

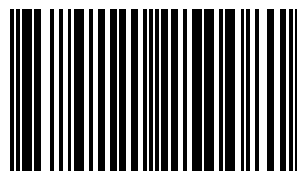
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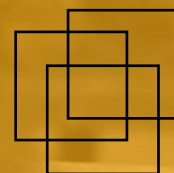


International
Labour
Organization



LEARNING ABOUT CHILD LABOUR

A training manual



ACTION AGAINST child labour 3

International Programme on the Elimination of Child Labour

LEARNING ABOUT CHILD LABOUR

A training manual

ACTION AGAINST child labour

3

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List of acronyms

Labour Code	Vietnamese Labour Code 1994 (amended and supplemented some articles in 2002, 2006)
BLS	Baseline Survey
MOLISA	Ministry of Labour - Invalids and Social Affairs
CBO	Community-based Organization
CCTs	Conditional Cash Transfer Schemes
CLM	Child Labour Monitoring
Convention No. 138	Minimum Age Convention, 1973 (ILO)
Convention No. 182	Worst Forms of Child Labour Convention, 1999 (ILO)
ILO	International Labour Organization
IPEC	International Programme on the Elimination of Child Labour (ILO)
LED	Local Economic Development
LPCEC	Vietnamese Law on the Protection, Care and Education of Children, 2004
MDGs	Millennium Development Goals
NAP	National Action Plan
NGO	Non-governmental organization
RA	Rapid assessment
TBP	Time-bound programme
UNCRC	The United Nations Convention on the Rights of the Child, 1989
UNICEF	United Nations' Children Fund
WFCL	Worst forms of child labour

Introduction

This is the third of the four-book Training Manual Set on child labour. The book aims at providing the knowledge and information of the design and implementation of child labour prevention and elimination activities in practice. For that purpose, the book covers the following sections:

Section 1: Survey on child labour. This Section includes two lessons that provide brief introduction of the issues such as the importance of the survey on child labour to the planning and design of programmes, introduction of research methodologies, basic steps of survey in general and survey on child labour in particular.

Section 2: Action to eliminate child labour. This Section includes four lessons that provide brief introduction of the solutions to child labour and highlight the measures to prevent, monitor, sanction, protect and support victims of child labour. In addition, it also deals with the necessity, measures and forms of coordination between different stakeholders in the prevention and elimination of child labour.

Section 3: Programme monitoring and evaluation, mobilisation and experience sharing. This Section includes two lessons which deal with the programme monitoring and evaluation; mobilisation of the community participation; learning and sharing experiences in the implementation of activities/projects relating to child labour. This aims at helping trainees to know not only what but also how they need to do for preventing and eliminating child labour after finishing this course.



SECTION 1. **Survey on child labour**

Lesson 13.The importance of survey on child labour

Lesson plan



Objectives:

Upon the completion of this lesson, trainees should be able to:

- Analyse the importance of the survey on child labour
- Present some types of survey on child labour



Planned duration: 45 minutes



Contents and methods:

No.	Contents	Methods	Notes
1	The importance of survey on child labour	• Brainstorming • Lecture	• See Activity 13.1, Book 4
2	Types of survey on child labour	• Experience sharing • Lecture	• See Activity 13.2, Book 4

Notes for trainers

1. The importance of survey on child labour

In order to achieve the expected effectiveness of child labour projects, programmes and activities, the survey of current situation is indispensable. Survey enables to clearly recognise the level, causes, characteristics, nature and other relevant aspects of the issue in order to identify and implement the proper intervention strategies and measures to prevent and eliminate child labour. Data and information gathering is the first step towards the elimination of child labour.

2. Types of survey on child labour

Because child labour survey belongs to the social science research category, in general there are two types of such survey:

- ☆ Quantitative approach/research: Which means to survey and determine the NUMBER OF working children or children at the risk of child labour. The key question is "How many?" The quantitative researches can be conducted independently or in combination with survey on households, street children, business agency, etc.
- ☆ Qualitative approach/research: Which means to survey and define the CHARACTERISTICS, NATURE, LEVEL, etc. of the issue (for instance, living and working conditions of child labourer, etc.) The key question is "How?" The qualitative researches can be conducted by gathering information from respondents, observation, monitoring, questionnaires, in-depth interviews and group discussions.

The qualitative and quantitative approaches complement instead of negating each other. It provides information with different natures, hence, when the two types are applied, a more comprehensive picture on child labour at the survey site can be drawn out.

From a specific perspective, survey on child labour is often conducted under the following forms: (1) Household-based sample surveys; (2) Rapid assessments - RAs; (3) Baseline surveys - BLSs; (4) Establishment-based surveys; (5) Street children-based surveys; and (6) School-based surveys. Each type of survey is characterized by its own advantages and disadvantages. Therefore, it needs to take into account the specific context to select the most appropriate type. Types of such survey are described in the table below.

Rapid assessment	Household-based sample survey	Baseline survey	Child labour demand-side survey	Street children-based survey	School-based survey
- Usually applied to survey on the worst forms of child labour - Gathering information rapidly - Unspecific and ungeneralized information (often only relating to the survey area/locality)	- Usually attached with general survey on households - Gathering information slowly - Specific, detailed and highly generalized information - Inapplicable to survey on the worst forms of child labour	- Usually attached with the national programmes of action on the elimination of the worst forms of child labour - Relatively rapid, specific, detailed information - Difficult to design samples while the survey result requires to have standard samples	- Aiming at demand-side factors of child labour (employers, children, families, etc.) - Relatively rapid, specific, detailed information which provides a panorama of demand-side factors information - Difficult to apply for the worst forms of child labour	- Targeting at street children - Relatively rapid information, describing the targeted group comprehensively and specifically - Difficult to verify much collected information	- Targeting at education environment - Relatively rapid information, applicable for both large scale and small scale survey - Sometimes, it is difficult to interview teachers and students

Lesson 14. Steps of survey on child labour

Lesson plan



Objectives:

Upon the completion of this lesson, trainees should be able to:

- Present the main steps of survey in general and survey on child labour in particular
- Describe the main contents of each step in the survey process



Planned duration: 1 hour - 1.5 hours



Contents and methods:

1	Steps of survey	• Experience sharing • Lecture	• See Activity 14.1, Book 4
2	Tips on data gathering	• Brainstorming • Lecture	• See Activity 14.2, Book 4
3	Child interview	• Experience sharing • Lecture	• See Activity 14.3, Book 4

Notes for trainers

Basically, survey in general and survey on child labour in particular includes the following steps: Survey planning; Data gathering; Data processing, analysis, reporting and disseminating the survey results.

1. Survey planning¹

Like other research activities, survey on child labour must be pre-scheduled before launching to gain the set objectives. Depending on the specific circumstance, the survey planning can be different; however, in general some basic steps must be conducted as follows:

- **Defining the relevant terms. In general,** the important terms are closely related to objectives and scope of survey activities. For instance, some terms need to be clarified including: “child”, “child labour”, “the worst forms of child labour”, etc.
- **Specifying objectives of survey.** Generally, the objectives govern the determination of specific survey targeted group, scope and activities. For example, if the survey objective is “To research on current situation of child labour in traditional handicraft villages in Commune X, District Y, Province Z”, the survey scope will be limited within the given commune and mainly target at the children working in the traditional villages in the survey site. However, if the objective is “To research on current situation of street child labour in Viet Nam”, the survey scope will be much larger and the targeted group will be also different (street children working on streets in cities nationwide).
- **Identifying targeted group, scope and focus of survey.** To do this, questions can be raised to be answered such as: Which type of children should be surveyed? Should all children of such type or only children in some age groups be surveyed? Which type of work performed by children should be surveyed? Does it need to survey all types of work performed by children or just need to focus at some certain types only? etc.
- **Defining specific activities to be conducted.** In general, after the objectives, targeted group, scope and focus of survey are identified, it is easy to determine the specific activities to be conducted. However, it should be noted that all the activities need to be scheduled to ensure the survey conducted in accordance with the assigned timeline.
- **Listing the research methods and tools to be used:** In addition to determining the activities of survey to be implemented, it is also necessary

¹ IPEC: *Child labour: A textbook for university students* (Geneva, ILO, 2004), pages 169-170.
Available at: www.ilo.org/ipeinfo/product/viewProduct.do?productId=174.

to list the research methods and tools corresponding to each activity, for example, using questionnaires, in-depth interview, factual observation, etc.

- **Identifying the human resources of the survey and funding sources:** Identifying specifically the field workers, coordinators and participants of the survey enables to assign responsibilities clearly and ensure the quality of survey. Cost estimation for each activity also ensures the feasibility and on schedule performance of survey.

In addition to the above factors, survey planning also requires to collect, summarise and analyse relevant sources of documents (for example, reports of surveys, statistics; implemented studies; researches published on newspapers, magazines, etc.) Such documents will provide an overview of the current research situation on the issue, which shall help to avoid coincidence and possibly suggest effective approaches and methodologies for the survey.

2. Data gathering

2.1 Which type of data is needed?

Survey on child labour in nature is to gather and process data on the issue. In many countries, especially where the Time Bound Programmes (hereinafter referred to as TBP) have built and implemented to eliminate the worst forms of child labour (hereinafter referred to as WFCL), the governmental agencies, donors, international organizations, NGOs and other relevant stakeholders all need the data on child labour for different purposes, at different levels and in different categories.

