International Programme on the Elimination of Child Labour (IPEC)

International Labour Office

IPEC Evaluation

Supporting the Time-bound programme for the elimination of the worst forms of child labour in South Africa and laying the basis for concerted action in Botswana, Lesotho, Namibia and Swaziland
TECL I

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An independent final evaluation by a team of external consultants

Geographic coverage: South Africa, Botswana, Lesotho, Namibia, Swaziland

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This document has not been professionally edited.

NOTE ON THE EVALUATION PROCESS AND REPORT

This independent evaluation was managed by ILO-IPEC's Design, Evaluation and Documentation Section (DED) following a consultative and participatory approach. DED has ensured that all major stakeholders were consulted and informed throughout the evaluation and that the evaluation was carried out to highest degree of credibility and independence and in line with established evaluation standards.

The evaluation was carried out a team of external consultants[1]. The field mission took place in June – July 2008. The opinions and recommendations included in this report are those of the authors and as such serve as an important contribution to learning and planning without necessarily constituting the perspective of the ILO or any other organization involved in the project.

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Acronyms

BLNS	Botswana, Lesotho, Namibia, Swaziland
BUSA	Business Unity South Africa
CBO	Community-based Organisation
CL	Child Labour
CLC	Community Law Centre, University of the Western Cape
CLMS	Child Labour Monitoring System
CLPA	Child Labour Programme of Action (previously the CLAP)
COSATU	Congress of South African Trade Unions
CPF	Community Police Forum
CSEC	Commercial Sexual Exploitation of Children
CT	Child Trafficking
CTA	Chief Technical Advisor
CUBAC	Children used by adults to commit crime
DDG	Deputy Director General
DG	Director General
DoE	Department of Education
DoH	Department of Health
DoHA	Department of Home Affairs
DoJ	Department of Justice
DOL	Department of Labour
DoSD	Department of Social Development
DWAF	Department of Water Affairs and Forestry
FEDUSA	Federation of Unions of South Africa
IA	Implementing Agency
IC	Implementation Committee
ILO	International Labour Organisation
ILO-IPEC	ILO International Programme for the Elimination of Child Labour
IPEC	International Programme for the Elimination of Child Labour
ISCCJ	Inter-sectoral Committee on Child Justice
ODA	Official Development Aid
NGO	Non-government Organisation
NICRO	National Institute for Crime Prevention and the Reintegration of Offenders
NYDO	National Youth Development Outreach
ORC	Office on the Rights of the Child
PACC	Programme Advisory Committee on Child Labour
RECLISA	Reducing Exploitive Child Labour in Southern Africa
SACU	Southern African Customs Union
SAPS	South African Police Service
SAYP	Survey of the Activities of Young People
TBP	Time-Bound Programme
TECL	Towards the Elimination of the worst forms of Child Labor
UNICEF	United Nations Children's Fund
USDOL	United States Department of Labor
WFCL	Worst Forms of Child Labour

Executive Summary

Introduction

The TECL programme ('*Towards the Elimination of the Worst Forms of Child Labour'*) was established in April 2004 by ILO-TECL with funding from the US Department of Labor in the five countries of the Southern African Customs Union (SACU; South Africa and the 'BLNS countries' – Botswana, Lesotho, Namibia, and Swaziland). It was launched in response to the need to kick-start implementation of the most urgent action steps in the South African Time-bound (TBP) Programme to combat child labour, the '*Child Labour Programme of Action'* (CLPA), and to help set up such a national TBP in each of the BLNS countries. TECL therefore has three distinct but interlinked components aimed at (i) South Africa; (ii) the BLNS countries; and (iii) the SACU sub-region.

It focuses mainly on the worst forms of child labour, structured in 34 projects linked to three overarching strategies: (i) strengthening the knowledge base and increasing understanding; (ii) building capacity in policy design, implementation and monitoring; and (iii) implementing direct action through pilot projects that can also add to the knowledge base. The programme is managed by a central team based at the ILO Area Office in Pretoria and supported in each country by a Programme Advisory Committee on Child Labour (PACC) that draws together representatives from government, NGO networks, service providers, labour and employer organisations.

This independent end of project evaluation, conducted during June-July 2008, was seen as an opportunity to provide TECL and its various stakeholders, including IPEC HQ and the donor, with reflections on achievements and shortfalls in the programme strategy and approach. It evaluates the strategy and structures put in place to reach TECL's goals, what lessons were learnt from this and how these lessons can be applied in programming future activities (including TECLII).

The Policy Impact Study focussed on assessing TECL's impact at the policy level in mainstreaming child labour into policies and plans at different levels. This was in particular to focus on how the project has worked to bring about the outcomes regarding child labour concerns in national, provincial, and district development plans and policies.

In South Africa the consultants visited representatives of government institutions, social partners and selected Implementing Agencies and Service Providers. The final TECL I meeting with the Implementation Committee was also attended and the consultants had the opportunity to engage with the IC. Due to time constraints only 2 pilot projects were visited, and in only one of these had the opportunity to engage with direct beneficiaries. The evaluator visited Namibia and Lesotho and conducted interviews in person with PACC members and some Service Providers, while telephonic interviews were conducted with PACC members in Swaziland and Botswana.

Programme Design

The Programme Design was well conceptualised, sound, logical and coherent in terms of how the objectives were defined, and in terms of a general approach to the Logframe. In designing the programme, there is clearly a strong motivation for focusing on government and the mainstreaming agenda but it would have added even more value to balance this with the involvement of other social partners, who are crucial in acting as the 'watchdogs' of child labour. This involvement should have been beyond their role as members of the IC, for example, resources and technical assistance could have been provided to worker's organisations to develop a policy on child labour so that it is placed on their agenda,

and mainstreamed into their operations, as attempts to mainstream gender and HIV and AIDS have shown.

TECL must be commended for the manner in which they managed the assumptions identified in the Design phase. Despite the fact that these assumptions were valid and has in some cases led to slow progress in implementation of the CLPA within government, TECL was able to develop strategies to address many of the assumptions that could have easily ground the programme to a halt.

While the issue of attribution might not be seen as important as long as the outcomes are achieved, for a funded programme it becomes important to know this. At times the issue of attribution was difficult to determine because a department might have been involved in a particular process anyway and TECL came in to provide additional support and expertise to the process, and therefore, not be fully responsible for the outcome. On the other hand, it is also clear that without TECL's intervention in some of these processes, the outcomes might not have been achieved at the same pace. Gender mainstreaming cannot be implied, it must be explicitly stated in the Design if proper integration and mainstreaming of gender issues is to take place.

The participation of Implementing Agents in the design of Direct Action programmes is important for buy-in on the one hand, but also for assessing what they are capable of achieving. The design should also look at time frames for implementation as long-term interventions of this nature are more sustainable than short-term ones. Capacity building of the Implementing Agents should remain a key component in the design of Direct Action. .

Relevance of TECL as a response to child labour issues

Through the TECL process issues of child labour were highlighted, debated and became relevant within the context of the country. As a programme TECL remains extremely relevant as a support to countries implementing a child labour programme of action.

The TECL programme responded to the needs of stakeholders; in South Africa, the need was to support and facilitate the implementation of the CLPA. In order to do this it was necessary to create awareness within government and civil society about child labour issues. The focus was on strengthening the enabling environment and in so doing increase the knowledge and capacity of relevant stakeholders and drafting new legislation against the WFCL. To ensure its continued relevance it is important that the capacity of national stakeholders and partners is enhanced so that they are able to implement and enforce legislation so that all the efforts to date are not only paper presentations.

Implementation Effectiveness

TECL was able to achieve an incredible amount of outputs over the duration of the project given that they covered 5 countries with different needs, approaches and peculiarities. Taking the size, scope and small team into account, the project was efficient in addressing child labour in the SACU region. The role that they played was catalysts, facilitators and coordinators across a wide variety of specialised activities and sectors. They also had to understand and work with issues of mainstreaming, capacity building, consensus building, ownership creation and administrative efficiency.

With the project period extended for only six months, an ambitious programme, a very small team, and often being hamstrung by institutional and implementation difficulties that government faces in addressing a whole range of development priorities, the TECL team have managed to achieve almost all of their objectives, and in some areas identified additional issues that required research that was not originally anticipated.

