

# **ACKNOWLEDGEMENTS**

## A REVIEW BY ALYSON EYNON



This review was commissioned by the Child Protection Working Group, and written by Alyson Eynon an independent consultant working under the CPWG Child Labour Task Force. It was made possible by the generous support of Foreign Affairs, Trade and Development Canada (DFATD). The following organisations are thanked for the significant role they played in its development:

CHILD PROTECTION IN CRISIS NETWORK
INTERNATIONAL LABOUR ORGANISATION
PLAN INTERNATIONAL

TERRE DES HOMMES

UNICEF

WOMEN'S REFUGEE COMMISSION

Special thanks go to the following people who contributed their time, thoughts and experiences:

Selim Benaissa Joanne Dunn Amy Rhodes Serge Dalexis Camilla Jones Yasar Abduh Shyamol Choudhury Claire O'kane Dwight Zabala Lars Johansen Tammy Curtis Elizabeth Cossor Lindsay Shearer Janis Ridsdel Fatou KeÏta Lucy Batchelor Josh Chaffin Geoffrey Oyat Limou Dembele Giulia Scirocco Mirella Papinutto Nicholas Grisewood Hani Mansourian Sabine Rakotomalala Hannah Tina Fischer Sara Valerio Sophie DeConinck Joanna Wedge Saskia Brand

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# **ACRONYMS**

ALNAP Active Learning Network for Accountability and Performance in Humanitarian Action

**CAAFAG** Children associated with armed forces and armed groups

**CAP** Consolidated appeals process

**CFS** Child friendly space

**CPRA** Child protection rapid assessment

**CSEC** Commercial sexual exploitation of children

**CSO** Civil society organisation

CPIE Child protection in emergencies
CPWG Child Protection Working Group

**DDR** Disarmament, demobilisation and reintegration

**DRR** Disaster risk reduction

**DFID** Department for International Development (UK)

DOL Department of Labor (US)

FTR Family tracing and reunification

IASC Interagency Standing Committee

**IEC** Information, education and communication

IGA Income generating activities
ILO A International Labour Organisation

INGO International non-governmental organisationIOM International Organization for Migration

IPEC International Programme on the Elimination of Child Labour

IRIN Integrated regional information networks

MHPSS Mental health and psychosocial support

MIRA Multi-indicator rapid assessment

MSF Medecins sans Frontiéres

MRM Monitoring and reporting mechanism
NGO Non-governmental organisation

**OCHA** Office for the Coordination of Humanitarian Affairs (United Nations)

**OPT** Occupied Palestinian Territories

**SCBR** Save the Children India

**SGBV** Sexual and gender-based violence

TDH Terre des Hommes
TIP Trafficking in persons

**UASC** Unaccompanied and separated children

**UCW** Understanding Children's Work

**UNCRC** United Nations Convention on the Rights of the Child

**UNDOC** United Nations Office on Drugs and Crime

UNICEF United Nations Population Fund
UNICEF United Nations Children's Fund

UNISDR United Nations High Commission for Refugees
UNISDR United Nations Office for Disaster Risk Reduction
USAID United States Agency for International Development

WASH Water and sanitation
WFCL Worst forms of child labour

# **DEFINITIONS**

**Child labour** is often defined as work that deprives children of their childhood, potential and dignity; work that is harmful to their physical and mental development because it is physically, socially, mentally or morally dangerous to children. It deprives them of the opportunity to attend school, obliges them to leave prematurely, or requires them to combine school attendance with long and heavy work.

It is widely accepted that not all work done by children should be classified as child labour that needs to be eliminated. Children and adolescents are involved in a huge variety of positive and negative work situations. Their participation in work which does not negatively affect their health, personal development, or schooling is mostly regarded as contributing to children's development, skills, experience and self esteem, often also improving the welfare of their families. **Working children** above the age of 14 or 15, (depending on local context) can play a valuable role in society where the work is not detrimental to their development, health or education.

At its most damaging, child labour involves children being trafficked across borders, forced into slavery and servitude, and separated from their families. Exposed to hazards and often left to fend for themselves on the streets, children are at risk of illness, injury and sometimes death, often from a very early age. These forms of child labour are known as the **worst forms of child labour** (WFCL), and are prohibited for all children under the age of 18.1

ILO Convention No. 182 concerns the prohibition and immediate elimination of the WFCL. Article 3 defines them to be:<sup>2</sup>

"(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;

(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;

(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;

(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."

**Hazardous child labour** is defined as work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children. When a country ratifies the Convention they commit to determining their own hazardous work list specific to that country. While the list is determined by individual countries, international guidelines urge consideration of work:

- · that exposes children to physical, emotional or sexual abuse
- underground, under water, at dangerous heights or in confined spaces
- with dangerous machinery, equipment and tools, or that involves the manual handling or transport of heavy loads
- 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
- under particularly difficult conditions, such as work for long hours or during the night, or work that does not allow for the possibility of returning home each day<sup>3</sup>.

**Trafficking** of a child is commonly accepted by governments and agencies to mean: the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation, even if it does not involve any of the means which apply to adults.<sup>4</sup> It is thought to be closely linked to the use of cheap labour by unscrupulous employers where working conditions are unacceptable and dangerous.<sup>5</sup>

**Forced labour** is defined and commonly recognised through ILO Convention No. 29 to mean: all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.<sup>6</sup> The Convention applies to all forms of work both formal and informal undertaken by adults and children. The term 'voluntarily' also needs further scrutiny when considering how children give consent to such work. Children may feel an obligation to support their family after





# **EXECUTIVE SUMMARY**

#### **INTRODUCTION**

The CPWG is the global forum for coordination and collaboration on child protection in humanitarian settings. Commissioned by the CPWG Child Labour Task Force, this review aims to document what humanitarian and child protection communities know about the WFCL in emergencies, and what we are doing to prevent and respond to them. The review focuses on contexts and forms of labour the humanitarian community knows less about. It aims to ensure that we better meet the needs of, and protect, some of the most vulnerable and hard-to-reach children affected by emergencies.

The review examined and synthesised 215 documents, an online survey which had 45 respondents and telephone interviews with 26 field- and headquarters-based practitioners. The limitations of the review included: the fact that most documents and interviews focused on Asia and the Middle East, and language barriers limited the documents that could be reviewed in Spanish and Arabic. There was a heavy focus on information from international organisations, such as UNICEF, ILO, UNHCR and INGOs. There was very little input from national NGOs and CSOs. Little response was received from people working in clusters other than child protection.

# EMERGENCIES AND THE WORST FORMS OF CHILD LABOUR

Different types of emergencies were used to frame the information gathered, with extensive case studies supporting this broad categorisation. This section provides a brief outline of how different types of the WFCL have occurred and been responded to in different types of emergencies. The WFCL examined are: sexual exploitation and slavery-like practices; hazardous labour; and illicit activities. The types of emergencies discussed are: rapid onset emergencies and disasters caused by natural hazards; slow onset emergencies; and conflict and civil unrest.

### **LESSONS LEARNED**

The review examined responses to the WFCL around the framework of the CPWG Minimum Standards for Child Protection in Humanitarian Action. Standard 12 covers child labour and emphasises the WFCL related to or made worse by an emergency. This section discusses common programming components, providing examples and lessons learned. There are large gaps in evidence and understanding of the WFCL

in emergencies. Literature on this issue is scarce and few reports have any evaluative component. Given the limited evidence base about what makes programmes effective, strong contextual analysis is necessary before decisions can be made about which approaches are most suitable for any given response.

In general, successful efforts were those that strengthened overall child protection systems. More systematic efforts are needed to better understand acceptable forms of work for children, child labour, and the WFCL in emergencies. Disaster risk reduction and emergency preparedness activities must also be increased to better prevent and respond to the WFCL throughout all phases of emergency response. Emergency prevention activities, such as anti-trafficking messaging and border closures, are often not followed up by robust strategies to continue prevention and address the levels of WFCL, particularly in response and recovery phases of an emergency.

The following are some of the lessons learned in each of the Minimum Standard Key Actions.

Target the worst forms of child labour in preparedness activities – This is not occurring in any systematic way.

Generally considered part of the development agenda, the WFCL often do not get incorporated in disaster risk reduction strategies and emergency preparedness. In addition, until the Minimum Standards for Child Protection in Humanitarian Action were established, practitioners did not know what to do in the preparedness phase.

Prioritise a response to the WFCL (as opposed to less exploitative forms of child labour) – There is no consistently applied and understood definition of the WFCL and child labour. This impacts prioritisation. In addition, some practitioners thought a narrow focus on the WFCL would be difficult to achieve in many complex contexts.

Alert authorities, communities, parents, youth groups and children about the dangers of the WFCL and the importance of protecting children from the WFCL – The effectiveness of some activities was questioned. Awareness raising was particularly successful when communities developed the messages themselves. Potential for successful awareness raising may lie in the DRR agenda where children and communities can develop messages in advance. High level advocacy can also prove helpful.

Work with communities to identify and mitigate the risks of trafficking – Strong awareness of who is perpetrating crimes and why can help target activities. Robust advocacy efforts need to be followed up with interventions to prevent

abuse and exploitation throughout recovery. Proper planning just after an emergency helps reduce the gaps that traffickers later exploit when the emergency phase has passed. Awareness raising must provide a clear understanding of what trafficking entails and how it presents in the local context. Existing antitrafficking efforts can scale up and be adapted to emergencies.

Include the WFCL in assessments – A lack of clarity about definitions and processes, and limited programmatic experience in this context has impacted on the level and quality of assessment. CPiE teams are not generally used to looking at the issues surrounding child labour, often thought to be the domain of development programmes. The tools currently used to assess the child labour and the WFCL in emergencies are inadequate and under-used. Early assessment and multi-sector teams do not always include child protection specialists, limiting their ability to cover sensitive topics such as the WFCL.

Conduct an in-depth study on the effect of the emergency on the extent and nature of the WFCL — Timing and resource issues are key barriers to conducting in-depth studies. The issues affecting children involved in the WFCL are complex and multi-layered. With little guidance available about successful responses to the WFCL in emergencies, the humanitarian community is unclear about effective approaches during different phases and the level of information to collect.

Involve key national stakeholders and children in developing and implementing coordinated responses to the WFCL in emergencies — Coordinated responses are crucial, but the review found that the effectiveness of current coordination efforts is debateable. Inter-sector coordination was the highest challenge reported by survey respondents. Sixty-one per cent said that a lack of meaningful consultation with children in the WFCL during the project cycle was an extremely or very significant barrier.

Act to ensure responses become part of broader humanitarian interventions — Mainstreaming the WFCL into agencies that are not child-focused is a significant barrier. Strong coordination is essential but it has major human and financial resource implications. In addition, when responses to the WFCL are mainstreamed, responsibility must be better apportioned across the humanitarian landscape. Systems-based approaches should be further strengthened to include elements of a response to child labour in psychosocial support and child-friendly spaces, family tracing and reunification, sexual and gender based violence programmes and community-based child protection mechanisms. These activities must address the specific vulnerabilities of children in the WFCL. They must also address barriers to children's participation and access.



#### Provide guidance and training to those working across sectors

- There are significant gaps in practice, knowledge and learning around hazardous labour, children in illicit activities, trafficking, the exploitative elements of gender-based violence, abuse and violence in the workplace, and meeting the needs of youth.

## Assess the possible negative effects of the humanitarian response on the WFCL and work to prevent them -

A number of examples suggest that interventions to support families during emergencies can increase the WFCL. This is supported by anecdotal evidence from practitioners who have witnessed children's participation in the WFCL as a consequence of an emergency response. Humanitarian responders need to be aware of the potential negative impact of different programming approaches. Families' needs must be met to prevent coping strategies that can lead to the WFCL.

## Ensure that a WFCL monitoring and referral system is in place and included in existing referral mechanisms -Although case management was mentioned frequently, the process used by agencies to ensure effective identification, referral and follow up of children in the WFCL was largely undocumented. Issues of security, the additional needs of children in or at risk of the WFCL, cultural sensitivities and

multiple formal and informal child protection systems all need careful consideration.

**Connect children to learning opportunities** – Direct education interventions can help to achieve Education for All. They also prevent children from entering into the WFCL. A variety of non-formal education facilities designed to be accessible and appropriate, cater to the specific needs of the child labour population are needed in addition to formal schools. Education for young people has not been prioritised and this group are especially vulnerable to the WFCL.

## Connect children and caregivers to support that strengthens their livelihoods or economic circumstances

- Loss of family income and livelihoods is the most significant risk factor contributing to children becoming involved in the WFCL. Livelihoods activities are the most common and successful part of programming. Conditional and unconditional cash transfers, vocational training, income generating activities, employment and business training and support, and referrals into social welfare and social protection schemes all contribute to improved income for families and children at risk of or in the WFCL. Defining and managing roles and responsibilities, the dissemination of information, and the principle of do no harm were key challenges for programmes.

#### **CHALLENGES**

This section provides detail on five areas that present significant challenges to reducing the WFCL: funding; tools, guidance and capacity; data and information; access to children; and applying international and national standards in emergency contexts.

#### **CONCLUSION AND RECOMMENDATIONS**

The review found that very few organisations are responding to the WFCL in emergencies systematically. It is clear that any response to the WFCL in an emergency must be integrated into existing child labour and humanitarian child protection programmes. In addition, responses must be mainstreamed through the programmes and activities of multiple sectors., In particular: education, livelihoods, social protection, shelter and health.

Recommendations were nominated by respondents to the survey. These included: developing tools and guidance, increasing the capacity of child protection actors and donor interest, and building a deeper evidence and research base.

The review also makes recommendations to the CPWG, child protection in emergencies actors, donors and the wider humanitarian community.



This review was commissioned by the CPWG Child Labour Task Force. The CPWG is the global forum for coordination and collaboration on child protection in humanitarian settings. The task force, a subgroup of the forum, was formed to strengthen the response to the child labour and the WFCL. The review aims to document what humanitarian and child protection communities know about child labour in emergencies, and what we are doing to prevent and respond to them. Particular attention was paid to contexts and forms of labour the humanitarian community knows less about. The aim is to deepen our understanding of how best to meet the needs of, and protect, some of the most vulnerable and hard-to-reach children affected by emergencies.

Headlines from recent emergencies have highlighted the risks and exploitation children face in times of crisis, for example: "Human predators stalk vulnerable kids"; "Child labour risks rise across flood zone"; "Storm rains down trafficking fears." Unfortunately issues of exploitation are all too common but how does the humanitarian community respond to these challenges?

An estimated 100 million children are affected by disaster every year and, according to 2006 estimates, more than one billion children are living in areas of conflict or emerging from war.<sup>13</sup> <sup>14</sup> At the same time, the ILO estimates 85 million children work in hazardous labour, 5.5 million children are forced into labour or sexual exploitation, and a staggering 168 million working children are classed as child labourers.<sup>15</sup> There are a multitude of threats present during emergencies that compound the extreme vulnerabilities already faced by millions of families who feel they have no choice but to have their children work. As a result, a very large number of children are at risk of being pulled into the WFCL during times of crisis.

Poverty alone cannot explain all types of child labour, particularly those which involve slavery and servitude, but poverty is a major driving force behind families' decisions to encourage children into work. Other drivers include: traditions and cultural practices; market forces which impact the demand for cheap and easy to control labour; systemic obstacles to education; inadequate enforcement of legislation; and government capacity and commitment. Humanitarian emergencies also disrupt individual, family, community, and government coping capacities, exhausting resources and compromising the protective environment for children.

Before the development of the child protection minimum standards projects tended not to discuss and address issues of child labour in emergency contexts. <sup>16</sup> Increasingly this is changing. A 2012 survey of national child protection

coordinators conducted to help frame priorities for the global CPWG between 2013 and 2015 found that child labour had the highest average rating of gravity chosen from all fields of CPiE.

Tackling the WFCL in emergencies presents significant challenges. While the majority of practitioners confirmed that emergency responses should focus on the WFCL over other forms of child labour, many acknowledged a number of issues. For example: differing concepts of child labour, problems surrounding the range of and prioritisation of WFCL – particularly among implementing humanitarian responders who are not experienced in child labour issues. Another concern is the issue of youth. For certain interventions youth may not be considered a priority group. More broadly in terms of security and reconstruction efforts, youth should be a key target group for service delivery and WFCL prevention activities.

During the review, 77% of respondents said that it is important to respond to the WFCL over other forms of child labour in emergencies; 91% said this should be done through all stages of emergency response.<sup>17</sup> Yet only 18% considered the WFCL were adequately addressed and analysed in early response activities, and 26% in short- to medium-term activities.

### 1.1 BACKGROUND AND RATIONALE

In September 2010 the ILO, UN organisations, and international NGOs met to develop recommendations for future work in this area. The Child Labour Task Force was formed in 2011 under the Global CPWG to support the development of the Child Labour Minimum Standards in Humanitarian Action. The task force recognised that many of the recommendations from the 2010 meeting remained valid. However, it decided to conduct a review of responses to the WFCL in emergencies across humanitarian agencies. The review would underpin the further development of policy and practice to support the minimum standards.

The umbrella term WFCL covers various exploitative and dangerous working situations for children. There is already a substantial knowledge base for some of these, including practice and policy in a variety of emergency scenarios. For instance, projects to support children used in armed conflict have benefited from years of experience and learning, and this work is now led by the Paris Principles Steering Group, supported by handbooks and technical notes.<sup>19</sup> In contrast, we know relatively little about other types of forced labour, such as debt bondage, serfdom or forced labour into domestic or industrial sectors. An improved focus on gender-based violence in conflict and disasters has led to a growing body of work that supports equal humanitarian responses for women and those affected by gender-based

violence.<sup>20</sup> However, child-specific responses to trafficking and sexual exploitation are inconsistent. The CPWG Child Labour Task Force felt this review was important to help understand what practices exist to address the full range of the WFCL.

#### **1.2 PURPOSE**

This review is the first step to a renewed focus and better understanding of this important area of work for the CPWG. It aims to be a stocktaking report, examining what the humanitarian and child protection communities know about the WFCL in emergencies, and what emergency responders are doing to prevent and respond to them. The review will enable the task force to identify priority actions to support the CPWG Minimum Standards. It describes lessons learned, best practice, challenges, and available technical expertise to prevent and respond to the WFCL in emergency settings.

#### 1.3 METHODOLOGY

The review involved the examination and synthesis of global literature, an online survey, and telephone interviews with key field and headquarters-based practitioners. Its development involved a five-stage process.

**Document search** – This included: a comprehensive search to collect relevant programmatic reports and documents, particularly those known to CPWG and task force members; an internet-based search, including key document centres, such as UNICEF's evaluation centre, ALNAP's evaluative reports database and Child Rights International Network.

**Document analysis** – Each document was analysed. Those that did not contain relevant information to the review were discounted. Documents were analysed for: the extent and patterns of the WFCL in emergencies; activities to prevent and respond to the WFCL in emergencies; phasing of activities throughout emergency responses; lessons learned and good practice; challenges; technical expertise; resources and linkages to systems building; other sectors and other areas of child protection. The findings of the analysis were consolidated and shaped the next stages of the review.

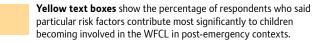
Survey – An online survey was drafted and published with a response time of three weeks. The survey asked respondents about approaches to prevent and respond to the WFCL in emergencies; the child protection minimum standards for child labour; coordinated approaches; barriers and challenges; and priorities for the future. The survey was published in English and French and had 45 respondents (33 in English and 12 in French). Seventy-four per cent of respondents specialised in

child protection; 11% in education; four per cent each in food security, livelihoods, mental health and psychosocial support, and protection; and two per cent in health. Early recovery and water and sanitation were also mentioned. Eleven per cent of respondents had worked in natural disasters, 41% in conflict; 48% had worked in both. Twenty-nine per cent had worked in rapid onset emergencies, 13% in protracted emergencies and 58% had worked in both.

**Key informant interviews** – Following the survey, key informant interviews were conducted with a mix of child protection practitioners from both global and field levels. Twenty-three interviews took place in English and French. Seven interviews discussed emergencies in Asia; six discussed emergencies in Africa; four of those focused on Mali, three interviews discussed emergencies in Haiti. Five were about emergencies in the Middle East with four of those focused on the Syrian refugee response in Jordan. Six interviews were with global-level practitioners who worked for NGOs, UNICEF and the CPWG.21

**Report findings** – The analysed findings of the literature review, survey, and interviews were drafted into this report, which was reviewed by the CPWG Child Labour Task Force twice before being finalised through the CPWG for publication.

Blue boxes represent each of the key actions in the Child Labour Minimum Standards for Child Protection and provide the percentage of respondents that said the key action was relevant and had actually completed it through their own practice.



## 1.4 THE DOCUMENT SET

There were 215 documents selected for abstract review and 183 were fully reviewed by two reviewers. One hundred documents were submitted by CPWG members, and 116 have been used to formulate the report and case studies. Included document types were: research papers; programme documents, such as assessments, proposals, mid-term reviews, monitoring frameworks and evaluations; position papers; academic articles; handbooks and manuals. The documents dated back to the tsunami in 2004, were mostly in English with the exception of 10 documents in French, and were written by a variety of sources, including the United Nations (ILO, IPEC, UNICEF and UNHCR); government agencies, such as the US State Department, UK Department for International Development and the Government of Indonesia; NGOs and academics.

One hundred and fifty-six documents were country specific: 18 took a regional focus and 40 were global. Detailed documentation on process, success and challenges when preventing and responding to the WFCL in emergencies, were generally rare. Evaluations of programme approaches which analysed outcomes or impact were even rarer.

#### **1.5 LIMITATIONS**

With the exception of Haiti, few documents were reviewed from Latin America, and although disproportionately affected by emergencies, Africa did not have equity in representation throughout the review. Most documents and interviews focused on Asia and the Middle East. The concentration on the Middle East was due to the current regional response to the Syria crisis. The consultants were not able to speak Spanish and Arabic, which limited the documents that could be reviewed in these languages. There was a heavy focus on information from international organisations, such as UNICEF, ILO, UNHCR and INGOs. There was very little input from local NGOs and CSOs who are recognised as significant actors in WFCL responses in development settings. Little response was received from people working in clusters other than child protection. This is a weakness given the high level of interconnectedness between child labour, food security and livelihoods and education that is needed for an effective response to the WFCL.

