Evaluation Summaries

International Labour Office

Towards the elimination of the worst forms of child labour (TECL), Phase II with a focus on HIV/AIDS

Quick Facts

Countries: *Southern Africa: South Africa, Botswana, Namibia*

Mid-Term Evaluation: March 2011

Mode of Evaluation: *independent* **Technical Area:** *Child Labour*

Evaluation Management: *IPEC / DED*

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Project Code: *RAF/08/52/USA*

Donor: *United States (US$ 4,750,000)*

Keywords: *child labour*

Executive summary of the evaluation

Towards the Elimination of the Worst Forms of Child Labour Phase II (TECL II) is operational in South Africa, Botswana, and Namibia. It builds upon the foundation of TECL I which saw the drafting of National Action Plans (NAPs) for the elimination of child labour in each country, and its major focus is supporting their implementation. TECL II also supports direct interventions through partners which aim to withdraw 2800 and prevent 5600 children from child labour (CL) in agriculture, commercial sexual exploitation (CSEC), children used by adults to commit criminal offences (CUBAC), and excessive household chores. The donor is the United States Department of Labour (USDOL) and the budget is USD 4,750,000. The programme commenced in September 2008 and now has a completion date of June 2012.

Development Objective: Contribute to the elimination of WFCL and forms of child labour in Botswana, Namibia and South Africa by supporting the implementation of NAPs in these countries.

Immediate Objectives:

- By the end of the project, capacity of the key partners will have been strengthened to more effectively mainstream child labour issues into legislative and policy frameworks and take action against WFCL, and awareness will have been raised among the general public and among key stakeholders.
- By the end of the project, models of interventions (focusing on education and HIV/AIDS) for addressing selected WFCL and prioritized forms of child labour in Botswana, Namibia and South Africa will have been developed, test, and - in South Africa - further mainstreamed through pilot interventions involving direct action programmes (3 outputs)

Purpose, scope and clients of the evaluation

This is an independent mid-term evaluation of TECL II projects and activities to date. It was carried out in March 2011 by a team of consultants. Interviews were held with key stakeholders including the donor, ILO Geneva and Pretoria, and TECL II staff and in each country with government officials in the relevant ministries, representatives of Employers and Workers Organizations, implementing agencies, social workers, police, labour inspectors, community leaders, child beneficiaries and their families. Field visits were made to direct interventions in Johannesburg (South Africa); to Ondangwa and Tsumeb in northern Namibia; and to Francistown, Palapye, and Tsamaya in eastern Botswana. Following each country visit the preliminary findings were shared with key stakeholders to gather their reflections and correct any factual errors.

Main Findings & Conclusions

Excellent progress has been made in activities and outputs related to supporting the implementation of the National Action Plans (NAPs), amendment of legislation, training of law enforcers, and capacity building of the implementation committees for the NAPs. At mid-term point TECL is roughly 70% of the way towards achieving its upstream targets and should have no problem in meeting all of them within the given time-frame.

TECL II inputs have ranged from installing a gigantic Red Card to Child Labour banner during the World Cup, to running or providing technical input into a range of workshops, to quiet diplomacy and advocacy to support the forward movement of legislation and the NAPs. Key to its achievements is relationship building. The various capacity building and sensitization workshops have been a critical input and proved very influential in gaining the engagement of stakeholders, and building the knowledge and skills of practitioners to implement or enforce policy and legislation. Many opportunities and needs remain, not least to ensure capacity and sensitization filters down the chain to community level, and TECL II needs to be in a position to respond to these.

Challenges common to all the country programmes (though with varying degrees) include high turnover of government staff and the subsequent loss of institutional memory; weak information flow within ministries; the practice of sending junior substitutes to NAP meetings; poorly implemented policies, sometimes due to relevant officials not aware of their existence, or lack of appreciation of their purpose. All this needs addressing with further capacity building: slow pace of legislation reform and finding the right trigger to animate Workers and Employers Organizations. Establishing supportive linkages and structures between central government and community level bureaucracy tends to create blockages rather than facilitate flow.

