

Inspiring practices of lobby and advocacy towards the elimination of child labour: lessons from WNCB Alliance Partners in Jordan and Vietnam

1. PREFACE

This paper zooms in on the lobby and advocacy activities implemented by WNCB Alliance partners to influence national policy change towards the elimination of child labour. Partners sought to influence changes in legislation, policies, levels of resourcing and budgets, service design, and (innovative) practices. Across the six programme countries we find a staggered approach was taken to guide national legislation and policies: firstly, supporting the establishment of a legal framework, then encouraging the translation into policy with dedicated budgets, and finally overseeing the implementation of the policy. Along the way, WNCB Alliance partners have learned what works and what does not. Here, we share lessons learned from two country cases, Jordan, and Viet Nam, on what was done, how it was implemented and what lessons we can take along for the future.

2. INTRODUCING THE WNCB PROGRAMME

The WNCB Alliance aims to achieve that all children and youth are free from child labour and enjoy their rights to quality education and (future) decent work. The Alliance is run by Save the Children Netherlands, UNICEF Netherlands and the Stop Child Labour Coalition, together with partner organizations and country offices in Cote d'Ivoire, India, Jordan, Mali, Uganda and Viet Nam. Collaboratively we address the root causes of child labour and ensure that relevant stakeholders (civil society, governments and businesses) take their responsibility to protect and fulfil children's rights.

3. THE IMPORTANCE OF POLICY AND REGULATORY REFORM

Child labour can be eliminated if the root causes are addressed, key barriers to its elimination are removed and alternatives are provided. Measures to address these include the establishment and implementation of a strong legal framework and associated policy responses, of which the parameters have been established in commitments made by governments over the course of the past decades¹. The WNCB programme has therefore promoted and pursued the strengthening of children's rights based on the combined mandate of the United Nations Convention on the Rights of the Child (UNCRC) and on the ILO Conventions 138 and 182². Most recently, in the Durban Call to Action³ which was adopted at the 5th Global Conference for the Elimination of Child Labour in 2022, a blueprint was established that seeks to ensure that child labour is prioritized in national and global policymaking

¹ African Union Ten-Year Action Plan on Child Labour; the Declaration of Abidjan; the Accra Declaration of the International Partnership for Cooperation on Child Labour in Agriculture (IPCCLA); the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups; the ASEAN Roadmap on the Elimination of the Worst Forms of Child Labour by 2025; the 2022-2027 Council of Europe Strategy for the Rights of the Child; the European Union Child Guarantee; the 2021-2024 EU strategy on the rights of the child and the 2020-2024 EU Action Plan on Human Rights and Democracy; the 2022-2025 Strategic Plan of the Regional Initiative Latin America and the Caribbean Free of Child Labour; the SAIEVAC Regional Action Plan on the Elimination of Child Labour.

² The UN Convention on the Rights of the Child (1989); The ILO Convention 138 on the Minimum Age for Employment (1973); The ILO Convention 182 on the Worst Forms of Child Labour (1999)

³ More details on the Durban Call to Action can be found online: <https://www.alliance87.org/action/durban-call-action>.

activities. Specifically, policy responses to child labour have been identified in four key policy areas: legal standards and regulation, labour markets, social protection, and education⁴.

Any pursuit for legal or policy reform should provide government with a mandate to ensure contributing factors to child labour are adequately addressed. The WNCB alliance partners adopted the need for such an integrated approach that addresses multiple root causes and barriers to eliminating child labour and partners have been pursuing this approach in different contexts across Sub-Saharan Africa, South and Southeast Asia and Europe.

This paper zooms in on pathway 2, referring to the outcome that ‘Governments enforce relevant child-rights based laws and implement policies on child labour, education, youth economic empowerment, and social security’. The interventions under this pathway aimed at the establishment of legal and policy frameworks in the six focus countries to prevent and address child labour as well as the establishment of adequate administrative structures and necessary resources allocated to the implementation of services, systems and policies that address child labour, education, youth economic empowerment and/or social security. In the following section, the WNCB approach to Lobby and Advocacy is described.