Inconsistency in how practitioners view and consider child labour and the WFCL permeates the literature. The WFCL were often given only a cursory mention, particularly for forms such as children involved in illicit activities. Practitioners and documents frequently referenced child labour rather than the WFCL. They also referred to exploitation and abuse in general terms without defining the types of exploitation present. Distinguishing what was actually meant by the terminology used was challenging and often impossible. The reviewer used other sources of information to help determine which types of exploitation, child labour and the WFCL were present in certain situations. For example, the term gender-based violence is often used in a way that includes the sexual exploitation of children, but much of the literature inadequately details the elements of exploitation that were present. Consequently, it is unclear if the term gender-based violence refers to children in prostitution, child pornography, the sexual exploitation of children in travel and tourism or the trafficking of children for sexual purposes.



Exploitation and child protection concerns in emergencies do not fit neat definitions, such as trafficked or sexually exploited children.<sup>22</sup> In addition, the WFCL are complexly interlinked and rarely exist in isolation of other forms of child labour, or other child protection concerns. While there is little information available on responses during different phases of an emergency, this review has used different types of emergencies to frame the information gathered.<sup>23</sup> Extensive case studies support this broad categorisation (see Annex 1). This section provides a brief outline of different types of the WFCL and how they have occurred and been responded to, and different types of emergencies. The WFCL examined are: sexual exploitation and slavery-like practices; hazardous labour; and illicit activities. The types of emergencies discussed are: rapid onset emergencies and disasters caused by natural hazards; slow onset emergencies; and conflict and civil unrest.

Respondents were asked about situations where children affected by emergencies had become involved in the WFCL and projects they had managed. Although basic and not intended to be statistically accurate, this gave an indication of the types of the WFCL children face, versus the kinds of programmes experienced by respondents (see figures 1 and 2). Despite hazardous labour being the most common WFCL witnessed by respondents (35%), only 13% of people had worked in a programme that aimed to address it. Sexual exploitation of children, trafficking, forced labour and children involved in criminal activities all had fairly equal numbers of people who had observed it, as opposed to programmes to address it. The number of programmes reported to address children associated with armed forces and armed groups far outweighed the number of people who had prioritised it. Although hazardous labour is commonly seen in emergencies, it seems there are far fewer programmes and means to address it.

Types of the WFCL that children affected by emergencies have become involved in seen by respondents

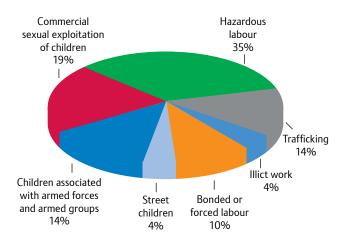
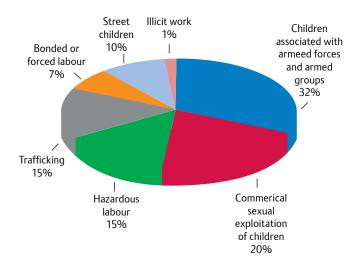


Figure 2

Types of the WFCL that have been targeted through programmes that respondents have worked on



#### 2.1 TYPES OF THE WORST FORMS OF CHILD LABOUR

# SEXUAL EXPLOITATION AND SLAVERY-LIKE PRACTICES INCLUDING TRAFFICKING

Unfortunately too many girls and boys face the very real risk of sexual exploitation and slavery-like practices in emergency contexts. Disasters and complex emergencies often provide the ideal conditions for chaos and vulnerability where trafficking can thrive. Plan International research into climate change found that adolescent girls living in areas frequently affected by floods or drought reportedly turned to prostitution in crises. One local NGO in Bangladesh reported that: "After Cyclone Sidr and Aila, there was a lot more trafficking due to economic problems... Indeed most of the sex workers in Dhaka come from this part of Bangladesh."24 In Burkina Faso twenty five percent of parents and adolescents interviewed for Plan International research confirmed knowing girls in their communities who had turned to prostitution in time of crisis. In Niger this rose to 29% reported by adolescents.<sup>25</sup> Following the loss of their families' home and facing inflated prices for rent, parents may be forced to hand over their children to work to pay off debts and rent owed to unscrupulous landlords. Parents may place their child with a wealthier family which they believe is in the best interests of their child, but the family may instead force them into a childhood of domestic servitude.26

In conflict areas high levels of sexual exploitation, trafficking and slavery of children can also be seen. A 2008 survey carried out by GTZ in Côte d'Ivoire indicated that the number of

Figure 1

victims of trafficking and prostitution networks had doubled or even tripled, depending on the place, since the end of the crisis.<sup>27</sup> And in Iraq the trafficking and forced labour of women and girls was found to be a predictable outcome of conflict and instability where a rise in crime, breakdown of law and impunity of perpetrators leaves them especially vulnerable to human trafficking.<sup>28</sup> In addition to experiencing sexual abuse, children trafficked domestically or internationally are taken out of their more protective home environment, may not speak the language, have no one to rely on, and may have an irregular status which keeps them in obscurity. Such victims need special attention and dedicated support.<sup>29</sup>

#### **HAZARDOUS LABOUR**

Children who worked before an emergency may find that their contribution to the family budget is more critical and required well into the future.<sup>30</sup> The nature of work may become more hazardous where children have to work around and with debris or carrying more strenuous loads, or in some situations where economies and industrial infrastructure have been devastated work may temporarily stop becoming less hazardous, although this may only be for a short time. Children who did light domestic chores may take on longer hours or more difficult work, which may impact school attendance.<sup>31</sup> Households may use children as risk-coping mechanisms by having them enter the labour force directly without transitioning from school, or by dropping out.<sup>32</sup>

## **ILLICIT ACTIVITIES**

There were very few examples of programmes that targeted children involved in criminal activity in post-emergency contexts. Considered by international agencies as victims of the WFCL we know little about these children who are often seen by communities and authorities as criminals. Only two projects were highlighted: one from Colombia that targets children involved in drug trafficking through youth empowerment and peace building projects; the other in Democratic Republic of Congo, which involved activities to support war-affected street children (see Annex 1).

17% said a breakdown of rule of law and increased criminal activity is one of the most significant risk factors contributing to children becoming involved in the WFCL in post-emergency contexts.

#### 2.2 TYPES OF EMERGENCIES

## RAPID-ONSET EMERGENCIES AND DISASTERS CAUSED BY NATURAL HAZARDS

There is a dearth of information about the long-term impact of rapid-onset emergencies and disasters caused by natural hazards on the levels and forms of child labour. Respondents from Indonesia and Haiti noted there had been no longitudinal studies following the tsunami or earthquake about child labour in the aftermath of these disasters. Data on the forms and extent of child labour are not always available and enumerating the level of risk children face in natural disasters is difficult to achieve in a short time.<sup>33</sup> Although insufficient research came to light, a few general observations are worth noting.

Rapid-onset emergencies and disasters caused by natural hazards cause huge economic shock, unemployment, loss of food and productive assets, and migration in search of work. Infrastructure is destroyed and services are disrupted often leading to economic stagnation. Where disasters happen recurrently in low-income countries, chronic poverty can emerge as families use their resources to recover from one emergency to the next, unable to invest in long-term futures. In conditions like these, the risks of children being drawn into child labour are clear.

Disasters caused by natural hazards and the reconstruction efforts that follow can create additional types of child labour. In Aceh children are reported to be involved in gold mining as roads built by tsunami construction money have opened up previously inaccessible areas.<sup>34</sup> In Nias, children became involved in reconstruction activities, breaking rocks and preparing building materials, in harmful conditions.<sup>35</sup> It is also widely believed that rapid-onset emergencies can increase the number of children in the WFCL. After a number of emergencies in Pakistan, increased numbers of children in the WFCL have been reported. The government estimated a 5–15% increase with over 10,000 children in quake-affected areas working to support their families.<sup>36</sup> Save the Children estimated a 15% increase from 20% to 35% in three guake-affected districts they were working in. Although they acknowledge weaknesses in data, they felt the numbers were significantly higher.<sup>37</sup> A series of ILO reports from Pakistan in areas affected by flooding in 2010 also highlight the magnitude of children working in hazardous conditions because of severely damaged and fragile livelihoods systems.<sup>38</sup>

Nevertheless, the situation is not always consistent between contexts and forms of child labour. Following some rapid-onset emergencies, where it was expected the WFCL would increase, they did not. In Sri Lanka research by Terre des Hommes found little evidence of a connection between the tsunami and the trafficking of children for the purposes of sexual exploitation.<sup>39</sup>



In Cambodia Understanding Children's Work research found that flooding alone did not have a significant impact on children's work or school attendance.<sup>40</sup>

Many responses to the WFCL in rapid-onset emergencies initially focus on potential trafficking, advocacy, monitoring of borders and supporting unaccompanied and separated children. family tracing and reunification. A community-based response, including case management, follows and in some better resourced emergencies long-term projects to address WFCL during reconstruction may be initiated.<sup>41</sup> However strong leadership for WFCL responses has not always been present.<sup>42</sup> With the influx of national and international responders, coordination roles and responsibilities can be confused and challenging, especially for WFCL responses which span a number of sectors, agencies and government departments. Organisations and government agencies that work on employment and child labour before an emergency seem to lack capacity for emergency response. They are underrepresented in the initial stages of a response, their roles only taking shape well into the recovery and reconstruction phase.43

58% said that the loss of home and physical safety or displacement is one of the most significant risk factors contributing to children becoming involved in the WFCL in post-emergency contexts.

Additionally, displacement into temporary emergency accommodation and shelters following disaster can create risks of the WFCL – parents are occupied with recovery activities leaving children unattended for longer and there is less security and safety in the shelters.44

### **SLOW-ONSET EMERGENCIES CAUSED** BY NATURAL HAZARDS

Slow-onset emergencies are characterised by food insecurity; malnutrition; water shortages; poor health and survival rates for young children; drop out and low attendance of children and youth in school; changing migration patterns of families and children; and negative coping strategies such as the use of children and young people to supplement family income. As one interviewee commented: "Child labour is the ultimate buffer for families against shocks to a household ... it is the canary in the mineshaft."

In 2011 the Office for the Coordination of Humanitarian Affairs (OCHA) highlighted that one potential feature of slow-onset emergencies is that they can be mitigated through coordinated

and integrated preparedness, early warning and early response activities. 45 OCHA also pointed out that response to slow-onset situations is often similar to that of rapid-onset situations. Resources are aimed at saving lives, parallel structures are created, and food aid dominates using tools created for rapid-onset disasters. This focus on life-saving interventions was reiterated by a number of practitioners working in slow-onset contexts. "Until families have enough to meet their basic needs, there is no point in bringing children out of work, even if the family knows the situation is hazardous," said one veteran child protection advisor.<sup>46</sup>

33% of people feel that protracted post emergency contexts are one of the most significant factors contributing to children becoming involved in the WFCL in post-emergency contexts.

## CASE STUDY: SAHEL FOOD CRISIS

A 2013 Plan International study about the Sahel food crisis and adolescent girls and boys living in affected areas of Burkina Faso and Niger found that child labour was one of the main effects of the crisis, leading boys and girls to abandon their education and take up paid and unpaid work.<sup>47</sup> For boys this often involved migration in search of work in mining or agriculture. Girls tended to stay closer to home undertaking unpaid domestic jobs. In Burkina Faso, 81% of boys and 58% of girls reported that they had to undertake work due to the food crisis, compared to 75% of boys and 42% of girls before the food crisis. In Niger, the number of adolescents undertaking work during the crisis increased from 31% to 60%. Before the crisis many children were involved in agricultural work close to home, but the crisis pushed families to send adolescents outside their communities to find paid work.

The study also found that although strictly taboo and in relatively small numbers, youth from both countries reported girls participating in transactional sex and prostitution as a means of survival during the crisis. Hazardous labour, migration and sexual exploitation are all placing the futures of children in the Sahel at serious risk. The declining value of education leads to a cycle of poverty where adult roles and responsibilities are forced upon and voluntarily taken by young people feeling they have few options. Their burden and hardship undoubtedly worsens with each food crises.

With the primary focus of humanitarian response on young children and immediate survival, the study recommended a number of interventions to allow adolescents to remain in school and not be subject to the WFCL. These centred around the most harmful effects of the crises, tackling negative coping mechanisms of youth, increasing participation, sensitisation campaigns, reducing school dropouts, introducing alternative livelihoods and collaborating with a wide range of key stakeholders.

A study by Understanding Children's Work and UNICEF on household shocks (drought, crop failure and floods) facing families in Cambodia over a five-year period found a number of correlations between child labour and slow-onset emergencies, in comparison to rapid-onset emergencies:

- Parents facing a decline in crop income withdrew children from school.
- The highest percentage of working children was in villages with drought or crop failure.
- Crop failure is the most damaging in terms of school attendance and child labour.
- Crop failure produces a significant effect on children's work in villages also hit by drought.
- Drought on its own predominately shifts children into combining work and school together, rather than dropping out of school.
- The occurrence of a crop failure increases both the number of children who only work and the number of children combining work and school.
- Flooding did not have a significant impact on children's work and school attendance. Rather floods would have a more direct impact on infrastructure.<sup>48</sup>

OCHA calls for a nuanced analysis of indicators that can gauge at what point families can no longer cope, thereby triggering contingency plans and early responses. OCHA suggests triggers surrounding food security and agriculture. The level and severity of child labour, particularly in its worst forms, could also help the humanitarian community better understand how families cope with deteriorating livelihoods throughout the programme cycle.<sup>49</sup>

# CASE STUDY: MALI – A COMPLEX EMERGENCY

Complex emergencies place children at extreme risk. They must contend with a family's fragile economic existence, extensive violence, widespread damage, humanitarian responses, and significant security risks. <sup>50</sup> Potential military recruitment, sexual exploitation, hazardous working conditions and criminality are sadly a daily occurrence.

Mali is faced with chronic food crises, frequent drought, endemic poverty in the South, and since 2012 armed conflict and a military coup in the North. Over three million children are working in Mali – half of them in hazardous labour. A coordinated assessment in the South by the CPWG in April 2012 showed that 75% of key informants noticed that children had begun to work, mostly in domestic roles and mining.<sup>51</sup> Preliminary findings from a 2013 ILO assessment of the WFCL also show that:

- one in three displaced children work instead of going to school
- school dropout has increased by an estimated 27% in northern regions
- there are increasing numbers of children involved in armed forces and groups, sexual exploitation (girls), and trafficking
- armed groups recruited large numbers of child beggars and talibés (children from quranic schools) directly from the streets to exploit them for housework and cooking
- more and more children from Senegal, Burkina
   Faso and Ghana are being trafficked for exploitative labour in mines
- thousands of children now line main roads in urban areas begging and over 60% are the victims of exploitation.<sup>52</sup>

In response, a number of approaches have been taken. INGOs are meeting the needs of identified children through a general case management and referral system. Some aim to improve the resilience of children affected by crisis through advocacy, stakeholder accountability, inclusion and non-discrimination using psychosocial activities as an entry point. Others are using nutrition

programmes as entry points. They then identify vulnerable families and use community mobilisation and local strengthening activities to address individual family's needs when they arise.

The ILO has also planned programming around two key areas related to child labour and the WFCL:

- The protection and education of crisis-affected children at risk of dropout and early work, through education, systems strengthening and community resilience.
- The prevention and removal of children from the WFCL (children associated with armed forces and groups, commercial sexual exploitation of children and trafficking) through mobilisation, access to services and coordination.

As the response is ongoing there is very little information about the effectiveness of different approaches. A key recommendation from the CPWG is that child protection, gender-based violence and education need to be integrated into food security and livelihoods, nutrition, water and sanitation, and health programming. This will help to prevent, reduce and address the negative coping mechanisms and adverse effects of the crisis.<sup>53</sup>

One approach in the Horn of Africa and the Sahel to reduce levels of child labour has been to support school feeding programmes. Plan International encouraged Kenyan children back into school to secure a meal, instead of searching for food, street selling, or participating in hazardous labour in Kenya.<sup>54</sup> While no specific evidence was collected on the outcomes of this approach, the ILO reported recent success in North-Western Kenya. Improved school retention and performance has occurred where sustainable school feeding programmes have grown crops in school compounds and school farms. Community involvement to support the feeding programme enables surplus harvest to be sold to generate income for other food types and infrastructure projects.<sup>55</sup>

Some informants noted that child labour often escalates during a slow-onset crisis yet prevailing attitudes about its causal links to structural failures and systemic poverty keep it predominately in the development sphere at the beginning of a slow-onset crisis.<sup>56</sup> However, failure to recognise the WFCL as a coping mechanism that must be addressed alongside food and nutrition issues will only drive families further apart and place more children at risk of exploitation and abuse, keeping families trapped in poverty.

#### **CONFLICT AND CIVIL UNREST**

As noted above, knowledge, practice and policy about the WFCL during conflict and civil unrest is readily available. 2010 research led by the ILO and Bradford University highlights key themes.<sup>57</sup>

- Displacement acts as a socioeconomic shock.
- The cultural impact of conflict undermines social norms that limit the spread of the WFCL but also embed conflict norms, such as increased aggression, militaristic play, and the acceptance of child prostitution.
- A breakdown of law and order causes a failure in regulation to protect children, and without laws pertaining to work and children's rights the WFCL can proceed unchecked.
- Widespread separation of children from their families occurs, children end up on the streets, often exchanged for domestic labour and vulnerable to abduction and servitude. Reunification is challenging due to perceived barriers, acceptance, and a lack of support available to the family.
- Physical hazards, such as the prevalence of firearms, the legacy of landmines and scavenging from the debris of conflict exacerbate several of the WFCL.
- Where barriers exist to the movement of people and goods in conflict, children are used to negotiate these barriers.
- Education is a mitigating factor to child labour. Conflict causes an immediate drop in school attendance and many measures focus on a speedy recovery of the education sector and families' ability to send children to school.
- Child labourers are less likely to attend school. What happens when they are not in school is important to their future as the transition from education into work is often one-way.

Interestingly, when asked whether conflict was one of the five most significant risk factors that contribute to the WFCL following emergencies only 23% of survey respondents agreed. The percentage was slightly higher for protracted crises at 33%. Sixty per cent said loss of income was most significant; 53% said a weak protective environment; 49% said a poor understanding of risk; and 49% also nominated family separation and the loss of one's home. Rather than the type of crisis being the most significant factor, respondents clearly felt that conditions (such as economic loss, displacement and family separation) created by conflict and other types of emergencies were far more important. There are an extensive number of projects to support children associated with armed groups and fighting forces, and a number of lessons appear to be transferrable to wider WFCL programmes. The following are taken from two multi-agency evaluations of DDR programmes in West and Central Africa.<sup>58</sup>

- Particular attention needs to be given to reaching all children.
- Communities should be engaged from the beginning and programmes must be implemented with communities throughout the entire process.
- Targeted support for children (education, life skills and training) must not be at the detriment of their integration into communities.
- Staff need specialised training and support; effort needs to be taken to minimise turnover as it affects the development of trust.
- Codes of conduct are essential.
- Sustainability is a crucial consideration from the beginning.
   Systems and local structures should be developed and used as much as possible. Prevention should be an overarching aim of sustainability.
- Working with the armed forces and authorities should be pursued and supported. Training and advocacy is needed to break links between the military and children before, during and after DDR.
- The implementation of government's international obligations needs to be monitored.
- Strong coordination is essential at every step. Sharing information, resources and collaborating during monitoring and evaluation are crucial. Cross-border coordination is especially important.

- Direct support should be limited and community approaches should be favoured. Consistencies in practices between agencies and donors should be encouraged.
- Foster and transit families are often more appropriate and cost effective than centre-based approaches when there is not mass demobilisation.
- Street children, children in conflict with the law and child victims of prostitution are often closely associated with the fighting forces during conflict. Programmes that respond to other WFCL should be more involved in responses for child soldiers.
- Coordination should ensure that recruitment of children is systematically integrated into prevention and sensitisation activities of counter-trafficking programmes.
- Programmes need inclusive long-term planning and funding, as reintegration is a long-term commitment.
- Staffing costs are often high due to the level of person-led support.
- Programmes need to support social and economic reintegration. Education is central to prevention, release and reintegration. Career counselling, market studies, incomegenerating activities and agriculture facilitate the economic recovery and reintegration of children.
- Where problems are regional, cross border and regional responses and prevention should be developed and supported.



The review sought to identify common programming components which it framed around the Minimum Standards for Child Protection in Humanitarian Action, Standard 12 Child Labour. This section provides examples of these components and the lessons that have been learned about them. Given the limited evidence base about what makes programmes effective at preventing and responding to the WFCL in emergencies, the examples in this section are not intended as an endorsement. What works in one place may not be the same in another. Strong contextual analysis is necessary before decisions can be made about which approaches are most suitable for any given response.

Nevertheless, a number of themes became evident during the review. Successful efforts were those that strengthened overall child protection systems. Combating the WFCL is often at the periphery of emergency response when the preservation of life is the primary concern. Stronger coordination between agencies and better mainstreaming of the WFCL into broad humanitarian and child protection in emergencies programming would help to address this.

Where activities to eradicate the WFCL are present before an emergency, they can be effective at meeting the needs of emergency-affected children and reduce the risk of the WFCL in emergencies.

Improved practice, knowledge and learning is needed to understand and address hazardous labour, children in illicit activities, trafficking beyond immediate prevention activities, the exploitative elements of gender-based violence, abuse and violence in the work place and meeting the needs of youth.

See Annex 1 case studies for examples of responses to the WFCL in emergencies.

# 3.1 TARGET THE WORST FORMS OF CHILD LABOUR IN PREPAREDNESS ACTIVITIES

Emergency preparedness is an increasing aspect of child protection programming, and provides opportunities to prevent the WFCL in emergencies. Disaster risk reduction (DRR) and preparedness help analyse and understand the specific traits and risks of exploitation that might emerge during an emergency. They also help humanitarian practitioners develop strategies to lessen risks in advance and prepare for the consequences.

97% of people said including WFCL in preparedness activities is relevant; 31% had done it.