Achievements noted are amongst others: the number of departments that have either updated and amended existing legislation or drafted new legislation that addressed issues of child labour. Mainstreaming child labour in government is a long process but despite this some departments have made incredible strides. In addition BLNS countries have managed to finalise their national action plans and they have existing structures in place (the PACC) to take this process forward. In all the countries, awareness has been created and child labour has been put on the agenda of government, labour, employers and civil society, and institutional linkages have been facilitated. There is a body of knowledge available that didn't exist before TECL. The TECL website provides access to a range of documents making it easily accessible (to those who have access to computers and the internet).

The process of costing which should have been completed has been retarded by the lack of response from government departments. Unless some decisive steps are taken by DOL to ensure that this happens, it is unlikely that all the relevant departments will have done their costing by the end of 2008. This remains a key weakness of the programme, again one that TECL was not in control of despite all efforts and attempts to ensure its finalisation.

Consultants were used extensively in the process. The TECL team could have been expanded with more full-time staff which would have developed a pool of in-house skills and expertise. However, this would not have replaced the use of consultants although it might have reduced the use of consultants in some instances, where a specific knowledge base and expertise was not required.

The stringent administrative and reporting requirements might be necessary for reporting and accountability but was not efficient in terms of the time, effort and energy that went into doing this. The aim should be to create an enabling environment rather than a complex process that is cumbersome for partners to complete. TECL did provide support and capacity building to the Implementing Agents but despite this, most of them struggled to comply with the reporting requirements; even more experienced Service Providers battled through the process. With regard to procurement it appears that there are some improvements which bode well for TECL II.

Enabling environment (Capacity Building)

Role of government: The South African government has taken many progressive steps to deal with issues affecting children. Despite this, other development priorities, lack of capacity and high staff turnover in government, has created challenges for government in implementing and enforcing these policies and legislation. The high staff turn-over complicates implementation leaving little room for consolidation as there is a continuous re-training and re-inventing the wheel as new people are brought into the system. The other issue is the lack of coordination and communication even within one department, where different directorates involved in TECL, don't know what the other is doing.

The location of child labour and whether it belongs with Labour or Social Services remains a point of contention in all the countries. It remains inconclusive as to where child labour is best placed and which Department demonstrates the institutional commitment for dealing with the issue of child labour. The main point is to ensure that the child is dealt with in a holistic manner and for this purpose it requires a

multi-disciplinary approach and an inter-departmental commitment to cooperation and coordination. This must be driven by a strong and decisive leadership that is confident to hold departments accountable for their actions, or lack thereof. Finally, wherever child labour is located it requires a dedicated child labour focal person and not an official that has child labour added to their portfolio.

Implementation Committee: The Implementation Committee does not seem to have a clear understanding of their mandate, nor a decisive leadership that could hold partners accountable. While it is less so in South Africa and more in the BLNS countries, there is no consistency in attendance and often junior officials attend who have no access to reporting structures within their departments. This results in minimal feedback from the Implementation Committee to the departments.

While the necessary energy has been created it has not always been targeted at the right people and at the right level which could have created greater buy-in. Clearly this is not the most conducive arrangement and for the next phase which is to provide more directed support to government in the implementation of the CLPA and NAPS's, the IC and PACC's must be reviewed and restructured if necessary, so that they become what they ought to be: a structure that provides the leadership and has the mandate to ensure accountability from its partners.

TECL Implementation Team: The TECL team are committed, passionate and have displayed an enormous amount of drive and energy in leading the project or the past 4 years. They have operated with a limited number of people taking responsibility for content, financial, and administrative issues as well as managing a whole range of service providers. They are respected and supported by all those they work with even when differences have emerged. Many doubt that the CLPA process would go much further without the involvement of TECL.

Their hands-on approach and persistence has sometimes been seen as over-stepping boundaries and blurring of roles. Especially in government at times it appeared that government had to report to TECL. The other side of the coin was that many did not distinguish between TECL and the CLPA. On the one hand, the perception of TECL as an extended arm of the SA government to implement assigned action steps in close collaboration with the lead departments worked very well. This facilitated many processes and without taking this approach, TECL would not have had the many successes it had, since South African stakeholders are otherwise very wary as to any input coming from an international organisation, believing in home-grown solutions. At the same time, TECL was very cautious not to act on behalf of but in support of lead departments, although this was not always seen to be the case. The strategic issue to clarify is whether TECL is to provide technical assistance or to implement, or both; this is crucial to determine for TECL II.

The lack of an in-country person to be more accessible to the PACC's in each country was a limitation, as was the little time spent in each country. A lot of handholding was done in South Africa with much less in the BLNS countries. It is therefore an achievement that the NAPs were delivered at the end of the project.

Service providers experienced a lot of micro-managing and directing, which on one hand, was interpreted as lack of confidence in their ability to deliver; on the other hand it could reflect a particular management style and approach.

Management relationships: There are concerning management issues that need to be addressed between the TECL team and the Area Office. It appears that some systems and procedures need to be put in place to ensure effective communication. In addition, roles and responsibilities do not seem clear and well as mechanisms that allow contentious issues to be raised. For example, concerns around the appointment of

consultants were not raised in a collegial way during the past 3 years leaving it unresolved, and emerging as an issue during the evaluation. If TECL is a project of the ILO Area Office then it stands to reason that it has to be managed as such without obviously hindering the progress of the project. There wasn't adequate scope in this evaluation to examine the situation more extensively but that should be done.

TECL and other Child Labour initiatives: TECL and RECLISA did not work together as well as they should have although they launched some joint initiatives which were more cost-saving than because of programmatic imperatives. Underlying this seems to be some territoriality and not really affirming what the other is doing. There is a need for TECL to work more closely with and collaborate more with other agencies working on issues of child labour.

Child labour monitoring systems: Apart from the work that was being done by a Service Provider (the report was not yet submitted at the time of conducting the evaluation), there was little evidence that much has been done with regard to child monitoring systems. Some departments such as Social Development have a child protection register and DOL has some enforcement system that could incorporate child labour as an aspect to be added. Other departments similarly have their own monitoring systems so the challenge is to see how child labour can be incorporated into their existing systems rather than creating a separate one. The other aspect is to ensure that there is a centralised child labour monitoring system in place that has some synergy with existing departmental monitoring systems. It is difficult to comment on this though because it is not yet practically in place. The critical importance though of such a system cannot be over-emphasised.

Sub-regional activity: The objective for sub-regional work is that there would be more effective policies and programmes for tackling sub-regional child labour issues, especially in its worst forms, in the SACU region. Comments reflected a need for more sharing of information at a sub-regional level noting that the value of these exchanges cannot be over-emphasised as a way of learning and reflection. Reports indicated a number of sub-regional activities that respondents' were not aware of, probably because the respondents were not the same people involved in these activities.

Direct Action

To strengthen the enabling environment, TECL assisted with the implementation of four pilot projects to explore ways to target the rollout of government programmes and policies on poverty, employment, labour and social matters more effectively in areas where the work that children do has serious negative effects on them. The four projects were around: (i) the commercial sexual exploitation of children (CSEC) and child trafficking (CT) including a focus on prevention and educational rehabilitation, (ii) children used by adults to commit crime (CUBAC), (iii) prioritisation of water service delivery to households far from sources of safe water and (iv.) educational projects on rehabilitating withdrawn child labourers (out-of-school children and youth), including integration of children of school-going age into schooling / appropriate educational intervention for out-of-school children.

The advantages of Direct Action relate to the direct support provided to children withdrawn from labour or prevented from going into labour. In addition, Direct Action was used to pilot, test and learn lessons from the Action programmes to address policy and programme gaps. The disadvantages relate to the sustainability of such actions when the support is withdrawn. As it stands the better resourced NGOs (especially with CUBAC) are the ones that have a better chance of mainstreaming child labour into their programmes and continuing with these activities. Those that are less resourced (especially with CSEC) might continue as a service (many run on a voluntary or part-voluntary basis anyway) but not able to continue with the activities that they were supported with through TECL.

Notwithstanding, there were a number of achievements in these Direct Action Programmes (with targets exceeded) and clearly children benefitted through these programmes, whether through educational or non-educational opportunities that were provided.