4. WNCB INSPIRING LOBBY & ADVOCACY INITIATIVES

The overarching objective of any lobby and advocacy (L&A) strategy is to influence decision-makers to advance and improve conditions for a selected target group. Specifically, for the WNCB programme, the partners seek to improve the conditions for children and young people, focusing on combating child labour, promoting fulltime quality education and, for youth between the ages of 15 and 18 years, the transition to decent work. To achieve these goals, the WNCB Lobby and Advocacy strategy focused on an integrated L&A approach, focusing on engagement with policy makers to ensure robust regulatory frameworks to eliminate child labour in national and international supply chains, and companies to promote responsible business conduct to effectively implement these regulations. In addition, WNCB engages with local decisionmakers such as church leaders and community leaders to advance these goals in support of eliminating child labour and providing alternatives in programme countries.

This paper specifically zooms in on the advocacy work that was conducted in support of the provision of effective legislation, policies, regulations, government schemes and services for realising children’s rights. Across the six countries, the alliance partners have strived to adopt a three-tiered approach to engage with policymakers at the national level to achieve more robust child labour prevention and elimination. These approaches include:

⁴ The rationale for each of the four pillars is straightforward. International standards and national labour laws and regulations articulate and formalize the State’s duty to protect its children. They set out an unambiguous definition of child labour and the principles and framework for national action against it. Properly designed labour market policies focused on where most children in child labour are found – the rural economy and the informal economy – can help curb the demand for child labour and improve the prospects for decent work for youth of legal working age and for adults. Social protection helps prevent households from having to rely on child labour as a negative coping strategy in the face of poverty and economic uncertainty. Quality education helps break intergenerational cycles of poverty and child labour reliance and provides a worthwhile alternative to child labour. ILO (2018) Ending child labour by 2025: A review of policies and programmes.

- (1) improving legal and policy frameworks to prevent and eliminate child labour: partners support the development of intersectoral approaches to tackling child labour, of new national programmes and strategies, and of technical guidelines and protocols;
- (2) ensuring that administrative structures and necessary resources (e.g. budgets and capacities) are in place to implement relevant (new) services, systems and policies: partners engage in awareness raising, support the reactivation or establishment of Child Labour Task Forces and/or committees, train labour inspectors or child protection services;
- (3) ensuring national government programmes and policies are implemented according to plan and are followed-up: partners support the monitoring and evaluation of child labour.

In the following paragraphs, we present two examples that showcase how national policy change was pursued and with what result in Vietnam and Jordan.

4.1 JORDAN

In 2021, with technical support from WNCB, the Ministry of Social Development (MOSD) in Jordan further bolstered its commitment for combatting child labour by developing a by-law on child labour. The by-law would ensure institutionalization of a protective environment for working children or children at risk of child labour. A crucial step in the elimination of child labour, as this provides children involved in child labour, or at risk thereof, with a protective environment, enabling their access to multi-sectoral services, such as education, health, and social protection. The by-law was introduced in alignment with the updated national child labour framework as well as the Juvenile Justice Law to ensure a unified national legal framework would be in place.

The Jordan country team followed several procedures as outlined below in support of the development and subsequent implementation of the by-law:

1: Identifying a need for a legal & policy framework and ensuring ownership

The team acknowledge the importance of ensuring government ownership over the process from the beginning. It therefore first identified a clear need for the by-law by the Ministry of Social Development after the development of the National Child Labour Framework. The framework already identified the roles and responsibilities of governmental entities to address child labour. This helped the team in requesting each relevant government entity to nominate a focal point in their department to be represented in the by-law development committee, ensuring each entities' commitment of the by-law and support for the outcomes.

2: Ensuring official approvals for policy support is provided

The government should commit to the process of legal or policy changes. Any activity pursued to support these processes, should best be backed by official approvals from the government. In Jordan, the team embedded the process in two ways. First, the team gained official approval of the process from the Prime Minister. Second, the set-up of the by-law development committee, including the focal points from all concerned ministries and stakeholders, ensured ongoing support from all relevant stakeholders in the reviewing process as they engaged in internal consultations with their respective directorates and constituencies.

3: Setting the advocacy goals and developing an action plan

Before starting the development of the by-law, the Jordan team organized consultations with relevant ministries to determine the goals of having the by-law in place (e.g. Ministry of Education, Juvenal Justice and family protection department, Ministry of Labour). This process was crucial as it allowed the team to align the goals with other relevant national Strategic Operating Procedures (SOPs). What benefited the team, was the presence of a National Child Labour Working Group (CLWG), led by the ministerial department National Council of Family affairs. The Working Group acts as the coordination platform, including government entities alongside civil society actors (NGOs, iNGOs, UN agencies). This working group ensured coordination of efforts to avoid duplication or overlapping processes took place.