Few respondents said that enough was being done at present. Just 5% said that the needs of children involved in the WFCL were adequately analysed and addressed in emergency preparedness activities. An additional 29% said that they were partially addressed. One of the reasons alluded to was that the WFCL are considered under the development agenda and so did not get incorporated in DRR strategies and emergency preparedness.<sup>59</sup> Another reason was that until the Minimum Standards for Child Protection in Humanitarian Action were established, practitioners did not know what to do in the preparedness phase.<sup>60</sup> Some interesting examples from Indonesia and Nepal that both centred around the collection of information and data gathering tools for emergency preparedness and DRR, arose through the review, although not specifically designed for the WFCL, they may have promising uses to prevent and address the WFCL more effectively in the future and are detailed in Annex 1.

# 3.2 PRIORITISE A RESPONSE TO THE WORST FORMS OVER LESS EXPLOITATIVE FORMS OF CHILD LABOUR

Survey respondents overwhelmingly said that the WFCL should be responded to during an emergency; 77% said that the worst forms should be prioritised over other less exploitative forms (see figures 3 and 4). However, it was acknowledged in a number of interviews and through survey feedback that there are considerable challenges surrounding the use of definitions of child labour, the WFCL and prioritisation. This is particularly the case among implementing humanitarian responders who are not experienced in child labour issues. <sup>61</sup> Some felt that a narrow focus on the WFCL would be difficult to achieve in many complex contexts.

Figure 3

Do you feel that the WFCL are an important issue to be responded to in an emergency response?

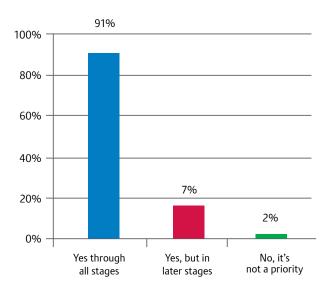
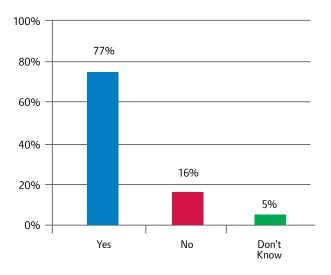


Figure 4

# Do you feel that in an emergency there should be a focus on the WFCL over other forms of child labour?



80% of people said prioritising a response to the WFCL (over other types of child labour) is relevant; 50% had done it.

# 3.3 ALERT AUTHORITIES, COMMUNITIES, PARENTS, YOUTH GROUPS AND CHILDREN ABOUT THE DANGERS OF THE WFCL

Although activities and campaigns to raise awareness about the dangers of the WFCL in the aftermath of an emergency may be implemented, their effectiveness was questioned by some respondents. When asked about ways to address the WFCL, a number of people noted that the use of awareness raising activities was mixed, particularly with information, education and communication materials that were not developed with community participation. Challenges were found in relation to cultural sensitivities and when awareness raising was not accompanied by tangible efforts to support children. Experience from the tsunami response in Sri Lanka was mixed. In part it showed that messaging did help reduce levels of trafficking. Over 200,000 leaflets were distributed in displaced communities and camps warning of the dangers of exploitation, trafficking, abuse and gender-based violence. In the year after the tsunami, no cases of trafficking were reported.<sup>62</sup> However, a subsequent study in two tsunami-affected districts showed little understanding of trafficking.<sup>63</sup> The evaluation that indicated awareness raising reduced levels of trafficking also pointed to a strong extended

family response for separated children abating agency concerns about the dangers of trafficking.<sup>64</sup> Differentiating the impact of awareness raising and other traditional and agency-led ways to care for and protect vulnerable children was not done in this case.

90% of people said alerting people to the dangers of the WFCL, and the importance of protection is relevant; 58% had done it.

Awareness raising was thought to be particularly successful when communities developed the messages themselves. There is clearly a balance to strike between community ownership and the speed of an emergency response. In the aftermath of Cyclone Nargis, Save the Children staff in Myanmar responded to reports of traffickers entering communities to recruit young people to work in foreign countries. Through Community-based protection committees. Child friendly spaces were used to deliver messages targeted at children, parents and caregivers. It was important to get messages out quickly to reduce the risks of trafficking and sexual exploitation.<sup>65</sup> It might take a number of weeks or months in the initial phase of an emergency to organise the participation of children and communities in message development. While this is happening, children face the threat of exploitation, trafficking and abuse. Potential for successful awareness raising may lie in the DRR agenda where children and communities can develop messages in advance.

49% said a poor understanding of the risks and realities of exploitative labour is one of the most significant risk factors contributing to children becoming involved in the WFCL in post-emergency contexts.

Advocacy is a key programming component which has been positively evaluated in a number of responses as an effective approach to preventing some of the WFCL. A UNICEF evaluation highlighted that advocacy in the early stages of their response to the tsunami in Indonesia prevented the movement of children out of Aceh and the adoption of separated children.<sup>66</sup> It also had a major impact on national policies for the care and protection of children.

Innovative awareness raising involving youth was used by the International Organization for Migration (IOM) in Haiti. Although not an immediate response to the emergency, it contributed to efforts to raise awareness about the issue of restavek during recovery and reconstruction, and subsequent emergencies.

Using a wide variety of social media outlets – such as Facebook, Twitter and YouTube – a toolkit was developed.<sup>67</sup>

Private advocacy was raised in interviews as an important element when external and public advocacy might be difficult or may place children at risk.<sup>68</sup> Advocating with other sectors about the impact of their interventions on the WFCL was also seen as important.<sup>69</sup>

97% of people said working with communities to mitigate trafficking risks was relevant. 42% had done it.

### Best practice: human trafficking in disaster zones

The US Department of State, Office to Monitor and Combat Trafficking in Persons highlighted the following in an online discussion about responses to the Haiti earthquake with Harvard University.<sup>71</sup>

- Counter-trafficking interventions should be included in contingency planning and must start in the emergency phase of response.
- 2. Institutional support is the key to sustainability. Efforts should be made to support government institutions in effective anti-trafficking responses. Avoid fostering dependence and coordinate to leverage resources and avoid duplication. When an overlay is needed it should mirror existing structures and make room for improvements.
- 3. Engagement of local stakeholders and consideration of local cultural factors are essential. This may require a concerted effort to build the capacity of civil society to identify needs, plan interventions and obtain adequate support for sustainable anti-trafficking interventions.
- 4. Pay particular attention to the most vulnerable sectors of the population. Rapidly identify, register, and provide interim care for separated and unaccompanied children during family tracing. Efforts to prevent exploitation should be undertaken for displaced and migrating workers, whether moving in their own country or seeking employment opportunities in nearby countries. Special care should be taken to protect women and girls from gender-based violence, particularly in informal or formal settlements.
- 5. Governments should assess the vulnerabilities that exist and ensure that policies and legislative tools are adequate to respond to the tragedy, strengthening or creating modern anti-slavery laws where needed. Implement education campaigns about the potential for human trafficking and where to receive help, and disseminate codes of conduct in rebuilding and economic recovery plans.

# 3.4 WORKING WITH COMMUNITIES TO IDENTIFY AND MITIGATE THE RISKS OF TRAFFICKING

Anti-trafficking measures were found to be commonly used among agencies responding to emergencies and a number of case studies were raised through the review (see Annex 1). Through experimental learning Save the Children India (SCBR) has developed new ways of working in flood-prone areas in West Bengal to prevent the trafficking of children for sexual exploitation and hazardous labour.<sup>70</sup>

SCBR found that traditional systems and structures, such as the police, non-government organisations, and local authorities had not been successful at reducing levels of trafficking where cultural and social acceptability and sustained poverty prevailed. SCBR turned to community- and child-led mechanisms. Children who had been trafficked now work with children's groups to devise street dramas about their experiences. Acting as change agents they have become successful at touching communities with their real life experiences of trafficking.<sup>72</sup> Children's clubs developed as well as youth groups and child protection committees (CPCs). Children who belonged to the villages would be mindful of the causes of trafficking and do home visits to at risk families, talking to the children in the family to hear their views. If they heard about traffickers or extended family members offering to take children away, members of the children's club informed the CPC, which intervened with the family to prevent the trafficking. Innovative work targeting perpetrators also occurred.

SCBR states that this approach has made 50 villages in postemergency situations trafficking free. The approach has become a regular part of the child protection system and a key element in preparedness and emergency response. When natural disaster strikes, CPCs, children's clubs and the formal child protection system become more active and aware of trafficking routes. It has been so successful that it will be rolled out to all SCBR child protection programmes in emergency-prone states.

A number of key learnings about anti-trafficking programmes arose during the review.

- Despite a robust government response to prevent trafficking prevention in Indonesia, a deeper awareness of who was perpetrating crimes and the motivating factors behind crimes could have helped to target activities. Robust advocacy efforts to prevent trafficking and address other child protection issues in the emergency also needed to be followed up with interventions to prevent abuse and exploitation throughout recovery.<sup>75</sup>
- In Haiti it was found that while human trafficking may generally not increase in the first days and weeks following a disaster, proper planning in the immediate term helps reduce the gaps that traffickers later exploit when the emergency phase has passed.<sup>76</sup>

Practitioners in the Philippines found that awareness raising about trafficking issues in a broader framework of abuse and exploitation must ensure trafficking issues are covered adequately. Sessions need to provide a deeper understanding of what trafficking entails, how it presents in the local context, and a broad understanding about issues of sexual abuse.<sup>77</sup>

## 3.5 INCLUDE THE WORST FORMS OF CHILD LABOUR **IN ASSESSMENTS**

When responding to the survey a surprisingly low number of practitioners mentioned assessment as a key part of a successful programme. It was more frequently mentioned in discussion, particularly in relation to challenges and needs. The survey also found that only 24% of people considered that the WFCL were adequately addressed in CPWG Child Protection Rapid Assessments (CPRA); 16% in agency specific assessments; and 16% in assessments conducted by other sectors. Sixty-five per cent of respondents noted as an extremely or very significant challenge to addressing the WFCL that the quality of assessment information was too poor for programme design. Assessment of the WFCL among child protection and other sector responses is notably weak. As one child protection manager commented: "If you don't include issues of exploitation into your assessment framework in the first place, your assessment will not highlight any problems of exploitation once you have finalised your results."78

96% of people said that including the WFCL in assessments is relevant; 48% had done it.

The following issues and challenges were reported in the survey and key informant interviews.

- Guidance on whether and how to assess the WFCL during different phases of emergency has historically lacked clarity. Practitioners are unclear if they need to assess it, and when they do if they need to know scale, intensity, patterns or pathways.<sup>79</sup>
- The lack of programmatic experience in addressing the WFCL in emergencies has impacted on the level and quality of WFCL assessment.80
- CPiE teams are not generally used to looking at the issues surrounding child labour, often thought to be the domain of development programmes.
- The concept and definitions of child labour and the WFCL are relative and contextual to communities, making it difficult for first responders to be precise in data gathering.81

- Having enough information to develop programmatic responses that span a multitude of sectors is challenging in post-emergency contexts.82 83
- The tools currently used to assess the WFCL in emergencies are inadequate and under-used. Linkages between information gathered through existing emergency tools, such as the child protection rapid assessment (CPRA), and more developmental areas of child protection which span a number of contexts are not strong enough.84
- Early assessment and multi-sector teams do not always include child protection specialists, limiting their ability to question sensitive topics such as the WFCL sufficiently.85
- Assessment needs to include the socio-economic, cultural and political sensitivities in the host country.86
- Although only a snapshot, the multi-indicator rapid assessment (MIRA) can provide insight into potential WFCL issues. Pakistan's 2012 MIRA after flooding in the Balochistan, Punjab and Sindh Provinces identified key safety concerns for affected populations, such as kidnapping, abductions, disappearances, forced child labour, and forced recruitment.87 Similarly in Chad a 2012 post-flooding MIRA captured the concerns of affected communities about several cases of young girls and boys leaving in search of work. According to the groups of women interviewed, this placed them at increased risk of prostitution.<sup>88</sup> Both assessments highlighted the likely presence of the WFCL that warranted further investigation.
- People rarely include an analysis of secondary data and proxy indicators about the wider context facing families and children at risk which may help increase understanding of the WFCL during emergencies.<sup>89 90</sup> An evaluation from Aceh stated that the project teams felt the available proxy data was unreliable given issues about displacement, deaths and migration reduced the accuracy of previous studies.<sup>91</sup> The evaluation team disagreed and felt it still increased overall understanding when analysed.92 Given emergencies change the situation of children, often significantly amplifying the risks they face, using all available information to make informed decisions is very important for practitioners.

## 3.6 CONDUCT AN IN-DEPTH STUDY OF THE EFFECT OF THE EMERGENCY ON THE EXTENT AND NATURE OF THE WORST FORMS OF CHILD LABOUR

The issues affecting children involved in the WFCL are complex and multi-layered. With little guidance available about successful responses to the WFCL in emergencies, the humanitarian community is unclear about effective approaches during different phases. This means decisions about the level of information to collect are far from easy. This is borne out by one evaluation of a post-tsunami programme to combat the WFCL that started nine months after the event and ran for four years. It found that the project had been insufficiently planned.<sup>93</sup> Without the same level of post-crisis urgency as shelter or food, the programme needed to complete a detailed pre-assessment of conditions before the design phase. And much more time was needed to determine the needs and design the most effective interventions.<sup>94</sup> However, for responses that start more immediately or are shorter in length, a detailed assessment may not be possible without adequate resources.

85% of people said that conducting an in-depth study on the WFCL was relevant; 9% had done it.

There are also other considerations for longer-term reconstruction projects. For example, in Aceh the devastation was so extensive that even after nine months agencies were still very much in crisis mode. To commit resources to a lengthy assessment process for a baseline study is cumbersome. Yet this is essential if a reconstruction project is to get underway in a reasonable timeframe that meets the needs of the children affected by the emergency and is appropriate given the services and capacity available.

In addition, it was suggested that where emergencies occur in places of ordinary, annual or frequent migration for socio-economic reasons, migration profiles need to be mapped along with the expectations of communities affected by an emergency. Where communities are accustomed to migration their expectations and needs may vary.<sup>95</sup>

93% of people said that involving national stakeholders and children in responses to the WFCL was relevant; 17% had done it.

# 3.7 INVOLVE KEY NATIONAL STAKEHOLDERS AND CHILDREN IN DEVELOPING AND IMPLEMENTING COORDINATED RESPONSES

This key action involves elements frequently found in a broad range of humanitarian interventions. Children's participation, coordination and systems building are often considered crucial for the successful implementation of many CPiE programmes. However, learnings from Jordan showed that significant support is required for national partners to be meaningfully involved and participate in humanitarian action, <sup>96</sup> particularly those who have a significant role in reducing the WFCL in pre-emergency times.

Children's participation can play a significant role in improving the lives of working children in development contexts and is supported by many NGOs and working children's organisations.<sup>97</sup> However, the involvement of working children and youth in emergency response is less documented. Sixty-one per cent of survey respondents said that a lack of meaningful consultation with children in the WFCL during the project cycle was an extremely or very significant barrier. Some respondents also said that working children's organisations must be included in the emergency agenda, especially in child-led disaster risk reduction and preparedness activities. UNICEF found that a children's organisation for street and working children in Bangladesh (Child Brigade) was able to respond to a fire that ripped through a Dhaka slum in 2004, affecting 10,000 people. Child Brigade organised evacuation, conducted a needs assessment, and liaised with other organisations to distribute food, locate families and provide healthcare. 98 It is clear from the examples found that experience and learning about the effective participation of children in the WFCL in emergencies is limited.

Coordination – Many sectors, government departments, national civil society organisations and NGOs need to play a role in the preparedness, recovery and reconstruction phases of response to the WFCL in emergencies. How effectively this is currently coordinated is debatable. Through the survey, 39% of practitioners said child protection coordination and 35% said inter-sector coordination was an extremely significant challenge. This was the highest of all the challenges reported (see figure 6). Despite this, when asked if addressing the WFCL was a concern for their local child protection coordination body, 84% of respondents agreed. For other sectors a willingness to address the WFCL in emergencies was less evident with only 59% of education clusters, 47% of food security clusters and 53% of gender-based violence clusters showing concern.

Humanitarian coordination was seen in a number of cases to support this. Many of these related to anti-trafficking and were initiated in the beginning stages of a response.<sup>99</sup> In the

Philippines following Typhoon Bopha, one survey respondent noted that cluster coordination helped facilitate a response to trafficking, quickly mobilising government support to make it a priority. However, although coordination structures provide an important arena to raise concerns about the WFCL and initiate advocacy and awareness-raising, in a number of examples they seemed less effective at supporting a response. In Myanmar the protection cluster raised concerns of child trafficking in the aftermath of a cyclone and underscored the importance of reissuing birth certificates and identity papers. Mobile teams were only established and began re-issuing lost identity papers six months after the cyclone. One child protection advisor lamented that had the response been implemented earlier, it would have been much more effective.<sup>100</sup>

Another delayed response occurred for Syrian refugees in Jordan. Initially there was strong coordination of child labour issues. Government departments and international agencies from the child protection and gender-based violence working group came together in specific coordination meetings to discuss the growing concern of child labour. After the third meeting in July 2012 it was decided the group should be subsumed into the larger joint CP and GBV working group where the recommendations from previous meetings would be implemented.<sup>101</sup> As the emergency grew in scale, severity and complexity, the CP and GBV working group separated into individual coordination structures. With a focus on meeting basic need across the response, the issue of child labour faced a hiatus between mid 2012 and early 2013. The recommendations remained largely unimplemented and the number of children dropping out of school and entering work grew quickly. With renewed interest from international agencies, the ILO and Government, the issues were again prioritised and a specific child labour working group is driving an improved coordinated response.<sup>102</sup> A similar approach is being implemented in Palestine where a sub-sector of the existing national child protection network was developed and led by the Ministry of Social Affairs to fight child labour and early school dropout.<sup>103</sup>

The exact nature and role of coordination, sustaining interest among humanitarian actors, and the existing systems that respond to the WFCL in emergencies was not well documented. Further challenges, such as navigating the often extreme sensitivities, views and beliefs that surround many of the WFCL, were also noted.

**Systems-building** is now recognised as an integral part of humanitarian response and has additional validity when responding to the WFCL and child labour which is caused by factors that are complexly linked across sectors and development and emergency contexts.

83% of people felt that ensuring an updated list of hazardous child labour was relevant; 17% had done it.

Evaluations from the tsunami found that working with the Acehnese police on anti-trafficking efforts from the early stages of the response provided entry points to strengthen the juvenile justice system. This left Aceh with one of the most innovative restorative justice programs in Indonesia, and a strengthened juvenile justice system.<sup>104</sup> Another example from Indonesia highlights coordination and systems strengthening challenges, particularly where different forms of the WFCL fall under different ministerial departments. Children used in armed conflict or children facing sexual exploitation do not fall under the jurisdiction of the Ministry of Labour. The sexual exploitation of children in emergencies falls under the Ministry of Women's Empowerment. The Ministry of Labour looks at all hazardous labour issues but does not have any responsibilities in emergencies, which are held by the National Disaster Management Agency. In this array of government departments and legislative frameworks, rapid scale up was reported to be extremely complex. Decentralisation of government has also presented a challenge in this context – most implementation is done in local states and regions at sub-national level, but the majority of skills and funding have remained at the national level.105

Nevertheless, strengthening systems in emergencies to reduce the WFCL and child labour can be successful. In the Philippines following Typhoon Bopha the National Inter-Agency Task Force against Trafficking, supported by UNICEF, took preventative action. This included visiting affected communities to verify reports of trafficking and raise awareness on the dangers of trafficking, and how to detect offenders in communities. Public dialogue with communities and local councils for the protection of children occurred to seek cooperation in vigilance and reporting. 106 107

# CASE STUDY: STRENGTHENING CHILD PROTECTION SYSTEMS TO ADDRESS CHILD LABOUR IN JORDAN<sup>108</sup>

Described by an interviewee as the "late response to child labour", the Government of Jordan and agencies at the start of the refugee crisis were reluctant to

acknowledge child labour as a major concern requiring intervention. Over a year later the government declared a 50% increase in the number of working children – about 33,000 Jordanian and 30,000 Syrian children. With growing acceptance that urgent action was needed, an encouraging focus on systems strengthening to address child labour has emerged.

Jordan has a robust national framework to combat child labour, compulsory education to the age of 15, and legislation and capacity to eliminate the WFCL. The national framework includes a referral pathway which supports children once they have been identified, a list of hazardous industries children cannot work in, a national committee, and strategies and plans to protect children from resorting to the labour market at an early age.

Unfortunately until mid 2013 the existing systems to combat child labour in Jordan and humanitarian child protection systems were not adequately taking account of working Syrian children. In the preceding year these children were working unchecked in increasingly exploitative forms of labour. Practitioners reported that children traditionally worked in Jordan with their families as migrants in the agricultural sector from the age of 14. If labour inspectors came across Syrian children in workplaces, they were unsure what they could do. This meant key opportunities were missed to identify children and refer them to case management mechanisms, systems, and services developed for the emergency response.

Agencies are now supporting elements of the preexisting system to include a response for Syrian child labourers. Community-based child protection committees (CPCs) under the National Framework to Combat Child Labour help support, monitor, refer and follow up relevant incidents. They coordinate with government institutions, ministries and partners on early warning systems and help follow up with families. In implementing the national framework, it is important to increase the number of organisations that can identify children at risk and work to ensure scale and sustainability. CPCs are now being promoted to involve host and Syrian communities and capacity-building efforts are underway. In addition, the ILO is supporting other parts of the system by: working with the labour inspectorate at the Ministry of Labour, sensitising all relevant stakeholders on national policies and legislation, conducting qualitative research and assessment,

and expanding the national child labour database to include Syrian children. A major learning is the need to include humanitarian action in existing child protection mechanisms and systems, ensuring the full integration of national partners responsible for child labour policies, legislation and programmes.