The positive spin-off from Direct Action is that these are documented and hopefully replicated. With Action Programmes in South Africa, the role of government in supporting those organisations that actually do the work that government is unable to do in terms of direct service delivery comes into question. Many of these organisations are either not funded, and some only partially subsidised leaving them battling to survive. Although calls have been made for TECL to play an advocacy role, this might not be easy to achieve nor within the mandate of TECL.

Sustainability

The outcomes and benefits of TECL I has been noted throughout this report. There have been key achievements that might not have been possible without TECL's intervention. A number of interventions lend to sustainability, most notably, many areas of government policy and programmes now include aspects of child labour that will help with sustainability in the medium term. In BLNS the NAPs are in place and will provide the framework for action.

The knowledge, skills and understanding of government, service providers and Implementing Agents has been developed and in some cases enhanced so that they are able to become ambassadors of child labour in the country. There has also been a change in attitude and mind shift especially with those that have been closely involved in the process. The challenge is how to convince a critical mass.

A body of knowledge exits that was not there before: research studies, training materials, position papers and other resource materials. These provide a resource that did not exist before and that has been developed through TECL I. They are a sustainable source of knowledge and information in the sense that these documents exist and are available for people to use. Service providers have developed materials that are being mainstreamed into the work of some departments. The challenge is to determine how these are used and by whom, which was not reviewed as part of this brief.

The exclusion of Lesotho and Swaziland from the next phase is a risk factor for sustainability as one is not sure whether they will continue in their efforts to address issues of child labour. There are a number of factors that support this risk, namely that of the government's lack of capacity to implement policies and legislation and competing development priorities.

TECL has embarked on an exit strategy which is meant to ensure the effective handover of responsibilities to key government departments and to ensure long-term sustainability. The main challenges will be in finding mechanisms to keep the momentum in the absence of the pressure exerted by TECL and ensuring the effective transfer of the TECL experiences, information and knowledge.

Doubts have been raised as to whether government would be able to implement the CLPA and NAP's without TECL support. There is not much confidence demonstrated from within government circles and externally that this will happen. It is a crucial phase for both South Africa and BLNS, and it is at this stage that sustainability could be risked. It is clear that the objective of sustainability will only be successfully achieved if the work done in TECL I is consolidated through a second phase. TECL has focussed concertedly on mainstreaming child labour issues, and mainstreaming is an involved process requiring longer term engagement and follow-through. It has also taken the current team a long time to

establish relationships especially in government, to gain their trust and confidence so it seems short-sighted to not use the same team (but expanded) to take forward TECL II.

To build on the enormous gains made in TECL I, and further enhance and support TECL II, it is recommended that:

1. A future design programme must include:
    i. Be more realistic and focused – distinction between 'must-have' and 'nice-to-have'
    ii. Apart from working with government, support should be provided to Workers and Employers Organisations. The possibility of working with a trade union federation and providing resources and technical assistance to them to develop a policy on child labour so that it is placed on their agenda, and mainstreamed into their operations, would be quite an achievement
    iii. Attribution must be clearly defined, what is TECL responsible for and that is within their control
    iv. The design of Action programmes must ensure the active participation of the Implementing Agents, so that there is buy-in and ownership.
    v. TECL must incorporate a gender analysis in the design phase and plan for gender mainstreaming
    vi. The next 5years is crucial especially in South Africa as it enters the second 5year phase of implementation, hence sustainability must be built into the design phase so it remains a conscious focus for the next period. If there was a TECL III South Africa should be in a position to assist other countries in consolidating the implementation of their country programmes and not be a recipient of direct TECL support. That would be proof of real progress and sustainable action.
    vii. If the budget allows some sub-regional activities in terms of sharing and learning should be built into the design. This is the face-to-face forums where key stakeholders from each country can participate in an annual or bi-annual (2year) event that brings them together at a sub-regional level to share learnings.

2. TECL must:
    i. Increase their staff compliment including employing a coordinator in Botswana and Namibia. Measures must be taken to find the right person for the job because this is a critical challenge but it must be a permanent employee and not a consultant. If the correct skills base is developed, this person could potentially become the focal person appointed by the Ministry.
    ii. In appointment of staff and consultants TECL must carefully consider transformation, representivity and diversity, and there is no contradiction in this and the point above.
    iii. Continue to explore with ILO-IPEC possibilities for a more efficient and simplified reporting and procurement process. The CTA would usually be a very senior person (and should be) and able to sign off on more than is currently possible. ILO-IPEC should put mechanisms for accountability in place and ensure that appropriate systems are upheld.

3. TECL must continue to support the implementation of TECL II in the identified countries and:
    i. Ensure that its role is spelt out clearly (whether it is facilitator, implementer or both)
    ii. In South Africa, costing of the CLPA must be completed with Cabinet giving a clear time frame for this to be concluded
    iii. TECL should continue to support interventions with targeted departments

iv. In BLNS countries, the lessons learnt from South Africa should be used when supporting implementation of the NAPs
v. A country coordinator must be appointed in Botswana and Namibia accountable to TECL and have a reporting function to the PACC

4. The DOL must have a dedicated focal person for child labour to lead the next phase of implementation of the CLPA. The role of this person should be amongst others to:
    i. Drive the implementation of the CLPA in government
    ii. Chair the IC
    iii. Coordinate and facilitate processes in departments
    iv. Work closely with TECL who should provide the technical assistance

5. The IC and PACC's must be reviewed, and restructured if necessary and include:
    i. A dedicated and mandated representative that must have this included in their KPA's, thereby ensuring accountability. A second person must be identified in case the first mandated representative is not available but this has to be at the same level.
    ii. The role of the IC in terms of ensuring compliance to actions in the CLPA must be clarified as well as whether they are only a coordinating structure or whether they have the mandate to ensure compliance. If not, there should be clarity on where this authority is vested and how does one ensure action from a higher structure (DDG forum).

6. Some mediation must take place between the Area Office in Pretoria and TECL where:
    i. Roles, parameters and expectations are clarified
    ii. Where existing tensions are addressed and resolved

7. Child labour monitoring systems must be put in place, synergised with existing departmental systems but able to act as a stand-alone system for providing the necessary information required for monitoring child labour.

8. With Direct Action:
    i. Organisations must be identified early in the process so that impact and sustainability are more discernable.
    ii. A model of using bigger organisations to work with smaller organisations doing similar work and in a partnership model (see CINDI example in Kwazulu Natal) is a useful one to explore. This will improve the chances of building more sustainable organisations and interventions over a period of 3-4 years. The criteria for such a partnership is vital so that smaller organisations are not disrespected or 'colonised' in the process

9. For impact and sustainability it would make sense to use the same team of TECL I (although expanded). A new team would spend at least half of the time establishing relationships, getting to know government systems, becoming acquainted with departmental policies, and so forth and much time will be lost in the process. It is important to immediately build on the gains made in TECL I and address the outstanding work that must be done. This is the priority for TECL II.

Section 1: Introducing the evaluation

1.1 Introduction

This report is the result of an independent final evaluation of the ILO-IPEC support to the time-bound programme for the elimination of worst forms of child labour (CL) in South Africa and laying the basis for concerted action in Botswana, Lesotho, Namibia and Swaziland. For ease of reference this programme[2] is called TECL.

The evaluation was carried out during June 2008 and included visits in South Africa and to Lesotho and Namibia and telephonic interviews with PACC members in Swaziland and Botswana. This report summarises the main findings, conclusions and recommendations and incorporates elements of the five national assessments.

1.2 Purpose and scope of the evaluation

The overall purpose of the evaluation is to provide TECL and its various stakeholders, including IPEC HQ and the donor, with reflections on achievements and shortfalls in the programme strategy and approach. It evaluates the strategy and structures put in place to reach TECL's goals, what lessons were learnt from this and how these lessons can be applied in programming future activities (including in TECLII).

In addition, the evaluation will serve as an important information base for key stakeholders and decision makers regarding any policy decisions for future activities in the country. Given that the design process for a phase II of the TECL project is currently underway, the evaluation will also serve as background to the design of a new phase of TECL.

The Policy Impact Study focussed on assessing TECL's impact at the policy level in mainstreaming CL into policies and plans at different levels. This was in particular to focus on how the project has worked to bring about the outcomes regarding CL concerns in national, provincial, and district development plans and policies. The assessment focused on identifying how such policies and plans have incorporated CL issues and was working on child labour related aspects; and how this can be attributed to ILO/IPEC programme and ILO efforts.