4: Supporting the development of the legal framework

The team invested in ensuring they had a strong understanding of previous strategies, policies, and frameworks. By conducting desk reviews of policy papers, official statistics, and other relevant reports the team avoided reinventing the wheel. After a series of meetings, workshops and/or consultations with relevant stakeholders, the partners in Jordan developed a first draft with the technically skilled team in collaboration with the focal points of the different governmental entities. It was important to account for a certain reviewing period with senior management in each organization or ministries before submission for cabinet approval (i.e. internal consultations).

5: Monitoring, evaluation & follow-up of by-law or strategy

The work does not end after the by-law has been established. In Jordan, the team ensured that follow-up steps were taken. The Jordan team supported Ministry of Social Development (MOSD) to have the necessary capacity in place to implement any new framework. Capacity building activities were therefore launched for the frontline teams. At the same time, we encouraged to mandate an independent entity to monitor the implementation of the work to ensure transparency and neutrality. The monitoring entity would be expected to report periodically with the National Child Labour Working Group members on the achievements and limitations to inform result-based management of new processes. At the same time, the WNCB partners maintained the support of the MOSD to provide specialized multisectoral case management services for working children. To sustain these efforts, we supported MOSD to establish one child labour help desk based on their internal capacity.

What would the team do differently next time around?

- Focus L&A work (also) on ensuring realistic budgeting: due to shrinking funding situation in Jordan, some entities are now facing budget limitations for the implementation of the new strategies.
- In addition, we would also ask for firm human resource commitments from governmental entities to appoint representatives for a fixed period (i.e. 5 years) to limit governmental staff turnover, which impacts institutional memory and workflow.

4.2 VIETNAM

The Alliance partners in Viet Nam have made meaningful contributions in the process of developing the National Action Plan for Law and Policy Improvement to Promote Responsible Business Practices in Vietnam (NAP) for the period of 2023-2027. In July 2023, the plan was approved, and it has set the direction for specific measures related to child labour in the future to be planned and implemented by relevant stakeholders.

The plan was developed to recognize the importance of aligning the government's vision and policies for sustainable and inclusive development, with the international commitments such as the 2030 Agenda for Sustainable Development and bilateral trade agreements. It encourages businesses to go beyond law and regulation compliance by adopting extra rights-based measures. By raising awareness, improving laws, and enhancing the efficiency of law implementation, the plan aims to minimize the negative impact of economic and business activities on society and environment, contributing to a better future for Vietnam's economy.

The Viet Nam country team followed several procedures as outlined below in support of the development of the National Action Plan for Law and Policy Improvement to Promote Responsible Business Practices:

1: Determining the 'when' - building on momentum

The Viet Nam team could benefit from a policy development momentum, as there were regionally coordinated efforts ongoing by the UNDP to support governments and companies across Asia in improving human rights standards in business. Specifically, the initiative supported the Vietnamese government in the development of policies to tackle business-related human rights abuses. Because of this, the government's attention was peaking. This offered the unique opportunity for the partners to offer input and integrate specific attention to specified content of child labour.

2: Stakeholder engagement at different levels & developing an action plan

Advocacy for Child Rights and Business Principles in the National Action Plan took place through two channels of stakeholder engagement: (1) the Viet Nam team worked directly with UNDP and the Ministry of Justice to administer the action plans; and (2) the team worked with the Vietnamese Chamber of Commerce (VCCIs) as they are the leading organization to work for local business community interest and also a member of the NAP drafting team. By streamlining lobby and advocacy efforts along both channels, the team captured the different interests and understandings of stakeholders operating at different levels. The team was therefore able to develop an approach in which they engaged both local stakeholders (i.e. the local chambers of commerce) that have a strong understanding of the business landscape, and (inter)national stakeholders (i.e. the UN inter-agency approach) that have top-level interests. This combined approach allowed the Viet Nam team to convey their message to the most appropriate audiences and including different perspectives.