A post-tsunami evaluation of programmes in Sri Lanka discussed the ILO's dual strategy. The elements were: creating an enabling environment and supporting the development of legislation and policy about child labour through technical and programmatic input. Contributing to the effectiveness of the project was the ILO's support for institutional structures that focus on work relating to childcare and child protection issues with targeted interventions.<sup>109</sup>

Important but sometimes controversial stakeholders to involve are employers and perpetrators. The World Food Programme Pakistan ran a child rights and child labour education campaign with mill owners who were employing children in postemergency situations for 12-hour days, carrying 50kg sacks of flour.<sup>110</sup> SCBR has been working with traffickers who came from the villages and communities in which they operate in postdisaster situations. With government officials and the police, SCBR hold workshops with traffickers to investigate motivations, reinforcing the impact of their actions. The workshops found that the lower level traffickers were involved because they had no alternative income source and were poor themselves. SCBR, in collaboration with community-based child protection groups, provided small loans to cultivate fish or buy bicycles for transportation. Intensive counselling and monitoring provided by social workers, community child protection groups and the traffickers' families themselves reinforced the negative impact of trafficking. Over time and once the traffickers prove they are reformed they can join the community-based child protection groups to become informants. This approach – which disconnects the sub-agents from the middlemen – has helped many villages becoming trafficking free. Children and youth groups, community groups and reformed traffickers all increase their level of awareness, monitoring and action to prevent trafficking during emergencies. 111

# CASE STUDY: COORDINATION FOR COUNTRY-SPECIFIC INTER-AGENCY TOOL DEVELOPMENT, PAKISTAN 112

Following the 2010 Pakistan floods, child protection actors reported that some programmes were engaging children in cash for work activities. In order to mitigate the impact

of the crisis on child labour, particularly in its worst forms, the Child Protection Working Group, Early Recovery Working Group and the Early Recovery Community Restoration Cluster joined together to produce Guidelines on Cash For Work Programming. At the request of the Guideline Steering Committee, particularly government members, the guidelines were broadened to consider the impact of crises on the livelihoods of other vulnerable populations. The guidelines were drafted by a child protection consultant and reviewed by working group members, government disaster management authorities, and the ILO. A number of key lessons were identified from the coordination process.

- Broadening the scope to all vulnerable populations diminished the focus on prevention and response to the worst forms of child labour.
- Clusters and agencies which play an important role in responses to the WFCL must be included in wider consultations. Livelihoods and education cluster input would have been beneficial.
- The tool would have benefitted from a pre-drafting WFCL assessment and a post-drafting application and evaluation.
- The tool was effective in attracting attention to the WFCL among a broad audience in country and as a practical country-owned reference tool.

See annex 1 for further information about the tool.

## 3.8 ENSURE THAT RESPONSES BECOME PART OF **BROADER HUMANITARIAN INTERVENTIONS (CHILD** PROTECTION, EDUCATION, SOCIAL PROTECTION, **ECONOMIC RECOVERY)**

#### MAINSTREAMING AND INTEGRATING

One respondent to the survey who did not have a child protection background said the mainstreaming of child protection to include the WFCL needs to become standard for non-child protection sector agencies, integrating into protection pathways. Firstly, to be able to refer cases identified by non-child protection agencies to specialist agencies in the protection cluster. Secondly, and two for the agency to become an additional service provider in the referral pathway. However, mainstreaming the WFCL into agencies that are not child-focused was noted as a significant barrier. Despite its necessity, practitioners have faced difficulties mainstreaming

and integrating the WFCL into emergency responses. Strong coordination is essential but respondents from Haiti and Pakistan discussed the challenge of having a child protection representative attend all other cluster meetings to raise child protection issues when this is not reciprocated.<sup>113</sup> This presents huge human and financial resource implications. In addition, when the WFCL is mainstreamed, responsibility must be better apportioned across the humanitarian landscape.

90% of people felt that acting to ensure the WFCL becomes part of broader humanitarian responses was relevant; 25% had done it.

#### MAINSTREAMING IN CHILD PROTECTION

There are eight key child protection concerns in the Minimum Standards for Child Protection in Humanitarian Action; one addresses child labour.<sup>114</sup> Although these child protection concerns are often complexly interlinked, the review found limited evidence of the WFCL being included in responses other than psychosocial support and family tracing and reunification. Justice for children is a particularly underdeveloped area of humanitarian response and the review found no documentation on programmes to address it. Notable gaps in documentation arose in mainstreaming the WFCL across three other minimum standard areas of child protection: dangers and injuries, physical violence and other harmful practices; and sexual violence. Violence, injury and abuse are frequently perpetrated in a child's place of work. It was evident through the review that many responses do not sufficiently consider a child's place of work as a place that warrants a response strategy.<sup>115</sup>

31% of people feel abuse within the family or community is one of the most significant risk factors contributing to children becoming involved in the WFCL in post-emergency contexts

Psychosocial support and child friendly spaces (CFS) can support children in the WFCL in emergencies whose exposure to harm can cause long-lasting effects on their emotional development and self-perception. <sup>116</sup> Emergency child protection actors reported that CFS activities and psychosocial support were an important element in the response for children in the WFCL. A number of practitioners also noted their value in identifying children in the WFCL.<sup>117</sup> However, there were limited examples with detail on how best to meet the specific needs and vulnerabilities of children in the WFCL. Save the Children India has had some success with CFS activities for trafficked children

in their Cyclone Aila response. This success was partly attributed to the CFS being in areas where long-term programmes for trafficked and working children had been implemented before the cyclone with good relations in the community. Children in the WFCL were able to access CFS in part because they were already attending activities and informal learning in bridge course centres before the emergency struck.<sup>118</sup>

Many of the challenges related to access to psychosocial activities for working children. An evaluation from an Indian tsunami response programme where children's groups were set up to provide psychosocial support found 15% fewer boys aged 13 to 17 participated in CFS. No separate groups were initiated for them as was done for girls who also faced significant barriers to participation. Children reported that adolescent boys did not participate because some were engaged in work and others were not interested in the activities. The evaluation concluded that adolescent boys deserved the same chance as other children to participate through activities that engage them and divert them from harmful labour.<sup>119</sup>

In Myanmar an evaluation of the response to Cyclone Nargis reported that children who work full time in hazardous labour had not been able to attend CFS activities and were effectively passed over by the response programme. It was clear that more needed to be done to reach some of the most vulnerable and incorporate issues of child labour into child protection programmes.<sup>120</sup>

These examples highlight the need to have strategies in place to increase access and reach those who face barriers attending psychosocial and CFS activities because of work. The specific needs of adolescent boys, a group that is often pulled into hazardous labour in emergencies, clearly needs particular attention in CFS and psychosocial programmes. <sup>121</sup> One respondent who had spent many years working in protracted refugee contexts said that child protection actors were not able to adequately prevent or respond to the profound distress experienced by children in the WFCL. Although mental health services may be available, children are not willing to attend. This area needs more analysis by psychosocial specialists.

**Family tracing and reunification (FTR)** programmes use the Inter-agency Guiding Principles on Unaccompanied and Separated Children and a relatively large body of experience. Children in the WFCL are often included in FTR programmes, but a number of practitioners thought a standardised approach to FTR had not always been suitable for children in the WFCL.<sup>122</sup>

49% said family separation is one of the most significant risk factors contributing to children becoming involved in the WFCL in post-emergency contexts.

A large FTR effort was undertaken in Haiti where there were high levels of pre-existing exploitation, trafficking and intercountry adoptions, which continued throughout the emergency.<sup>123</sup> The unaccompanied and separated children (UASC) working group defined priority actions for different groups of children separated from their families. The first priority group was UASC separated as a result of the earthquake, with restavek children, street children and children in interim care centres grouped as a second priority.<sup>124</sup> Designed to help decision making given competing needs, agency interpretation and practical application of the tool was inconsistent across agencies. One child protection manager said that despite the categories, they had worked with child labour cases from the outset. Whereas another child protection manager said it was more than six months before they included children separated before the emergency and other vulnerable children in their caseload. The focus on viewing restavek children as separated, and not as victims of trafficking or exploitation, caused a delay in identifying and supporting children comprehensively.

A review by the Global CPWG learning and support mission also noted that little linkage had been made between ongoing work with vulnerable caseloads and the emergency response. This point was reiterated by the US State Department's Ambassador at Large to monitor and combat trafficking who said that assumptions by new working groups to focus on the movement of children did not consider whether they were compelled into service or movement. Agencies in Haiti now look at the specific vulnerabilities which may have contributed to the exploitation in the first place. NGOs help families with activities that were not available in the earlier stages of the response, such as income generating activity packages that include cash grants, and training for start-up businesses that support children back into school.

Children in the WFCL can also be challenging to reunify with their families, especially if the child has made a choice to work and earn a living away from their home. "How do you reunify a child who doesn't want to be reunified?" asked one child protection worker from South Africa's border with Zimbabwe. They went on to say:

Some children were crossing the border with a level of resilience, a predetermined plan, a sense of adventure, and telephone numbers of family and clan members who would extend their care to the child... It's difficult to get them to accept they are better off at home, when their parents have partially sanctioned their departure for South Africa.<sup>127</sup>

A child identified in this situation during an emergency might need higher levels of intervention than a traditional FTR case may warrant. One project in Goma in the Democratic Republic of Congo found that the successful reunification of girls who had been exploited and living on the streets took time and resources. There were 391 family visits to reunify 30 girls in the first year of the project. This included research to locate the family, meetings, day and overnight visits, and follow up checks.<sup>128</sup> At 13 visits per child this has huge resource implications for programming.

One issue worth noting is secondary separations that happen as families struggle to cope with the consequences of emergencies. Children in post-cyclone Nargis Myanmar were at risk of secondary separation due to displacement, a lack of access to basic services, family breakdown, and challenges in rebuilding lost livelihoods. 129 A large number of children worked in this context to support their families, with both adolescent girls and boys moving to urban centres in search of work, increasingly invisible, at risk of exploitation and hard to monitor.<sup>130</sup>

While separation is a major risk factor for children in terms of the WFCL, ensuring protection and family reunification through tracing and interim care arrangements is challenging. FTR services act in a manner similar to education. Not only as a responsive service that helps reunite children in the WFCL with their families, but in emergencies when family reunification is rapid. This aids in preventing children from entering the WFCL in the first place. Children who remain unaccompanied or separated for long periods are more at risk of the WFCL. It is therefore essential that FTR programmes act as quickly as possible in a given context to identify and reunify children with their families. This broad level of intervention would help capture a significant number of children before they reach the WFCL in conjunction with other child protection strategies.

#### **INTERIM CARE**

Particular attention needs to be paid to issues of forced labour, sexual and economic exploitation and slavery in settings of interim care. The acceptability of using restaveks in Haiti led to major concerns about domestic labour in foster family settings. This was why fostering was not used in the initial stages of the response. The use of orphanages and children's homes also came under scrutiny with many having strong links to international adoption markets. Interim care presented major challenges for emergency responders

as a direct result of existing exploitation. It became clear that some institutional arrangements were needed for the medium-term care and protection of children, especially those who were trafficked or had disabilities. Recommendations were made that close monitoring and supervision was needed across interim care placements.<sup>132</sup>

Interim care not only presents challenges in natural disasters but also in protracted situations of displacement and conflict. A long-standing unaccompanied and separated children project in the Democratic Republic of Congo identified the following protection concerns during a 2009 review of FTR practices.<sup>133</sup>

- Child-headed households, notably by girls, are especially vulnerable to sexual abuse and exploitation.
- Children who were reported as having been spontaneously reunified with their family were sometimes kept in the foster family, exchanged with another family, or sold for domestic servitude.
- Cases of UASC were reported as disappeared or not seen for undefined periods of time.

As a result of these challenges the following recommendations were made to prevent the exploitation or potential exploitation of UASC.

- Put in place special monitoring and protection measures for (girl) child-headed households.
- Cases of disappeared children or children not seen should be followed up over a set timeline to verify their whereabouts and protection situation.
- Analyse the causes of disappearance and spontaneous reunifications.
- Carefully monitor spontaneously reunified children to prevent exploitation and trafficking of children.
- Closely monitor and follow up children in foster families, considering the higher than average risks of exploitation, abuse and negligence.
- Take immediate action in cases of abuse or exploitation in a foster family through mediation and the identification of an alternative foster family when needed.



## **WORKING IN REFUGEE CONTEXTS** AND HOST COMMUNITIES

Experience from Liberia and Jordan showed working with host communities to be particularly relevant when dealing with issues of employment, child labour and the WFCL. In both refugee contexts host community economies were under enormous pressure. In Liberia a programme for Ivorian refugee youth in hazardous and exploitative labour reported that they had to spend a considerable amount of time engaging and redirecting their youth livelihoods interventions to include the host community after finding little support for the project. Only then were the conditions for successful programming created.<sup>134</sup>

In Jordan an influx of well over 500,000 refugees is severely impacting the economy and the ability of the host and refugee community to work. One international agency reported that as the resources of the refugees become stretched there is a higher likelihood that if their children were in school they will drop out in favour of work, and if they are not in school they may be working already.<sup>135</sup> Some feel this drives down the cost of labour and makes Syrian adults and children more attractive to employ with Jordanian parents losing their jobs because of new competition, children are being used to complement income in Jordanian families. 136 In addition, the refugee population has no automatic right to work in Jordan, employment is increasingly exploitative, and child labour is on the increase in both Syrian refugee and Jordanian host communities. Despite 160,000 Syrian refugees living in camps, and close to 400,000 living in the host community, the majority of funds have been directed to refugee camps. This leaves those living in urban areas unable to access services and vulnerable to exploitation both in work and at home.137

## 3.9 PROVIDE GUIDANCE AND TRAINING TO THOSE **WORKING ACROSS SECTORS**

For child protection in emergencies practitioners, having well trained teams who understand the complexities of the WFCL is essential. Staff must be confident and have a strong understanding of the context to gain the trust of communities sensitively and safely, enabling discussion on these often much hidden and taboo abuses. This takes time to establish and is not without challenges in the initial phases of an emergency. For these reasons the WFCL must be included in capacity building frameworks.

90% of people thought providing guidance and training to those working across sectors was relevant; 32% had done it.

Programmes from Save the Children in Myanmar showed that children working full time in hazardous labour were not able to access activities and services because of a gap in team members' knowledge. With many of the staff having no exposure to child protection outside their work and limited opportunities for training, understanding and knowledge of rights, protection, vulnerability and mobilisation was limited. Although capacity building had been provided at the programme officer level, this was not always effectively transferred to colleagues in lower positions.<sup>138</sup>

An extensive analysis of capacity building for the WFCL does not play a major role in this review. This is because the CPWG Capacity Building Task Force has a central role in overseeing and updating capacity building elements. It will work jointly with the CPWG Child Labour Task Force to combine efforts after this review.

## 3.10 ASSESS THE NEGATIVE EFFECTS OF RESPONSES IN ORDER TO MITIGATE THEM IN THE FUTURE

Few people thought that exposure to humanitarian aid was one of the major risks to children becoming involved in the WFCL in post-emergency contexts. But a number of examples suggest that interventions to support families can increase the WFCL. This is supported by anecdotal evidence from practitioners who have witnessed children's participation in the WFCL as a consequence of an emergency response.

83% of people said that assessing and preventing the negative effects of responses on the WFCL was relevant; 22% had done it.

Inadequate information on available livelihoods support following Typhoon Bopha in the Philippines acted as a push factor for youth to migrate and be trafficked from affected areas into hazardous labour. This included in plantations, agriculture, or into large cities where they were at risk of further exploitation. 139

In Pakistan there were reports of children involved in cash for work programmes, and in Sri Lanka children cleaned temporary camps and worked in post-tsunami construction projects. 140 141 An evaluation of a tsunami project in India highlighted that although it aimed to support the repair of fishing boats to improve livelihoods, across agencies there was an excess of fishing boats and not enough people to operate them. This led to increasing numbers of children working out at sea in hazardous conditions, 142

Reports of humanitarian responders' involvement in the sexual exploitation of children in post-emergency situations are the most serious. Children have been forced to exchange goods or services for sex and prostitution, and this requires robust action. In Kenya a wide variety of good practice tools have been developed, these include:

- an In-Country Network on Protection from Sexual Exploitation and Abuse <sup>143</sup>
- the Kenya Refugee Program Prevention of Sexual Exploitation and Abuse Consortium Training Manual for humanitarian workers and for the police <sup>144</sup>
- the Kenya Code of Conduct for humanitarian workers 145
- a sexual exploitation and abuse information sheet produced by the UN.  $^{146}$

Lessons learned from Kenya are: the need for ongoing sensitisation, training and participation in workshops is necessary to ensure the take up of messages; the effectiveness of mainstreaming to promote project sustainability; and the value of field staff knowledge and experience which can contribute to training at regional levels. <sup>147</sup>

Humanitarian responders must also be aware of the sometimes contradictory strategies used to benefit children in emergencies. For example, UNICEF Jordan had programmes to support unaccompanied youth in independent living situations, helping them to get jobs with NGOs in the camps. This is a strategy which is promoted in many situations to improve self sufficiency and confidence, especially where many youths are directly involved in conflict. However, in Jordan refugees have no legal right to work and organisations employing youth who are unable to produce a birth certificate or have parental consent were fined. Children, who when living in Syria had worked, and who had come to Jordan specifically to find employment, were increasingly frustrated and turning to violence when they were not able to work. Their return to Syria was also not possible as steps were put in place to prevent the movement of children because of concerns about trafficking and the recruitment of children. 148

One important area of concern for humanitarian responders, and yet hard to address without sufficient funding and adequate humanitarian systems, are the WFCL that arise because basic needs are not being met by the response. A survey respondent from the Democratic Republic of Congo reported that displaced children living in camps often have no choice but to work. This is especially the case for separated and unaccompanied children

who are often not included in distribution systems. Some girls resort to prostitution to support their needs or those of their family. <sup>149</sup> A similar situation was reported in Jordan where only 40% of the Regional Response Plan is funded and agencies do not yet meet basic needs.

# 3.11 ESTABLISH A JOINT MONITORING AND REFERRAL SYSTEM

Although case management was mentioned frequently, the process used by agencies to ensure effective identification, referral and follow up of children in the WFCL was largely undocumented.

100% of people said that ensuring a joint monitoring and referral system is in place was relevant; 17% had done it.

One partially documented process comes from Haiti where huge numbers of young girls and boys – among those worst affected by the emergency – are trapped in domestic servitude. The case management system grew up mainly around family tracing and reunification activities. One question is whether it was sufficient to meet the needs of restavek and other children in the WFCL during the response. Although no evidence exists to answer this question, one child protection manager noted that there should have been additional support available. For example: health checks for abuse and psychosocial support tailored to the exploitative situations children had been exposed to from the onset of the emergency.<sup>150</sup> Many restavek children experienced horrific neglect, exploitation and abuse. They required long-term interventions to reunify them with their families and ensure that they could be successfully reintegrated. Another child protection manger felt that children in restavek situations prior to the earthquake should have been prioritised given the short-term nature of emergency funding and the strategic, long-term responses needed for this group of children. 151

# CASE STUDY: A COMPREHENSIVE APPROACH FOR INDIVIDUAL AND SYSTEM 152

Terre des Hommes Haiti responded to the earthquake with a systems-based approach with three levels of intervention, designed to help sustainability during recovery and reconstruction.

At the individual level, a monitoring mechanism was developed to reduce the protection risks vulnerable children (including restaveks, separated children, working children) faced in communities and residential centres. Identified children were assessed and received an individual package tailored to their needs. Packages could include psychosocial support, socio-educational support, health, livelihoods support and small income generating activities, and family tracing and reunification. This was implemented by a multidisciplinary team of social workers, nurses, psychologists and livelihoods specialists.

At the collective level, community-based child protection committees, child friendly space activities, coordination with community social structures and other sectors such as health and education, all helped to ensure children were afforded protection in their communities, encouraging parental responsibility. Local capacities were strengthened to sensitise communities and parents to adopt preventative steps.

At the systems level, the capacity of child protection actors and civil society organisations was built nationally and locally. Steps to improve interim care in favour of fostering through standard operating procedures and new referral systems, and advocacy at a national level to improve national legislation, helped maximise the support the government and NGOs gave to children.

Since January 2010 a number of improvements have been made.

- An engagement plan between community leaders and child protection actors has made the system more efficient and the number of restaveks integrated into the referral system has increased from 12% to 70%. Challenges do still exist, for example, community leaders can become too involved in cases where it is preferable they provide support to the work of social workers.
- A global approach is taken to look at the whole family unit that the child is to return to, not just the child.
- An interagency approach has been adopted which facilitates coordination between child protection actors. This is proving to be better than bilateral cooperation.
- Standard operating procedures have been introduced to support all vulnerable children.



In refugee camps in Dadaab, Kenya the security of children in the WFCL is challenging to guarantee, and a major concern for implementing agencies. To combat, this trafficking, children associated with armed forces and armed groups and sexual exploitation cases are handled through a multi-issue system that does not identify them among a wider case load. Confidentiality is essential while investigations involving the police and child protection actors take place, sometimes lasting up to six months before any removal is possible. <sup>153</sup>

Child protection actors in Jordan have a challenging scenario with three layers of referral mechanisms. The national framework to combat child labour has a referral mechanism separate from others that existed pre-crisis (informal networks and the National Framework for Family Protection) which also provide a clear system for referral between organisations. <sup>154</sup> In addition, agencies responding to the crisis have developed referral mechanisms for Syrian refugees inside and outside the camps. Children in the WFCL in Jordan could come in contact with all three formal and informal referral mechanisms.

Learning from Pakistan suggests that case management for sensitive and culturally ingrained child protection issues requires "a delicate balance of maintaining culturally appropriate ways of working and supporting the rights of the child according to the UNCRC." <sup>155</sup> It also suggests that communities are much more amenable to discussing sensitive topics, such as the WFCL, when they have seen positive results for children from other strands of emergency response. This highlights the positive impact of national staff knowledge and skills. These skills enable engagement with communities with whom the staff have developed trust and a proven track record. Being free from political or religious bias was an important message to convey to communities and local organisations. <sup>156</sup>

33% said disruption to education is one of the most significant risk factors contributing to children becoming involved in the WFCL in post-emergency contexts.

