

Thematic Strategy Paper

Protection of Working Children (PWC)

**Prepared by
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List of Acronyms

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| BANBEIS | Bangladesh Bureau of Educational Information & Statistics |
| BBS | Bangladesh Bureau of Statistics |
| BHW | Bangladesh Health Watch |
| COPE | Creating Opportunities for the Poor and Excluded People |
| CSOs | Civil Society Organisations |
| DFID | Department for International Development |
| EPR | Excluded People's Rights in Bangladesh |
| FYP | Five Year Plan |
| GoB | Government of Bangladesh |
| HRW | Human Rights Watch |
| IGA | Income Generating Activities |
| IMRP | Internal Monitoring and Review Plan |
| ILO | International Labour Organisation |
| LF | Logical Framework |
| M&E | Monitoring and Evaluation |
| MJF | Manusher Jonno Foundation |
| MEL | Monitoring, Evaluation and Learning |
| MOWCA | Ministry of Women and Children Affairs |
| PCR | Project Completion Report |
| SDGs | Sustainable Development Goals |
| ToC | Theory of Change |
| UK Aid | A British Initiative for International Development Assistance |
| UNICEF | United Nations Children's Fund |
| UNCRC | United Nations Convention on the Rights of the Child |

1. Introduction

Manusher Jonno Foundation (MJF) is a national Non-government Organisation (NGO) that promotes human rights and good governance through funding, policy advocacy and capacity building of NGOs and Civil Society Organisations (CSOs). MJF assists in supporting entitlements of the people by building their capacity to demand basic services and raise voice against rights violation through support to the local /national CSO's and peoples movements. MJF also works on the supply side to promote organisations responsiveness towards the demands of the people, especially the poor and marginalised. MJF's work includes policy advocacy which has facilitated enactment of some most progressive and pro-poor laws and policies of the last 15 years. MJF is known for testing innovative approaches and willingness to take risks.

MJF has gained credibility over the years as an organisation with high standards of financial and programme accountability along with an effective Monitoring and Evaluation (M&E) system capable of reporting on achievements, results and lessons learned. MJF is governed by a nine-member Governing Board comprised of eminent personalities from civil society.

MJF received grant from Department for International Development (DFID) in 2002 as a project of CARE Bangladesh to implement HUGO (Human Rights and Governance) Project. After successful completion, MJF started its journey as an independent organisation, obtaining registration from NGO Affairs Bureau and Joint Stock Company. Since then MJF received support twice from A British Initiative for international Development Assistance (UKAid) as grants. In 2013, MJF received over 26 million GBP for the Creating Opportunities for the Poor and Excluded People (COPE) Project which was completed in June 2017. In October 2017, UKAid awarded a five-year Project titled '**Excluded People's Rights in Bangladesh**' (EPR) to MJF.

MJF Vision:

A world free from poverty, exploitation and discrimination where people live in dignity and human security.

MJF Mission:

Promotion of human rights and governance through partnership with different stakeholders including duty bearers to ensure dignity and well-being of all people, especially the marginalised.

MJF will support work of CSO's in the following thematic areas:

- a. Tackling Marginalisation & Discrimination (including rights of ethnic people)
- b. Security and Rights of Women and Girls
- c. Decent & Safe Work (Protection of Workers and Working Children)
- d. Youth & Social Cohesion
- e. Strengthening Public Institutions

Moreover, two other cross cutting issues i.e. disability and women's economic empowerment integrate with all other programmatic areas.

This thematic paper, produced after a series of consultations with all level of MJF staff, stakeholders and experts, builds on strengths and experiences of previous years of MJF. The paper highlights lessons learned, contextual realities, EPR Business Case, priorities of the 7th Five Year Plan (FYP) of

Government of Bangladesh (GoB) and Sustainable Development Goals (SDGs). It also clarifies specific problems associated with thematic issues, programme brief, programme implementation, approach, coverage, intended key results, Theory of Change (ToC) and monitoring mechanism for the next five years.

2. Protection of Working Children

The definition of working children and child labour is based on the principles adopted in the 18th International Conference of Labour Statisticians (held in 2007) and Bangladesh Labour Act 2006 and its amendment in 2013. It also takes into consideration the gazette notification on hazardous child labour as a conceptual basis. A government order on 13 March 2013, identified 38 processes/activities are hazardous for children. International Labour Organisation (ILO), “Compendium of hazardous child labour lists and related legislation for Bangladesh,” 8 December 2014)ⁱ

The United Nations Children’s Fund (UNICEF)¹ has a specific definition of child labour, “Child labour is work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child and should, therefore, be eliminated” which also explicitly defines the types of works and working hours based on age group and this definition could be considered as a working definition. The term ‘child labour’ is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical-mental development. Also child labour interferes with the child’s right to education, as well as risking a child’s health, safety and development.