In principle, the more pervasive and complicated child labour situation in a country is, the larger the scale of data requires. However, there are types of basic data which are needed to gather under every circumstance including data relating to nature, level (scope), causes and consequences of child labour. These types of data can be categorized into the following groups:

- ☆ **Group of data on child labourers:** specifically, age, gender, mental and physical characteristics, level of education, school performance, family background, work engaged in, awareness and attitudes to work, etc.
- ☆ **Group of data on families of child labourers:** including information of family characteristics (number of members, nature, components, etc.); socio-economic status (income, expenditure, possessions, assets, land);

living conditions (housing, water supply, hygiene condition, etc.); awareness of parents (values and attitudes to education, goals for children, awareness and attitudes to the worst forms of child labour), etc.

- ☆ **Group of data on works of child labourers:** including information of work characteristics (sector, size, nature, working hours, remuneration arrangements, technology used, recruitment procedures); risks that child labourers have to face (accidents and occupational diseases, harmful substances, physical agents, negative impacts on psychology, morals, personality, etc.)
- ☆ **Group of data on community infrastructure:** including information of infrastructure and public utilities (water supply, roads, schools, medical agencies, etc.); economic status; social environment; awareness and attitude to child labour; community participation in dealing with social issues; etc.
- ☆ **Group of data on national context:** including general information of political, economic, social issues at national level relating to and affecting political determination, guidelines, policies, laws and actual capacity in the prevention and elimination of child labour. General information of children (proportion in total population, gender rate, ages, school performance, etc.) is also included in this group.

2.2 Suggestion for data gathering²

Gathering data on child labour generally involves a series of questions who?, what?, where?, when? and why? For example:

- Which children are engaging in child labour?
- How many children are engaging in child labour?
- What kinds of work do they engage in, and how much do they earn?
- How is their working and living condition?
- In which localities/areas does child labour occur? under which forms?
- Where does the child labourer come from? How is his/her family condition?
- When and how long do the children work?
- Do they attend school? If not, why?
- What are the attitudes of their parents/guardians towards education and child labour?
- How does the work affect their health, safety, morals, and education?
- Does any child engage in the worst forms of child labour? Why?

² IPEC: *Child Labour Statistics: Manual on methodologies for data collection through surveys* (Geneva, ILO, 2004), pages 52-53, 69. Available at: www.ilo.org/ipecinfor/product/viewProduct.do?productId=141.

In order to gather data, in addition to available sources, it needs to pay special attention to the informants. Depending on the objectives, targeted group, scope, methodology, condition and circumstance of the survey, different stakeholders will be selected and approached to gather data. In principle, the more data sources are accessed, the more comprehensive and accurate the collected data is.

Experiences have shown that data on child labour can be collected from the following stakeholders: the child labourers; their families, relatives, neighbours, local authorities and social organizations where exist child labour; labour inspectors; social workers; medical staffs; officials of other relevant governmental agencies (statistics, justice, immigration, etc.); members of mass organizations and NGOs, researchers; journalists; lawyers (especially for some worst forms of child labour), etc.

2.3 Interview with children³

Interview with children is often used in research on child labour; however, it requires special attention to morality in research. The followings are some important moral principles which should always be followed in interview with children:

- ★ Minimizing the risk that the children may be revenged by other stakeholders for answering the interview questions
- ★ Ensuring that the child answer the interview questions voluntarily
- ★ Being aware of and avoiding any action or expression that can hurt the child mentally, especially those who are victims of child abuse and exploitation
- ★ Pre-informing the child about for what purpose the information provided by them will be used, who will use such information and how it will be secured
- ★ Ensuring confidentiality of the child's identification
- ★ Encouraging the participation of children by making them feel safe when answering the interview questions
- ★ Not repeating the same question with the children, even if you are not satisfied with the reply
- ★ Limiting or not allowing the participation of other people in the interview as this may affect the child's psychology and answers
- ★ The child can be interviewed individually or in groups, depending on the requirements, purposes and situations. However, in cases of interview in groups, it needs to find out whether or not the psychology and answers of the child are affected.
- ★ Avoiding direct and difficult questions

³ IPEC: *Training manual to fight trafficking in children for labour, sexual and other forms of exploitation - Textbook 1: Understanding child trafficking* (Geneva, ILO, 2009), page 45.
Available at: <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=10771>.

- ☆ Never lying the child by pretending to be some other while interviewing them
- ☆ Saving the sensitive questions until the end of the interview and asking such questions only after having built a reliable relationship with the child
- ☆ Ensuring that everyone who conducts the interview or gathers, analyses, and processes data of the interview shall understand and obey the legal regulations and moral standards of protecting children participated in the surveys, interviews and simultaneously, having an effective mechanism to control, monitor the compliance with such regulations and standards

3. Processing, analysing and disseminating survey results

After the collection of necessary information and statistics are completed, it needs to process and analyse the data. It aims at giving judgements, assessments, and conclusions on the current situation, characteristics and causes of child labour in the survey site. All these findings shall be presented in an overview report. A good overview report should generalise the collected information and statistics to draw a relatively complete picture of the current situation of child labour and simultaneously, should include the conclusions and suggestions to relevant stakeholders. The first part of the report should introduce briefly the approach, methodology and major findings, conclusions of the survey so that readers can quickly grasp its core contents without having to read in details.

Dissemination of survey results is the last activity as well as the transition step from survey to application in practice. Dissemination of survey results not only raises the public awareness but also assists the legislators and management agencies to propose appropriate solutions to prevent and eliminate child labour.

There are many ways to disseminate the survey results, including reporting in conferences, workshops, publishing in mass media (television, radio, newspapers, magazines, etc.) Depending on the content and nature of the survey as well as specific condition and situation, some of the interviewed children may also participate in the dissemination of survey results, such as by presenting or answering interview questions in conferences, workshops, etc. The participation of children in this step will reinforce the convincingness of the survey results.

4. Deepening/synthesis exercise

Give instruction for trainees to do exercise in Activity 14.3, Book 4.



SECTION 2. **Action against child labour**

Lesson 15. Solutions to Child labour: an overview

Lesson plan



Objectives:

Upon the completion of this lesson, trainees should be able to:

- Present main solutions to child labour



Planned duration: 45 minutes



Contents and methods:

No.	Contents	Methods	Notes
1	Main solutions to child labour	• Working in small groups	• See Activity 15.1
2	Deepening/synthesis exercise	• Working in large group	• See Activity 15.2

Notes for trainers

Child labour is a complicated issue which cannot be eliminated in a short time. Global experiences have shown that a multi-dimensional and comprehensive approach should be applied to solve the problem and many intervention activities should be implemented in different domains. The intervention activities are often characterized by preventative or direct impacts and conducted at micro or macro level, generally including the following measures:

1. Awareness raising and social mobilisation

Awareness raising and social mobilisation encourage the participation of the more individuals and organizations the better, which creates the context for the Government, organizations of employees and organizations of employers to aware of the necessity to take intervention actions and policies. Such measure also facilitates the mobilisation of social resources to jointly solve the issue of child labour.

2. Improvement of legal and policy system and enforcement of laws and policy on child labour

This measure should also include raising awareness of people in general, children, children's families, employers, etc. on laws and policies, especially legislative support for victims of child labour. Although this measure is necessary, it is not the only solution to the issue. The legal and policy system should be expanded to monitor the informal sector where most of child labourers are working in.

3. Improving capacity of the participants

This is an important measure which contributes to the effectiveness and sustainability of the intervention activities against child labour. Capacity improvement activities can be implemented in many domains such as designing the management and coordination mechanism for the intervention activities to deal with the issue of child labour; planning, implementing, monitoring and assessing the programmes and projects on child labour; monitoring the enforcement of laws on child labour; planning urgent actions against the worst forms of child labour; ways of coordination to prevent and eliminate child labour, etc.

4. Improving the education and training system

This is the key solution among efforts against child labour. Parents and children, even the poor, can be willing to invest in education if they believe that education brings benefits which are helpful for the children when they grow up. A good education and

training system should ensure the children's opportunities to access to education and flexibility to the group of children who are working or used to work.

5. Eradication of poverty and hunger

As for poor families and those who cannot afford to survive without income earned by their children, solutions such as improving family income and credit savings programmes are essential to prevent and eliminate child labour. This case often happens to orphans bereaved of father or mother or both. However, it should be noted that the poverty and hunger eradication programmes need to be embodied with a specific component on child labour to avoid that the number of child labourers may increase after the implementation of the programmes.

6. Improvement of social welfare and protection services

In order to support families to afford their children's school attendance, incentive forms can be applied such as supports of school fees, cost for clothes and books. Monthly support in cash or nutrition supplementing initiatives for children can also be applied. The health care services are very essential, especially when a programme/project on child labour is initiated. However, it should be noted that the targeted group of such support needs to be identified properly. If there are a large number of children needed to be supported, the total expenditure to provide such social welfare will be very intensive even though each child receives only a small one. In this case, it needs to have the participation of organizations which can provide long-term financial commitment such as the governmental and private organizations, social welfare providers, etc.