The evaluation focused on the TECL programme in South Africa and the BLNS countries, and more specifically on:

i. The achievements of the key aspects of the programme such as strategy, implementation, and achievement of objectives
ii. The programme as a whole, including issues of initial project design, implementation, lessons learnt, and replicability
iii. It will also evaluate the effectiveness, relevance, and elements of impact and sustainability of the programme activities carried out (including Action Programmes / pilot projects)

[2] In ILO terminology, TECL would constitute a 'project' The term 'programme' is used here to distinguish TECL as a whole from the large number of 'projects' that it included. For simplicity and clarity in this report, TECL is referred to as a 'programme' consisting of many 'projects'. 'Pilot projects' are what are known in IPEC as 'Action Programmes.' In TECL 'pilot projects' included several elements, one of them being Action Programmes but others being research and mainstreaming, etc. Action Programmes are therefore part of Pilot Projects but it is not one and the same thing.

iv. Additional aspects to be considered were the use of consultants / service providers in the implementation of TECL I
v. It will provide recommendations for future programmes and any specific recommendations for use in TECLII.

1.3 Evaluation methodology

The evaluation tool was designed by the consultants and shared with IPEC-DED in Geneva for their input and comments. The evaluation tool (See Appendix II) consisted of a set of questions based on the Terms of Reference (See Appendix I) and adjusted according to the specific respondents being interviewed. The desk-top review included an analysis of IPEC and TECL documentation: Project document, mid-term evaluation report, lessons learnt, good practices and other relevant documentation (see Appendix IV). A combination of semi-structured interviews and group discussions were used to gather the data.

In South Africa the consultants visited representatives of government institutions, social partners and selected implementing agencies and service providers. The final TECL I meeting with the IC was also attended and the consultants had the opportunity to engage with the IC. Due to time constraints only 2 pilot projects were visited, and in only one of these had the opportunity to engage with direct beneficiaries. The evaluator visited Namibia and Lesotho and conducted interviews in person with PACC members and some service providers, while telephonic interviews were conducted with PACC members in Swaziland and Botswana.

Given the tight time frames, and that the design of TECL II was underway during the evaluation, a telephonic discussion was held midway with the design team to provide some preliminary findings that could be noted while designing TECL II.

The national consultant appointed for South Africa accompanied the team leader during all of the interviews; he focussed on the policy impact while the team leader focused on programmatic aspects, and also took responsibility for the overall coordination and consistency of the evaluation. The findings of the Policy study were incorporated into this report.

1.4 Limitations to the evaluation

i. Conducting an evaluation of this scope within such a short time frame was not conducive to effective engagement. In South Africa, interviews were planned often at one-hour intervals and ran back to back, leaving little time for too much depth and exploration. At times the evaluators had to assess what were the key focus questions to explore rather than do the entire questionnaire.

ii. The TECL team sent out emails to key stakeholders setting out times for interviews but were unable to assist in confirming the interviews where respondents did not respond to the emails. This lead to a number of administrative constraints because the evaluators had to phone the stakeholders numerous times before an interview was arranged. In this process some key stakeholders such as SAPS and Department of Justice did not provide the space for an interview and after repeated attempts the evaluators had to proceed without them. In Education the person involved in the TECL process did not honour an appointment which meant that her input was missing while another official who agreed to be interviewed was not that familiar with the TECL process.

iii. It was also during a later discussion with the TECL team that the evaluators realised that the SPs that were selected by the TECL team were a very small number of the total number of SPs. But it was too late to conduct more interviews.

iv. Visits to IAs carrying out Direct Action programmes was also limited, firstly because a number of them were not on the original list and by the time their contact details were provided, it was not possible to fit in additional visits, especially after Namibia was added to the countries to be visited.

v. The field visits were only undertaken in two countries due to budget and time restrictions, hence limiting the engagement with the other two countries and relying on telephonic interviews with them.

vi. The chairperson of the Swaziland PACC was not happy to be interviewed telephonically; resulting in a lack of input from him in the evaluation report.

vii. A considerable amount of information was provided to the evaluator only after the data collection phase had been concluded, in response to the draft report. The evaluator was not able to independently verify this information, as noted throughout the report.

Section 2: Context and background to TECL

2.1 Introduction and background

Child labour is prevalent throughout southern Africa. The problem however varies in size and nature among the different countries of the Southern African Customs Union (SACU) that are covered under this Support Project. The SACU countries are South Africa and the neighbouring countries of Botswana, Lesotho, Namibia and Swaziland, commonly referred to as the BLNS countries after their initials. Sectors where children perform CL include subsistence and commercial agriculture, transport, domestic services and the urban informal sector.

In addition, the exploitation of children in commercial sex, in criminal activities and in other WFCL is a dimension of the problem that is particularly unacceptable. There is therefore an urgent need to address the most intolerable forms of CL as is spelled out in ILO Convention No. 182 (C182) on the elimination of the Worst Forms of Child Labour through:

- Immediate time-bound measures to achieve such elimination, where sufficient information is available to address this and where the policy context has developed sufficiently to do so; and
- Laying the foundations for eliminating the WFCL by gathering basic information on how widespread the worst forms are and possible ways of eliminating them[3].

[3] Final Southern Africa SACU Prodoc, September 2003

In South Africa children were an early focus after the first democratic government came to power in 1994. Children's rights were enshrined in the new Constitution and reflected in a number of policy frameworks. The government ratified relevant international conventions and in 1996 established a partnership with ILO-IPEC to address CL at a national level. This partnership helped to stimulate a series of actions. In 1999 a National Programme of Action (NPA) was launched to coordinate government action on children and a Survey of the Activities of Young People (SAYP) conducted; the first national household survey on issues relevant to CL in South Africa.

The Department Labour (DOL) established the Child Labour Inter-sectoral group (CLIG) to coordinate its work on child labour. In the meantime, through an injection of donor funding the ILO-IPEC was able to construct the concept of "Time-bound Programmes" to combat CL more effectively across the world. This enabled the organisation to provide more extensive support to more countries – including those in SACU – to meet their international obligations.

The original Child Labour Programme of Action (CLPA; earlier called the Child Labour Action Programme - CLAP) was developed as a national framework, initiated and driven by South African stakeholders with ILO/IPEC support. It was informed by a discussion document based on as much evidence as was available at the time - the SAYP, rapid assessments of programmes of Official Development Aid (ODA) agencies and what was regarded as a comprehensive study of existing local data and information. An extensive country-wide consultative process preceded the CLPA design: more than 300 organisations participated; to include children's voices 2 500 children in 75 schools participated in schools-based exercises, while focus groups with affected children were held at various stages; an expert team engaging with key stakeholders on action steps needing urgent action and donor support; a national steering committee with wide and senior representation oversaw the final design. Several drafts were publicly released for comment before submission of the final version to the Department of Labour for final consultation, costing and decision making within government. The original CLPA was adopted by a wide range of stakeholders at a meeting in September 2003.

The CLPA notes 131 action steps for execution by 29 different institutions or categories of institutions listed by policy area, type of work and form of child labour. It proposes mechanisms to strengthen the implementation of interventions to eliminate CL in South Africa, suggests improvements to existing programmes and policies and recommends a limited number of new actions. The CLPA was noted to the Cabinet and approved by the key clusters of Directors-General involving all the key departments. It still has to be formally adopted by the South African Cabinet subject to an ongoing costing exercise, but has already started to guide government departments in policy and action.

TECL was in an advantageous position in South Africa when compared to the BLNS countries as a lot of groundwork had already been done in terms of research, broad policy development, and some awareness-raising. Moreover, there was a specific request for support from the South African government and other stakeholders, because it was needed to kick-start the implementation of the CLPA. In contrast, the request for ILO support from the BLNS countries was received subsequently, and linked to the fact that a project was being designed for South Africa. This advantage, as well as the greater resources allocated to South Africa, meant that in South Africa TECL included a range of elements that were not present in the BLNS strategies, such as the pilot projects, detailed policy development (including legal drafting), awareness-raising (or communication) and capacity building[4]. These were all outlined in the various country documents which were approved by the relevant PACCs, and thus known to all.