Hazardous work by children

According to ILO Recommendation No. 190, activities under subparagraph 17(d) are referred to as “hazardous work”). The following criteria should be taken into account when determining hazardous work conditions of children at the national level:

- a) Work which exposes children to physical, psychological or sexual abuse;
- b) Work underground, under water, at dangerous heights or in confined spaces;
- c) Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- d) Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; and
- e) Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

The theme, ‘Protection of Working Children’ in MJF refers to prevent the working children from all sorts of exploitation and discrimination. The theme will target the vulnerable children involved in harmful labour intensive activities in government identified hazardous 38 sectors. This theme will protect the children from taking up child labour and will also withdraw the children from harmful works. The overall thematic scheme includes vital pathways for the identification, investigation and treatment of multiple forms of abuses and adversities in a child’s life. The theme opted two vectors of actions. One is to create awareness of children’s rights as outlined in the United Nations Convention on the Rights of the Child (UNCRC) and to provide the environment in which these rights can be exercised. The focus of the programme will revolve around children, children groups, and duty-bearers responsible for providing basic services to them. The programme

¹ ["Child labour in Bangladesh"](#) (PDF). UNICEF. June 2010. Retrieved 24 December 2015.

thus has a strong advocacy arm with substantial involvement of the stakeholder community, including factory owners, government service staffs, elected-bodies, and the media. The second vector of activity focuses on child development through the provisioning of poor, marginalised children with expanded capabilities.

3. What Causes Child labour

Child labour impedes growth of children and deprives childhood. The factors those cause child labour in Bangladesh can be summarized as follows:

- There is a strong link between educational disadvantage and child labour. Children forced out of school and into work to help their families make ends meet face elevated risks of getting trapped in a cycle of deprivation. The transmission operates in both directions. The interaction between poverty and labour market pulls children into child labour. But 'failure' in education can generate a push factor by creating a supply of potential child labourers from the ranks of children whose school careers have been prematurely ended. There is a consensus that early exposure to work and withdrawal from education are harmful – and that international cooperation and national legislation should seek to restrict child labour. However, the limited progress made towards a world free of child labour is indicative of the resilience, complexity and depth of the underlying social disadvantages and power relationships that perpetuate it.²
- In a 2013 statistical report, UNICEF estimated an annual population growth rate in Bangladesh to be 1.7% from 1990–2012.³ Populations move from rural to urban areas because there is an increase in available economic opportunities. A combination of poor living standards in urban settings and an influx of cheap labour from children perpetuate both poverty and the use of child labour.⁴ The prevalence of child labour can be attributed to the socioeconomic statuses of families living at or below the poverty line. Oftentimes, families rely on the extra income produced by their children in order to sustain their livelihoods. Many children are forced to work to support their family. In other cases, children are forced to work for a living by themselves because their families are abandoned or could not take care of them. Studies have shown that children from poorer families are more likely to be in the workforce due to their contribution to overall family income.⁵
- Poverty is widely recognized and acknowledged as primary cause of child labour.⁶ Factors such as urbanization and population growth perpetuate the poverty.⁷ The first and foremost cause of child labour in Bangladesh is the economic impoverishment. Nevertheless, poverty stricken families, usually show less interest in adopting family planning measures which ultimately turns a family large in size with a lot of sufferings in maintaining the family. Moreover, widespread unemployment, social insecurity, resource scarcity are the underlying factors of migration from rural to urban areas. Natural calamities like riverbank erosion, floods, droughts, storms and tidal surges, earthquakes etc. drive children towards greater risks of being engaged in physical labour.⁸

²Child Labour and Education, A Survey of Slum Settlements in Dhaka, Maria Quattri and Kevin Watkins

³Bangladesh: Statistics". UNICEF. 18 December 2013. Retrieved 15 October 2014.

⁴Salmon, Claire (June 2005). "Child Labor in Bangladesh: Are Children the Last Economic Resource of the Household?", *Journal of Developing Societies*. Sage Publications. **21** (1–2): 33–54. doi:10.1177/0169796X05053066.

⁵Rahman, Mohammad Mafizur; Khanam, Rasheda; Absar, Nur Uddin (December 1999). "Child Labour in Bangladesh: A Critical Appraisal of Harkin's Bill and the MOU-Type Schooling Program". *Journal of Economic Issues*. Association for Evolutionary Economics. **33** (4): 985–1003. doi:10.2307/4227511. JSTOR 4227511.