7. Monitoring child labour

This measure requires the participation of labour inspectors. However, as child labour mostly happens in informal economic sector, which is beyond the operation scope in accordance with the function and mission of labour inspectors, other relevant stakeholders need to participate in the process of monitoring child labour.

8. Integration of child labour into national programmes and policies

Child labour is only a "symptom" which indicates the imbalance and ineffectiveness of development. Therefore, solution to the issue cannot be separated from the national context as well as the programmes and initiatives of socioeconomic development, and poverty reduction strategies. Such necessity is also derived from the large scope and complicatedness of the issue.

9. Direct intervention action

This measure aims at providing direct support to a targeted group of children, families and communities to:

Withdraw the children from heavy, harmful, hazardous works or workplaces where they are exploited

This measure is always attached with creating sustainable employment and improving income for children and their families, ensuring the family income is not so severely impacted that the children have to return to the former workplace. The measures aiming at freeing children out of workplace are always attached with a series of other support services; otherwise it is very likely that the children may have to return the former workplace. The more severely children are exploited and suffer from hurt, the more comprehensive the intervention measure should be.

Child protection at workplace

This measure includes improvement of working condition and child protection against labour abuse or exploitation. This is the first and transition step towards the complete elimination of child labour which often aims at changing attitudes and behaviours from accepting child labour caused by poverty to commitment to take action to eliminate child labour. This intermediate measure generally includes reduction of working hours, supply of health care service to children, ensuring that the working environment of children is not characterized as heavy, harmful and dangerous.

Support children for rehabilitation and reintegration

The measures to help children used to be victims of child labour and those suffered from psychological trauma during working to rehabilitate and reintegrate into the community require special attention. All children engaging in unconditional worst forms of child labour as stipulated in Convention No. 182 are the targeted group who need rehabilitation and reintegration. Such measures include supporting activities for children right from their getting out of heavy, harmful, dangerous works or worst forms of child labour to their physical and mental rehabilitation and reintegration to the community.

Prevention of child labour

In the long term, prevention of child labour is always the less expensive measure which is easier to implement and more effective than the intervention measures taken when the children have already engaged in child labour, especially the worst forms of child labour. The prevention of child labour aims at child labourers' siblings who do not work right now but are likely to work soon, or group of children who have not worked yet but are at "high risk" of falling into the spiral of child labour.

Lesson 16. Prevention of child labour

Lesson plan



Objectives:

Upon the completion of this lesson, trainees should be able to:

- Present and analyse measures to prevent child labour in the world and in Viet Nam



Planned duration: : 1 hour - 1.5 hours



Contents and methods:

No.	Contents	Methods	Notes
1	Concept and importance of child labour prevention	• Brainstorming • Lecture	• See Activity 16.1, Book 4
2	Measures to prevent child labour	• Working in small groups • Lecture	• See Activity 16.2, Book 4
3	Child labour prevention in Viet Nam	• Working in large group • Lecture	• See Activity 16.3, Book 4

Notes for trainers

1. Concept and importance of child labour prevention⁴

Protection of child labour is a broad concept, however, its core meaning is to protect children from falling into the spiral of child labour for any reason. UNICEF emphasizes the point that all children have right to be protected from economic exploitation and this can be achieved only by starting with the prevention of the risks that children may have to work at early ages or perform hazardous works.

Child labour prevention requires issuing policies, laws, plans, programmes and defining mechanism to actively deal with the factors leading to child labour. At macro level, child labour prevention means to reduce poverty and inequality in the society, reduce the risk of divorce, tackle the weakness and inadequacy in education, etc.

Governments take the primary responsibility for the prevention of child labour, however, many other stakeholders, especially families, communities, schools, employers and employees' organizations, NGOs and community organizations, etc., also take the responsibility in this issue.

2. Child labour prevention measures

2.1 Profiling children at risk of child labour

Global experiences have shown that, in order to prevent child labour effectively, it needs to start with surveying and identifying children who are likely or going to work at early ages or perform hazardous works (or can be referred to as profiling children at risk).

Profiling children at risk is a way to ensure that children at high risk of child labour will be supported timely by child labour prevention activities. This also aims at ensuring that the intervention and support actions are suitable with factual situation and needs of children at risk of child labour as well as with their family and community where they live. Moreover, this also provides baseline data for survey on child labour at broader levels as well as for statistics, data analysis and archives to facilitate the closely monitoring of child labour.

Profiling children at risk can be implemented by a separate survey or in combination with types of research as mentioned in Lesson 13, 14.

⁴ Adapted from IPEC: *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation*, Textbook 1: *Understanding Child Trafficking*, *ibid*, page 7.

2.2 Support to families with difficulties⁵

Experiences gained in the world and Viet Nam have shown that the basic and long term measure to prevent child labour is supporting families in financial difficulties to ensure that children in such families do not have to or are obligated to work at early ages or perform hazardous works. Such support needs to be implemented simultaneously with communication and mobilisation to make families understand the negative impacts of child labour as well as the importance of education to the child's future.

Some support measures which are widely applied in the world and Viet Nam can be summarized as follows:

- ☆ **Credit and livelihood support:** It is often implemented through small-scaled credit programme. Such programmes provide households with small initial loans along with specific guides on organizing production and business to generate or increase their income. The livelihood support can also be implemented by recommending or creating employment for families' adults and adolescents in the working ages.
- ☆ **Conditional material support:** It is conducted by providing parents with supports in cash or materials; regularly or irregularly on conditions relating to child labour prevention, for example, their children must be afforded to attend school, etc.
- ☆ **Local economic development support:** It is an indirect support. Promoting the local economic development, especially in areas with difficulties will contribute to child labour prevention because the rate of child labour in underdeveloped areas is often higher than that of developed ones. Specifically, the local economic support will reduce the rate of poor households and then the number of child labour in the area.

2.3 Education promotion for children⁶

The ILO considers the prevention and elimination of child labour and the education for all children as the two closely interconnected issues. Both Convention No. 138 and Convention No. 182 stipulate that activities, especially the national programmes of action on child labour elimination should take into account the importance of education, and that national data on child labour should include information of school attendance. These conventions also emphasise the right of children to access to vocational training and free basic education.

As mentioned in Lesson 9, in order to take advantage of education as a tool for preventing and eliminating child labour, the primary education (so-called basic education) must be really free. The governments are responsible for determining clearly and implementing measures to minimize and remove the extra cost

⁵ Adapted from IPEC: *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation*, Textbook 1: *Understanding Child Trafficking*, *ibid*, page 8.

⁶ Adapted from IPEC: *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation*, Textbook 1: *Understanding Child Trafficking*, *ibid*, pages 15-17.

or unpublicised expenses in education, for example expenses of transport, uniforms, foods and drinks, books, heating and lighting in the classrooms, etc. Moreover, it should be paid special attention to the education for girls, dropout children and child labourers to facilitate their return to school or attending alternative education programmes. Where the formal education school system fails to meet the demand, programmes of informal education and vocational training for children should be organized.

2.4 Strengthening the legal framework against child labour

Strengthening the legal framework on child labour is a very important preventative measure. On this issue, both Convention No. 138 and Convention No. 182 call on states to sanction strictly, even criminalise cases of child labour exploitation, especially cases of employing children in the worst forms of child labour.

In general, the legal framework on child labour prevention and elimination should be embodied with regulations on basic issues such as: (i) rights of the child, (ii) minimum age of employment, (iii) types of works prohibited to employ child labourer, (iv) types of works, conditions of recruiting and employing children under minimum working age; (v) conditions of juvenile employment; (vi) inspection and supervision of child labour situation; (vii) responsibilities of relevant stakeholders; (viii) sanctions (administrative, labour, criminal), applicable for violations on child labour, etc. For cases of juvenile employment, national laws often have strict regulations on registration, issue of license, reports and supervision of relevant stakeholders.

2.5 Other measures⁷

- **Communication to raise the awareness of child labour in the society:** This help the government agencies to reinforce determination and implement timely and appropriate policies, measures to deal with the issue, and simultaneously, help the communities and parents to understand thoroughly the negative impacts of child labour, which shall minimize the cases that children may be obligated or allowed to work at early ages or perform hazardous works. In addition, this also helps children to be aware of the matter and protect themselves against child labour.
- **Employment consultancy and support for juveniles:** This is very important for children just reaching the minimum age of employment as it is difficult for them to find a job because of inexperience, and they are likely to become victims of labour exploitation or have to perform hazardous works.
- **Elimination of gender discrimination:** Gender discrimination is one of the factors leading to girl child labour. Therefore, elimination of gender discrimination is also one of the measures to prevent child labour.
- **Raising awareness of the enterprise's social responsibility and supervising the complete process of production and distribution:** Enterprise, no matter it is large or small, local or multi-national, is necessary

⁷ Adapted from IPEC: *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation*, Textbook 1: *Understanding Child Trafficking*, *ibid*, pages 14, 17, 18.

and beneficial if it has high sense of social responsibilities, one of which is not employing child labourer. Therefore, it needs to target at the enterprises so that they can thoroughly understand and voluntarily comply with the legal regulations on child labour, most ideally, through the code of conduct/business ethic designed and issued by themselves.