[4] TECL lessons learnt

The four BLNS countries had also ratified several international and African conventions related to the rights of children, with several laws in place with some relevance to child labour. Data and information on CL in the SACU region were scarce. Lesotho, Botswana and Swaziland had participated in the MICS 2 survey where an indicator on CL and other relevant information on education and health were included. At the time Namibia was the only country other than South Africa (and Lesotho in 2004/2005) that had conducted a dedicated survey on CL (the Namibia Child Activities Survey, 1999). Lesotho already had a National Programme of Action focusing on the CRC and the implementation of new legislation on children, but nothing like the TBP concept or the CLPA existed elsewhere in SACU.

The respective governments therefore requested ILO's assistance to develop concerted action against CL in each of the countries. This provided an obvious opportunity to use the South African experience to inform the BLNS processes. Scoping studies on CL helped to contextualise CL in each of the four countries. The TECL programme**,** funded by the US Department of Labour through ILO/IPEC, was adopted as a funding component at the launch of the CLPA in October 2003.

In October 2003 the TECL design was approved for support, subject to revision and finalisation of some key elements shortly thereafter. In June 2004 the newly appointed TECL management team (the 'TECL team' in this document) launched a lengthy consultation, revision and approval process to create local stakeholder ownership and develop detailed action plans. Final approval was granted in May 2005 by USDOL after endorsement by the various PACCs.

2.2 Programme approach and strategy[5]

TECL consists of 34 projects concentrated in three interconnected programme strategies:

1. *Strengthening the knowledge base and cultivating understanding of child labour*, specifically the worst forms of child labour (through quantitative and qualitative research on selected areas of child labour; and analysis of good practices) among others for policy and programme planning, including at national level;
2. *Building capacity in policy and programme design, implementation and monitoring* (through the development of national plans, policy frameworks and draft regulations in selected areas, training of implementers, monitoring systems and awareness campaigns); and
3. In South Africa, *implementing direct action through pilot projects* in selected areas, in this case primarily to add to the knowledge base on intervention models.

An extract from the Terms of Reference provides an overview of its objectives below[6]:

Component	**Immediate Objectives**
A. South Africa	I/O 1: By the end of the project, there will be more effective policies and programmes for tackling child labour, especially in its worst forms in South Africa I/O 2: By the end of the project, models of intervention for dealing with selected WFCL in South Africa will have been developed to inform policy
B. BLNS Countries	I/0 3: By the end of the project, there will be an enabling

[5] Terms of reference for Independent Final Evaluation of TECL I
[6] Ibid

	environment for the elimination of WFCL in the BLNS countries, leading to effective national interventions against this problem.
C. Sub-regional	I/O 4: By the end of the project, there will be more effective policies and programmes for tackling sub-regional child labour issues, especially in its worst forms, in the SACU region.

2.2.1 South Africa

In South Africa[7], the approach of the programme Towards the Elimination of worst forms of Child Labour (TECL) was shaped by the prior existence of a well-developed national programme to tackle child labour. TECL sought to strengthen and complement the South African Child Labour Programme of Action (CLPA), not replace it.

The CLPA was initially adopted by key stakeholders in 2003. Embarking on its work in 2004, TECL's role became that of facilitator and catalyst rather than implementer, acknowledging that implementation should primarily be undertaken by relevant government departments.

In addition, since the CLPA was not confined to worst forms of child labour, TECL's scope of activity included CL in general as well as "priority forms of child work" which were identified by South African stakeholders.

The TECL programme was planned around the following major areas of activity:

- Pilot projects which would not only provide vital information on forms of CL but would also provide an opportunity for developing effective interventions. The pilot projects focused on:
    - Child trafficking and the commercial sexual exploitation of children.
    - Children used by adults to commit crime.
    - Children engaged for exceptionally long periods in fetching water.
    - Educational programmes appropriate to addressing children vulnerable to child labour.
- Policy development in a range of areas, including the regulation of hazardous work, educational interventions for out-of-school children, children working in the liquor industry and child refugees.
- Research projects ranging from the inclusion of a CL module in the national Labour Force Survey, to children working in commercial and subsistence agriculture and children undertaking scavenging and waste recycling.
- An awareness-raising campaign aimed at the general public, as well as policy makers and implementers, to highlight the overall problem as well as specific types of child labour, to build understanding of the damaging impact of child labour, to help government implementers understand their role and to assist members of the public to obtain help for affected children.
- Capacity-building activities that were aimed at specific groups of government officials who are critical to the implementation of the CLPA – for example police officers, immigration officials,

[7] Obtained from website www.child-labour.org.za

magistrates, teachers and labour inspectors. The activities were to include the running of workshops and the development of manuals and other tools to assist them in combating child labour.

2.2.2 BLNS countries

Once the project was approved, the TECL team conducted an in-depth consultation process in each country over several months. The first step in the process involved the setting up of the country secretariat, the establishment of the Programme Advisory Committee on Child Labour (PACC) and the convening of a strategic planning workshop. By the end of this process it was agreed that TECL's aim would be to have a NAP on the elimination of CL in place in each of the four countries, by the end of the TECL programme period. The BLNS NAPs were called Action Programmes on the Elimination of Child Labour (APEC).

Although there were different nuances in the different countries, the TECL strategy in the BLNS countries which culminated in the national programme of action on CL largely was organised in terms of the following four "streams[8]":

- Stream 1 focused on building knowledge of CL and especially the worst forms through rapid assessment studies on prioritised WFCL identified by stakeholders and through national surveys on child labour. This stream was much smaller in Lesotho than in the other three countries as rapid assessment studies were already underway and a national survey had already been conducted. TECL however, still rendered technical assistance through commenting on the reports, drafting of a literature survey and executive summary of the joint publication;
- Stream 2 involved drafting of a discussion document which assessed previous studies, key policies and legislation relating to children's issues and identified gaps to be addressed in addressing CL and the WFCL;
- Stream 3 involved the formulation of a national APEC and the consultation processes involved in getting it accepted. This consultation process also included processes with children involved in CL as well, to get their input on how they are affected, and their proposals for solutions to the problems, which were taken into account in the APECs; and
- Stream 4 involved sharing of experiences and good practices amongst the various countries

2.2.3 Sub-regional component

The objective for sub-regional work is that there would be more effective policies and programmes for tackling sub-regional CL issues, especially in its worst forms, in the SACU region. The evaluator did not get a clear indication of the sub-regional work through the interviews with stakeholders and relied more on reports to obtain an understanding of the extent of the sub-regional activities.

[8] Obtained from website www.child-labour.org.za

Section 3: Findings of the Evaluation

This section addresses some of the key findings of the evaluation – arising from a combination of methodologies such as face-to-face interviews, telephonic interviews, site visits, focus group discussions, in South Africa, Lesotho and Namibia and telephonic interviews with PACC members in Swaziland and Botswana.

3.1 Programme Design

In South Africa, the CLPA was developed as a national framework, initiated and driven by national stakeholders prior to TECL I. The process leading up to the design of the CLPA was broadly consultative with the majority of government officials, and other social partners (FEDUSA, Business Unity South Africa) indicating that they were involved from the inception although they might not have remembered the details around the design. It was interesting to note that COSATU as the major trade union federation in South Africa, with the largest membership registered of 1, 8 million has not had much engagement with TECL, although some smaller unions in the country SADTU – an affiliate of COSATU and FEDUSA have been part of various processes.

Concerning the involvement of COSATU one stakeholder noted that: *"...COSATU was invited as a member of the various reference groups, but their attendance was not frequent regardless of all the effort taken by TECL..."In addition, it was noted that COSATU was an active member of the team that drafted the regulations on hazardous work, that they participated at a senior level, in awareness-raising events on child labour, such as WDACL, and despite COSATU's general support for the CLPA and TECL, the movement clearly does not see child labour as an issue of great importance in its work, because "...child labour is not found to a significant degree in any of the organized sectors of the economy..."* The evaluator was not able to confirm these statements based on the collected information.

