

Asia Regional Child Labour Programme (ARC)

Terms of Reference (ToR) for hiring a consultant to conduct a review of social protection programmes and the impact of COVID-19 on children and child labour in Nepal

Background

The Asia Regional Child Labour Programme (ARC) aims to reduce vulnerability to child labour and enhance protection of children from exploitation in Afghanistan, Bangladesh, India, Nepal, Myanmar and Pakistan to contribute to the eradication of child labour, particularly its worst forms.

There are 62 million children in child labour in the Asia-Pacific Region, accounting for 7% of the population of children, according to the 2017 Global Estimates on Child Labour. Twenty-eight million of them are in hazardous work, mostly in agriculture (57.5%) but also in mining, brick-making and domestic work. The involvement of children in the other worst forms of child labour (WFCL) such as in forced labour and trafficking, Commercial Sexual Exploitation of Children (CSEC) and armed conflict also exists.

The ARC Programme works with ILO's constituents and other stakeholders to achieve the following three objectives:

- building a credible knowledge base on the causes and drivers of child labour and effective interventions to address them;
- aligning legislation and policies with international conventions on child labour, forced labour and trafficking in persons and enforcing and implementing them; and
- developing and applying a holistic approach to eradicating child labour, particularly its worst forms, in selected regions of each country.

Nepal alone has nearly 1.1 million children in child labour, accounting for 15% of the population of children aged 5-17 years according to the preliminary findings of a Child Labour Report based on the dataset of the Nepal Labour Force Survey 2017/18. Out of them, 222,493 are in hazardous work exposing them to unsafe and unhealthy working conditions. The second National Master Plan (NMP-II) on child labour has unveiled 17 different sectors with high potential of child labour. Out of these 17 sectors, occupations related to agriculture, domestic work, brick-production, entertainment, transportation and construction are considered to be the ones with the highest prevalence of working children. A recent survey conducted by ILO in collaboration with Central Bureau of Statistics unveiled that nearly 17,000 child labourers are involved in brick-making in the country, mostly seasonal migrant workers from different rural parts of Nepal and India.

The implementation of the ARC Programme in Nepal is designed to support the government's efforts in the eradication of child labour, particularly its worst forms by 2022 and all forms by 2025 as its contribution to achieve Sustainable Development Goal 8.7. Nepal Government has already shown its commitment in SDG 8.7 by becoming one of the Pathfinder Countries. The ARC Programme will collaborate with Ministry of Labour, Employment and Social Security (MoLESS) to highlight its Pathfinder Country initiatives in achieving SDG 8.7 targets. It will focus on developing the capacities

of actors doing advocacy and awareness, monitoring and law enforcement to address child labour. The activities involve research and knowledge sharing, and the piloting of interventions using the integrated area-based approach towards the creation of child labour-free zones, including improvement of law enforcement and enhancement of public awareness. It will work with governments to ensure that policies on child labour are aligned with relevant ILO conventions and build their capacities to strengthen implementation of national and local Plans of Action against child labour.

The ARC Programme intends to organize interventions in the following areas in Nepal:

- ✚ Production and sharing of data/statistics and knowledge on child labour in Nepal;
- ✚ Working with media and child right advocates for sharing knowledge on causes and effects of child labour;
- ✚ Review and amendment of laws, policies and action plans to end child labour in line with Nepal's Constitution and International Standards on child labour and child protection;
- ✚ Capacity enhancement of stakeholders including government and social partners for effective implementation of the second National Master Plan (NMP-II) on Child labour;
- ✚ Enhancing collaborative efforts to achieve SDG Alliance 8.7 targets;
- ✚ Contribute to local/community level efforts in monitoring child labour and providing livelihood support to families/communities that are vulnerable to child labour.

Context and objectives of the Task

One of the target outputs of the ARC Project in Nepal is to review social protection programmes that provide support to vulnerable families. The vulnerability of families with working children and child labourers has become severe due to prolonged lockdown as a result of the COVID-19 pandemic. The situation has led to the closure of schools, job losses and reduced income of parents from poor and marginalized communities. These have made children leave their schools and participate in any kind of work for their survival and that of their families, making them easy prey for traffickers.