In addition, the enterprises' overall process of production and distribution should be supervised strictly, which is increasingly complicated. For instance, while the manufacturing of most parts of fashionable clothes made by world-famous garment manufacturer satisfies all labour standards, a button or decorative items of collar may be related to child labour because it is supplied by small providers in developing countries where child labourers at very early ages are employed in production process. In theory, children can be exploited in any step during the process of production and supply; however, in fact, this only exists in some steps assigned to small providers. To prevent this, it is important to supervise the entire process instead of focusing on just some main steps or final step to ensure that every step in such process is transparent and not related to child labour exploitation.

3. Child labour prevention in Viet Nam

In Viet Nam, child labour prevention is integrated to many different governmental social programmes, typically:

- ☆ The Viet Nam National Programme of Action for Children
- ☆ The national programme of preventing and tackling issues of street children, children being sexually abused and children having to perform heavy works in harmful and dangerous conditions
- ☆ The national programme of action to prevent and combat trafficking in women and children
- ☆ Educational Development Strategy

In addition, many other governmental programmes also support the prevention of child labour, specifically: Programme to directly support job seekers, National target programme for hunger eradication and poverty reduction, National Action Plan for Children affected by HIV/AIDS to 2010 and vision to 2020, etc. Despite the differences in scope and measures of implementation, the above programmes are designed to mobilize the participation of relevant governmental agencies, social organizations, communities and individuals in the prevention and elimination of child labour in Viet Nam. Specific solutions applied in such programmes include:

- Conducting field research and surveys to identify the situation and existing problems.
- Reviewing, amending, supplementing and consolidating the relevant legal documents and regulations.

- Awareness raising communications aiming at the staff and people, particularly the vulnerable and high-risk groups under various forms.
- Improving capacity for responsible stakeholders (governmental officials, officials of social organizations, communicators, collaborators, etc.) through knowledge and skill training, providing with relevant documents and information, etc.
- Supporting individuals and families met with difficulties so that they do not become victims of child labour.
- Taking measures to implement compulsory secondary education as stipulated in the Law on Education.
- Building and improving the mechanism to support the victims recover mentally and physically and help them to reintegrate into the community.
- Improving mechanism and intensifying activities of inspecting, monitoring, investigating and sanctioning violations.
- Strengthening international cooperation to take advantage of resources, knowledge and experiences from other countries.

Specifically, for the issue of child labour, under Project 4 (Prevention and dealing with issues of children engaging in heavy works with harmful and dangerous working conditions) of the National programme of preventing and tackling issues of street children, children being sexually abused and children having to perform heavy works in harmful and dangerous conditions (period of 2004 - 2010), the following activities have been implemented by MOLISA:

- ☆ Conducting survey, classification, and documentation of children engaged in heavy, harmful and dangerous works under the categories of working form, age, sex and location in order to build initial database.
- ☆ Identifying the forms and targeted areas of children engaged in heavy, harmful and dangerous works at selected localities.
- ☆ Designing process of treatment and rehabilitation for children suffering from occupational accidents and diseases after leaving their works (in cooperation with the health sector).
- ☆ Training, researching and building model of inclusive education in combination with vocational training for children who have to dropout to work at early ages; and piloting this model in selected cities/provinces (in cooperation with the education sector).
- ☆ Designing and piloting model which is appropriate to children performing heavy and dangerous work for implementation at larger scale.
- ☆ Piloting the process of intersectorial inspection in selected provinces.
- ☆ Developing training materials and conducting training courses on process of intersectorial inspection of children engaged in heavy, harmful and dangerous works in provinces nationwide. Piloting model of prevention and tackling cases of children engaged in heavy and dangerous works in provinces.

In summation, it can be concluded that Viet Nam has implemented fairly comprehensive and consistent solutions to prevent child labour. However, according to some experts, the effectiveness of these solutions remain limited as current mechanism has not really facilitated the prevention and early detection of affected children and families at risk as well as the early intervention and transition to specialized services. Moreover, the comprehensive social security network for every child is currently unavailable in Viet Nam, ⁸child protection mechanism is heavily formalistic, officials in charge of child care, and protection and education are inadequate with limited capacity.

⁸ Adapted from IPEC: *Child labour Statistics: Manual on Methodologies for Data Collection through Surveys*, *ibid*, pages 52, 53, 69.

Lesson 17. Monitoring, sanction, protection and support for victims of child labour

Lesson plan



Objectives:

Upon the completion of this lesson, trainees should be able to:

- Present and analyse basic requirements in monitoring and sanction on child labour
- Present and analyse basic requirements in protection and support for child victims



Planned duration: 1 hour - 1.5 hours



Contents and methods:

No.	Contents	Methods	Notes
1	Monitoring the compliance with laws on child labour	• Brainstorming • Experience sharing • Lecture	• See Activities 17.1 and 17.2, Book 4
2	Sanction on child labour	• Lecture	
3	Protecting and supporting child victims	• Brainstorming • Lecture	• See Activity 17.3, Book 4
4	Deepening/synthesis exercise	• Case study	• See Activity 17.4, Book 4

Notes for trainers

1. Monitoring the compliance with laws on child labour⁹

Monitoring the compliance with laws on child labour (or can be referred to as child labour monitoring) aims at various stakeholders, including enterprises and families. This is demonstrated in actions such as identifying children at workplace, recording their circumstances and risks they have to face; recording relevant changes (for example movement of the child to other workplace), etc.

The child labour monitoring should be implemented regularly and comprehensively, regardless of at workplaces, in schools or communities. Therefore, such concept is broader than that of labour inspection. To some extent, labour inspection can be regarded as one among different methods of child labour monitoring. Because child labour often exists in informal economic sector where there is a lack of labour inspection, other stakeholders should be available to access to such area in order to detect immediately child labourer and children at risk of exploitation.

Monitoring child labourer employment requires the involvement of different stakeholders and their cooperation. For instance, while NGOs can monitor the employment of children at small workshops in informal economic sector, justice agencies can focus on the control of taking children across the border or using children in criminal activities. Agriculture-encouragement officials can coordinate to monitor the employment of children in farms while teachers and medical staff can monitor by observing and updating children's schooling or tiredness of students who have to study and work at the same time, etc.

In order to monitoring child labour successfully, the following elements play an importance role:

Information: It needs continuous effort to identify the workplace of children as well as information of working condition at such places. This requires establishing and maintaining a close relationship with the informants mentioned in item 3.2 Lesson 14.

⁹ For more details on CLM, visit <http://www.ilo.org/ipecc/Action/Childlabourmonitoring/lang--en/index.htm>.

Data: A database should be built to notify and share information among members. For this purpose, it is highly recommended to make use of Internet utilities.

Legal basis: It needs to mobilize the government to issue an appropriate legal framework which allows many stakeholders to implement child labour monitoring activities practically and effectively.

Planning: It needs to build a plan to implement monitoring activities regularly, closely and effectively. Such plan should also deal with the cooperation with other stakeholders in case of multi-stakeholders involving in the monitoring.

2. Sanction on child labour¹⁰

When the legal framework on prevention and elimination of child labour is available, the next important step is to implement such regulations effectively. Without taking this matter into consideration, the laws only exist in paper while the situation of child labour would fail to be improved. Moreover, weakness of laws enforcement also results in the phenomenon of disrespecting (or disregarding) the laws.

Basically, laws enforcement comprises of monitoring and dealing with violations. In principle, sanction in general and sanction on child labour in particular should be timely, objective and strict. If such requirements are satisfied, child labour will be not only eliminated at present but also prevented from recurring in future, because in addition to punishment, laws also have functions of deterrence.

In addition to timeliness and objectiveness, the strictness (or severity) of legal sanction should be highly appreciated. Offenders can repeat child labour exploitation if the punishment imposed on them is negligible while profit earned from such action is generally extensive. Therefore, in addition to punishment, there should be additional sanctions such as seizure of property, compensation for child victims and their family, revoking business license, etc. to enhance the deterrence of laws. Experiences from some nations have shown that the arrest, judgement, imprisonment and property seizure imposed on child sexual abusers have delivered a strong message to unprincipled procurers and pimps, which forces them to stop or at least dare not operate in public like previously.

Sanction on child labour is basically related to laws on administration, labour, criminal and civil code. In addition, the application of disciplinary sanctions (issued by agencies, organizations, etc.) should be encouraged to enhance the deterrence.

The system of justice agencies plays an especially important role in detecting and punishing child labour offences. Therefore, judges, public prosecutors, investigators and more extensively, even lawyers should be trained or targeted for communication and dissemination with the international and national laws on the issue so that they can apply in their professional activities.

¹⁰ IPEC: *Training manual to fight trafficking in children for labour, sexual and other forms of exploitation - Textbook 2: Action against child trafficking at policy and outreach levels* (Geneva, ILO, 2009), pages 34-39. Available at: www.ilo.org/ipecinfor/product/viewProduct.do?productId=10772.