The terms of Reference states the following "*...the ILO provides technical assistance to its three constituents; government, workers and employers. This tripartite structure is the key characteristic of ILO cooperation and it is within this framework that the activities developed by the TBP should be analysed..."* The evaluator found that this was a weakness in the design process for South Africa. Based on experience from other countries where similar ILO programmes are being run, workers and employers are key stakeholders and also in some cases would actively participate in Action Programmes, for example, they are provided with some resources (as an Implementing Agent or Service Provider would be) to implement programmes in their organisations. An awareness campaign conducted by COSATU for its rank and file membership would be far-reaching in terms of raising awareness of CL in all its forms.

It was noted by one stakeholder that given the nature of the Action Programmes, "*...the only sector where more cooperation could possibly have been expected with trade unions was the education pilots. Discussions were held with educational unions in this regard, but they were not ready at the time to take responsibility for these pilots – while some (especially FEDUSA) were very active and constructive in the education reference group..."*

The representative from the Employers was also representing Agri SA which is the Agricultural Union of South Africa, a union representing large and small-scale commercial farmers in South Africa. This is important to the extent that informants, both in South Africa and in the BLNS countries commented that the Agricultural sector remains a high-risk area for child labour. This is also supported by the Labour

Force Survey (2006)[9] that notes that about 63% of employed children work in agriculture, of which 61% are exposed to hazardous working conditions. It is also the one area where CL is easily hidden because farms are considered to be private property and therefore access to farms is not easy. Anecdotal evidence indicates that appointments have to be made with the farmer before he/she allows you on his farm which means that children can be removed from the situation by the time the labour inspectors arrive, and farm workers are such a vulnerable group that they would not easily expose this to the authorities.

After the CLPA was adopted by a wide range of stakeholders in September 2003, it was submitted to Cabinet and provisionally approved with formal adoption by Cabinet awaiting a costing exercise. For many departments this was the main reason why CL issues were still seen as an 'add on" and therefore not taken seriously. From the side of government the DOL has been struggling for the past few years to cost the CLPA. The DOL developed a costing tool to help government departments cost their CLPA and offered assistance to these departments but only one department has asked for assistance.

Almost without fail, government respondents in South Africa indicated that the design of the CLPA was overly ambitious and did not take into account government realities. Responses typically were "*...The CLPA is nice to have, a wish list of what the country wanted to do. There was no process in the design of what was feasible, the scope of government departments to institutionalise the programme, no assessment of whether a nice-to-have would fit snugly into work plans of different government departments...*"

This statement negates the fact that the CLPA had gone through a thorough consultation process within government and other stakeholders, before its endorsement. As any government policy framework each stakeholder that had agreed to the policy was to align activities with national priorities and budgets on an annual basis and convert that to departmental work plans. The fact that a key stakeholder holds this view, and one that was often repeated by others during the evaluation, points to a lack of clarity about this matter and the view expressed that CL is an 'add-on' to the work of most departments.

Respondents didn't think that the capacity of government to deliver was seriously considered in the design of the programme and if this was done maybe a different set of activities would have emerged. Interestingly, when saying this many respondents could not make a clear distinction between TECL and CLPA. This is largely because TECL was the driver behind the implementation of a number of CLPA action steps and also provided the funding for this. The mid-term evaluation[10] found that "...the 34 projects and related work in TECL are now contributing directly or indirectly to more than 80 of the CLPA action steps..."

At their own admission the TECL team did not engage in a participatory planning process with the IA's or maybe not all the IA's. Another informant indicated that "*...these organisations only saw what was expected of them when they had to sign the contract and even though they were not sure what to do they are struggling for funds so they signed the contract not because they agreed but because they needed the funds...*"

The person at TECL responsible for working with the IAs indicated the dilemma in the choice of organisations. Instead of going for an open tender process where organisations had to apply, which would have left smaller organisations at a disadvantage, TECL chose organisations identified through a research

[9] Labour Force Survey 2006

[10] Mid-term evaluation, June 2006

study undertaken by CASE[11], and approached these organisations to apply. Once invited to apply there was nonetheless a process that the organisations had to go through before they were approved.

On the one hand this provided organisations with less resources and capacity with the necessary funding to implement an Action Programme. One of the SPs[12] indicated that they spent a lot of time trying to help organisations understand what they had to do. A lot of training, support work and mentoring was done by the SPs in building their capacity, which all have recognised as a good practice. While this is both a relevant and appropriate response to support them; SPs indicated that these were not sustainable because once the funding ended many of the organisations would not be able to continue with the activities funded. It was not TECL's role to secure long-term funding for the IA's but through the capacity building activities, attention was paid to fund-raising strategies, organisational management and related issues with the intention that these would assist the IA's in their fund-raising initiatives.

TECL, in its document on lessons learnt indicate that these organisations would continue after the process but most informants, including the lessons learnt document by a SP[13] who interviewed IAs agree that this is not the case. This is off course not TECL's fault but rather that not enough is done by government to support NGOs' that implement many of the programmes that they (government) are not able to do. While it is true that some IAs might not continue to the same level and degree of activities that was possible in implementing the Action Programmes, they are however, still running activities with vulnerable children and in this way addressing issues of prevention as in some cases withdrawal as well.

In the BLNS countries the design process was not as extensive although it involved the main government departments and social partners. All but one of the social partners agreed that the capacity and commitment of stakeholders was not taken into account in the design of TECL I. One stakeholder concurred that the design process in the BLNS countries might have been ambitious and stretched the capacity of partners. However, *"...the involvement of all stakeholders in the design of TECL 1 was both thorough and time-consuming for stakeholders but without such a process the quality and implementability of a national plan would have been suspect..."*

3.1.1 Assumptions in the Design process

Certain assumptions were made in the design phase, which particularly proved true in the case of South Africa. Achieving the objectives of TECL was dependent on a number of factors. In South Africa it was dependent on "...the successful and timely implementation of components of the CLPA directly linked to, but not forming part of, this project..."

An important assumption that was mentioned in the narrative of the Project Document but not put into the Logframe matrix, and therefore, easily overlooked in reporting was the"... ongoing political will and ability to prioritise the elimination of WFCL..." This was a key issue considered in all strategies devised by TECL all along; however, TECL agrees that this was and will remain a substantial risk to the process.

An example to illustrate the point is Output 1.7 which states "an effective and coherent system of coordination to monitor the removal of children from CL made operational (CLM or "follow the child" system)". Unlike other action steps where TECL could play a key role and drive a research process with

[11] Community Agency for Social Enquiry (CASE) 2006: Commercial and sexual exploitation of children and child trafficking: A South African situation analysis. Department of Labour, Pretoria

[12] In most projects IPEC would contract the NGO, Employers, workers or government directly. In TECL the implementing agents were all NGO's appointed to do the work

[13] Lessons learnt Carol Bower

the assistance of consultants, but with limited input from a department; this output required direct government intervention. The result is that at the time of this evaluation, this system had not yet been developed, and if it was, none of the government respondents knew about it.

Although there is clear evidence from correspondence and minutes, available on the website, which makes reference to the CLMS, the fact that most government respondents did not know about it, reflects a lack of communication within the key departments interviewed.

The initial Project Document did not include a few key factors (although these were mentioned in the Country Annexure of August 2005) such as:

i. The exchange rate would not fluctuate
ii. The human resource capacity would be sufficient to meet all the objectives
iii. As facilitator TECL would not be in a position to implement or make crucial decisions that only government could do

Many of the assumptions that were made held true. While the CLPA is recognised as the leading policy document by government, all government respondents with the exception of the DSD still see it as an add-on to their existing workload. Government might have incorporated CL issues into their work but have not assigned priority to the issue nor have they allocated resources for the operation of different activities. The DSD is the only department that has not only created a post to address CL matters, but have increased the child support grant that has a direct link to addressing child labour, and included CL and WFCL in the Children's Act. But many departments see this as a DSD issue and agree that this is where CL belongs, rather than in their respective departments. Even the Department of Education respondents indicated that CL is not an 'education' issue but a 'social development' issue. This does not mean that some government departments have not incorporated CL into their work such as including CUBAC into the Child Justice Bill; and a prioritization tool for water delivery impacting directly on child labour. Respondents believe that the costing exercise will help to see more integration of CL rather than seeing it as an add-on. It is for this reason that the achievements of TECL have been phenomenal given the constraints inherent in the process.