#### 3.12 CONNECT CHILDREN TO LEARNING OPPORTUNITIES

The links between disrupted education and the WFCL in emergencies have not been adequately examined in the literature, particularly in disasters occurring from natural hazards. Evidence from conflict settings does show that transitions from education into the WFCL are predominantly one way. A disruption to

educational progress associated with conflict is more difficult to reverse because of the movement of children into the WFCL. <sup>157</sup> Further learning from conflict experiences in Côte d'Ivoire, Pakistan and Lebanon shows that direct education interventions can help to achieve Education for All. <sup>158</sup> <sup>159</sup> They also prevent children from entering into the WFCL, creating conditions for sustainable peace and economic development. A variety of non-formal education facilities that are designed to be accessible and appropriate, and cater to the specific needs of the child labour population are needed in addition to formal schools. <sup>160</sup> <sup>161</sup>

100% of people said helping children in or at risk of the WFCL access learning opportunities was relevant; 42% had done it.

#### YOUTH EDUCATION

The focus for education in emergencies actors is often on the recovery of education facilities and systems for younger children. There are fewer projects targeting education for youth most at risk of the WFCL. A study from West Africa's food crisis showed that: young people's education was rarely prioritised, they were frequently required to drop out, and higher educational learning facilities were not available in their area. This led to withdrawal from school which is treated almost as inevitable. In addition, recent experience from the Syrian refugee crisis showed that large numbers of children and youth in refugee camps who are unable to participate in economic activities, increase levels of insecurity due to frustration and boredom. It is imperative that education activities adequately include youth and are coordinated with education strategies that are sensitive to reducing harmful child labour.

### LIFE SKILLS

Many people interviewed during the review thought life skills training for children in or at risk of the WFCL is a key part of reducing risk. 165 Although exploited children are sometimes seen as helpless and unskilled, evidence from South Africa of Zimbabwean children fleeing drought, cholera and civil strife, helps to prove otherwise. Through the experience of work, children have develop skills in: communication — often in a foreign language negotiation, personal safety and risk minimisation, problem solving, using social networks, and employment skills, such as versatility and punctuality. 166 These are valuable skills and clear indicators of a child's ability to participate in decisions affecting their lives. One child protection advisor

warned however: "We should be careful not to mix up life skills to be fostered and developed with negative coping mechanisms that children have been forced to develop in order to survive." <sup>167</sup>

### 3.13 CONNECT CHILDREN AND CAREGIVERS TO SUPPORT THAT STRENGTHENS THEIR LIVELIHOOD AND ECONOMIC CIRCUMSTANCES

Loss of family income and livelihood was acknowledged to be the most significant risk factor contributing to children becoming involved in the WFCL. Livelihoods activities were also the most common and successful part of programming noted by respondents. Conditional and unconditional cash transfers, vocational training, income generating activities, employment and business training and support, and referrals into social welfare and social protection schemes were all ways to improve income for families and children at risk of or in the WFCL.

72% of people feel loss of income is one of the most significant risk factors contributing to children becoming involved in the WFCL in postemergency contexts.

Despite huge potential, integrated child protection and livelihoods programmes were said to be challenging. Defining sector specific responsibilities, budget holding, establishing and identifying vulnerability criteria and significant managerial requirements to ensure adequate monitoring were raised as challenges for both sectors.

One child protection manager referred to challenges in both Sri Lanka and Liberia arising from the different objectives of the teams. The livelihoods team aimed to generate income. The child protection team saw skill development and participation as equally important to income. Some of the families identified by the child protection teams were not approved following a full livelihoods assessment, due to inherent skills deficits and vulnerabilities. In addition, livelihoods programmes would usually assess at one point following an emergency, draw up a list of beneficiaries and intervene. Whereas child protection teams would refer children when they were identified and generally over a longer period of time, depending on how long it took to access children. Strong child protection and livelihoods technical capacity helped to overcome this, enabling the teams to negotiate and experiment on which approaches achieved both objectives. Training child protection teams to conduct full livelihood assessments and having clear roles, responsibilities and leads with strong collaboration all helped harmonise approaches. 168

In the Philippines advocacy was needed following Typhoon Bopha to ensure that timely and adequate information on planned livelihood responses reached the most vulnerable. 169 One child protection manager discussed the gap in the provision of livelihoods assistance for youth. Responses often focused on livelihoods activities, such as cash for work which adolescents are not able to access, or programmes that restore agriculture that are frequently neither relevant nor interesting for many youth. This meant youth were more likely to seek potentially harmful employment and migrate to larger cities, putting them at risk of trafficking, exploitation and abuse.

97% of people said helping children and their families in or at risk of the WFCL access economic strengthening was relevant; 44% had done it.

Do no harm must be a key principle for all livelihoods interventions. Experience shows that livelihoods programmes can have a detrimental effect on levels of child labour. This was seen in cash for work programmes in Pakistan, fishing industry recovery in India, and agricultural programmes that increase productivity but expose children to further domestic or agricultural labour as families work longer hours to meet demand. 170 171 The impact of programmes on children's well-being should be monitored.

### **CASH TRANSFER PROGRAMMING**

Using cash in conflict settings should also be considered carefully. Evidence from children associated with armed forces and armed groups programmes shows that cash can expose children to extortion, violence and public resentment, undermining their reintegration. 172 Experience from Liberia showed that although mostly unsustainable, rapid injections of cash (such as cash for work and cash transfers for income generating activities) into otherwise cash-strapped economies can meet a need on the ground. Such programmes can demonstrate to youth that they can earn money using the skills gained from the project. They can also support girls who might otherwise fall into sexual exploitation, helping them to start businesses.<sup>173</sup>

Although its primary use in emergencies has been to improve nutritional and livelihood outcomes, cash transfer schemes are increasingly used by other sectors to achieve broader outcomes for affected populations. A 2012 inter-agency publication reviewed how cash transfer programming can protect children from abuse, neglect, exploitation and violence. Its main findings in relation to child labour are set out below. 174

- Cash transfers can create an incentive for families to engage their children in child labour. Programmes should not use cash for the sole purpose of reducing child labour.
- Cash transfers are less likely to be an effective response to some of the WFCL where the root causes are not only driven by a family's economic status.
- Short-term cash transfer programmes can help prevent parents from withdrawing their children from school because of a short-term drop in income.
- Cash transfer programmes that do not have the reduction of child labour as an objective can still reduce levels by adding complementary elements, such as: the obligation of parents to keep children out of work (through awareness-raising and/or monitoring); regular visits by case workers; and the involvement of teachers or community-based structures in monitoring.
- The objectives of cash transfers must be clear from the start; sustainability is a key challenge. If the aim is to have a long-term impact on the levels and forms of child labour that existed before an emergency but which may have been made worse, links should be made to long-term social protection projects.
- Cash may be more effective for at-risk children and those who have previously attended school but had to drop out as a consequence of the emergency.
- Cash for work programmes should be carefully supervised to ensure that children are safeguarded from harm and are not prevented from attending school.
- Conditional cash transfers most effectively address the root causes of child labour when alternative activities such as education are accessible, good quality and free.
- Cash transfer programmes must come with rigorous monitoring and evaluation, which is likely to be more effective if a variety of sectors are involved.
- The amount of transfer must allow the household to meet all costs of complying with the conditions of the transfer, including not only lost income, but also the costs of the children's schooling.

#### **VOCATIONAL TRAINING**

Vocational training has long been used in emergency programmes. This was well documented following tsunami

responses. Interestingly, it was rarely mentioned in survey responses despite its potential to prepare young people for employment. The following lessons learned and evaluation findings were taken from ILO post-tsunami programmes. <sup>175</sup>

- Intensive technical and budget support is required to develop modules for vocational training.
- Apprenticeships followed by small business development services were attractive for children.
- Local provincial governments had little experience in delivering non-formal education and vocational training due to limited funding from central governments.
- Integration of occupational safety and health measures in training facilities is of extreme importance.
- Setting up protection mechanisms to prevent the use of child labour in construction as well as building local capacity in early crisis response paves the way for medium-term development.
- Interventions aimed at preventing child labour and promoting youth employment were more about helping young people to avoid dropping out of school sooner than necessary, or regaining access to education and training which prepared them for entry into the labour market.

Respondents to the survey said that particular attention should be paid to the following.

- Post-training employment or entrepreneurial opportunities are needed before vocational skills training programmes are put in place. A poor analysis of labour market opportunities may flood the market with large numbers of young people trained in sectors with little or no economic growth.
- Safe and reliable income generation activities for parents are needed so they can take over the burden of working.
   Support should be given to vocational training and livelihoods creation for parents.
- Providing a childcare component was found to support caregivers' participation in employment or training in Afghanistan. <sup>176</sup>



A number of challenges were mentioned in the previous chapter. This section provides detail on five areas that present significant challenges to reducing the WFCL: funding; tools, guidance and capacity; data and information; access to children; applying international and national standards in emergency contexts.

#### **4.1 FUNDING**

A lack of funding often restricts humanitarian activity that directly impacts the WFCL. If basic needs cannot be met, levels of child labour and the WFCL will likely increase. Without sufficient humanitarian and specific child protection funding, minimum standards go unmet and services are not extended to reach those most hidden.

Funding is a significant challenge reported by practitioners and highlighted in some literature. *Too Little Too Late* showed that in 2008 and 2009 trafficking, child labour and migration were particularly underfunded areas of child protection, with only four projects from a total of 21 requests receiving funding. <sup>177</sup> In 2008 only 1% of required funding was secured and in 2009 this rose to 12%, still woefully short. <sup>178</sup> In 2008 and 2009 there were 92 requests to fund gender-based violence programmes (which includes commercial sexual exploitation). An average of 31% of required funding was secured, with 2009 significantly lower at just over 20%. Programmes to support CAAFAG fared slightly better: 27 requests and an average of 46% of required funding was secured during both 2008 and 2009. No information was available for other for the other WFCL.

Survey results generally revealed a few themes:

- the length of emergency funding is too short to address the WFCL
- difficulties securing integrated funding across a number of sectors and agencies
- a lack of interest and funding for systems building which would help overall protection mechanisms better support children in the WFCL
- humanitarian organisations without a focus on children do not include activities or responses for children which might impact levels of the WFCL (e.g. livelihoods activities which include families who have children in the WFCL)
- a focus on life-saving responses of which the WFCL was not seen to be one.

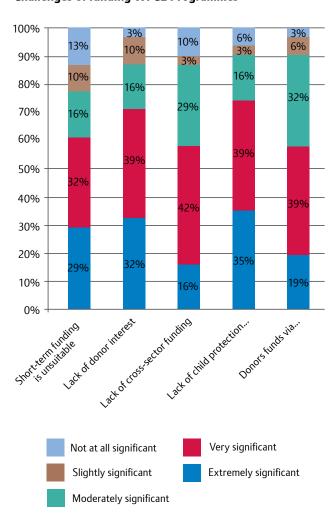
Figure 5 shows how respondents viewed the range of challenges related to funding. Over 58% of practitioners said all of the

challenges were extremely or very significant, with 74% of practitioners rating a lack of overall child protection funding extremely or highly significant.

Though there may be potential for existing programmes to scale up during emergencies, many said the way long-term child labour projects are designed and funded is too inflexible for emergency response, especially in countries at risk of natural disasters or with potential for conflict and civil strife. One interviewee from Pakistan stated that it took from between six and eight months to develop emergency response programmes that focused on child labour. He concluded: "there was very little instant funding for child labour issues." <sup>179</sup> In countries with large populations, high proportions of children and young people, large numbers of out of school children, and huge vulnerability to disasters, significant resources are needed to make a difference to levels of the WFCL. Often this work is underfunded in the early stages. For example: in Pakistan only

Figure 5

Challenges of funding WFCL Programmes



24% of requested funds were available two months after the floods; during the Syria crisis two and half years into the conflict only 40% of the total appeal was funded.  $^{\rm 180~181}$ 

Practitioners face additional barriers in convincing the humanitarian community that child labour must be considered in all stages of response. One donor commented in a post-tsunami evaluation: "although child labour is a critical issue, it does not have the same level of post-crisis urgency as ensuring shelter and food." 182 In Pakistan a child protection manager stated that a major problem was the lack of emphasis on child labour during appeal project planning which restricted programming later on. <sup>183</sup> This was reiterated through the survey: only 25% of respondents knew of examples where the WFCL had been included in the common appeals process. Experience from the Syria regional response and Sahel food crisis response shows that where child protection and education are underfunded in environments where families' livelihoods have been disrupted - particularly where the situation is protracted - child labour increases unchecked. <sup>184</sup> The WFCL endanger not only children's immediate survival, health and well-being, but their long-term development. This has knock-on effects for rebuilding countries destroyed by disaster or conflict.

### **4.2 TOOLS, GUIDANCE AND CAPACITY**

A lack of tools, guidance and capacity building opportunities were ranked highest among the non-financial challenges faced by emergency responders. Nonetheless, practitioners acknowledged there were good materials for children associated with armed forces, gender-based violence, the sexual exploitation of children by humanitarian responders in emergency settings, and antitrafficking in non-emergency settings. Gaps were reported around: sharing lessons learned and good practice; supporting children in the WFCL in the earlier stages of emergency response; case management for children in the WFCL and broad case management skills that can absorb children in the WFCL into child protection programmes; and programmatic tools that help develop assessment, baselines, monitoring and evaluations of the WFCL in emergencies.

Significant gaps in the capacity of emergency responders were also identified. These included a lack of: knowledge, skills and expertise to respond to WFCL concerns, and understanding of local WFCL contexts and frameworks prior to an emergency. Although some recognised capacity in governments and local CSOs, many people said an overall shortage in capacity was a hindrance to effectively responding to the WFCL in emergencies.

#### **4.3 DATA AND INFORMATION**

Gaps in assessment data, information on pre-existing child labour and how it is affected by emergencies, as well as the learning and evaluation of successful approaches to tackle the problem are clearly evident. Where evaluations have covered the WFCL they are mostly given a brief mention. More detailed evaluations are typically for mid- to long-term response and reconstruction activities, not rapid response.

One other research gap noted by practitioners in both Indonesia and Haiti, countries where natural hazards have caused large scale disaster, is the lack of research on the long-term impact of disaster on child labour. Both countries noted new forms of exploitative child labour as a consequence of emergencies, but there have been no longitudinal studies to back up this observation. If there was evidence to show the long-term WFCL effects of the emergency then perhaps more could be done to prevent it during the response.

#### **4.4 ACCESS TO CHILDREN**

Sixty-one per cent of respondents said accessing children in the WFCL was an extremely or very significant barrier. Assessing vulnerability especially for often marginalised and segregated children is difficult. One practitioner noted that even if WFCL issues are known, gaining access to the children is extremely hard, given security services are often not present. Few good practices were shared on how to access children in the WFCL.

Learning from Terre des Hommes in Pakistan showed that by supporting particular communities with basic emergency needs and overt problems, trust could be built. This enabled a deeper level of intervention to address pre-existing violations of child rights, including sexual exploitation, child labour and child abduction and trafficking. <sup>185</sup> Key to social development outcomes were well trained national staff with professional knowledge and skills, and a proven track record of delivering humanitarian assistance free of political and religious bias. According to Terre des Hommes:

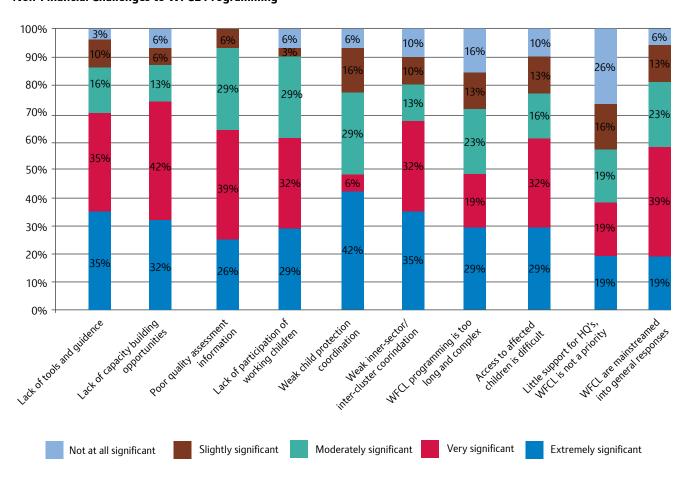
...any intervention into these types of problems requires a delicate balance of maintaining culturally appropriate ways of working and supporting the rights of the child according to the UN convention and TDH's own mission. 186

### 4.5 APPLYING INTERNATIONAL AND NATIONAL STANDARDS IN EMERGENCY CONTEXTS

International and national standards present operational challenges. These were mainly noted in international agencyled responses that targeted at-risk youth with employment

Figure 6

Non-Financial Challenges to WFCL Programming



or income generation activities. This was sometimes in direct opposition to age-based international or national standards (see the case above of Syrian refugee youth in Jordan). Noting that age-based standards are important, the case highlights the unique and challenging situations that WFCL programmes seek to address. They often must find compromise between legislation that ultimately protects children and the situation of families and communities where large numbers of children and youth, unemployed and disaffected, seek income in increasingly risky ways. Children might find they are pushed into more hazardous types of labour because of actions to prevent less hazardous types of labour. Compounded by scarce resources and a humanitarian response unable to meet huge demand, the challenges are enormous.

One study shows the involvement of children in reconstruction activities can help them deal with a traumatic situation. <sup>187</sup> It argues that consideration should be given not only to ways in which work can be harmful but also to how work can act as an important coping mechanism. However, care should be taken not to further disempower children during times of emergency. Important actions include analysing children's environment and activity in order to determine: how detrimental particular coping mechanisms are; what level of risk they face; and whether the child has choice. Children should be encouraged to participate in improving their well-being and that of their family and community. All agree that this should not be at the expense of their safety.



This review found very limited evidence of how best to support children in the WFCL during emergencies. Despite this, a number of common observations emerged from the literature review, interviews and survey. These conclusions should be treated as provisional considering the quality and quantity of information.

Almost everyone involved in the review acknowledged the importance of responding to children involved in child labour, especially the WFCL, in emergencies. These particularly hard-to-reach children face additional barriers and vulnerabilities, and need careful consideration by humanitarian programmes. Despite this, very few organisations are responding to the WFCL in emergencies systematically. The review found some examples of programmes for certain forms of child labour, but nothing consistent and comprehensive.

It is clear from this review that any response to the WFCL in an emergency must be integrated into existing child protection, child labour and humanitarian child protection programmes. In addition, it needs to be mainstreamed through the programmes and activities of multiple sectors, most notably education, livelihoods, social protection and health.

Investment to develop capacity, skills, knowledge and tools is required. While many people acknowledge the importance of addressing the WFCL in emergencies, many said they did not have adequate tools, skills or capacity. There is an urgent need to further develop evidence-based learning and provide practitioners with tools to navigate this complex multi-sector issue.

### THE TOP FOUR RECOMMENDATIONS CHOSEN BY RESPONDENTS TO THE SURVEY WERE:

- develop tools and guidance
- increase the capacity of child protection actors
- increase donor interest
- build a deeper evidence and research base.

### THE FIFTH TOP RECOMMENDATION (RANKED EQUALLY):

- increase the capacity of other sectors
- develop successful programming approaches
- develop advocacy and awareness raising materials
- advocate for the development and support of long-term WFCL projects to adapt and scale up in emergency responses.

### RECOMMENDATIONS TO THE CPWG AND CHILD PROTECTION ACTORS

- Where child labour and the WFCL are identified in advance or from the beginning of an emergency, coordination must support a continued focus on the WFCL throughout the response. Where emergencies are prolonged and chronic, strong leadership is needed in coordination structures to respond to the WFCL.
- Humanitarian agencies must better coordinate and work jointly with existing government and non-government organisations that have had a key role in addressing the WFCL before any emergency. Lessons must be shared between development and humanitarian actors.
- Increase awareness of the child labour minimum standard and design tools around it.
- Develop simple tools in a bigger framework to help different elements of the system and humanitarian response improve their focus on the WFCL.
- Focus on the WFCL in a systems building agenda, bringing
  attention to the specific vulnerabilities of individual children
  across the variety of worst forms, particularly in case
  management, psychosocial and CFS, FTR and communitybased child protection mechanisms. Consider the specific
  vulnerabilities and profound suffering that is experienced
  by children in the WFCL, taking account of the coping
  mechanisms they have adopted.
- Build relationships with other clusters to improve practice and policy on addressing the WFCL in emergencies. Special attention should be paid to food security, livelihoods and education clusters, and the gender-based violence area of responsibility under the protection cluster.
- Ensure efforts to address the WFCL are gender and age sensitive and specific where needed.
- Greater emphasis is needed in existing child labour, WFCL and child protection programmes on emergency preparedness activities and disaster risk reduction. Capacity building is needed to improve understanding of pre- and post-emergency issues. Ensure adequate analysis of existing data and proxy data.
- Actors with child labour expertise need to develop better emergency response capacity and programmes that can adapt to emergencies that may occur in their project areas.

- Develop improved tools and guidance to better advocate for integrated programmes that address the WFCL in emergencies.
- Further evidence and learning is needed on various programme components and the WFCL.

### **RECOMMENDATIONS TO DONORS**

- Fund child protection interventions. Adequate provision of humanitarian activities - child friendly spaces, the registration and care of separated and unaccompanied children, and community-based child protection mechanisms that meet the needs of exploited children – is an important starting point to prevent and respond to the WFCL in emergencies.
- Consider more flexibility for child labour programmes and improve emergency preparedness and DDR requirements in project areas where there is a high level of risk from natural disaster, conflict or civil strife.
- Pay due attention to the role existing programmes can play in response; carry out evidence-based research to support this.
- Invest in DRR activities that aim to reduce risk and vulnerability to the WFCL.
- Birth registration, before and during emergencies, should be prioritised as a fundamental part of reducing children's vulnerability to sale and exploitation.

### RECOMMENDATIONS TO THE WIDER **HUMANITARIAN COMMUNITY**

- Consider child labour an issue that is equally as important to education practitioners and to food security and livelihood practitioners as it is to child protection practitioners. The reasons children work cross the three sectors. Work with colleagues from other key sectors to prevent and respond to the WFCL in emergencies.
- Always consider the impact humanitarian interventions can have on children's work – both positive and negative.
- Always consider the well-being of children and their families when planning interventions.
- Always consider those you cannot see and ask yourself why you cannot see them.
- Invest in using child labour and the WFCL as indicators of wider vulnerability affecting families in times of crisis. Support inclusion of these indicators in early warning systems and collect disaggregated data on gender and age in your programmes.
- Share equally the task of mainstreaming and coordinating protection issues throughout the humanitarian system, and in particular in clusters which are relevant to the WFCL.