The government has recently established a contribution-based social security fund (SSF) after a long tri-partite social dialogue. This fund (20% contribution from employers and 11% from workers) is expected to provide several benefits to the contributor like old-age pension, sickness and medical benefits. Medical and sickness related expenses are the key factors for poor and marginalized families to look for very high interest rates from private moneylenders, which is often paid off by their children working as domestic labourers. If this group of people can get benefit of the social security fund, it can directly contribute to end child labour. However, extending the system to the workers in the informal economy at the level of poorest of the poor and dis-advantaged groups is still a challenge. Unless the system is made accessible and affordable to this group, their family members including children will always remain at risk of exploitation.

In addition to the contribution based social security system, the Nepal government has several social protection/security measures including cash transfer as scholarships, mid-day meals, girls' empowerment etc. However, the reach of these to poor and marginalized communities, especially those that are prone to child labour, is reported to be limited.

In the above context, this consultancy intends to review social protection systems in Nepal with a child labour lens. Social protection and security are among the key strategic policy options for protecting the children and their family in times of crisis, such as the one brought about by COVID-19.

The study will focus on how the lack of social protection systems have increased the vulnerability of informal sector workers as a result of the COVID-19 pandemic, and how can the social protection systems be strengthened to reduce those vulnerabilities. It will map all the social protection/security measures and prepare an analytical report highlighting policy gaps and key recommendations on how these can be addressed by the government and by relevant stakeholders working towards ending child labour in Nepal.

The report and findings of this study can bring together all stakeholders working to protect children in Nepal from child labour, and to advocate for possible options to extend social protection systems to the informal economy workers that directly contribute to protect the children and vulnerable families.

Methodology

The study will use a combination of primary and secondary sources. A desk review of secondary information, particularly of documents on child labour, child protection and social protection/social security in Nepal will be done. In addition media reports, news stories and articles will be explored to get cues from them on vulnerabilities arising from social protection gaps. Interviews of key informants from relevant stakeholders including government institutions and officials, social partners, civil society and academia will also be used, as well as focused group discussions with children/child labours. Appropriate ethical guidelines and child safeguarding measures will be followed throughout the process, particularly when interviewing children. The consultant may further expand and fine-tune the methodology in consultation with the ILO focal point.

Deliverables

The consultant needs to produce a comprehensive report on the effectiveness of social protection programmes in minimizing the risk of child labour, particularly in the context of COVID-19 with the following contents as deliverables:

- a. Mapping of existing social protection/security mechanisms that can contribute to children's protection from, and elimination of child labour;
- b. An analysis of the current state, especially in terms of capacity and effectiveness, of social protection/social security systems, and how they contribute to (or otherwise) to reduce vulnerabilities of the informal sector in the context of the COVID-19 pandemic.
- c. An analysis of the situation of children engaged in child labour, in the context of the COVID-19 pandemic, with focus on how they benefit from social protection/social security systems;
- d. ; and
- e. Recommendations to ILO, social partners and other key stakeholders on how social protection mechanisms can be made more effective in reducing the vulnerability of children to child labour in times of shocks such as the COVID-19 pandemic in Nepal.

Required Qualifications and Experiences

The consultant needs to have an advanced university degree on social science, social policy, public policy, public finance, economics or similar field with at least 10-years of work experiences on social protection/social security, labour rights and child labour issues. In addition a good knowledge of social protection systems is also needed. The assignment also requires strong analytical skills and writing skills in English language.

Expected Tasks and Duration

The duration of task is for three months (November 2020 – January 2021) for which the consultant will be paid for a maximum of 30 workdays under the Activity - 02.03.01 of the ARC project with the following expected tasks:

S. No.	Expected Tasks	Work-days
01	Review and study of social protection/security systems	5
02	Fact findings on the impacts of Covid-19 on children/child labour	5
03	Interview with key personnel of relevant stakeholders	3
04	Focused group discussion with children/child labours	2
05	Analytical Report Writing	10
06	Review and finalization of the report with inputs/feedback from ILO Specialists/staff	3
07	Sharing of key findings with stakeholders through a dissemination workshop	2

The payments will be made upon completion of the report and deliverables to the satisfaction of the ILO.