmber 20,2009 e.c
[168] ibid

food, to wash cloths and other related activities which affect children's development and their education. Parents also use their children's especially a baby below 3 years old for begging.[169]They areuse as an instrument to earn money, which should be prohibited and seriously immoral. The second degree to abuse child labour in the town is **employers.** Many children's are employed in different works and they are working above their age and their physical fitness. Their employers are not worry about children's they simply need for work only.[170]If becomes sick will not go to hospital and get treatment. If he cannot work due to his illness he will go out of his employers and his employer will bring another child worker until he becomes sick. In addition to the above actors in the town any **passerby** will abuse children. Everybody is abuses child everywhere.[171] The government body itself abuse child's because they employ children below 18 years of age in different kinds of work on the town.

3.4 Impacts of child labour abuse in the town:

A child who works in the town faces many social, psychological, physical impacts. They are denied of the right to education. They are far from schooling and they cannot even write their names. They have in work always and they have no time to learn. Child labourers are also forced to drop out their education, as I can got information from the women's and child affair from the town unestimated number of children are obelized to go out of school due to the reason that their parents could not support due to poverty and other factors listed above. They are socially isolated in the town. A girl who works sexual worker there is no doubt that she has no equal right with the other community. She hid herself in the house, even she cannot have the right to use resources full

[169] ibid
[170] An interview with w/rohiwotefenta,social science expert in debremarkoswordaw court on novmber,20 2009,e.c
[171] Supra note,180

heartedly. In addition to these, children's who involve in labour will not developed well physically, morally and psychologically. Child labour abuse in the town leads those children's in the town to other illegal and immoral activities. They are going to take part in theft, killing and other acts. Many children's especially girls in the town are exposed to sexually transmitted disease, like HIV/ADIS.[172]Girls who work in prostitution have a more provability to expose for this kind of uncured diseases. There is also unwanted pregnancy, fistula and even up death.

[172] An interview with atoDerjachew Belay womens and social affiars expert in DebreMarkos town on novmber 21,2009 E.C

CHAPTER FOUR

4. CONCLUSION AND RECOMMENDATION

4.1 Conclusion:

Children are the future human resource of an action that needs a special protection and care like safe environment to upgrade its quality. But unwise of these resource or before right times would endanger not only the sustainability of the children but also the country at large. Some individual try to increase their income at the expense of children. They let children to work in completely unsafe environment with little or no pay. However the living conditions of working children working from one mode of employment to another, some self-employed children are living with their parents or in group in their own rented house while others like potters either on vernda or by paying 3 birr a night. Moreover they are remunerated in cash or in kind and which is very little compared with the energy they invest and difficulty of the work they perform. They are disadvantaged members of the societies.

Child labour and education are inversely related. Education is an influential factor of child labour. When there is high rate of primary participation there will be low incidence of child labour. High participation of children in the labour market would affect primary school enrolment or participation of children. By realizing these, the international organization and our national government target at increasing the school participation of children through “compulsory education” and universal primary education.

In the study area, children are assigned to perform very difficult tasks which are incompatible to their age and physical strength. Because of the arduous nature of their work and unpleasant working conditions they experience children develop resentment to their work and their living and working condition. As a result most of the working children want to liberate themselves from labour abuse. But they encounter different obstacles in their endeavor to escape. This study has identified such hindrances on the

base of the point of view of the working children in Debre Markos town. Some of these are poverty, lack of education, family number, family condition, cultural attitude, urban migration. All these in part or together with tide working children to labour abuse. In the section there are people who support the involvement of children in the labour market by viewing of it as parts of the child socialization process and still lack information about child labour.

In short there is an information gap among child labourers, employers and working children about the rights of children and the cross ponding legislations that protect children. Working and getting something to eat and supplement ones family income is not an easy task for child labourers. To get it they should have pass through several challenges like, doing onerous work, hazardous or less conductive working condition and unfair treatment of employers, relatives, or parents. These abusive practices can be grouped physical, verbal and psychological. All these happened due to lack adequate legal protection and cruelty of employers and other people whom they work with. These abusive practices in trunk have their own impact on physical, psychological and social wellbeing of child. Most of the time the victims of such kinds of abuse are passive, lack of self-confidence, have low self-esteem, or self-concept. In their latter life, adulthood, they would develop aggressive behavior and may isolate themselves from the rest of the societies.

According to the FDRE constitution art9/4, all international conventions and agreements signed by Ethiopia are part and parcel of the law of the land. Ethiopia has singed different international conventions regarding the rights of the child and child labour. To safe guard the rights of the child various legislations are incorporated in the constitution and the labour proclamation, criminal code, civil code and other legal documents of the country.

Thus, it is safe concluded that Ethiopia has adequate legislations to protect the rights of children in general and child labour in particular. However, the enforcement of child labour is weak and it lacks good coordination among government agencies and justice department and the government lack political commitment to deal with child labour. It is undeniable that there are some improvements concerning the enforcement of child labour law in Debre Markos town. But still they need report either from the victims or the societies to bring the perpetrators before justice.

4.2 Recommendations:

- ✓ Parents should be advised to treat their children in proper manner. Depending up on the resource, parents should try to meet the basic needs of their children including education and medication.
- ✓ Practice family planning because a large family size is considered to be one of the root causes for the disintegrations of the family.
- ✓ Organize awareness raising discussion with children who are in especially difficult circumstances. This is critically important to support victims of child labour.
- ✓ Disseminate information to both children and adult on the negative impacts of child labour.
- ✓ Provide vocational training and alternative and appropriate employment opportunities for child labourers.
- ✓ Mobilize the community in order to address some of these crucial problems, which will affect the normal life of the societies and children in particular.
- ✓ Prepare awareness raising programs for the community.

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Interview guide lines to officials:

Name……

Responsibility……

Is there child labour abuse in the town?

What are the types of child labour abuse in the town that children's participate?

Who are the actors that use children's labour?

What are the impacts of child labour abuse in the town?

Interview guide lines to the victims of labour abuse:

Name……

Sex…….

Age…….

Place ofbirth……

What kinds of work that you do?

Why you involve in such kinds of work?

For whom you are working for?

What are the impacts of this work on you?