3. Rehabilitating child labourers and support them to reintegrate¹¹

After the child is free from child labour exploitation, the next requirement is to support him/her to rehabilitate and reintegrate into the community. Following are some considerations relating to this issue:

- ☆ **Evaluate the needs of victims to find out appropriate measures to facilitate their rehabilitation and community reintegration:**

When children are released from exploitation and abuse, especially under the worst forms of child labour, they should be put under the special protection and support to rehabilitate and build a new life. For this issue, Article 39 UNCRC stipulates: “Nations must apply proper measures to facilitate the mental and physical recovery and social rehabilitation of child victims”. This is referred to as “recovery and rehabilitation”.

However, because child victims used to suffer from hurts, such hurt should not be allowed to repeat anymore. Therefore, their mental, physical needs and characteristics should be carefully assessed to identify the proper support measures for recovery and rehabilitation.

Generally, a young guardian should be assigned at the early stage of recovery and rehabilitation process. The guardian might be an official of a NGO, a social worker or others who must have truly love with children and experience in child victim protection and support.

- ☆ **Case management and service supply:**

Case management is interpreted as a process including assessment, planning and treatment with each child victim. The process commences since the victim is received until he/she is successfully (re)integrated into the community, though sometimes it may be extended longer. Case management is demonstrated by five basic elements, namely: (i) Collect data and proofs on child exploitation and abuse; (ii) Protect the child and his/her relatives from the risk of recapture or being revenged by exploiters; (iii) Assess and plan the properly mental and physical treatment and support; (iv) Perform the treatment and recovery for the child; (v) Plan and perform social reintegration for the child. In general, this process cannot be implemented by a single stakeholder; therefore, it is very necessary for different stakeholders to cooperate with each other.

- ☆ **Avoid hurting the child again:**

As mentioned above, it is an important requirement that the child victims, who

¹¹ Adapted from IPEC: Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation, Textbook 2: Action against child trafficking at policy and outreach levels, pages 41-48.

have already suffered from hurts for being abused and exploited, should not get hurt again by carelessness in the protection or support that they received. The next hurt can be simply actions or expressions making them frightened, self-pitying or more seriously, feel being offended. The situation is more serious when their names are revealed by carelessness and they may become the target of gossips, or because of that, they or their families are threatened, revenged, victimized, etc. by child labour exploiters and their accomplices.

In order to avoid hurting the children again, laws, procedure and process on child victim protection and support should be built based on the fundamental principle that child labourer is a victim, not a criminal or a spoilt one, and forms of protection and support should be appropriate with the child's needs. For this purpose, judicial officials (police investigators, public prosecutors and judges, etc.) specialized in working with child victims have been trained in many countries. The officials are well trained to be thoroughly understanding, friendly and sensitive with the rights, needs and psychology of children. Such understandings is also essential and need to be widely disseminated to other stakeholders such as lawyers, social workers working with children, to ensure that their support will facilitate the child to rehabilitate and integrate quickly to the community without hurting them anymore.

According to ILO-IPEC, in order to avoid hurting child victims again, child protection and support should comply with the following basic requirements: (i) Always keep in mind the general principle that saving the best for the children; (ii) Take a specific approach based on the individual needs of the child by finding out about the child's psychology and opinions; (iii) Ensure the safety and security of children at any time; (iv) Never put a child labourer into detention, even for a short time (as they are not criminals); (v) Avoid at all costs repeating the cruel treatment with the child do not make them have to suffer from violent treatment anymore; (vi) Provide temporary or permanent accommodation to children as necessary; (vii) Spend time and effort on rebuilding the child's beliefs to help them recover from the psychological crisis; (viii) Respect the child's privacy and secrets; (ix) Provide children, at the appropriate time, with access to life skills training, education or vocational training, depending on their individual needs; (x) Promote the child's community reintegration by working with children and community where he/she will live; (xi) Ensure that the child care providers are well trained, experienced and regularly updated with such skills and knowledge.

For the above issue, in Viet Nam, MOLISA has just promulgated the Circular No. 23/2010/TT-LDTBXH dated 16th August, 2010 which stipulates the process of intervention and support for children suffered from violence or sexual harassment. The document mentions in details principles, steps of the intervention and support process aiming at children suffered from violence or sexual harassment as well as liabilities of relevant stakeholders.

The next hurt can be simply actions or expressions making them frightened, self-pitying or more seriously, feel being offended. The situation is more serious when their names are revealed by carelessness and they may become the target of gossips, or because of that, they or their families are threatened, revenged, victimized, etc. by child labour exploiters and their accomplices.

4. Deepening/synthesis exercise

Give instruction for trainees to do exercise in Activity 16.3, Book 4.

Lesson 18. Coordination in action to prevent and eliminate child labour

Lesson plan



Objectives:

Upon the completion of the lesson, trainees should be able to:

- Present and analyse the reasons why coordination in activities of child labour prevention and elimination is needed
- Present and analyse main requirements for coordination in action to prevent and eliminate child labour.



Planned duration: 1 hour - 1.5 hours



Contents and methods:

No.	Contents	Methods	Notes
1	Why is coordination in action against child labour needed? How to ensure successful collaboration?	• Large group discussion • Lecture	• See Activity 18.1, Book 4
2	Which stakeholders take responsibilities?	• Work in small groups • Lecture	• See Activity 18.2, Book 4
3	Deepening/synthesis exercise	• Work in pairs	• See Activity 18.4, Book 4

Notes for trainers

1. Why is coordination in action on child labour needed?¹²

Child labour is a broad and complicated issue which relates to various domains of life and various stakeholders (children, families, communities, governments, businesses, etc.) Due to such broad and complicated nature, no stakeholder, even government, could prevent and eliminate child labour independently. Instead, this task requires the cooperation of different stakeholders, among which the cadre groups are governments, trade unions, organizations of employers and social, political organizations, etc. As each stakeholder has certain strengths and limitations, the coordination in action is very necessary for promoting the maximum strength and resources, as well as reducing repetition and overlapping in activities.

Coordination in actions on child labour could be taken at all levels, even beyond the national borders. At national level, government agencies and relevant stakeholders at all levels can coordinate in actions to comprehensively deal with the causes and consequences of child labour, ensuring no child labourers are abandoned. At regional and international levels, governments, organizations of employees and employers, non-governmental organizations, etc. could sign agreements on sharing information, judiciary interdependence, financial support, human resources and experience exchange, etc. to facilitate the stakeholders' activities in each nation.

2. Which stakeholders take responsibilities?

As mentioned, there are many responsible stakeholders and they should be mobilized to participate in child labour prevention and elimination activities. Each stakeholder takes different roles and could contribute to resolving the issue of child labour from different perspectives and at different levels. Listed below are main stakeholders:

2.1 Governments¹³

Governments are the main stakeholders being responsible for child labour elimination, for the following reasons:

¹² IPEC: *Training Manual to Fight Trafficking in Children for Labour, Sexual and Other Forms of Exploitation*, Textbook 1: *Understanding Child Trafficking*, *ibid*, page 46.

¹³ IPEC: *Child Labour: A Textbook for University Students*, *ibid*, pages 196-202.

- ☆ Governments take primary responsibility for implementing international commitments related to this issue (UNCRC, Convention No. 138 and 182 of the ILO).
- ☆ Governments are the stakeholders who have rights and responsibilities for building, organizing and ensuring law enforcement as well as policies on all fields, including child labour.
- ☆ Governments are the stakeholders who implement directly activities of regional and international cooperation related to child labour prevention and elimination.
- ☆ Governments are the stakeholders who have right to allocate resources to help children at risk of becoming victims of child labour and their families.
- ☆ Governments take the above roles through government agencies (including legislative, executive and judiciary bodies). With such important roles, governments should:
- ☆ Consult the opinions of experts, scientists in order to build a national programme about child labour elimination.
- ☆ Establish an agency to monitor the activities and budget use of the national programme about child labour elimination.
- ☆ Assess the education system, finding out causes and solutions to promote the opportunities of every child to access to education.
- ☆ Build and implement social protection programmes and other measures in order to maintain the income of families, thus avoiding the risk of children working at early ages.
- ☆ Coordinate the activities of all government agencies responsible for law enforcement and implementation of programmes, plans against child labour.
- ☆ Integrate child labour issue in other national development programmes.

2.2 Organizations of employers and employees¹⁴

Child labour prevention and elimination must be regarded as the objective of the organizations of employers, as child labour damages not only the national development but also the operation and growth of businesses. Too many child labourers will obstruct the development of skilled and well-educated workforce who has ability to acquire and use new equipments and technologies in businesses.

The cooperation of employers is very important in the combat against child labour; firstly, because they can assure that their businesses do not use child labour and in addition, they can:

- ☆ Provide detailed and accurate information about the percentage of child labourers working in various areas;

¹⁴ IPEC: *Child Labour: A Textbook for University Students*, *ibid*, pages 228-235.

- ☆ Mobilize and promote the development and implementation of national policies on child labour;
- ☆ Coordinate with trade unions and non-governmental organizations in the development and implementation of vocational training programmes for child labourers;
- ☆ Communications for changing public awareness of the children's rights and the negative impacts of child labour;
- ☆ Impact on small-sized businesses that often employ child labourers (the ones often provide raw materials or processed products for big businesses).