Child labour has received some prominence and visibility which is an indication that there is more awareness of CL than before TECL. Indeed, there is more awareness in government, labour, employers and civil society about child labour. However this has not noticeably contributed to the national mobilisation around the issue. A case in point is the rather low-key events around June 12th as the World Day against Child Labour (WDACL). An important point is that CL as a separate issue might not have received much prominence, but the issue of vulnerable children (of which child labour is one aspect) has received more prominence in a number of key departments such as Social Development, Justice, and Education. The point is simply that much more awareness of CL issues is necessary in South Africa.

Similarly, in the BLNS countries, the assumptions did hold true: while awareness around CL issues did take place, this has not translated into "*...sufficient capacity to contribute to the national mobilization around the issue and neither has it resulted in different governmental and non governmental agencies and groups involved in CL issues assigning priority to CL issues and allocating sufficient resources for the operation of the different activities..*".

Despite the fact that these assumptions were valid and has in some cases led to slow progress in implementation of the CLPA within government, TECL was able to develop strategies to address many of the assumptions that could have easily ground the programme to a halt. These include:

- Ensuring that significant government role players are involved all along the way thereby ensuring their commitment;
- Ongoing liaison and meetings with the South African Department of Labour
- Initiating a process of obtaining letters of commitments from key government departments and other stakeholders regarding elements of the CLPA directly related to the TECL project, while awaiting the approval of CLPA;
- Commencing with projects under the CLPA that individual departments had agreed to[14]

3.2 Relevance

There were no disagreements from any of the respondents about the feasibility and relevance of addressing CL issues more especially that South Africa already has a CLPA which provided the context for TECL. This relevance was often qualified by what some respondents saw as "*...child labour is not our key focus" and as such was seen as an add-on to already over-stretched departments..."*

One stakeholder stated that*"...it is exactly because of this view (which, indeed, is prevalent in the country) that the CLPA and the TECL strategy has been mainstreaming into general programmes, wherever possible, without requiring substantial 'new' activities regarding child labour. A mainstreaming approach does not expect or require child labour to be the KEY focus of a given department..."*

However what is important to note is that the majority of government respondents explicitly stated that for many of their departments CL was seen as an 'add-on'. When considered against the point made, it is clear that there is a lack of understanding and synergy between what mainstreaming of CL is intended to achieve and what the respondents understand it to be.

The relevance is further demonstrated by the pilot projects that have been implemented to address WFLC and to build the capacity of local organisations to implement, monitor and manage the pilot projects. The Project Document[15] notes the following *"...It is important to understand that in South Africa the responsibility for direct action for child labourers and their families, i.e. measures to withdraw children from child labour (CL) and to eliminate WFCL, lies squarely with the government and its agencies..."*

While the willingness of the government in South Africa is demonstrated through the support given to the CLPA process, and in creating the legislative (enabling) environment to make this happen, the role of government was not consistent across Action Programmes. While the TECL team did what they could to 'place pressure' on appropriate departments and do advocacy in this regard, this remains a limitation in this programme, but not one that TECL alone could have the power to change.

In CSEC and CT government has not been the main implementer of services to vulnerable children and it is NGOs that have largely played this role. However, it was through the running of the pilots that problem areas were identified and possible solutions tried out. The findings of these pilots have been used to inform government, and will be used especially in 2009-2010 as government puts in place mechanisms to implement effectively the Children's Act. In some areas government did play a more central role such as in CUBAC, excessive water fetching and education. What was particularly important in South Africa was identifying certain types of CL such as the fetching wood and water for excessive periods and over

[14] Country Annexure for South Africa, August 2005

[15] Final Southern Africa SACU Prodoc, September 2003

long distances; and in Lesotho the herding of stock by relatively young children as WFCL. As such the strategy did address the different needs emerging from government departments such as with DWAF in drawing them into the issue around children carrying water excessively. Before the TECL programme, DWAF had no idea of mainstreaming CL in their department and didn't think that this was relevant to them. However, as a DWAF official noted*"...the issue of children carrying water was incorporated into their Backlog Eradication Programme which helped to raise awareness and sensitise officials to CL issues..."*

In BLNS countries the TECL team conducted an in-depth consultation process in each country over several months. By the end of this process it was agreed what TECL's aim would be to have a NAP on the elimination of child labour in place in each of the four countries, by the end of the TECL programme period. The BLNS NAPs were called Action Programmes on the Elimination of Child Labour (APEC). TECL therefore provided not only a description of the situation (based on rapid assessments on certain WFCL, and through support to national surveys in some countries), but also a plan as to what to do about it and a strategy on how to achieve this. Awareness-raising was a key component in this process and was relevant to the national partners at that stage.

3.3 Implementation Effectiveness

By the mid-term evaluation in 2006, project implementation was already behind schedule because of a number of delays in the start-up. These have been adequately addressed in the mid-term evaluation. There was a 1-year extension granted, ending in April 2008. Despite this the project has remarkably achieved all of its objectives (one study was not done); while the IC did not lend its support to 3 studies resulting in TECL abandoning these projects (see details in table below).

3.3.1 Costing of the CLPA

The main purpose for South Africa has been to support the implementation of the CLPA. In 2003 Cabinet endorsed in principle, the CLPA but this was not fully ratified by Cabinet until the costing of the CLPA was done. During the mid-term evaluation in 2006 it was stated "*...costing is only now in process and is in fact being revised to reflect a more comprehensive and accurate approach. According to reports this will be completed in August 2007, which makes final adoption of the CLPA likely only in 2008...*"[16]

The DOL, with the assistance of National Treasury and TECL conceptualised and developed a costing tool to assist departments to cost their CLPA action steps. While this has been tested by costing the CLPA action steps assigned to DOL, at the time of this evaluation, only one department had asked for some assistance to do their costing. At the last meeting of the Steering Committee on the 11th June, the chairperson stated the following "*...The process of costing has been retarded by the lack of response from government departments...we had to give a bi-annual report to cabinet but have not been able to do so...*" Although TECL indicated[17] that costing has begun in earnest and would most likely be completed by the end of 2008, unless some decisive steps are taken by DOL to ensure that this happens, it is unlikely that all the relevant government departments would have done their costing by then.

Further in this section the issue of the IC is discussed in more detail but suffice to say that although South Africa has a CLPA, unless there is more national ownership of this programme, it will remain on paper

[16] Mid-term evaluation, June 2006
[17] Ibid, March 2008

but not in practice. Many respondents commented on the lack of political will of the leadership in government *"...if the Minister of Labour says child labour is not a problem as the lead agency what hope is there of getting commitment from other Ministers..?"* Respondents acknowledge that good policies have been developed but that it is difficult to translate this operationally and that there are no accompanying resources to do so. A lot of hope is placed on the costing process.

A possible explanation for the delay in the costing process of the CLPA has been put forward by one stakeholder who noted that *"...during the period 2004 – 2008 the focus was on the Children's Act development process, and the many other action steps as set out in the CLPA. The Children's Act deals with a range of children's issues referred to in the CLPA and by default the costing of the Children's Act make the costing of the CLPA less central."* The same stakeholder argued that, while leadership in government was indeed a problem, the costing exercise with the engagement with the CLPA and the action steps by a broader representation than just the CLPA IC members, has had as a side effect, that a number of institutions have taken greater ownership of the action steps to budget linkages to work plans etc. – including in the case of DOL itself. The evaluator is not able to independently verify this information.

While respondents indicated a lack of active support from the Ministry of Labour at the same time, several government departments have started implementing some of their action steps largely through the support of TECL.

3.3.2 Key achievements in terms of mainstreaming child labour:

1. There has been significant expansion of measures to relieve household poverty which is the main driver of child labour. In this respect, the law provides the child support grant (CSG) for children from poor socio-economic backgrounds; the foster care grant for those fostering children; and the care dependency grant for severely disabled children. For instance, the child support grant of R200 is estimated to have directly benefited about 6,980,088 children[18]and is largely claimed to have resulted in improved school enrolments throughout the country. Thus, the CSG mechanism is still largely viewed as a key mainstreamed measure addressing child poverty, and by implication, child labour.