⁶The end of child labour: Within reach (PDF). Geneva: International Labour Organisation. 2006. ISBN 92-2-116603-1.

⁷Rahman, Mohammad Mafizur; Khanam, Rasheda; Absar, Nur Uddin (December 1999). "Child Labour in Bangladesh: A Critical Appraisal of Harkin's Bill and the MOU-Type Schooling Program". *Journal of Economic Issues*. Association for Evolutionary Economics. **33** (4): 985–1003. doi:10.2307/4227511. JSTOR 4227511.

⁸National Child Labour Elimination Policy, 2010

- There is a direct link between child labour and education. Though the rate of dropout at the primary school reduced significantly from 47.2% in 2005 to 20.4% in 2015⁹ which means still 20% of primary school students are dropped out before they complete grade 5, and then gravitate towards work, adding to the number of child labourers.
- Bangladesh has limited provision for pre-vocational/vocational skills training and there are related constraints such as the quality of the skills training, market and employment linkages and certification. While this could be an attractive option to working/disadvantaged children and their families, though there are initiatives from both Government and NGOs to deliver skills training facilities but the challenge is to ensure access to information regarding these institutions as well as availability of adequate and proper facility to fulfil the demand of the present situation.
- Society in general has a rather indifferent attitude towards the problem. In many cases, it is not realized that the children who are employed, for example, in domestic service, often have limited access to education and medical care.

4. Situation in Bangladesh

In Bangladesh the current estimation of children, aged 5 to 17 years, is 39, 652,384, and over 3,450,369 are working children. 1.35 million of this group are girls.¹⁰

According to the estimation of National Child Labour Survey of 2013, 3.45 million children are involved in economic work between ages 5-17 years and 1.28 million children work in hazardous areas. To support family income 30% working children never attended school and another 28.9% could not ever enrol in school.¹¹

The proportion of child labour engaged with economic work is 54.5% which is 65.2% in the case of hazardous child labour. One fourth of the child labour (26.1%) could not ever attend school owing to lack of expense and the corresponding is 31.3% among the hazardous child labour. The proportion of boy and girl child workers, in the age group of 5-17 years, is 2.10 and 1.35 million respectively; means boys 56.1 % and girls 43.9%.ⁱⁱ¹²

Child labour is found in agriculture, poultry breeding, fish processing, garment sector and leather industry, as well as in shoe production. Children are involved in jute processing, production of candles, soap and furniture. They also work in the salt industry, the production of asbestos, bitumen, tiles and ship breaking.¹³

5. MJF Previous Work

MJF has established a successful model to withdraw children from hazardous work and enrolled them in primary school. MJF has been implementing the programme on “**Protection of Working children**” with local and national child focused organisations for more than a decade and has gained significant experiences, which will assist in planning and implementation of the present programme aiming to “Ensure rights of the working children to enjoy better quality of life.”

6. Lessons from Previous Work

⁹ Ministry of Primary and Mass Education, GoB

¹¹ 2nd National Child Labour Survey (NCLS) 2013.

¹² 2nd National Child Labour Survey (NCLS) 2013.

¹³ Löning, Markus (5 December 2017). "Labour conditions in Bangladesh" (PDF). www.loening-berlin.de.

In Bangladesh and around the world there are examples of achieving success in reducing child labour and ensuring social support for the wellbeing of working children. MJF can utilize the learning of these approaches, such as:

World Vision, the world's largest international children's charity, is operating in nearly 100 countries. According to World Vision, UK, Child Labour Report, January 2015 below are the effective approaches to end child labour:

- Building self-reliance (Child forums, also known as children's clubs or children's 'self-help groups,' provide an opportunity for the children to learn and reflect together on their rights and educational development through democratic participation.);
- Preventing child labour and supporting child labourers through education and developing confident and empowered children;
- Supporting skills training and decent work opportunities for youth and children; and
- Strengthening communities to guard against child labour.

MJF learning from COPE Project (What worked well)

Through its focus on rehabilitation, MJF effectively withdrawn and reassigned children engaged in the most hazardous forms of child labour. MJF worked first to remove the children from hazardous work and then provided preparatory education to more than 40,000 children.

MJF's effort to mobilise local citizen groups contributed to the increased responsiveness of local schools to rehabilitate child workers and monitor those who are at risk.

MJF demonstrated considerable influence on national-level policy and legislation. The State Party Report on UNCRC in 2015 acknowledged MJF and its partners' continued contribution to addressing child labour in Bangladesh, and a number of MJF's recommendations from its alternative report were included in the concluding comments of the official session.