Child labour is also considered as an issue which needs special concerns of trade unions. That is because the general function of trade unions, regardless of anywhere in the world, is to protect the benefits of their members, i.e. labourers. Meanwhile, child labour damages seriously the relationship between employers and labourers, causing the average salary level to decrease, the rate of unemployment to increase, the working conditions to become worse. Therefore, in order to achieve the trade unions' basic objectives which are to create many jobs, increase salary levels and improve the working conditions for member labourers, it requires to eliminate child labour.

When participating in the combat against child labour, the strength of trade unions lies in that they can disseminate new ideas and opinions widely, as they have a broad organization system and rich experiences in advocacy and communications activities. In addition, they have ability to take direct actions such as strikes, demonstrations, etc. in order to force relevant stakeholders to take actions to prevent and eliminate child labour. In details, trade unions can:

- ☆ Impact on the laws and policies of the Government on child labour.
- ☆ Impact on the attitude and behaviour of child labourers and their families.
- ☆ Monitor the situation of child labour and inform labour inspectors and other governmental agencies in order to take appropriate actions of prevention and sanction.
- ☆ Conduct and participate in researches about child labour.
- ☆ Help child labourers and children at risk of becoming victims of child labour in many ways, for example material support, education services, vocational training, etc.

2.3 Social organizations, non-governmental organizations and community-based organizations¹⁵

Social organizations, non-governmental organizations (NGOs) and community-based organizations (CBOs) can contribute to child labour prevention and elimination in many ways, specifically:

¹⁵ IPEC: *Child Labour: A Textbook for University Students*, *ibid*, pages 236-240.

- Communicate, educate to improve the awareness of the community, families and children about the negative impacts of child labour. In many nations, public organizations, NGOs and CBOs play main roles in communications campaigns against child labour.
- Monitor, inform government agencies and mass media about the situation of child labour. In many nations, public organizations, NGOs and CBOs are often the first to detect and reveal the worst forms of child labour.
- Research, survey and propose initiatives against child labour.
- Provide legal, psychological, educational and material support services for children. In many nations, public organizations, NGOs and CBOs are the main stakeholders to implement alternative education programmes and free children from labour exploitation.
- Work directly with parents, child labourers and the community in order to take children from workplace and back to school.

2.4 Children¹⁶

Children need to participate in activities related to child labour as not only beneficiaries but also information providers, mobilizers, communicators and supporters child labourers. Without their participation, intervention measures will be unreasonable and ineffective.

Among children in general, child labourers have the most important role. That is because from their own situations, they can understand and consult relevant stakeholders about necessary measures to eliminate child labour or to improve child labourers' situations. In addition, their convincingness is very high when participating in activities of communicating, educating other people or other children about child labour prevention and elimination. Last but not least, they are very helpful in supporting children of the same situation, as being helped by others of the same situation will give friendliness and solidarity in groups.

2.5 Mass media agencies¹⁷

Mass media agencies play very important roles in the attempt to prevent and eliminate child labour. That is because they have available resources, materials and especially a good capacity to inspect and discover problems. But the most important is that they have a very strong ability to impact on governments, public and employers of child labour. They can access information resources which other stakeholders cannot; besides, they have necessary skills and means in order to communicate and impact on people.

Therefore, it is essential to attract the attention of mass media agencies and train them with the understanding of child labour. Reporters need to be equipped with

¹⁶ IPEC: *Combatting trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners - Book 3: Legal and policy frameworks, mobilisation and partnerships* (Geneva, ILO, 2008), page 36, available at: www.ilo.org/ipecinfor/product/viewProduct.do?productId=9130; and IPEC: *Child labour: A textbook for university students*, *ibid*, pages 240-241.

¹⁷ IPEC: *Combatting trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners - Book 3: Legal and policy frameworks, mobilisation and partnerships*, *ibid*, page 36.

specialised knowledge and rules of practice when accessing child labourers. They also need to be trained in order to understand risks that child labourers may face when reporting the problem, especially in the case of reporting on the worst forms of child labour.

2.6 Other stakeholders¹⁸

There are a lot of other stakeholders who can participate in child labour prevention and elimination, for example: communities, religious organizations, schools, etc. Most of them are well-organized, with rich resources and well-trained, dedicated workforce, who have a long history of working closely and impact remarkably on the community, etc. Therefore, engaging these stakeholders will lead to big changes and results in child labour prevention and elimination.

3. Stakeholders responsible for child labour prevention and elimination in Viet Nam

In Viet Nam, there is no exclusive mechanism or system of child labour prevention and elimination, but just only a mechanism, system of child protection, care and education in general.

According to Article 40 of Constitution 1992, the protection and care of children are the common responsibility of the government, the society, families and citizens. This stipulation is concretized afterwards in the Law on the Protection, Care and Education of Children and the Decree with instructions for law enforcement. The term government herein refers to different government agencies; the term society refers to social organizations.

The Law on the Protection, Care and Education of Children repeats one basic principle of UNCRC that is: in all activities of agencies, organizations, families, individuals related to children, the benefits of children should be cared first (Article 5). The Law also stipulates the specific responsibilities of relevant stakeholders in the protection, care and education of children, which may be summarised as follows:

3.1 The Governments

According to Article 5 of the Law on the Protection, Care and Education of Children, the Government is responsible for consistent management and law enforcement on the protection, care and education of children. The authority for the population, families and children¹⁹ is the one that directly helps the Government to perform this responsibility, through coordination with other government agencies and social organizations in the protection, care and education of children. Ministries

¹⁸ IPEC: *Combatting trafficking in children for labour exploitation: A resource kit for policy-makers and practitioners - Book 3: Legal and policy frameworks, mobilisation and partnerships*, *ibid*, page 39.

¹⁹ Formerly called the Committee of the population, families and children, currently this authority has been incorporate into MOLISA and the Ministry of Health, in which the most important unit is the Department of Children Protection and Care directly under MOLISA.

and sectors directly under the Government implement the protection, care and education of children based on their own management functions. People's committees at all levels manage the protection, care and education of children locally based on the decentralization of the Government.

In addition to Article 5, the Law on the Protection, Care and Education of Children and the Decree No. 36/2005/CP/ND-CP include many articles which stipulate in details the functions and missions of each government agency mentioned above in the protection, care and education of children.

The agency which plays the role as a coordinator in child care and protection activities in general, including child labour prevention and elimination is the Department of Children Protection and Care directly under MOLISA.

In accordance with Decision No.168/QĐ-LĐTBXH signed by the Minister of MOLISA on the 24th January 2008, the Department of Children Protection and Care is responsible for helping the Minister of MOLISA to implement its management function of protection and care for children nationwide (Article 1). According to Article 2, the Department of Children Protection and Care takes responsibility for:

1. Research and Submit MOLISA

- a) Strategies, programmes, schemes, long-term and annual plans, projects and proposals on the protection and care of children (based on the synthesis of programmes, plans on the protection and care of children built by the units under MOLISA);
- b) Projects of legislation, ordinance, legally normative documents about the protection and care of children assigned to the Department by MOLISA;
- c) Regulations and policies on the protection and care of children with special circumstances; rehabilitation, community reintegration for children with special circumstances (except for the targeted group being in charge of the Department for Social Protection and the Department for the Prevention of social evils);
- d) List of occupations, works prohibited to employ child labourers and list of works which are allowed to employ children (except for list of workplaces, works which are not allowed to employ labourers under 18 years in businesses, services easily abused for prostitution);
- e) Coordinate with relevant agencies to research and propose measures for preventing children from falling into special circumstances, ill-treatment, abuse; preventing children from accidents, injuries (except for missions assigned to other departments within the Ministry);
- f) Organize the network of child support agencies; issue establishment statutes, standards, conditions, organize activities and provide professional, specialized instructions for child support agencies; procedures for receiving children with special circumstances into these agencies and from these agencies back to families, community.

2. Direct, guide and monitor the implementation of the stipulations issued by the Government, the Ministry about the protection and care of children;

3. Participate and coordinate with the General Office of Vocational Training, the Department for Social Protection, the Department for the prevention of social evils, the Department for deserving people and other functional units of the MOLISA to build the policies on the protection and care of children as assigned by the MOLISA;

4. Become the focal point on behalf of MOLISA to coordinate with Ministries, sectors, political and social organizations and other organizations in the development and implementation of the National Programme of Action for Children, programmes of the protection and care of children with special circumstances, programmes, projects, plans and models of child protection, care and education;
5. Coordinate with the units under the Ministries, sectors, political and social organizations and other organizations in organizing, monitoring, supervising, assessing and reporting on the implementation of international conventions, treaties on the protection and care of children which Viet Nam has participated in and ratified, as assigned by the Ministry;
6. Communicate, advocate, disseminate, educate laws; summarise, assess, expand movements, models, typical examples of child protection and care;
7. Update and gather statistics of targeted group as assigned by the MOLISA;
8. Participate in the building of standards, professional and specialized norms for professionals; policies for cadres, staff, officials, collaborators, volunteers in assigned areas; criteria for ranking, the quota of staff for public organizations under management;
9. Assist MOLISA to manage associations, non-governmental organizations operating in the protection and care of children;
10. Implement international cooperation activities assigned by the MOLISA;
11. Conduct scientific researches; participate in training and developing cadres, staff, officials, collaborators, volunteers in charge of the protection and care of children;
12. Synthesize and report regularly and/or on request the protection and care of children in compliance with stipulations;
13. Manage staff and technical, financial, material, asset resources and facilities allocated in compliance with the regulations of the Government and MOLISA;
14. Perform other tasks assigned by the MOLISA.