The examples in this review are drawn from literature, the survey, and practitioner interviews. Most are not from evaluated evidence, but are individual views and experiences from programmes that address child labour and the WFCL in emergencies. They have been provided by humanitarian and child protection colleagues who have extensive experience from the field. Before designing interventions there must be rigorous discussion and consideration of the local context and learning.

### LOCATION: BANGLADESH DATE: 2007 SOURCE: UNICEF CASE STUDY: PREVENTING HAZARDOUS WORK POST CYCLONE

Following Cyclone Sidr in 2007, UNICEF and the Department of Social Services piloted a programme – Amader Shishu - targeting vulnerable and orphaned children and their guardians. 188 189 Monthly conditional cash transfers were given by trained government social workers, supported by case management and referral to other services. The conditions of the cash grants were: engagement in hazardous work or the WFCL, and marriage before age 18, were forbidden; and proof of regular attendance at school. 190 Supporting economic resilience alongside case management and regular follow up successfully reduced rates of child labour in cyclone affected areas. 191 Since piloting the post-emergency programme, the approach has been further developed into a social protection programme that targets vulnerable urban children. It will be implemented in other emergency-prone areas of Bangladesh with a view to becoming a national programme adopted by the Government of Bangladesh. 192

## LOCATION: DEMOCRATIC REPUBLIC OF CONGO DATE: 2007 SOURCE: WAR CHILD CASE STUDY: LEARNING FROM STREET CHILDREN PROGRAMME 193

Working through residential centres, the programme provided a bed for the night, education and vocational training, family reunification or independent living. War Child's research showed that DRC's street children often lived and worked as part of a gang, putting them at risk of exploitation by the gang leader. Key learnings from this project included: children received a better standard of care at the centres than at home, which often prevented reunification. New drop-in centres are deliberately less comfortable to encourage reunification. Centres were meant to be temporary, but staff lacked incentive to move children on and get new (potentially more disruptive) children in, consequently many children stayed for years. New projects have a much higher turnover – ensuring that more girls can access the service. Mixed-sex centres do not work well. Girls are not comfortable so fewer of them stay. Work now focuses on girlonly centres. Successful reunification takes time and resources.

In current projects in Goma, it took 391 family visits to reunify 30 girls in the first year of the project. This includes research to locate the family, meetings, day or overnight visits and follow up checks. Expectations need to be realistic about the number of girls who can be reunified and how much it will cost. Outreach is very important to identify and protect the most vulnerable (and often most hidden) street children who are mistrustful of authority and reluctant to ask for help. A night ambulance goes on to the streets to speak to the children led by staff who used to be street kids themselves. Reaching newly arrived street children as early as possible is crucial, especially for girls before they are sexually exploited. The night ambulance helps find vulnerable girls and refer them to emergency accommodation at the drop-in centre.

### LOCATION: HAITI DATE: 2010 SOURCE: CPWG CASE STUDY: PREVENTING TRAFFICKING FOLLOWING EARTHQUAKE

Following a devastating earthquake in 2010 – and against a backdrop of socially acceptable exploitation, trafficking and child slavery – a number of actions were taken to prevent and address the WFCL. The global CPWG heard reports of the illegal movement and trafficking of children out of Haiti for inter-country adoptions and exploitation in neighbouring countries. Within a week it supported agencies to distribute a set of guiding principles for unaccompanied and separated children, designed to help the Government and responding organisations protect children left extremely vulnerable by the earthquake. 194 However, a chaotic initial response period, a debilitated government, a number of organisations with an agenda focused on international adoptions and children's homes, meant that very weak restrictions and mechanisms were put in place to prevent the movement of children. 195 196 Advocacy in Europe and the US called for a moratorium on international adoptions and measures to prevent separation. 197 Some estimates report that between 1000 and 2000 children left Haiti as adoptees. The exact number and whether any children were trafficked for child labour and/or sex, or sold to inter-country adopters is unknown. 198

## LOCATION: HAITI DATE: 2010 SOURCE: IRC & SCI CASE STUDY: PREVENTING AND RESPONDING TO DOMESTIC SERVITUDE

Closely linked to the issue of trafficking is the culturally ingrained practice of restavek, where children as young as four or five are sent by their families to work for usually wealthier families as domestic servants. At extreme risk of exploitation, physical and psychological abuse these children often receive no pay or schooling. <sup>199</sup> Although it is not known precisely how many

restavek children there are in Haiti, or how much this has risen since the earthquake, it is estimated by the American Development Foundation that there are 225,000 children in situations of restavek. <sup>200</sup> Save the Children integrated a response for restavek children in the nation-wide FTR programme. Restavek children were included in the priority caseload criteria and training was provided to FTR staff on how to work with these cases. Links were established with organisations that had restavek specific projects prior to the quake, and to prevent reunited children from returning to the same exploitative situation. Reunification and follow up emphasised awarenessraising for parents, economic assistance and associated training. Educational and non-food item support was provided, alongside efforts to involve and build the capacity of the Government of Haiti in the response. <sup>201</sup> The International Rescue Committee, as part of their anti-trafficking programme which developed from a post-earthquake FTR and vulnerable children's project, now has strands of DRR running through their activities. Targeting 'sending areas' in the countryside they provide training and sensitisation to communities on staying safe in an emergency, preventing family separation, the risks of trafficking, recruiters and facilitators, and the realities of being a restavek or in an orphanage. Although there is no emergency preparedness in this programme, DRR is an important element to take forward. The US Department of Labor also points to the significance of lost identification cards during the earthquake, resulting in children being at risk of exploitative labour. A national campaign funded by Canada's Department for Foreign Affairs, Trade and Development has since helped reduce children's vulnerability by registering more than 19,000 children in survivor camps and neighbourhoods devastated by the earthquake. <sup>202</sup>

**LOCATION: HAITI DATE: 2012 SOURCE: IOM AND ILO CASE STUDY: AWARENESS RAISING OF RESTAVEK ISSUES** 

In 2011 the IOM and ILO started to develop a campaign and social media toolkit with partners to raise awareness of restavek and trafficking issues in post-earthquake Haiti. It was launched in 2012, two years after the earthquake. To increase awareness among the target population of youth, several resources were produced for rural and urban Haiti. The campaign included: an anti-trafficking video with French and English subtitles; a Creole language newspaper that uses cartoons to make information on issues such as restavek accessible to a wide audience which was distributed in tent camps and the provinces; an SMS campaign in partnership with Digicel and Child Services which provided a hotline for people to call if they knew of a restavek in a situation of abuse; a social media toolkit for youth against restavek abuse that uses a dedicated Facebook page, (www.facebook.com/Restavek) a Twitter stream and

YouTube to distribute video and radio sitcoms devised around the issues. This story-telling approach fills a vacuum of civic communications in Haiti through a successful public-private partnership that could be replicated in other settings. <sup>203</sup>

**LOCATION: INDIA DATE: 2009 SOURCE: SAVE THE CHILDREN CASE STUDY: PREVENTING** TRAFFICKING POST CYCLONE

Save the Children had worked on anti-trafficking efforts since 2004 when cyclone Aila struck West Bengal in 2009. The cyclone destroyed bridge course centres (BCC) that had been built to support children's entry into formal education and provide soft skills training. Teams undertook immediate emergency activities to prevent potential trafficking. Child friendly spaces were set up in areas close to previous centres and temporary shelters. They offered children opportunities for activities and to identify and respond to particular threats to specific groups of children, such as those at risk of trafficking. Over time the CFS developed into BCCs with the community coming forward to provide space and support to start functioning BCCs in over 10 villages. <sup>204</sup> 205 In previous years the project had major challenges with top down awareness-raising. To address this, the team changed their approach to include the voices of children who had been previously trafficked. These children shared their stories and experiences about the reality of trafficking and exploitation. They worked alongside other children from the local community to develop messages which were put into drama and songs for the community. This approach was particularly successful at reaching parents; it helped them understand the effect their actions had on children they were sending away in times of crisis. <sup>206</sup>

**LOCATION: INDONESIA DATE: 2005 SOURCE: INDONESIAN GOVERNMENT AND CPWG CASE STUDY: PREVENTING TRAFFICKING AND SEXUAL EXPLOITATION POST TSUNAMI** 

On 3 January 2005, days after the tsunami, the President of Indonesia prohibited the adoption of separated children and the movement of children affected by the tsunami outside of Aceh. <sup>207</sup> Social workers and policewomen were used at borders to monitor the movement of children, or stationed at children's centres. <sup>209</sup> Though no formal cases of child trafficking were reported during the emergency response period, numerous reports, including the Child Protection Working Group One Month Update, indicated that violence, abuse and exploitation were occurring in transitional living centres. An ILO assessment confirmed the presence of trafficking for the purpose of exploitation and abuse in temporary shelters and that women and girls were at an increased risk due to the tsunami. In April

2005 UNICEF conducted training for police and dispatched them to the camps, but staff and beneficiaries interviewed did not recall a regular police presence in the early months. In addition, the first technical working group meeting on child abuse, exploitation and trafficking did not occur in Aceh until 24 June 2005. <sup>210</sup> To raise awareness IOM initiated a mass information campaign that was linked to Ramadan to prevent trafficking. Using a local Acehnese musician, radio broadcasts in local languages were run over a two-month period on seven radio stations up to 35 times a day. The Union of the Heads of Islamic Boarding Schools developed scripts for Quranic readings that were transmitted by leaders on the radio discussing safe migration, prevention and the risks of trafficking. <sup>211</sup>

### LOCATION: INDONESIA DATE: 2008 SOURCE: IOM CASE STUDY: PREVENTING OF TRAFFICKING POST TSUNAMI

IOM and a local NGO, PKPA, delivered an innovative information campaign using stickers, leaflets, posters and radio announcements. They also held a workshop for community and religious leaders, government officials, and civil society organisations, to map human trafficking in Nias. It identified issues specific to Nias and agencies that could act as a clearing house for trafficking-related information, providing referrals and developing a plan to combat trafficking on the island. <sup>212</sup>

### LOCATION: INDONESIA DATE: 2013 SOURCE: UNICEF CASE STUDY: PREVENTING SEXUAL EXPLOITATION OF CHILDREN IN MALUKU

UNICEF staff pointed to the importance of local women's organisations in addressing sexual exploitation in chronic emergencies. Although the number of children in this situation is not known, UNICEF conservatively estimates 30% of prostitutes in Indonesia are children; some estimates go as high as 50%. In Maluku where conflict, displacement, economic collapse and the presence of the military has prevailed, prostitution has flourished and spread to other areas of Sulawesi in the west and north. Local community-based organisations are raising the issue and looking at the impact of displacement. <sup>213</sup>

### LOCATION: INDONESIA DATE: 2004 SOURCE: SAVE THE CHILDREN CASE STUDY: PREVENTING HAZARDOUS LABOUR POST TSUNAMI

In response to the tsunami, Save the Children with USDOL funding initiated ENABLE/ACEH — a reconstruction programme to reduce the number of youth in and at-risk of entering hazardous and exploitative labour. The programme provided non-formal education and training; re-building, reactivating and supporting community learning centres; developing private-public partnerships; raising public awareness about the negative effects of hazardous child labour; and strengthening

district government capacity to meet the education needs of children and youth. ILO, in partnership with local government and NGOs, provided skills training (furniture making, sewing/embroidery and computer skills) for vulnerable children aged 15–17, supported a children recovery and creativity centre, and a mobile library unit. <sup>214</sup> They also supported the Ministry of National Education to help teachers deliver remedial education for 15–18 year olds who failed the Indonesian national examination. <sup>215</sup>

### LOCATION: INDONESIA DATE: 2013 SOURCE: UNICEF CASE STUDY: EMERGENCY PREPAREDNESS IN INDONESIA

Supported by UNICEF the Indonesian Government completed a child centred disaster risk assessment and mapping to create baseline information before emergencies hit. The assessment looks at vulnerability calculated through access to services (sanitation, attendance of children aged 13–15 years in school, percentage of children with birth registration documents, percentage of children with skilled birth attendant present at birth, and the youth female literacy rate between the ages of 15 and 24). It also examines: the proximity of communities to hazards; the capacities that are present to manage a disaster response; and the level of exposure determined by the size of the population. With this information the government can predict which communities will likely be more vulnerable in an emergency. <sup>216</sup> Support and capacity building for the National Disaster Management Agency helped to improve understanding of child protection issues alongside other proxy data on poverty and protection. This enables the Government to make more informed judgements in an emergency to address the WFCL. The capacity of government departments and rapid deployment teams to analyse and inform responses to the WFCL remains a challenge. But with a national ID card project also midway through implementation, and expertise and advice from UNICEF, important systematic steps are being taken. 217

## LOCATION: JORDAN DATE: 2012-2013 SOURCE: CPGBV CASE STUDY: COORDINATION OF CHILD LABOUR REDUCTION <sup>218 219</sup>

A series of three coordination meetings to address child labour took place in mid-2012 during the initial stages of the Syrian refugee crises in Jordan, resulting in the following key recommendations.

 Involve labour inspectors in the humanitarian response: share details of service providers and the referral system, support the orientation of labour inspectors to the current context (activities and organisations), conduct training for inspectors and UNHCR to include the Ministry of Labour (MOL) in future training programmes for national actors.

- Integrate the MOL in the humanitarian response integrate the MOL and hotline for child labour into the referral form. MOL to provide a detailed list of what data is required for referrals. Include MOL in training for the referral network.
- Include child labour in referral systems: a form and process is needed for referrals of working Syrian children. The process should include responsibilities to ensure action takes place when children are referred and that children can be tracked.
- Coordinate the response to child labour: develop a specific formally established working group for child labour with a terms of reference. Ministries responsible for the National Framework on Child Labour need to: participate in child labour meetings and general CPGBV meetings that discuss the emergency; provide interpretation; invite a wider audience of national partners including the Ministry of Health.
- Engage education actors: provide detailed information to the MOE on the potential use of non-formal education centres as an intervention for Syrian children and youth; produce and disseminate a list of MOE focal points on child labour.
- Raise awareness of child labour in Syrian families and other groups: produce and disseminate a one-page document on the definition of child labour in Jordanian law; include child labour in pamphlets being distributed to Syrian families; develop materials for other groups such as employers; review key messages from the CPGBV Coordination Group, including on child labour for different target groups, and disseminate; develop key messages for media outlets.
- Collect data on child labour from affected areas to determine what programmes are required to respond to the issue; focus on particular knowledge gaps. Developing adequate information for baselines in each area requires strong coordination to collect and analyse data. Develop a simple database system to start collecting all data relevant to child labour in a centralised place. This helps inform future referral systems contributing to monitoring. Consider existing databases and tracking systems.

In late 2013 the ILO produced a briefing paper for a global conference on lessons learned from responding to Syrian refugees in Jordan. The key lessons learned from this paper are set out below.

- Ensure the Minimum Standards for Child Protection in Humanitarian Action are reviewed and applied, particularly standard 12 on child labour; refer to key actions for preparedness.
- Prioritise child labour in the CPWG that will be established in crisis situations.

- Ensure any action in the emergency links directly with pre-existing child protection mechanisms, systems and structures, no matter how recent or untested. Also ensure, national partners responsible for child labour policies, legislation and programmes are fully integrated into the humanitarian response, particularly ministries of labour (labour inspection), education and social development.
- Ensure significant support for national partners around humanitarian action and provide adequate capacity building for their full and meaningful involvement and participation (conduct meetings in the national language and translate relevant documents).
- Conduct comprehensive reviews of what already exists at national, regional and district levels that would be relevant to addressing child labour. Avoid duplication and strengthen buy-in, support and sustainability by building on existing systems including data and knowledge management, such as child and family databases.
- As early as possible map the needs and expectations of refugee populations, and the regional profile of migration. In Jordan and Syria, families have been crossing borders for generations for a variety of socio-economic and cultural reasons, including trade and employment. Not all Syrians in Jordan are refugees and they do not all share the same needs and expectations, which also differ depending on whether refugee populations are inside or outside camp settings.
- Acknowledge that access to cash and income-generating activities may be central to the survival of families and, if so, build an advocacy policy platform around access to such activities to reduce the impact of the poverty cycle and reliance on children's income.
- Assess socio-economic, cultural and political sensitivities in the host country and ensure that every effort is made to accommodate these. Work through diplomacy and advocacy, particularly with the line ministries responsible for the humanitarian response.
- Integrate child labour elimination as early as possible into humanitarian response plans, ensuring allocation of resources and the development of a plan of action, including roles and responsibilities that link into any existing national action plan.
- Develop an emergency response plan in organisations that have a mandate to tackle child labour, including the ILO. This should include flexible and rapid resource (human and financial) response to ensure that minimum standards can be met as quickly as possible and appropriate support and assistance structures and systems are set up to underpin the overall humanitarian response.

 Keep in mind an important mantra: communication, coherence, coordination and capacity.

The lack of an immediate response in Jordan means the problem has become more deeply entrenched and therefore much harder and more costly to address once programmes actually start.

### LOCATION: LEBANON DATE: 2007 SOURCE: UNODC CASE STUDY: PREVENTING HAZARDOUS LABOUR

Following the 2007 conflict, a women's organisation working in agricultural areas close to the Syrian border found many children working long hours in dangerous conditions. To get children out of the fields, they set up day-care centres on the farms, providing recreation activities and informal education, drinks and water. This was found to encourage families to use the facilities while they worked in the fields. <sup>220</sup>

### LOCATION: LEBANON DATE: 2006 SOURCE: UNODC CASE STUDY: PREVENTING TRAFFICKING

A UNODC initiative following conflict in Lebanon in 2006 is one of the only examples relevant to countries with large numbers of migrant workers and their families. At the time over 300,000 domestic workers from Asia and Africa worked in Lebanon and over a six-week period 24,000 were evacuated. UNODC initiated an awareness campaign in cooperation with the Government and the NGO Caritas, which operated a telephone hotline for trafficking victims from Sri Lanka, Ethiopia and the Philippines. Using a local focus group, the text for the campaign was prepared and translated into the languages of workers. The key anti-trafficking message and the hotline number were printed on bloc notes that people could easily take with them. They were distributed to shelters, embassies, churches, shops and markets. <sup>221</sup>

## LOCATION: LIBERIA DATE: 2011 SOURCE: SAVE THE CHILDREN CASE STUDY: PREVENTING HAZARDOUS LABOUR AND SEXUAL EXPLOITATION

A Save the Children emergency programme set up in response to the refugee influx from Cote d'Ivoire had a three-pronged strategy to address potential and reported cases of exploitation, recognising that vulnerabilities lay in both host and refugee communities. The first strand was one-off unconditional cash transfers for: Ivorian or Liberian families hosting unaccompanied and separated children, single and child-headed households, young mothers, school dropouts, children with disabilities or those who were neglected. The focus was on the family as a whole and the money was intended for income generating activities. In-kind support was given for families who had no means of establishing livelihood activities. The second strand was a cash-for-work component for vulnerable youth (Ivorian or Liberian) who were otherwise employing negative coping strategies, such as survival sex or exploitative labour. Eligible

youth were between the ages of 15 and 25, able to do labour, out of school or if they were in school only able to do Saturday activities. For youth between the ages of 15 and 17, parental consent had to be sought. The work component benefited the community – such as cutting grass and canals around the CFS and schools. Only one beneficiary per family was allowed and the work lasted two weeks before a new intake of youth would participate. The third strand of intervention was vocational training run jointly with IRC. <sup>222</sup>

### LOCATION: LIBYA DATE: 2011 SOURCE: IOM CASE STUDY: PREVENTING TRAFFICKING

In 2011 IOM supported stranded unaccompanied and separated migrant children in Tunisia following the Libyan crisis in order to prevent trafficking. Focusing on family tracing, return and reintegration using existing networks of local NGO partners, IOM were able to reach out to families and organise the safe return and reintegration of stranded children. Despite the lack of a legal guardianship system in countries of origin and the absence of best-interest determination procedures, concerned actors were able to carry out determination for each individual case. <sup>223</sup>

## LOCATION: NEPAL DATE: 2013 SOURCE: UNICEF CASE STUDY: EMERGENCY PREPAREDNESS AND DRR

UNICEF Nepal is piloting a child protection DRR project under a wider CPWG DRR learning piece. Using the Child Protection Rapid Assessment (CPRA) as a basis for adapting tools, they are looking at hazards, capacities and vulnerabilities mapping using a simple formula:

- + What are the hazards?
- + What can communities do about them?
- + What are the vulnerabilities?
- = What's going to happen in an emergency!

Given the similar information needed, the team in Nepal is piloting the adaption of the CPRA for use as a DRR tool. They believe looking at risks and behaviours that might materialise in an emergency will help identify the source of many child protection concerns. This provides an ideal avenue for WFCL programmes to be further linked and integrated into emergency response. <sup>224</sup>

# LOCATION: OCCUPIED PALENSTINIAN TERRITORY DATE: 2012 SOURCE: SAVE THE CHILDREN AND TERRE DES HOMMES CASE STUDY: A RESPONSE TO HAZARDOUS CHILD LABOUR IN THE OPT

A baseline study in the OPT showed that 22% of child workers work in hazardous labour undertaking roles in construction and solid waste collection. A further 52% are working in sectors where they may come to harm, such as agriculture, car mechanics or metal workshops. The impact of continued sporadic fighting and the blockade of Gaza have taken their toll on Palestinian society's ability to protect children from harmful and exploitative labour. Low family incomes, poverty and unemployment mean families are unable to meet their needs. Child workers were found to have particularly large families; social assistance and aid appear insufficient to make a difference in the families' circumstances. Parents unable to meet high living and education costs encourage their children to work. Years of humanitarian crisis leave those with poor school performance wanting to learn a profession. Save the Children work at a national and community level, building the capacity of institutions to create an effective protection system for child workers, promoting corporate responsibility in informal and formal sectors, and working with communities and schools to raise awareness, identify and support children in and at risk of the WFCL. 225

LOCATION: PAKISTAN DATE: 2010
SOURCE: SAVE THE CHILDREN AND UNICEF
CASE STUDY: PREVENTING HAZARDOUS
LABOUR IN PAKISTAN 226 227 228

Assessments by CPiE and livelihoods teams, including a market assessment, led to a joint child protection and livelihood project following the floods in Khyber Pakhtunkhwa province in 2010. Its purpose was to support families with children involved in exploitative and hazardous labour, to remove them from situations of work, and enrol them in school. Children were identified through CFS activities and cases were referred to food security and livelihoods teams for verification. A connection was forged between children requiring protection and the broader livelihoods needs of their immediate families. Child protection teams provided monitoring and follow up, and FSL teams managed the cash transfer allocations and procedures. Child protection committees assisted with follow up and monitoring in schools. According to an internal evaluation, 1977 children benefited from the project with less than 3% of the children dropping out of school. Another project set up two years after the 2004 earthquake in North West Frontier Province by UNICEF facilitated school reintegration of youth and street children who had been compelled into exploitative jobs following the guake through child protection centres. The centres use non-formal education and child protection staff met regularly with local employers to raise awareness on children's rights and prevent children entering exploitative labour.