The systematic use of high-quality research and evidence is now needed to inform and measure the effects of policy and programmatic interventions on child labour outcomes. For example, NGO partners have linked the families' of child labourers to a range of different Income Generating Activities (IGA) and approaches to reduce household vulnerabilities. However, given that child labour is rooted in complex household decision-making, the new programme should now in-build testing to monitor its effects – including the effects on children's unpaid labour and household chores – using a gender and age lens.¹⁴

The Project Completion Report (PCR) team found that the balance of representative individuals and elites were an important factor in the increased responsiveness of local government. For instance, one local government official and Child Rights Protection Forum member explained how after receiving NGO training, he organised a specific event focused on addressing child labour across his department.¹⁵

Through successful advocacy and consultations the National Child Labour Elimination Policy was enacted in 2010; and a list of 38 hazardous sectors was drafted and adopted;

The government has recognized the achievement of MJF in the 5th State Party UNCRC Report; and UNCRC monitoring has been strengthened through the alternative UNCRC reporting facilitated by MJF

¹⁴PCR report 2016

¹⁵Lesson learnt document Holland& Rikke Molin 2016

and Annual Child Situation Report;¹⁶

What did not work well

- Children, reassigned from hazardous to non-hazardous jobs in the same workplace found not effective. This needed more regular monitoring and direct income generation support which the project did not provide. Recent policy research has also suggested that reducing household vulnerability is an important strategy (with in kind or cash transfers and programme that help households to cope with the exposure to risk working) to reduce child labour in many cases¹⁷.
- Enrolment of the elderly children in junior classes of formal schools increased the drop-out rate because these elderly children could not cope up with the children much younger than them. Teacher's attitude was also not positive towards these elderly children.

7. Programme Brief

Goal: Ensure rights of the working children to enjoy better quality of life.

Outcome:

- Children are withdrawn from hazardous work.
- Withdrawn children are enrolled in formal/non-formal education.
- Employers, government and NGOs are responsive to the rights of working children.
- Economic vulnerability of the working children is reduced.
- Skill developed of partner organisations to monitor implementation of policies on working children.
- Proactive role of government to eliminate child labour.

Outputs:

- Working children are organized to demand their rights and participating in decision making process.
- Employers are sensitised towards rights of the working children.
- The potential family members are capacitated.
- Issue based advocacy initiated with government, employers and other duty bearers for policy influence.
- Basic services (i.e. Health, education, water & sanitation) are ensured.
- Job replacement from hazardous to non-hazardous sectors is ensured for the hazardous working children.

8. MJF's Approach

State, local authorities, CSOs, families and communities need to address the multiple needs of children and their families in order to eliminate the hazardous child labour. Shared set of guiding principles that include interagency collaboration, individualized strengths-based care, cultural competence, child, youth, and family involvement and community-based services should be at the centre of the effort. These principles are essential elements of any successful system of ensuring child rights. The implementation of these principles

¹⁶Case study on child protection Holland& Rikke Molin 2016.

¹⁷Dammert et al. 2017. "Effects of Public Policy on Child Labour: Current Knowledge, Gaps, and Implications for programme design".

reflects the common goals of the development partners, community, and family to ensure the safety, sustainability and well-being of children and families.

Following are some suggested strategies that may be used, however, new and innovative ideas will be welcomed:

- Job placement through alternative skill development, linking vulnerable children with education and health services, gender responsive programme, community engagement for awareness and sensitisation, remediation plan for withdrawal of child labourers and enrolment in formal/non-formal school, providing essential services for prevention, recovery and reintegration including basic health and education, awareness among working children about their rights, sensitisation of factory owner about rights of the working children.
- Bringing policy makers, partners, community and children under one umbrella for the betterment of children (Policy advocacy with “Multi-stakeholders’ i.e. Health, Ministry of Women and Children Affairs (MOWCA) and Education dept., etc., Social support group development.)
- Promote conducive environment through enhancing cooperation and collaboration with private sector actors (Provision of safe water and sanitation in work place, introduce code of conduct for employers, and awareness campaign for child labour withdrawal,
- There is a pressing need for the next programme to collaborate with research and evidence specialists (including DFID’s child labour team) to identify evidence gaps and consider in-built testing and evaluation methods to build the evidence base.¹⁸ Using evidence as a driver of change (Survey, Monitoring, Evaluation, Research, Success case documentation etc.)