3.2 Social organizations

The concept of social organizations in Viet Nam is used basically to refer to the Viet Nameese Fatherland Front and members of the Front (also referred to as social and political organisations). However, in the broader sense, social organizations includes all organizations which are not directly under the Government, established on the voluntary basis and operate on the self management basis of members, in order to meet their needs and benefits as well as to attract the public to participate in social activities, enhancing the political enthusiasm of each individual. These organizations are also the stakeholders who are responsible for the protection, care and education of children depending on their operational domains. Among those, there are some social organizations which play the most important roles such as Viet Nameese Women's Union, Ho Chi Minh Communist Youth Union, Fund for Child Sponsorship, Association for the Protection of Children's Rights, etc. (Article 5 and 34 of the Law on the Protection, Care and Education of Children).

3.3 Families

Like UNCRC, the Law on the Protection, Care and Education of Children identifies families (parents, guardians, other adults in families) as the ones who have the very first and primary responsibility for the protection, care and education of children (Article 23-32 of the Law on the Protection, Care and Education of Children).

3.4 Individuals

According to Article 5 of the Law on the Protection, Care and Education of Children, all individual citizens are responsible for the protection, care and education of children.

3.5 Media

According to Article 35 of the Law on the Protection, Care and Education of Children, the responsibility of advocacy and communications agencies is to disseminate the lines and policies of the Party, the laws of the Government on the protection, care and education of children, present models, typical examples of good people and good actions in the protection, care and education of children; detect and criticize the offences against regulations on rights of the child and works prohibited to employ children.

3.6 Other stakeholders

- **Law enforcement agencies:** According to Article 35 of the Law on the Protection, Care and Education of Children, the responsibility of law enforcement agencies is to prevent, detect instantly and handle offences against regulations on the protection, care and education of children, educate and deal with children who are committed to violations by educating, helping them to realize and correct their errors to become better citizens.
- **Schools:** According to Articles 5 and 56 of the Law on the Protection, Care and Education of Children, the schools are also the stakeholders who are responsible for the protection, care and education of children.
- **Child support agencies:** The Decree No. 36/2005/CP/ND-CP allows the establishment of child support agencies operating in distinct areas (for example, targeted at children defected of hearing, speech and visual capacity; educating and re-educating child offenders; detoxification for addicted children; managing, caring and educating children in need of social protection; ensure foods and accommodation for a specific group of children with special circumstances); based on the sectors and areas' domain (for example: medical examination, treatment, rehabilitation, education, vocational training, creation of jobs, cultural and sports activities for children) or based on combined domains (for example providing knowledge and skill consultancy; foods and accommodation for many different groups of children; assistance in medical treatment, integration education, vocational training, jobs, cultural and social activities).
- **Foreign organizations and individuals:** Article 5 of the Law on the Protection, Care and Education of Children encourages foreign organizations and individuals to participate in the activities of child protection, care and education in Viet Nam.

In summation, it can be seen that Viet Nam laws have specified a comprehensive and detailed mechanism, with the participation of many different stakeholders in the protection, care and education of children. Although this mechanism is not designed exclusively for child labour prevention and elimination, this is also one of its objectives.

However, some cases of child abuse, including the ones in the worst forms of child labour, in recent years have revealed the limited effectiveness of the current mechanism of child protection, care and education in Viet Nam. In general, activities of the above stakeholders remain formalistic, without close coordination and cooperation, some of them remain unprofessional.

4. Some main requirements for coordination in action²⁰

Coordination in action means that many stakeholders cooperate with each other in order to achieve common objectives. Therefore, in order to achieve a good and effective coordination, the first thing to do is to specify advantages and disadvantages of each stakeholder when participating in child labour prevention and elimination (which can be referred to as partner capacity analysis).

Partner capacity analysis comprises of many factors, however, the two important ones which should be taken into account in every circumstance are: Firstly, the capacity of relevant parties in impacting on policies and laws in order to resolve child labour effectively and Secondly, the capacity of relevant parties in implementing the forms of direct intervention, for example helping children at risk of working at early ages, protecting child labourers, assisting victims of the worst forms of child labour, etc .

Partner capacity analysis is the basis of developing groups to coordinate actions in child labour. After developing such groups, in order to coordinate effectively, some following requirements need to be taken into consideration:

- ☆ Reach a consensus within the group about definitions, concepts, features, nature of child labour at local and national levels;
- ☆ Reach a consensus in terms of approaches, objectives and action plans of the group;
- ☆ Reach a consensus in terms of locations and areas of operation, targeted groups and assignment within the group;
- ☆ Reach a consensus in terms of the mechanism for the implementation, monitoring, assessment and progress of activities;
- ☆ Reach a consensus in terms of methods and process of communication, meetings, sharing best practices/experiences among group members, etc.

5. Deepening/synthesis exercise

Give instructions for trainees to do exercises in Activity 17.4, Book 4.

²⁰ IPEC: Training manual to fight trafficking in children for labour, sexual and other forms of exploitation - Textbook 1: Understanding child trafficking, *ibid*, pages 47-50.



SECTION 3. **Project monitoring and evaluation, advocacy and experience sharing**

Lesson 19. Monitoring and evaluation of projects on child labour

Lesson plan



Objectives:

Upon the completion of the lesson, trainees should be able to:

- Present and analyse basic requirements for the monitoring and evaluation of projects on child labour



Planned duration: 1 hour - 1.5 hours



Contents and methods:

No.	Contents	Methods	Notes
1	Overview of project monitoring and evaluation	• Large group discussion and • Mutual learning • Lecture	• See Activities 19.1 and 19.2, Book 4
2	Indicators	• Mutual learning • Lecture	• See Activity 19.3, Book 4
3	Participation of children and community	• Lecture	
4	Deepening/synthesis exercise	• Work in small groups	• See Activity 19.4, Book 4

Notes for trainers

1. Overview of project monitoring and evaluation

Project monitoring and evaluation is critical to ensure the progress, purpose and effectiveness of actions against child labour at all levels. Moreover, it is also important in the development of long-term strategies for child labour elimination as it enables to identify and replicate best practices.

Monitoring and assessment should be implemented in every project, at every level (local, regional and national) by any stakeholder. Monitoring and evaluation plans are necessary factor in every National action plan on child labour elimination.

Project monitoring and evaluation could be implemented in different ways, for example: factual observation; discussion/talking/interview with child labourers and relevant stakeholders; reading reports; field trips and a combination of the above methods.

The monitoring should be performed regularly during the project implementation, possibly under different forms. Project monitoring could be done by independent supervision entities, project implementers, project participants or targeted group of project or a combination of the above stakeholders. Project monitoring aims at not only assessing the implementation against plan but also reviewing and deciding if any change in the project should be taken or any lesson has been learned.

At the kick-off step, relevant stakeholders should discuss and define in action plans when to start monitoring, what should be monitored (for example, which indicators?), how to report monitoring results and how to respond. Governmental agencies and donors to child labour elimination activities often have their own monitoring criteria. However, even when they do not have such criteria, they could still monitor by reviewing regular reports of project implementing agencies.

Project assessment is conducted at defined milestones during or after the project implementation in order to find out project's impacts in comparison with targeted objectives. It is ideal that such assessment should be conducted by outside agencies which are independent of the project implementers, because they are not only knowledgeable about the issue but also objective, unbiased as they have no relations with project initiatives and any relevant stakeholders.

While it is fairly easy to assess project progress and results, it is more complicated to assess project impacts as it requires to take into account a number of factors and indicators. Basically, impact assessment means finding out if there is any positive change in the situation of child labour in the project sites after finishing the project.

Some key factors of project assessment can be listed as follows:

- ☆ **Appropriateness** – Does the project contribute to the general objective of child labour elimination or achieve any other goals?
- ☆ **Effectiveness** – Does the project have positive impacts on child labour as expected in its objectives?
- ☆ **Efficiency** – How are resources (time, finance, human, materials) used in relation to results achieved?
- ☆ **Sustainability** – Does the project continue to take effect in future? Can it be sustained and developed by other resources?

2. Indicators

Project monitoring and evaluation could not be implemented without indicators which are measures for results, progress and impacts of projects on child labour. As a result, assessment indicators should be defined at the step of project design and regarded as the integral component of project instruments. Indicators should be succinct, specific, feasible, practical and time-limited.

For example, some indicators used for child labour project assessment can be listed as follows (these indicators are defined and compared between before and after the project is implemented):

- Number (or rate) of school girls/boys at risk of child labour;
- Number (or rate) of employed girl/boy children at risk of labour exploitation;
- Number (or rate) of girl/boy children equipped with self-protection skills and awareness of the risk of labour exploitation;
- Number (or rate) of girls/boys registering and accessing to basic services provided by the government to children at risk of labour exploitation;
- Number (or rate) of parents whose children are at risk of child labour being targeted for communication to raise awareness and being supported and having let their children attend school;
- Number (or rate) of regulations and legal procedures issued to sanction child exploiters;
- Number (or rate) of local, regional or national budget allocated to measures against child labour, including for specific needs of girl and boy children;
- Number (or rate) of officers and staff of local and central governmental agencies assigned to child labour prevention, especially in the role of specialised staff acting as focal contact points;
- Number (or rate) of policies and documents on education, labour, employment and migration related to child labour;
- Number (or rate) of offenders against regulations of child labour being investigated, prosecuted, judged and convicted.