South Africa

TECL plays a smaller role in this country in view of their more advanced capacity. During the past year a sense of ownership and determination has emerged in the government, particularly following the Labour Minister's visit to The Hague and some decisive leadership by the Department of Labour (SADOL). The Treasury is supportive and they report that funding is not a constraint. It is hoped that this will be an example of an emerging Good Practice.

A key milestone has been the adoption of their NAP (known as CLPA) in 2009. Initial meetings of their CLPA Implementation Committee (IC) were not well attended, but following an initiative by SADOL, the key stakeholders have become much more seriously engaged, and are now setting about mainstreaming the action steps outlined in the CLPA. The Department of Basic Education (DBE) has been particularly active, and other supportive partners include the Police and the Department of Social Development. Attention is now turning to implementation level and recent meetings of the IC have been attended by labour inspectors or members of the provincial child labour implementation committees (CLICs). This is a good strategy to empower and strengthen linkages to implementation level.

The monitoring and evaluation (M&E) framework developed with TECL assistance is in place and with stakeholders providing regular reports on their progress, SADOL has embarked on producing the first ever report on the State of Child Labour. They hope to have it ready within the next two months and this will represent a major achievement.

Other key milestones include the amendment of the Basic Conditions of Employment Act so that it covers child labour in the informal sector, and the promulgation of the List of Hazardous Work and its regulations to accompany this Act, together with the Child Justice Act (2010). Apart from the Human Trafficking Bill which is still in process, all the necessary legislation in place to combat child labour. Attention is now focusing on the training of law enforcers and the production of popular versions in local languages. Training of law enforcers is an on-going process.

The opportunity offered by the Football World Cup was exploited to spread awareness about child labour and a special task force was established to ensure that children were protected from exploitation. This campaign was highly successful and there were no recorded incidents. The National Council of Trade Unions (NACTU) have developed their own Child Labour Policy and celebrated Women's Day with a child labour theme. It is recommended that other Social Partners (SPs i.e. Workers and Employers organizations) follow their example. TECL supported sensitization efforts by the South Africa Human Rights Commission and by Fair Trade in Tourism. The latter developed a Code of Conduct with action obligations to control sex tourism. To date nearly 40 high-profile travel/tourism companies are signatories.

Botswana

The pace of progress has been slower than hoped. The Lead Ministry is struggling to activate certain stakeholders and their NAP is not yet adopted by Cabinet. High turnover of government staff is one reason. Strong support has come from the Police and the Ministry of Education. The latter have embarked on mainstreaming and are engaged in a rolling programme of training educators to ensure that they understand and implement education policies which will have a positive impact on child labour. They have adapted SCREAM materials and inserted them into the school curriculum. Work on a monitoring and evaluation system for the NAP is in progress and more work need to be done to develop a viable set of indicators as part of the child labour monitoring system to guide NAP implementation.

A review of legislation was carried out. The List of Hazardous Regulation has been drafted but not yet passed; regulations are in progress. A strong and comprehensive Children's Act came into force in 2009 and laws are now being amended to reflect this marker. TECL has supported a variety of capacity building workshops with key stakeholders, including a joint training of labour inspectors, social workers, and police in two districts, and the development of a training manual. These have been well received and influential.

The Minister of Labour has made several very strong statements regarding on the radio and TV, and the issue received good coverage during the World Day against Child Labour. A variety of awareness raising and sensitization activities have been carried out, some of them by the SPs, as well as the training of two business councils in Palapye and Francistown.

Namibia

Momentum is building rapidly on their NAP and it is hoped that this will be another emerging Good Practice. The decisive factor has been strong support from the President who has made a series of powerful statements regarding CL backed by action. The TECL and ILO Turin Training Centre workshop on Policy & Legislative Responses to CL was influential in bringing more stakeholders on board. The list of committed partners now includes Labour, Education, Police, Justice, Youth, Child Welfare, and Employers. All of them stress the value which they have gained from networking together. All of them have embarked on the process of mainstreaming NAP and the introduction of the monitoring and evaluation framework has assisted them in understanding how to set about this process. The Ministry of Education is a particularly vocal advocate against CL, and their actions in mainstreaming are an example of Good Practices which deserve to be shared widely. They have issued numerous directives to schools to implement policies that should have an impact on improving access and attendance and thus on reducing child labour.