3: Preparing for the development of the Action Plan

The team did a thorough situation analysis that translated into an advocacy report. The analysis adequately situated the issues and problems associated with business-related human rights abuses alongside child rights. For this study, the alliance partners gathered solid evidence and integrated expert inputs to build the argumentation of the analysis. The resulting strength of the analysis

contributed to the development of a full proposal of the National Action Plan that was embedded in a strong evidence-based, together with the lead of the Ministry of Justice. The proposal includes a chapter that captures a wide spectrum of children’s rights gaps in the business world; taking into account the major points raised in the advocacy paper developed by the team.

4: Supporting the development and implementation of the Action Plan

The Viet Nam team participated in the series of NAP consultations during 2021-2022. The partners managed to have child rights’ non-governmental organizations to participate and to raise voices for children throughout the consultations. In July 2023, the plan was approved and issued. This significant milestone paves the way for coordinated efforts among various stakeholders to plan and execute concrete measures aimed at eradicating child labour and ensuring the well-being and rights of children.

5: Monitoring, evaluation & follow-up

By continuing to foster strong partnerships with government entities, non-governmental organizations such as industry associations, and business leaders, the team in Viet Nam aims to craft subplans that are comprehensive, impactful, and tailored to address the unique needs and challenges faced by children in various regions and contexts, especially against the backdrop of responsible business practices, in Vietnam. This includes offering support to respective government departments to ensure that monitoring of the Action Plan takes place.

What would the team do differently next time around?

Building even more on the strengths of our partners. In different advocacy efforts, the team realized that each partner has their strengths which can be capitalize on. Rather than attempting it on their own first, it might pay off if the team identifies early on strengths and weaknesses. This helps the team to strategize the advocacy approach accordingly to determine who takes what role and responsibility.

5. LESSONS LEARNED AND RECOMMENDATIONS

To further strengthen the effects of the lobby and advocacy strategies, the Jordan and Viet Nam team advise that:

- Ensure that any change in legal or policy framework (e.g. by-law or national strategy) is needs-based. The team would advise against pursuing the establishment of a legal or policy framework if it was not identified as a priority by a relevant governmental entity first. In case prioritization is still missing, teams should first work towards advocating for the relevance and importance of adopting the necessary frameworks by the government.
 - To identify the need for any new legal or policy framework, determine the following first: (1) is there a strategy or policy already in place in the country?; (2) has the previous strategy expired (or will soon expire)?; or (3) are there major events/factors affecting the population that demand action?.
- What benefited the process in Jordan is the presence of a national Child Labour Working Group (CLWG), led by the ministerial department National Council of Family affairs. The Working Group acts as the coordination platform, including government entities alongside civil society actors (NGOs, iNGOs, UN agencies). This working group ensured coordination of efforts to

avoid duplication or overlapping processes took place. The team would recommend participating in or help set-up a central steering committee or working group to ensure broad stakeholder representation in, ownership over and alignment of the regulation or policy development process.

- Ensure members of the working group, which is responsible for developing a proposal for the legal or policy changes, have the necessary skills and background. In the case of the by-law, it was essential we had team members with strong legal background, technical skills and included senior team members.
- It is important to have to plan early as for this type of interventions it needs strategic vision and planning as different layers of concerned entities will need to review and clear out including technical teams and the senior management in the line ministries which takes time.
 - If pursuing the development of a national strategy or action plan, ensure that the strategy includes a clear activity logframe with specific indicators, based on SMART goals to enable monitoring of the implementation accordingly.
- Seek momentum! It is crucial to be aware of what other (perhaps regional) initiatives are being initiated or implemented on child labour. It can offer an important entry-point to engage in conversations with the respective government entities.
- Working with partners is crucial to achieve effective advocacy efforts as it allows benefiting from certain partnerships when the time asks for it.
 - However, it can pose challenges in delivering results if not managed carefully. This is why the teams want to warn that if partners do not communicate clearly and frequently about their advocacy efforts together, the teams find that partners might confuse stakeholders by sharing contradicting or non-aligned messages. It is therefore important to get all relevant stakeholders at the same table at frequent intervals to align messages and approaches.
- The bigger the programme, the more complex it becomes. The teams find it helpful that top-management of organizations that support the lobby and advocacy efforts are involved and well-informed on proceedings to ensure top-level coordination of partnership takes place.