## LOCATION: PHILIPPINES DATE: 2013 SOURCE: UNICEF CASE STUDY: PREVENTING TRAFFICKING AND COMMERICAL SEXUAL EXPLOITATION 229 230 231 232

Pre-existing levels of trafficking and the WFCL in areas affected by Typhoon Bopha/Pablo were considered fairly high and responding agencies and the CPWG were quick to pay attention to issues of trafficking and sexual exploitation during assessment. Specific questions on the WFCL were backed up by innovative proxy questions on separation during the CPRA. The report therefore reflects the extent of the WFCL. In response, humanitarian agencies took a systems-based approach in the initial response period. They strengthened existing community, municipality and national level protection mechanisms which had limited functionality after the typhoon; supported access to a variety of referral services: conducted systematic monitoring and reporting of risks and incidences; and strengthened coordination. Children identified in exploitative situations have been referred to supporting services that were operating. Pre-existing coordination mechanisms for trafficking were briefed on the particular risks that emergencies present. In April 2013 a midterm review by UNICEF, UNFPA and the Inter-Agency Council against Trafficking identified a number of challenges. It was clear a renewed focus on GBV and trafficking was needed. UNICEF and UNFPA secured funding for a joint project to prevent and respond to GBV, especially trafficking in persons in typhoonaffected areas, to be implemented from May to October 2013. The project focuses on building the capacity of multi-sector service providers, including: the improvement of the referral pathway; increasing the awareness of the affected communities for prevention and reporting; and strengthening local interagency coordination. In line with the National Action Plan. orientations and training are given to a variety of government departments, service providers and NGOs, as well as community education sessions, case conferences between agencies and coordination with other related clusters.

LOCATION: SOUTH AFRICA ZIMBABWE BORDER DATE: 2008-2009 SOURCE: SAVE THE CHILDREN CASE STUDY: PREVENTION OF TRAFFICKING <sup>233</sup>

A large influx of Zimbabwean refugees and migrants, and a high proportion of unaccompanied minors, pushed authorities and responding agencies onto an emergency footing. Although cholera, political violence and drought acted as push factors for children to leave their families, once on their journey – particularly young girls – often fell into the hands of unscrupulous businessmen and traffickers. The classification of suspected and identified cases was extremely complex. <sup>234</sup> Save the Children on both sides of the border supported immigration officials with training on how to interview children and the people they were travelling with. Once trafficking cases were identified, there were some services provided by INGOs that children could access. Save the Children set up an emergency

shelter that provided FTR and case management services, a place to stay, food and psychosocial activities. Other INGOs provided counselling, legal support, medical treatment and repatriation services. A workshop to address child smuggling and potential child trafficking in July 2009 identified some of the following key activities in their plan of action:

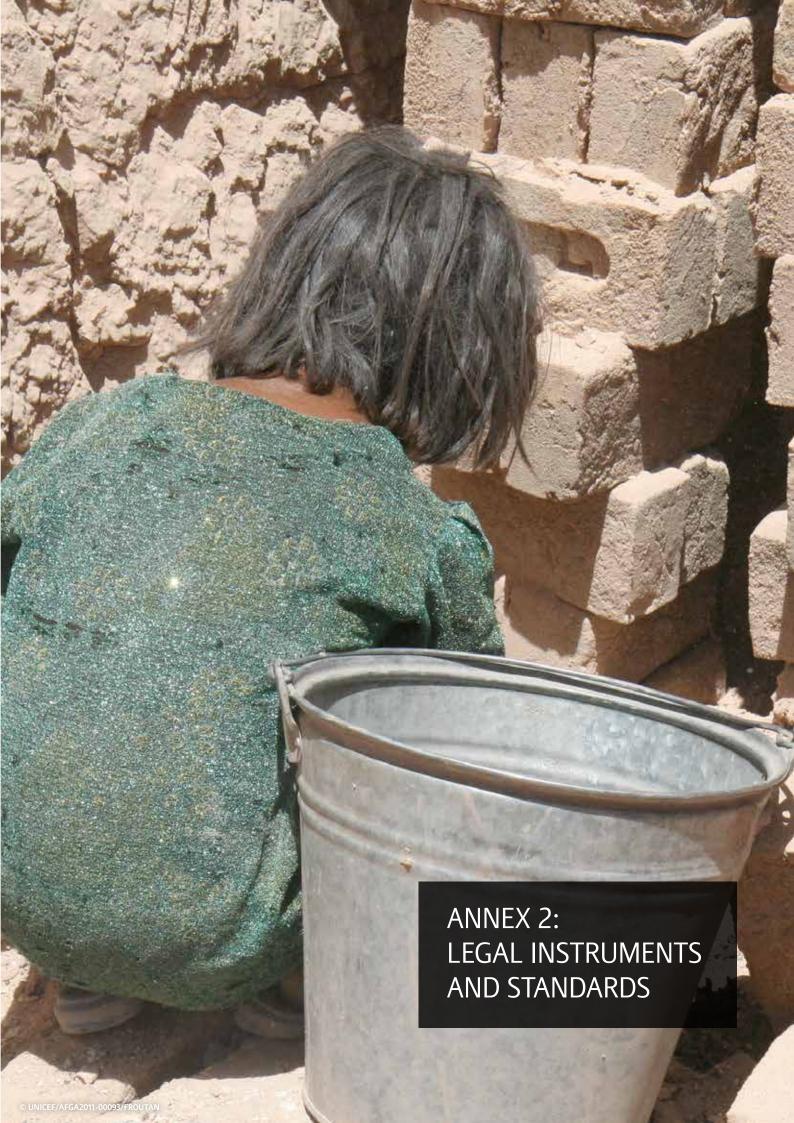
- develop a children's desk to provide advice and legal support to children
- establish a local task team and develop terms of reference
- develop protocols, procedures, referral pathways and a resource directory
- initiate and strengthen engagement with a variety of parties

   perpetrators and facilitators of trafficking, government
   officials in Zimbabwe, government officials in South Africa.

In Zimbabwe the Department of Social Welfare Child Activists supported by INGOs raised the issue of child trafficking at the village level, involving child protection committees and children themselves in schools and child-led workshops. IOM, UNHCR, MSF have done awareness raising campaigns to increase the profile of the potential dangers of voluntary migration, family separation and trafficking.

## LOCATION: SRI LANKA DATE: 2005 SOURCE: UNICEF AND TDH CASE STUDY: PREVENTING TRAFFICKING AND SEXUAL EXPLOITATION 235 236

Strategies to combat exploitation, trafficking and abuse were developed jointly with the Government. Women's and children's desks were established at police stations to reinforce systems for prevention, response and reporting problems of trafficking and the sale of children. To ensure use of the reporting system, UNICEF targeted children and their families with an awareness campaign on proper reporting mechanisms. Early recovery activities included strengthening systems and policy pertaining to prevention and response. Around 200,000 leaflets addressing child exploitation, trafficking, abuse, and SGBV were distributed in camps over the course of the year. With support from UNICEF and its partners, there was strong commitment from the Government and the Sri Lanka Tourist Board to raise awareness among tourists and communities through a variety of mediums about commercial sexual exploitation of children. In addition, UNICEF noted that the use of case conferencing, safe houses and integrated social care centres was effective in providing positive outcomes for children. There were enormous posttsunami efforts to increase awareness of abuse and exploitation. However, research conducted from mid- to late-2006 by TDH on the impact of the tsunami on levels of trafficking and the commercial sexual exploitation of children, showed that although knowledge and understanding of child sexual abuse was high among communities and duty-bearers, few stakeholders were familiar with the term and process of trafficking. In Matara and Galle – two districts heavily affected by the tsunami, community members neither understood the term trafficking nor had a clear understanding of what it entailed. There was also a lack of knowledge among teachers. Nearly all respondents knew about sexual abuse, but only government officials who had come across it in their job had knowledge of trafficking. This led to disappearances going unreported and cases of trafficking reported as abuse.



The following table highlights the key legal instruments and resources available to child protection practitioners worldwide. They provide a framework of actions that children should not be exposed to, the rights that they should have, and measures governments should take to protect them.

### **LEGAL INSTRUMENTS**

UN Convention on the Rights of the Child 1990 <sup>237</sup>

Optional Protocol to the UNCRC on the sale of children, child prostitution and child pornography 2002 <sup>238</sup>

Optional Protocol to the UNCRC on the involvement of children in Armed Conflict 2002 <sup>239</sup>

ILO Convention No. 138

Minimum Age Convention 1973 Provides a backdrop to address the WFCL in emergencies. Article 32 states that children have the right to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to their health, physical, mental, spiritual moral or social development. The State shall take measures to ensure its implementation, in particular, to provide a minimum age for employment, appropriate regulation of working conditions, and appropriate penalties and sanctions to ensure effective enforcement.

It does not prohibit parents from expecting their children to help out at home in ways that are safe and appropriate to their age. It specifies that children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

See Article 6 (Survival and development), Article 9 (Separation from parents), Article 10 (Family reunification), Article 20 (Children deprived of family environment), Article 22 (Refugee children), Article 26 (Social security), Article 27 (Adequate standard of living), Article 28 (Right to education), Article 31 (Leisure, play and culture), Article 33 (Illicit production and trafficking of drugs), Article 34 (Sexual exploitation), Article 35 (Abduction, sale and trafficking), Article 36 (Other forms of exploitation), Article 38 (War and armed conflicts), Article 39 (Rehabilitation of child victims). All relate in a significant way to the reasons that children become involved in the WFCL in emergencies.

Both optional protocols provide additional tools for eliminating the sale of children, child prostitution and child pornography, and the involvement of children in armed conflict. Both are relevant in post emergency contexts.

The minimum age for employment should not be below the age for finishing compulsory schooling, which is generally 15 years old.

There are possible exceptions. For developing countries this is temporary and in developed countries allowing for apprenticeships or vocational training, the minimum age of 14 years old may be allowable.

Light work is permissible for children between the ages of 13 and 15 years in developed countries and 12 and 14 years in developing countries as long as it does not threaten children's health and safety, or hinder their education or vocational orientation and training.

**ILO Convention No. 182** 

Worst Forms of Child Labour Convention

1999

Concerns the prohibition and immediate action to eliminate the worst forms of child labour; it determines these worst forms to be:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

ILO convention 182 is applicable to all children under the age of 18 years old, unless under strict supervision at the age of 16 years old.

States parties are required to set in place time-bound measures to "... provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration..." and to "... ensure access to free basic education and, wherever possible, appropriate vocational training ...". <sup>240</sup>

### **LEGAL INSTRUMENTS (CONT)**

## Accompanying ILO Recommendation No. 190, 1999

Provides guidance for governments on some hazardous child labour activities which should be prohibited as:

- (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
- (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.

### Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the

Otherwise known as the Palmero Protocol, the Convention requires States to criminalise trafficking, attempting to traffic or acting as an accomplice in trafficking. States are also required to:

- (i) protect the identity and privacy of trafficking survivors
- (ii) introduce measures to assist survivors involved in criminal processes

# United Nations Convention against Transnational Organized Crime

(iii) provide survivors with appropriate social and rehabilitation assistance, including counselling, housing, medical and psychological assistance, and employment and training opportunities.

2004 241

For survivors who are foreign nationals, States are required to consider allowing such persons to remain in their jurisdiction temporarily or permanently, taking into account compassionate factors. In addition, facilitating and accepting the victim's repatriation and providing the necessary travel documents or authorisation.

In order to prevent trafficking, State parties are required to:

- (i) establish policies and programs to combat trafficking such as research, information and mass media campaigns
- (ii) alleviate the factors that make survivors vulnerable to trafficking such as poverty, discrimination and underdevelopment
- (iii) take legislative or other measures to reduce demand for trafficking.

### United Nations Security Council Resolution 1612 and Resolution 1882

In 2005 Security Council Resolution 1612 established a new monitoring and reporting mechanism (MRM) for grave violations of children's rights in situations of armed conflict. The six categories are: the killing or maiming of children, the recruitment or use of child soldiers, attacks on schools or hospitals, rape or other grave sexual violence against children, the abduction of children and the denial of humanitarian access to children.

Until 2009 the MRM was only activated if children were being recruited and used in armed forces. However, in 2009 SCR 1882 came into force which ensures the MRM is now activated if children are recruited, exposed to sexual violence or killed and maimed. Once triggered UN agencies, NGOs and other organisations record incidents and trends involving all six grave violations which are passed to a Security Council Working Group, which analyses the findings and issues a response.

### **LEGAL INSTRUMENTS (CONT)**

### African Charter on the Rights and Welfare of the Child 1990

Similar to the UNCRC but with specific elements that relate to the African continent. Articles that relate to the WFCL are:

- Article 6: Every child has the right to be named and registered at birth.
- Article 11: Every child has the right to an education. Primary education is defined as compulsory, with secondary to be developed and encouraged. Measures must be taken to encourage regular attendance and reduce dropout rates, and to respect female and disadvantaged children.
- Article 15: Children should be protected from all forms of economic exploitation and from performing
  any work that is likely to be hazardous or to interfere with their physical, mental, spiritual, moral, or social
  development. It covers both formal and informal sectors and relates to ILO instruments on minimum
  wages, regulation of hours and working conditions, enforcement, and the promotion and dissemination of
  information on hazardous labour to the community.
- Article 19: Every child shall be entitled to the enjoyment of parental care and protection, and whenever
  possible reside with them. No child shall be separated from his parents against his will, except when a
  judicial authority determines in accordance with the appropriate law that such separation is in the best
  interest of the child.
- Article 20: Parents or carers shall have the primary responsibility for the upbringing and development
  of a child, ensuring their best interests at all times, securing within their abilities and financial capacities
  conditions of living necessary to the child's development. States shall assist parents and carers in need by
  providing assistance and support particularly in nutrition, health, education, clothing and housing. They
  must also assist parents and carers through the development of institutions responsible for the care of
  children to help parents with child-rearing. Finally, States must help working parents with childcare facilities.
- Article 22 on armed conflict is very similar to Article 38 of the CRC.
- Article 24 on Adoption: Where adoption is recognised, the primary consideration must be the best
  interest of the child, conforming to applicable laws, status and consent of guardians. Children should by
  all available means be placed in their own country, using inter-country as a last resort and only under the
  same conditions as national adoption. All appropriate measures must be taken to ensure that inter-country
  adoption does not result in trafficking or improper financial gain for those who try to adopt a child.
- Article 25: Children separated from their parents are entitled to special protection and assistance in their best interests, provided with alternative family care; tracing and reunification is paramount especially in situations of internal and external displacement arising from armed conflicts or natural disasters.
- Articles 27 and 28, on sexual exploitation and drug abuse, are in effect the same as the CRC Articles 34 and 33.
- Article 29 on the sale and trafficking of children mirrors Article 35 of the CRC, except that the African version also adds a prohibition on the use of children for begging.

### INTER-GOVERNMENTAL AND INTER-AGENCY STANDARDS AND GUIDANCE

Minimum standards for child protection in humanitarian action.

Standard 12 Child Labour: Girls and boys are protected from the worst forms of child labour, in particular those related to or made worse by the emergency. The standard outlines key actions to be taken during preparedness and response. It gives key programmatic measurements and a set of quidance notes.

### Child Protection Working Group 2012

In addition to the Child Labour standard, the following standards are also relevant to the WFCL: Standard 9 (sexual violence); Standard 11 (children associated with armed forces); Standard 13 (unaccompanied children); Standards 15–18 (standards to develop adequate child protection strategies); and Standards 19–26 (standards to mainstream child protection in other humanitarian sectors). Standard 19 (economic recovery) and Standard 20 (education) are particularly important.

### **IASC Protecting persons** affected by natural disaster: Operational **Guidelines on Human Rights and Natural** Disasters 2006

A.3.3: Appropriate measures should be taken as early and as quickly as possible to protect affected populations, in particular women and boy and girl children, against trafficking, forced labour and contemporary forms of slavery, such as sale into marriage, forced prostitution, and sexual exploitation.

A.3.4: Should the natural disaster have occurred in a country with an armed conflict, appropriate measures should be taken as soon as possible to ensure that children affected by the disaster are protected against being recruited or associated with armed forces or groups.

### **Paris Commitments and** Principles on children associated with armed forces or armed groups, February 2007

The Paris Commitments and Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups lay out a detailed framework and guidelines to protect children from recruitment and provide assistance to those already involved with armed groups or forces, guiding the work of the disarmament, demobilization and reintegration of all categories of children associated with armed groups.

They are a set of international standards which update and expand on the Cape Town Principles developed in 1997. They are signed by 76 Member States, including a number of conflict-affected countries. They contain information on:

- guiding principles
- addressing the specific situation of girls
- refugee and internally displaced children
- the prevention of unlawful recruitment or use
- release and reintegration

- justice
- monitoring and follow up of children
- monitoring and evaluation of programme interventions.

### Declaration on the Commitments for Children in The Association of South East Asian Nations 2001

This document reaffirms the Association of South East Asian Nations' commitment to promoting the rights of children and supporting their development. There are a number of commitments which are relevant to reducing WFCL levels in emergencies.

- Intensify economic and social development cooperation to eradicate the scourges of poverty, hunger and homelessness, which have a far-reaching impact on children, in order to promote their welfare and well-being.
- Create employment opportunities for adult family members as stable families are the key to the social, physical and emotional development of children.
- Develop family support and family life education programmes to help families, the primary caretakers of children, to nurture and protect their children.
- Provide appropriate care, including alternative family care or home with a family environment, to homeless children and those without families.
- Protect children from all forms of violence, abuse, neglect, trafficking and exploitation while at home, in school and in the community.
- Protect children from armed conflict, victimisation or deprivation of a childhood rooted in peace and joy.
- Give priority to children in rescue and relief operations during calamities and natural disasters in the provision of services to alleviate their trauma and hasten their reunification with their families.

### Global Action Plan to Eliminate the WFCL and the roadmap to 2016

A framework quiding ILO activities through to 2016, it calls for specific action by the ILO to hasten the pace of progress towards the 2016 target. It focuses on: 242

- universal ratification of child labour Conventions 138, 182 and the 1998 Declaration <sup>243</sup>
- promoting public policies informed by national responses to tackle child labour
- leading the knowledge agenda with emphasis on agriculture, forced labour, child domestic labour and the informal economy (It will continue to produce global and regional estimates and a periodic world report on child labour. Interagency coordination and the UCW will continue.)
- regional priorities on Sub-Saharan Africa for efforts to eliminate child labour; in South Asia a focus will be on ratification of the Conventions and in Latin America to tackle challenges, including child labour in indigenous communities
- advocacy and the use of public-private partnerships, the One UN delivering as one approach, global partnerships, and South-South cooperation
- build the capacity of worker and employer organisations
- link with other ILO projects such as the Decent Work Programme.