However Namibia's NAP is not yet adopted, nor is the List of Hazardous Work. The Child Care and Protection Bill and the Child Justice Bill are moving very slowly through the necessary processes and are scheduled to be tabled in Parliament in May 2011. TECL assisted with a joint training of law enforcers including police, social workers, and labour inspectors. This was followed by a joint mission (acting under a Cabinet directive) to investigate and report on cases of child labour in the regions. A follow-up mission some months later found a high degree of compliance.

Key findings: Immediate Objective 2.

The direct interventions with implementing agencies (IAs) have started slowly, and progress towards their outputs is not moving as strongly as would be hoped at this stage of the programme. While they will undoubtedly contribute to their immediate objective, they are unlikely to meet their outputs in the number of children to be withdrawn from the specified sectors; even the numbers for prevention look challenging. With less than 12 months to go, the biggest Action Project (AP) targeting 3600 children in South Africa has not yet begun, and one AP targeting 1050 children in Namibia is on hold.

The decision to implement and not monitor in South Africa has occupied the team and the evaluation believes this has contributed to the slow start. In Namibia and Botswana two civil society organizations (CSOs) are being partnered by each as it was difficult to find CSOs with relevant experience. In neither country is the NGO sector strong or well-developed; none of the agencies there had previously partnered ILO-IPEC for this type of direct intervention. While the decision to limit the number of partner agencies is logical for close monitoring and cost-efficiency, considerable responsibility rests on a few. Contracts were signed by August 2010, but due to start-up activities, several of the IAs could not begin serious identification of target beneficiaries until January 2011.

Some of the challenges inhibiting progress relate back to the design which rests on a number of flawed assumptions, namely: that beneficiaries would be found clearly categorized in the designated CL sectors (agriculture, excessive household chores, CSEC and CUBAC) and in the specified quantities and proportions; that the government would implement direct interventions in South Africa with its own funds; and that it would commit to meet TECL selected target numbers and sectors. These challenges are compounded by ambiguity (in theory and in practice) in delineating one CL sector from another partly due to the rigor of the Direct Beneficiary Monitoring System, and partly due to some confusion among the IAs as to whether they may target children in any sector of child labour, in the lack of clear guidelines from ILO-IPEC on how to define withdrawal for the category of children enrolled in school but classified by national surveys as engaged in CL due to their excessive hours of work.

Given the challenges and the difficulty of addressing WFCL sectors such as CUBAC and CSEC, the time-frame of 18 months for the APs is too short and the budget too small to achieve meaningful sustainable impact. The design process has built capacity but has not been empowering or provided funding to the IAs for feasibility studies[1] prior to signing contracts committing them to meet the given targets. The tight budget is causing a high turnover in their field staff which is further delaying progress.

There is however no question that the APs are being conscientiously implemented. They are addressing the needs of children in CL or at risk; they are sensitizing and raising awareness in the target communities, building local capacity and establishing sustainable community structures or linkages to government services.

Botswana is showing the greatest progress. One partner is making very strong progress largely due to its greater experience and established presence in the target area. Both partners are using traditional structures to ease their entry into the communities. Several strong and active community child labour committees have been established. In South Africa two small APs are underway, both with partners who are experienced in addressing the needs of street children and those at risk of CSEC. They are getting good cooperation from government officials such as police and social workers. In Namibia things are more delayed, partly due to the floods which have closed schools for several months and are preventing outreach workers reaching communities, and partly due to the dismissal of one IA. Community level structures also appear to be weak in Namibia and regional bureaucracy strong, and this is hindering progress.