3. Participation of children and community

The participation of children and community in the monitoring and evaluation is one form of empowerment as through this, they could see by their own eyes what are under progress and have a chance to express their own ideas on actions having direct impacts on them.

Children and community members could participate in activities of monitoring and evaluation under different forms. In all circumstances, attention should be paid to possible barriers that could prevent effective participation of children and some other community members. For example, in some communities, women often feel uncomfortable among a group of men; as a result, they do not want to speak out their own ideas. Children could be in the same situation when they participate in meetings with many adults. Or the disabled have special needs when joining social activities and if their needs are not satisfied, it would be difficult for them to participate and express their ideas on the issue. Therefore, if necessary and possible, meetings for each group should be arranged separately.

The arrangement of meetings for the community to participate in project monitoring and evaluation should obey certain regulations to ensure the effectiveness. Such regulations include:

Before starting

- If necessary, explain that opinions raised and even the identification of participants will be kept confidential;
- Encourage participants to express ideas and provide information by ensuring the absence of unwanted listeners (for example, staff, teachers or parents who are often curious about children's opinions).

During the discussion

- Allow participants to stop whenever they want;
- Try to ensure that old aged participants or seniors do not dominate the young or juniors.

During the discussion of sensitive issues

- Build trust and promote the confidence of speakers;
- Do not record the names or take photos of participants;
- Keep confidential of interview or group discussion location;
- Be open to attitudes and viewpoints of participants; do not criticize in all circumstances.

After the discussion

- Say thanks to participants for their time and information;
- Summarise main points of information provided by participants; ask if they agree and/or want to add anything;
- Explain what you will do next with the information they provided;

After finishing data gathering and analysis

- Send summary reports to participants and ask if they agree and/or want to add anything.

4. Deepening/synthesis exercise

Give instructions for trainees to do exercises in Activity 18.4, Book 4.



Lesson 20. Mobilising participation and sharing experience in activities against child labour

Lesson plan



Objectives:

Upon the completion of the lesson, trainees should be able to:

- Present and analyse methods of mobilizing the participation and sharing experience in activities against child labour.



Planned duration: 1 hour - 1.5 hours



Contents and methods:

No.	Contents	Methods	Notes
1	Mobilising the participation in child labour prevention and elimination	• Best practices • Lecture	• See Activity 20.1, Book 4
2	Sharing experiences in activities against child labour	• Large group discussion • Lecture	• See Activity 20.2, Book 4
3	Deepening/synthesis exercise	• Summary exercises	• See Activity 20.3, Book 4

Notes for trainers

1. Mobilising the participation in the prevention and elimination of child labour

Due to its complicated and intensiveness, issue on child labour should be dealt with simultaneously from different perspectives with the participation of different stakeholders. Therefore, it is very important to mobilize and build a network of different stakeholders to participate in child labour prevention and elimination, especially in the implementation of the National action plan on child labour elimination.

To mobilize and connect different members to participate in the combat against child labour, it is important to make them aware of the (moral and social) necessity and (legal) responsibility to take such action. In short, it needs to make them aware of the motivation and meanings of the actions. We can do this because in fact, child labour has impacts on everybody and the laws as well as social ethics require the participation of everyone in the combat against the evil.

Due to its importance, the mobilisation of participation should be developed as strategy and planned right from the beginning. Furthermore, the mobilisation plan should be appropriate with project features and each project phase.

Mobilisation is not simply information sharing but also the promotion, connection and empowerment to each stakeholder depending on their positions, roles and capacity to contribute to the common efforts in child labour elimination. Mobilisation will succeed only if people know what to do and how to do. They need consultancy on such issue and these are also the major content of mobilisation efforts.

To achieve expected results, mobilisation efforts should be planned with specific steps, including: Firstly, targeted group need to be mobilised (“Who”); Secondly, expectations for such group (“What”); Thirdly, best methods of approach and impact for such group (“how”); Fourthly, best time for implementation (“when”) and Fifthly, mobilisation message.

Mass media agencies are the most important partners in the mobilisation to prevent and eliminate child labour as they help deliver knowledge, information and message about the issue to every targeted group quickly. These agencies comprise different types such as newspapers, magazines, television, radio, music and other forms of art performance. All kinds of mass media can bring about the change; however, it is necessary to define which kind is most appropriate with the mobilisation depending on specific context of each project. As the mass media have their own working rules and they work professionally, it needs to respect their ways of working and believe in their capacity. Specifically, it is advised not to impose working ways on them, instead, provide them with materials and message so that they could prepare and communicate in their best way.

During the mobilisation, it is really important to build the relationship among different stakeholders. This requires:

Consultation with the stakeholders: this is essential at the step of project planning. Consultation could be obtained by arranging a meeting or consultation workshop with the participation of individuals or representatives of groups who are expected to participate in the project so that they could give comments on objectives and activities of the project. Their opinions should be taken into account seriously.

Coordination: develop plan and coordination process among partners right from the beginning, in which contact points should be clarified. During the implementation of the project, if necessary, meetings could be arranged to deal with arisen issues, to share experiences and discuss on measures to enhance and promote the effectiveness of coordination.

Communication: it is necessary to build a most instant and convenient communication mechanism for all participatory stakeholders, including meetings, emails, newsletter, online discussion, telephone, fax, etc. These means of communication have both advantages and disadvantages, thus, it is recommended to use simultaneously different types to ensure smooth and effective communication among stakeholders.

Cooperation among stakeholders: should be promoted in every step of the project;

When building partnership, it should be noted that children and the youth are also important and active partners. Children have the right to participate in discussions and actions of the projects relating to them, depending on their ages and maturity. This right is stipulated in Article 12, 13 of UNCRC, Article 6 of the Convention No. 182 and Recommendation No. 190. Children can participate under different forms. For example, they can be invited to meetings, workshops, consulted with opinions and such information could be published by mass media or publications, etc.

2. Sharing experience on child labour actions

Long term and great efforts would be needed to achieve the final goal of child labour elimination. Therefore, lessons should be drawn from each completed project/activity on child labour so that later projects/activities would be better implemented. Specifically, experiences from completed projects could help: (i) Enhance the effectiveness of intervention measures in future; (ii) Identify appropriate intervention measures that should be expanded; (iii) Define actions that could be integrated into governmental policies and programmes; (iv) Encourage the support from donors and (v) Create premises for later actions.

For effectively sharing, experiences should be summarised into lessons for dissemination widely, which also requires proper methodology. Specifically, the followings should be taken into account: (i) identify achievements and the

level of achievement; (ii) find out reasons for success; (iii) identify failures; (iv) find out reasons for failures (v) record information of items (i-iv); (vi) share and disseminate such information to everyone; and (vii) do research, make plans on replicating successful activities (in the same area or different areas, at the same scale or greater scale).

Definition of best practices

Best practices do not just refer to success. Failures are also experiences and should be summarised into best practices so that later projects would not make the same mistakes.

Generally, best practices could be defined by asking the following questions: (i) Effectiveness of the project (is it reduce the number or seriousness of child labour?); (ii) Efficiency (cost on human, material resources in comparison with results obtained?); (iii) Level of needs and interest satisfaction to targeted groups?; (iv) Creativeness and innovation?; (v) Is it possible to expand?; (vi) Is it possible to integrate into other projects, programmes?, etc.

Documentation and dissemination of best practices

Documentation of best practices means collecting and summarising relevant information, knowledge in documents. This requires not only description but also analysis of such information and knowledge. During the documentation of best practices, it is necessary to think about the targeted readers and how they will use the documents.

The documentation of best practices needs to take into consideration opinions of children, families, communities as well as experts. Reality has shown inconsistency in their opinions sometimes; however, this would help readers assess the project more clearly and have their own conclusion. The followings are some helpful suggestion for the documentation of best practices: (i) Use an impressive and catchy title; (ii) Include some pictures or photos of the project; (iii) Use questions of why, how, where, when and what to compose; (iv) Give proofs to conclusions in the documents; (v) Make a list of specific best practices and give clear recommendations; and (vi) Provide information of references and resources.

To optimise the impacts of best practices, after being collected, analysed and summarised in documents, such best practices should be disseminated to relevant stakeholders. This also requires proper methods and plans. Some helpful questions on this issue are: (i) The targeted group needed to refer to these best practices; (ii) How they will use these best practices; (iii) They need such best practices under which forms; and (iv) How to provide them with these best practices.

Application and expansion of best practices

Best practices should be applied and expanded in both scale and location. However, before any application, it is necessary to consider whether the best practices are appropriate with new situations, conditions and at greater scale?

Because some best practices are useful only in some certain circumstances and at certain scale. For example, best practices in communication and mobilisation against child labour in the city will be definitely inappropriate to some extent for application in rural or mountainous areas.

3. Summary exercises

Give instructions for trainees to do exercises in Activity 20.3, Book 4.