### **ENDNOTES**

- 1. The definitions of child labour, working children and the worst forms of child labour are adapted from: ILO IPEC 2012, What is Child Labour, ILO, Geneva, accessed 24 October 2013, <a href="http://www.ilo.org/ipec/facts/lang-en/index.htm">http://www.ilo.org/ipec/facts/lang-en/index.htm</a>
- 2. ILO 1999, Convention No. 182: Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour, ILO, Geneva, accessed 24 October 2013, <a href="https://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm">https://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm</a>
- 3. ILO, 1999, Worst Forms of Child Labour Recommendation No. 190: Recommendation concerning the prohibition and immediate action for the elimination of the worst forms of child labour, ILO, Geneva, accessed 24 October 2013, <a href="http://www.ilo.org/public/english/standards/relm/ilc/ile87/com-chir.htm">http://www.ilo.org/public/english/standards/relm/ilc/ile87/com-chir.htm</a>
- 4. The United Nations Office on Drugs and Crime 2004, Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, Article 3, UN, Geneva, accessed 24 October 2013, <a href="http://www.unodc.org/unodc/en/treaties/CTOC/">http://www.unodc.org/unodc/en/treaties/CTOC/</a> index.html#Fulltext>; 'child': any person under 18 years of age: 'means': the recruitment, transportation, transfer. harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.
- 5. ILO 2014, Trafficking in Children, ILO, Geneva, accessed 24 October 2013 <a href="http://www.ilo.org/ipec/areas/Traffickingofchildren/lang--en/index.htm">http://www.ilo.org/ipec/areas/Traffickingofchildren/lang--en/index.htm</a>
- 6. ILO 1930, Convention No. 29 Concerning Forced or Compulsory Labour, ILO, Geneva, accessed 24 October 2013 <a href="http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100">http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100</a> ILO CODE:CO29>
- 7. Prof. Vitit Muntarbhorn, 'Report of the Rapporteur-General', Proceedings of the First World Congress Against Commercial Sexual Exploitation of Children, Stockholm, 1996, available at <a href="http://www.csecworldcongress.org/PDF/en/Stockholm/Reports/Stockholm%20">http://www.csecworldcongress.org/PDF/en/Stockholm/Reports/Stockholm%20</a> Congress%20General%20Rapporteur's%20Final%20 Report%201996\_EN.pdf>
- 8. ECPAT 2008, Questions & Answers about the Commercial Sexual Exploitation of Children, ECPAT, Bangkok, Thailand.
- 9. CPWG 2012, Minimum standards for child protection in humanitarian action, CPWG, Geneva.
- 10. CPWG 2012, Minimum standards for child protection in humanitarian action, CPWG, Geneva.
- 11. An extensive analysis of capacity building for the WFCL does not play a major role in this review. This is because the CPWG capacity building task force has a central role in overseeing and updating capacity building elements. It will work jointly with the CPWG Child Labour Task Force to combine efforts after this review.
- 12. Padgett, T and Ghosh, B 2010, 'Human predators stalk vulnerable kids', Time, 27 January 2010, accessed 1 October 2013, <a href="http://content.time.com/time/specials/packages/article/0,28804,1953379\_1953494\_1957160,00.html">http://content.time.com/time/specials/packages/article/0,28804,1953379\_1953494\_1957160,00.html</a>; IRIN 2010, 'Pakistan: Child-labour risks rise across the flood zone', 13 October 2010, accessed 1 October 2013, <a href="http://www.irinnews.org/report/90752/pakistan-child-labour-risks-rise-across-flood-zone">http://www.irinnews.org/report/90752/pakistan-child-labour-risks-rise-across-flood-zone</a>; Bhandari, M 2013, 'Phillipine storm rains down trafficking fears', Aljazeera, 8 February 2013, accessed 1 October 2010, <a href="http://www.aljazeera.com/indepth/features/2013/02/20132686919750.html">http://www.aljazeera.com/indepth/features/2013/02/20132686919750.html</a>>
- 13 United Nations Office for Disaster Risk Reduction 2011, UNISDR says the young are the largest group affected by disasters, media release, Geneva, 13 October 2011, accessed 24 October 2013, <a href="http://www.unisdr.">http://www.unisdr.</a>

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- 14 Office of the Special Representative of the Secretary-General for Children and Armed Conflict and UNICEF 2009, Machel Study 10-year Strategic Review Children and Conflict in a changing world, UNICEF, New York
- 15 See: ILO 2013, Marking progress against child labour: Global estimates and trends 2000-2012, ILO, Geneva; ILO 2012, Global Estimate of Forced Labour: Results and methodology, ILO, Geneva. Hazardous labour is often used as a proxy for measuring the extent of the WFCL; child labour is work that children are performing that is harmful and prevents them attending school.
- 16. CPWG 2012, Minimum standards for child protection in humanitarian action, CPWG, Geneva
- 17. Results are sourced from the survey conducted over four weeks in mid-2013. In this specific reference 78% of respondents said it was important to prioritise the WFCL over other forms of child labour, 16% said it was not and 6% did not know; 91% said it was important in all stages of an emergency, 7% only in the later stages of an emergency, 2% said it is not a priority.
- 18. CPWG 2012, Minimum standards for child protection in humanitarian action, CPWG, Geneva.
- 19. See Annex 2
- 20 See: Interagency Standing Committee publications, such as Gender Marker Tool, Gender Handbook in Humanitarian Action, Guidelines for Gender-based Violence Interventions in Humanitarian Settings.
- 21. Some interviewees spoke about their experiences in more than one emergency. Countries discussed included Pakistan, India, Indonesia, Philippines, Nepal, Thailand, Mali, South Africa, Kenya, Liberia, Haiti, Jordan, Lebanon and Occupied Palestinian Territory.
- 22. Children in the WFCL may also face protection concerns such as separation from their families and psychosocial distress.
- 23. The humanitarian community often works within an approach of disaster risk management, which includes: disaster risk reduction; early warning systems and coordination during normal development and growth; emergency response, including steps such as evacuation, search and rescue, clearing rubble, coordination, assessment and providing humanitarian assistance. During the recovery stage DRR activities start up alongside further assessment, coordination and the restoration of livelihoods, infrastructure, housing, psychosocial wellbeing and health. See Piper, C 2010, The Disaster Risk Management Cycle, TorqAid, Victoria Australia.
- 24. Plan International 2011, Weathering the Storm: Adolescent girls and climate change, PI, Surrey UK.
- 25. Basse, YO, Lucas, N, 2013 Protection of Adolescent Girls and Boys in the Sahel Food Crisis General Report, Plan WARO, Dakar, Commissioned for the 'Because I am a Girl' Report. Plan International, January 2013.
- 26. See Annex 1 for case studies from Haiti
- 27. GTZ is Gesellschaft für Technische Zusammenarbeit; UNICEF, West and Central Africa Regional Office 2008, Sexual Abuse and Exploitation of children in West and Central Africa: Developments, progress and challenges since the Yokohama Congress (2001) and the Rabat Arab-African Forum (2004), UNICEF, Dakar Senegal. 42% of girls were older than 16; 50% of girls were aged 15-16; 7% were 13-14; and 1% were under 12 years old; 53 percent were Ivorian and 47 percent were foreigners, mainly Nigerians. As a result of the high rate of unprotected sex, 52% of girls surveyed had contracted a sexually transmitted disease. Boys were also reported to be victims of prostitution.
- 28. Hélène Harroff-Tavel and Alix Nasri 2013, Tricked and Tracked Human trafficking in Iraq: Patterns and practices in forced labour and sexual exploitation. ILO and Heartland Alliance, Beirut.
- 29. Key informant interview.
- 30. Similar to Pakistan where major pre-existing

- protection problems involved child labour in sand mines, this issue was made worse because of labour shortages immediately after the earthquake. O'Leary, Dr. P, University of Bath, University of South Australia, Jason Squire, Terre des Hommes, 2009, Capitalisation of project: Pakistan, Sri Lanka, Sudan & Nepal, Terre des Hommes, Lausanne.
- 31. ILO 2002, A future without child labour: Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, ILO, Geneva.
- 32. UNICEF 2011, UNICEF Summary Understanding Children's Work: Child labour as a response to shocks: evidence from Cambodian villages, UNICEF, NY
- 33. Key informant interview 1, 22.
- 34. Key informant interview 15.
- 35. Rustam & Lamtiur Tampubolon 2006, Child labour and its situation in Nias, North Sumatera, Centre for Child Study and Protection (PKPA), Medan Indonesia.
- 36. IRIN News, 'Child Labour on the rise in quake-hit north', 25 May 2008, accessed 1 October 2013, <a href="http://www.irinnews.org/report/78394/pakistan-child-labour-on-the-rise-in-quake-hit-north">http://www.irinnews.org/report/78394/pakistan-child-labour-on-the-rise-in-quake-hit-north</a>
- 37. IRIN News, 'Child Labour on the rise in quake-hit north', 25 May 2008, accessed 1 October 2013, <a href="http://www.irinnews.org/report/78394/pakistan-child-labour-on-the-rise-in-quake-hit-north">http://www.irinnews.org/report/78394/pakistan-child-labour-on-the-rise-in-quake-hit-north</a>
- 38. ILO 2011, Mapping of Child Labour in Flood Affected Districts in Muzaffargarh, ILO, Geneva; ILO 2011, Mapping of Child Labour in Flood Affected Districts in Thatta, ILO, Geneva
- 39. Squire, J and Wijeratne, S 2008, Sri Lanka Research Report: The sexual abuse, commercial sexual exploitation and trafficking of children in Sri Lanka, Terre Des Hommes, Lausanne, Switzerland.
- 40. Guarcello L, Kovrova, I and Rosati, FC 2008, Child labour as a response to shocks: evidence from Cambodian villages, UCW, Rome
- 41. Responses to rapid-onset emergencies which fit these characteristics are Typhoon Bopha, Philippines; the tsunami response in Indonesia; responses to Haiti's earthquake. See Annex 1 for further details.
- 42. Key informant interview 3, 4, 8, 11, 15
- 43. Key informant interview 2, 4, 6, 13, 21, 28.
- 44. See: Save the Children 2006, Watermarks Child Protection during Floods in Bangladesh, STC, Dahkar Bangladesh; UNICEF 2009, Children and the 2004 Indian Ocean Tsunami: UNICEF's Response in Indonesia (2005-2008) Child Protection Evaluation Report, UNICEF, Geneva.
- 45. Office for the Coordination of Humanitarian Affairs (UN) 2011, 'OCHA and slow-onset emergencies', Occasional Policy Briefing Series Brief No. 6.
- 46. Key informant interview 21.
- 47. Basse, YO, Lucas, N, 2013 Protection of Adolescent Girls and Boys in the Sahel Food Crisis General Report, Plan WARO, Dakar, Commissioned for the 'Because I am a Girl' Report. Plan International, January 2013.
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- 49. OCHA 2011, OCHA and slow-onset emergencies, Occasional Policy Briefing Series, Brief No. 6.
- 50. IFRC, Complex/manmade hazards: complex emergencies, accessed 24 October 2013, <a href="http://www.ifrc.org/en/what-we-do/disaster-management/about-disasters/definition-of-hazard/complex-emergencies/">http://www.ifrc.org/en/what-we-do/disaster-management/about-disasters/definition-of-hazard/complex-emergencies/</a>
- 51. Child Protection and Gender-based Violence Subcluster Mali 2012, Brief on Results of the Assessment on the Impact of the Drought, Food and Nutrition Crisis on Children and families in terms of Child Protection, Gender Base Violence and Education, Unpublished.

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- 54. Plan International 2011, Emergency food aid reaches Kenya schools, Pl, Surrey, accessed 24 October 2013, http://plan-international.org/about-plan/resources/news/emergency-food-aid-reaches-kenya-schools/
- 55. ILO IPEC 2011, Tackling Child Labour Through Education (TACKLE), ILO, Genva, Synopsis and presentation accessed 24 October 2013, <a href="http://www.ilo.org/ipec/projects/global/tackle/kenya/lang--en/index.htm">http://www.ilo.org/kenya/lang--en/index.htm</a>; <a href="http://www.ilo.org/wcmsp5/groups/public/--europe/---ro-geneva/---ilo-brussels/documents/presentation/wcms">http://www.ilo.org/wcmsp5/groups/public/--europe/---ro-geneva/---ilo-brussels/documents/presentation/wcms</a> 217236.pdf>
- 56. Key informant interview 4, 12, 21, 24.
- 57. ILO IPEC & ILO ITC 2010, The WFCL in conflict and post conflict settings: results from a research project, ILO, Geneva
- 58. World Bank 2007, Independent Evaluation of Special Projects for Child Soldiers in the DRC, World Bank, Washington DC; Coalition to Stop the Use of Child Soldiers 2006, Child soldiers and Disarmament, Demobilization, Rehabilitation and Reintegration in West Africa: A survey of programmatic work on the involvement of children in armed conflict in Côte d'Ivoire, Guinea, Liberia and Sierra Leone, Coalition to Stop the Use of Child Soldiers, Dakar Senegal.
- 59. Key informant interview 1.
- 60. Grisewood, N 2013, ILO Lessons Learned: Challenge of Syrian Refugee Child Labour, Submitted to the III Global Conference on Child Labour Brasilia, 8-10 October 2013, Brazil; Available at: <a href="http://www.childlabourdialogues.org/node/402919">http://www.childlabourdialogues.org/node/402919</a>>
- 61. Key informant interviews 4, 12, 24, 25, 28.
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- 63. Terre des Hommes 2008, Sri Lanka Research Report: The sexual abuse, commercial sexual exploitation and trafficking of children in Sri Lanka, TDH, Lausanne Switzerland.
- 64. UNICEF 2009, Children and the 2004 Indian Ocean Tsunami: An evaluation of UNICEF's response in Sri Lanka (2005-2009), UNICEF New York.
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- 66. UNICEF 2006, The 2004 Indian Ocean Tsunami Disaster: Evaluation of UNCEF's response (emergency and initial recovery phase) Indonesia, UNICEF, New York.
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- 68. Key informant interview 1.
- 69. Inadequate information on available livelihoods support following Typhoon Bopha in the Philippines acted as a push factor for youth to dangerously migrate and be trafficked from affected areas into the WFCL. Advocacy was undertaken targeted at clusters responsible for food and livelihoods support to provide timely information to help families make informed judgements about migration or trafficking.
- 70. Save the Children India is known locally as Save the Children Bal Raksha, hence the acronym SCBR.
- 71. CdeBaca, L 2010, 'Keynote Remarks to the Harvard Kennedy School's Ash Center for Democratic Governance and Innovation', 24 May 2010, Washington, accessed 24 October 2013, <a href="http://www.state.gov/j/tip/rls/rm/2010/142160.htm">http://www.state.gov/j/tip/rls/rm/2010/142160.htm</a>
- 72. Key Informant interview 14.
- 73. Save the Children India 2009, Child Friendly Space to Bridge Course Centre: A Good Practice in Child Protection, STC India, Delhi India; Key informant interview 14.

- 74. Key Informant interview 14.
- 75. UNICEF 2006, The 2004 Indian Ocean Tsunami Disaster: Evaluation of UNCEF's response (emergency and initial recovery phase) Indonesia, UNICEF, New York.
- 76. CdeBaca, L 2010, 'Keynote Remarks to the Harvard Kennedy School's Ash Center for Democratic Governance and Innovation', 24 May 2010, Washington, accessed 24 October 2013, <a href="http://www.state.gov/j/tip/rls/rm/2010/142160.htm">http://www.state.gov/j/tip/rls/rm/2010/142160.htm</a>
- 77. Key informant interview 15.
- 78. Key informant interview 12.
- 79. Key informant interview 26.
- 80. Key informant interview 26.
- 81. Survey respondent comment.
- 82. "What constitutes 'enough' may depend on the context and the level of risk that people face." ODI Darcy & Hoffman 2003, According to need? Needs assessment and decision-making in the humanitarian sector, Overseas Development Institute Humanitarian Policy Group, London.
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- 84. Key informant interview 12.
- 85. Key informant interview 12, 15.
- 86. Grisewood, N 2013, ILO Lessons Learned: Challenge of Syrian Refugee Child Labour, Submitted to the Ill Global Conference on Child Labour Brasilia, 8-10 October 2013, Brazil; Available at: <a href="http://www.childlabourdialogues.org/node/402919">http://www.childlabourdialogues.org/node/402919</a>>
- 87. Government of Pakistan & UN Country Team in Pakistan 2012, Multi-sector Initial Rapid Assessment (MIRA) Report Pakistan Floods 2012.
- 88. Clusters WASH, Santé, Protection, Sécurité Alimentaire et Sous Cluster Protection de l'Enfance 2012, Multi-Cluster Initial Rapid Assessment – MIRA Evaluation Initiale Rapide Multi-Cluster sur les inondations au Moyen Chari, Tandjilé, Mayo Kebbi Est – Tchad, OCHA N'Djamena Chad.
- 89. When reliable data is not available, limited or difficult to collect proxy indicators and secondary data can help substitute the information sought. It helps build an overall picture of what the situation for children in the WFCL might be. Some examples might be the reasons behind children's non-attendance at school; injury and fatality statistics for children through health facilities that may indicate dangerous forms of work; government poverty data; household composition in relation to vulnerability etc.
- 90. Key informant interview 15.
- 91. A number of studies were available: a study on child domestic work in Indonesia was carried out by the ILO in 1995; various studies on drug trafficking and children involved in drug production, sales, and trafficking; other DOL programme baseline studies in different localities where partner NGOs then took action.
- 92. USDOL OCFT & ICF 2009, Cluster and Synergy Evaluation of USDOL—funded child labour projects in Indonesia, USDOL, Washington DC.
- 93. The situation and local culture in Aceh are unique. Stakeholders report that the urgency of the situation resulted in limited allocation of time to study the best way to address local needs on eliminating child labour in the selected project areas and local context. As a result, the design did not take several factors into account, such as the comparatively poor local education infrastructure, the initial unresponsiveness of the local government and population, as well as the difficulty in finding high-quality staff.
- 94. USDOL OCFT and ICF 2009, Cluster and Synergy Evaluation of USDOL–funded child labour projects in Indonesia, Unites States Department of Labor, Washington.
- 95. Grisewood, N 2013, ILO Lessons Learned: Challenge of Syrian Refugee Child Labour, Submitted to the III Global Conference on Child Labour Brasilia, 8-10 October 2013, Brazil; Available at: <a href="http://www.childlabourdialogues.org/node/402919">http://www.childlabourdialogues.org/node/402919</a>

- 96. This includes adequate capacity-building, meetings being conducted in the national language and relevant documents being translated. Grisewood N, 2013, ILO Lessons Learned: Challenge of Syrian Refugee Child Labour, Submitted to the III Global Conference on Child Labour Brasilia, 8-10 October 2013, Brazil.
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- 99. See Annex 1, case studies 3, 5, 6, 7, 19 21.
- 100. Key informant interview 17.
- 101. See Annex 1, case study 11.
- 102. Taken from Summary Notes: Meeting on child labour among Syrian refuges, working group on child protection and gender-based violence, ILO, Amman (held on the 22.4.12, 7.5.12 and 4.7.12); and key informant interviews 3, 4.
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- 105. Key informant interview 13.
- 106. Composed of representatives from: Department of Justice, National Police Women and Children's desk and the Criminal Investigation and Detection Group, Department of Social Welfare and Development, Philippines Overseas Employment Agency, UNICEF and UNFP.
- 107. Taken from key informant interview 13; available at: <a href="http://www.iacat.net/index.php/107-iacat-conducts-mission-to-typhoon-pablo-ravaged-areas">http://www.iacat.net/index.php/107-iacat-conducts-mission-to-typhoon-pablo-ravaged-areas</a>
- 108. National Committee for Child Labour 2012, National Framework for Combating Child Labor Jordan. Amman, 2011; Grisewood, N 2013, ILO Lessons Learned: Challenge of Syrian Refugee Child Labour, Submitted to the III Global Conference on Child Labour Brasilia, 8-10 October 2013, Brazil; Available at: <a href="http://www.childlabourdialogues.org/node/402919">http://www.childlabourdialogues.org/node/402919</a> <a href="http://www.childlabourdialogues.org/node/402919">http://www.childlabourdialogues.org/node/402919</a>
- 109. ILO 2006, Evaluation Summaries: Emergency response to child labour in selected Tsunami affected areas in Sri Lanka, ILO, Geneva.
- 110. Survey respondent comments.
- 111. Key informant interview 14.
- 112. Key informant interview 11.
- 113. Key informant interview 9, 11.
- 114. Dangers and injuries, physical violence and other harmful practices, sexual violence, psychosocial distress and mental disorders, children associated with armed forces or armed groups, child labour, unaccompanied and separated children, and justice for children.
- 115. Key informant interview 4, 11; examples, such as the Haiti earthquake response where agencies initially looked at the element of separation over the element of exploitation in domestic servitude cases; and the interagency standard operating procedure for GBV and child protection in Jordan, does not consistently include the workplace of children as a location that violence or abuse may be used against children.

- 116. ILO IPEC & ILO ITC 2010, The WFCL in conflict and post conflict settings: results from a research project, International Training Centre of the ILO, Turin.
- 117. Survey respondent comments and key informant interview 27. 2.
- 118. Key informant interview 14 and Save the Children India 2009, Child Friendly Space to Bridge Course Centre: A Good Practice in Child Protection, Save the Children India, Delhi.
- 119. Save the Children Tsunami Rehabilitation Programme 2006, Global Impact Monitoring (GIM) Report Child Protection Project in Cuddalore, Nagapattinam and Kanyakumari Districts of Tamil Nadu, Save the Children UK, Delhi.
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- 122. Key informant interview 1, 6.
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- 128. War Child, Why is it so hard to take street children back home?, War Child, London, available at: <a href="http://www.warchild.org.uk/features/why-it-so-hard-take-street-children-back-home">http://www.warchild.org.uk/features/why-it-so-hard-take-street-children-back-home</a>
- 129. UNICEF 2009, Best Practices and Lessons Learned UNICEF Myanmar's Response to Cyclone Nargis, UNICEF, Myanmar
- 130. UNICEF 2009, Best Practices and Lessons Learned UNICEF Myanmar's Response to Cyclone Nargis, UNICEF, Myanmar
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- 133. Confidential project document, 2009, Rapid review IDTR protection and care for unaccompanied, separated and other children at risk programme Goma North Kivu.
- 134. Key informant interview 22.
- 135. Key informant interview 4, 3.
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- 137. Key informant interview 4.
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- 139. Key informant interview 24.
- 140. Key informant interview 11; Thompson, H, Save the Children, CALP, CPC and WRC 2012 Cash and Child Protection How cash transfer programming can protect children from abuse, neglect, exploitation and violence, Save the Children, London.
- 141. Comment from survey respondent.
- 142. Save the Children Alliance 2008, Tsunami Response Programme in Indonesia, India, Sri Lanka, Thailand and Somalia Mid-Term Evaluation Report, Save the Children, London.

- 143. HPN Humanitarian Exchange Magazine 2011, Sexual exploitation and abuse by UN, NGO and INGO personnel: a self-assessment by Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse, Issue 52.
- 144. The Kenya Refugee Program Prevention of Sexual Exploitation and Abuse Consortium 2006, Training manual for humanitarian workers, The Kenya Refugee Program Prevention of Sexual Exploitation and Abuse Consortium, Nairobi; The Kenya Refugee Program Prevention of Sexual Exploitation and Abuse Consortium 2007, Training manual for police 2007, The Kenya Refugee Program Prevention of Sexual Exploitation and Abuse Consortium, Nairobi.
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- 146. UNICEF 2008, Sexual Exploitation and Abuse (SEA) Information Sheet, UNICEF, Nairobi.
- 147. Xefina Consulting 2007, Final Evaluation Preventing Sexual Exploitation and Abuse (PSEA) Project Report to International Rescue Committee Revised, Nairobi, Kenya.
- 148. Key informant interview 1.
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- 154. Darwazeh, N, UN Country Team, 2008, Violence against Women: Assessing the Situation in Jordan, UNFPA, Amman
- 155. O'Leary, Dr. P, University of Bath, University of South Australia, Jason Squire, Terre des Hommes, 2009, Capitalisation of project: Pakistan, Sri Lanka, Sudan & Nepal, Terre des Hommes, Lausanne.
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