The IAs are finding many cases of eligible children who are not currently receiving the statutory welfare grants, either due to lack of knowledge about the existence of such grants, or lack of documentation. Mostly they are receiving good cooperation from government workers such as police and social workers, but there are weaknesses in some localities. One of the lessons learned is that children engaged in CSEC and CUBAC are very distrustful of authority and easily abscond during the withdrawal process if they are obliged to meet with government officials.

Key Findings: Design and Implementation process

The broad design is well-conceived. It is built upon the principle of supporting national efforts. The activities are relevant, logical, and coherent, and build upon the foundations laid in Phase I. It has a strong emphasis on sustainable outputs such as legislation, capacity building, and awareness raising, and it engages with a wide range of stakeholders. Weaknesses are its relatively short time-frame and tight budget, which are limiting TECL's ability to effectively respond to opportunities. Target numbers and CL sectors specified in the design are also presenting a challenge in the downstream activities.

[1] Some feasibility studies were done prior to TECL II but not by the IAs

The programme had a delayed start as the full complement of staff was not in place until August 2009. The loss of time and financial constraints are an on-going challenge. Yet, despite these and some personnel changes, implementation is running relatively smoothly. Travel costs are high in the sub-region and the delay in the procurement of vehicles has exhausted the travel funds and limiting the extent to which monitoring visits and joint learning workshops may take place between the three countries. The budget poses some additional problems, being allocated by activity rather than by country. Since many activities depend upon stakeholder proposals, this unknown quantity makes planning difficult in each country. Nevertheless, the achievements of the project outputs and activities are evidence of its sound management.

The evaluation is not convinced that the decision to change from monitoring the impact of government main-streaming and interventions in South Africa to implementing their own TECL direct interventions through partner NGOs was the right one, or a necessary one. The driving rationale behind the change was the understanding that the target numbers of the Project Document are not negotiable, plus a lack of consensus on how to monitor children benefiting from government interventions. However the decision was made in a consultative manner with all the relevant parties in South Africa.

Recommendations & Lessons Learned

1. Support greater integration of the three country programmes through face to face workshops to share lessons learned and good practices, and exchange visits where appropriate.
2. Find ways for the budget to facilitate more frequent monitoring and support visits at all levels.
3. Do not allow challenges in the downstream area to jeopardize upstream momentum.

Objective 1 Upstream

4. Go where the energy is. Build on opportunities and successful partnerships.
5. Seek additional funds and/or prioritize remaining funds for capacity building and sensitization.
6. Continue to engage in sector-targeted sensitization and skills transfer with key stakeholders who have not yet embarked on mainstreaming. Renew efforts to reach potentially important relevant government stakeholders such as agriculture.
7. Find ways to energize existing umbrella social partners, and/or explore establishing relations with active individual members of the umbrella organizations.
8. Explore innovative ways to engage with the private sector whose goodwill and resources are largely untapped.
9. Explore ways to provide CL awareness to new partners, especially those who have significant presence and wide-reaching networks at community level e.g. Faith-based organizations (FBOs), agriculture extension services, HIV/AIDS educators and care workers.

Objective 2 Direct Interventions

10. The target numbers and sectors for each country need to be revised. The evaluation recommends fewer numbers for withdrawal, and that beneficiaries may be drawn from any sector of child labour (particularly including WFCL such as begging and child domestic work).
11. Abolish the withdrawal targets for the remaining AP in South Africa and focus purely on prevention activities and/or develop guidelines that clearly define how to achieve a "withdrawal" from excessive working hours if the child is already enrolled in school.
12. As a matter of urgency TECL should facilitate exchange visits for the sharing of lessons learned and good practices from strong partners to weaker partners.
13. TECL should provide greater monitoring support and guidance particularly where partners are struggling to find supportive local structures and cooperative government workers for referrals.
14. ILO-IPEC and its DBMR should develop detailed guidelines regarding the CL category "enrolled in school but engaged in excessive hours of work", or if guidelines exist, ensure that IAs understand how to handle these cases.