Below are some suggested implementation mechanisms, other innovative approaches also can be used

- Child group formation and provide training on different skills, human rights, and life skills.
- Social support group development with children, parents and local leaders.
- Meeting/workshop/orientation with the employers and their association and involve them in of the working environment.
- Remediation plan for withdrawal of child labourers to enrol in formal/non formal school.
- Strengthening family support by providing skill training, IGA assistance (if applicable).
- Code of conduct, safety measures, working hour, employment in non-hazardous activity ensured for conducive working environment creation.
- Social movement by involving different stakeholders to prevent child abuse, violence and exploitations.
- Linkage with safety net programme to the family.
- Create access the children (based on their skill and interest) to vocational institutions irrespective of their gender identity.
- Basic services provision through creation of services and referral to the local service providers.
- Link the children with disabilities with the social support programme.

9. Programme Coverage

- **Target population:** Children and working children
- **Geographic location:** All over the country
- **Stakeholders:** Family, employers and community; educational institutes and local children club/ organisations/forum etc.

¹⁸Key Lessons Paper from COPE Programme, September 2017 (Project Completion Review, 2017)

10. Integration of Cross Cutting Issues

Effort will be made to integrate cross cutting issue like disability, and governance performance monitoring in the programme. Gender mainstreaming is a core mandate of MJF, which will be reflected in this programme in all aspects such as in group formation, skill training and IGA allocation for the girl children. The team will work with the governance team to learn and build capacity among the partners on the concepts of social accountability tools and allocation of social protection services for the families. During children group formation special emphasis will be given to include the children with disabilities and disable focused IGA programme will be taken. Programme will be providing special emphasis on physically challenged children to bring them back to congenial environment.

11. Institutional Capacity

MJF has well developed structures, organisational mechanisms, processes, and human resources to implement this programme effectively with substantive experience of working on this issue. It has established its credibility and expertise at the national level and is a member of high level government committees overseeing the elimination of child labour.

The ability to bring different stakeholders together to collaborate is one of the strong areas of MJF's work. Working with small, mid-size and large national CSO's has given MJF a unique advantage of building synergy among them to learn from each other.

MJF has capable programme, financial and monitoring teams with adequate knowledge and expertise on programme planning, monitoring through partnership approach. The teams have also proven advocacy and mobilisation skills from micro to macro level. The organisation has already established a viable and effective model to withdraw child labour from hazardous work which will be replicated in the new EPR Project.

The relationship building, networking and linkage building capacity with different actors is also one of the key strengths of the MJF teams to implement this programme effectively.

12. Risk Analysis

Risk of Working Children programme will be dealt with by MJF's overall risk management strategies.

13. Monitoring, Evaluation and Learning (MEL)

Monitoring, Evaluation and Learning (MEL) system of MJF has been developed in light of its core principles of a rights based approach. In the EPR Project it will be focused on gaining knowledge and evidence and explore best practices to evaluate progress and apply learnings to enhance programme efficiency and effectiveness.

MJF will adopt a simplified MEL system for the EPR programme, which will emphasize routine process monitoring and tracking results from the grassroots level. During inception phase, MJF will develop a detailed plan for process monitoring and framework for capturing evidence and learning. Based on the Logical Framework (LF) and ToC, MJF will revisit its M&E Framework to make sure that all programmes are well aligned with the ToC and on track to achieve milestones of the LF.

However, the LF and ToC are living documents and will undergo revisions to outline data requirements, data sources, data collection and analysis, and how monitoring and evaluation will be undertaken, including key evaluation questions. The revised MEL system will guide MJF and its' partners' projects to track the regular progress and capture the changes.

MEL system will emphasize learning and sharing to gain critical analysis from wide range of relevant stakeholders and embrace critical insights to fine tune programme strategies. This system will give emphasis on systematic documentation of lessons from the EPR. A number of surveys and action research will be undertaken to collect programme and projects monitoring and evaluation information, using both quantitative and qualitative methods. Detailed indicators will be finalised through a participatory discussion process with DFID and MJF. For this programme the following research questions with indicators is suggested.

| Name of the Programme | Key research question (suggested) | Key Indicators |
|--------------------------------|---|---|
| Protection of Working Children | <ul style="list-style-type: none"> ▪ Children are withdrawn from hazardous work and enrolled in formal/non-formal education. | <ul style="list-style-type: none"> ▪ Number of children withdrawn from hazardous work and enrolled into formal and non-formal schools. |

MJF will also develop beneficiary feedback mechanism to understand programme success, challenges in relation to strategies. MEL of MJF will communicate its evidences and changes to donors, other development actors, decision-makers, champions and other audiences, using a range of medium (report, documentation, sharing session, workshop, press& social media), and will use it to advocate for reform.

Annex-1: Theory of Change (ToC)

Theory of Change