2. Legislation to address child labour has been strengthened substantially and South Africa has almost all the statutory powers needed to combat child labour

    a. The Basic Conditions of Employment Act (1997) prohibits any person from employing or providing work to any child under the age of 15 years or who have not completed the school year in the year the child turns 15 years old (whichever is the higher. Gallinetti, et al (2006)[19] and CLPA (2007)[20] observe that children below 18 years are protected by the constitution from any work which is exploitative, hazardous or otherwise inappropriate for their age; and detrimental to their schooling or their social, physical, mental, spiritual or moral development.

[18] ILO, 2006

[19] Jacqui Gallinetti – Child trafficking in the Southern African sub-region

[20] CLPA 2007

b. The Children's Act (as amended in 2007) not only defines and prohibits a wide range of WFCL, but also deals with issues over which provincial governments have some jurisdiction. The Act covers explicitly deals with child trafficking, children used by adults to commit crime (CUBAC), and the commercial sexual exploitation of children of children. It also reinforces the provisions on forced labour in the Basic Conditions of Employment Act.

c. Increasing the age limit of the *Child Support Grant* (CSG), a key mainstreamed measure addressing child poverty and, by implication, child labour, was extended from age 14 to age 15, to align more closely with the minimum age for employment and compulsory schooling provisions.

d. The *Criminal Law (Sexual Offences and Related Matters) Amendment Act* was passed, which deals with sexual crimes against children and has provisions that relate to the prostitution of children; the exposure and use of children in child pornography, and trafficking (of adults and children); the extra-territorial application of such legislation, thus enabling SA Citizens and residents who commit these crimes against children abroad to be prosecuted on their return home and foreigners who commit crimes in SA against children to be prosecuted in their own countries

e. The *Child Justice Bill* – which deals with children in conflict with the law has been returned to Parliament and is presently being debated by the Parliamentary Portfolio Committee on Justice and Constitutional Development. It contains provisions of key importance for dealing with CUBAC.

f. In CUBAC it was recognised by an informant that the "*...multi-pronged approach was the key to its impact and outputs. It solicited (at least, in principle) support from diverse governmental agencies concerned with (especially) the criminal justice system, and used a variety of strategies to generate broader knowledge and awareness that CUBAC exists and should be condemned — articles in lay journals, the commissioning and distribution of a poster and radio programmes to cite but three examples…*"

g. Policy *paper on use & employment of children in liquor outlets & liquor manufacturing operations – to ensure mainstreaming of report findings workshops were held with stakeholder*

h. The Water prioritization tool being adopted by DWAF and incorporated into the technical assistance provided to Water Service Authorities nationally. The national Department of Water Affairs and Forestry remains engaged and has issued a DVD as part of their national guidelines highlighting the advantages of using the TECL developed prioritisation model

3.3.3 Other achievements

In addition to the above, respondents from government, civil society, SPs and IAs across the 5 countries indicated the following as some of the key achievements:

1. The PACC's in the BLNS countries and the IC in South Africa all concur that their own knowledge and understanding of CL has been greatly enhanced. The research conducted was also very useful in identifying the extent of the problems around CL.

2. Involvement in TECL has created an awareness about CL. Government, SPs and IAs concur that there is a greater awareness of CL issues; in fact many admitted that they didn't realise before this process what CL really meant, this particularly in BLNS countries where child labour was '*a foreign concept'* and issues such as herding not seen as a form of child labour but a household duty. While is it acknowledged that herding, as an economic activity forming part of subsistence agriculture, is seen as a household duty, it is also important to note that excessive or hazardous herding is child labour.

3. New areas of child labour have been recognised that were not seen in this way before, as in children fetching water to an excessive degree.

4. There has been a change in attitude and mind shift especially with those that have been closely involved but not sure that it has reached other echelons.

5. The multi-disciplinary approach where different government departments succeeded in joining forces to work around issues of CL was also seen as quite an unusual occurrence. While inter-departmental forums happen at Director-General (DG) and Deputy Director-General (DDG) forums it was usually difficult for government to see the inter-relationship between certain issues which creates a silo-mentality.

6. This process has brought together role-players from diverse sectors and parts of society around a common strategy which has resulted in increased networking and communication and closer interaction with the SPs and IAs. For example, in South Africa, through CUBAC, IAs established relationships and worked with government partners such as SAPS, prosecutors and able to talk through issues. Through this process justice officials were sensitised to the issues around CUBAC

7. The wide variety of research studies, training materials, position papers and other resource materials that have come about as a result of TECL

8. Using 'evidence-based' research before starting the pilot projects was a key strength and achievement as it meant that the programme design and intervention was not based on an idea of what was needed but on well thought out research and analysis.
9. The Second Phase of the Child Labour Programme of Action (CLPA-2), 2008 to 2012 was finalised and re-endorsed by the IC.

3.3.4 Summary of Achievement of Objectives

This section addresses the achievement of the objectives of TECL according to the final project document[21]. It is assessed with regard to the various outputs assigned to each of the objectives. All the information obtained was from reports received especially the March 2008 TPR and written information provided by TECL. It is by no means exhaustive and is not intended to replace the many reports that document the achievement of outcomes, anticipated as well as unanticipated. However, it is meant to

[21] Final Southern Africa SACU Prodoc, September 2003

provide the reader with a quick glance of the achievements (as requested by DED). All the information was extracted from reports as very little was forthcoming from stakeholders and not in any detail.

Objective	Output	Status
IO1: By the end of the project, there will be more effective policies and programmes for tackling child labour, especially in its worst forms in South Africa	1.1 Up to date statistical information on the scale and nature of child labour in South Africa produced	i. Survey on child labour, as an add-on module to the Labour Force Survey (LFS). Completed. Undertaken and funded jointly with Stats SA ii. Additional outputs: • Publishing of the report and • The tools that were developed for the South African study were considered useful by stakeholders involved in similar studies in Botswana, Namibia and Swaziland
	1.2 Qualitative and quantitative information on magnitude, characteristics, causes and consequences of selected forms of child labour, including WFCL, produced	i. Report analysing data from March 2006 LFS has been completed. Approval of final report by SA-DOL Minister still outstanding at time of writing this report. ii. Technical assistance has been provided to Stats SA, with TECL also managing the SP appointed to conduct the analysis. iii. Planned value to be added (in addition to Prodoc outputs): Further technical assistance has been provided on the future module that will be added to the LFS on a regular basis. Proposed module to be used in future finalised. iv. There are various qualitative studies conducted by TECL and the additional value added being the publishing thereof, the placement thereof in the web for easy access and use by other countries.
	1.3. Information on initiatives potentially having a significant effect on WFCL, with emphasis on the role of education, made available	i. Research & policy development on CL and education. ii. Development of a database on educational services published in 'Child Labour and Education: Capacity building resources for the education sector" iii Educational services rendered to beneficiaries iv. TECL/CEPD study v. Research and policy development done on water delivery and CUBAC
	1.4. New list of hazardous activities based on knowledge base produced	i. List of hazardous activities and regulations developed. Approved by Employment Conditions Commission; approved in principle by Advisory Council on Occupational Health and Safety; and likely to be promulgated by SA-DOL within 2008. Undertaken and funded jointly with SA-DOL *ii. Value added:*

		(a) Drafting amendments to the Children's Act to include Child labour and Worst Forms of Child Labour. The amended Children's Act is now been enacted as law (b) Occupational Health and Safety regulations on health and safety of children at work. (c) Amendments to the BCEA to strengthen the hazardous work regulations.
	1.5. Legislation and policy proposals on CL and WFCL produced and debated	*i. Research & policy development on CL and education.* Policy paper also conceptualised the pilot project on education and child labour, with a focus on projects to provide educational rehabilitation for children educationally disadvantaged because of child labour ii. *Develop policy paper on use & employment of children in liquor outlets & liquor manufacturing operations* Report has been finalised. Additional value added (in addition to Prodoc outputs): to ensure mainstreaming of report findings, workshops with stakeholders etc. *iii. Policy paper on appropriate action & interdepartmental strategies & coordination in treatment of: a) immigrant and b) refugee children* Appointed service provider has failed to deliver. The contract has been terminated and the initial funds paid have been claimed back, but not yet received. Because of lack of available time, this project has now been abandoned. Since it is only a minor project output, it should not compromised overall TECL deliverables. iv. *Investigate remuneration of children lawfully performing the same work as adults* CLPA Implementation Committee (IC) decided on 21 Feb 2006 to withdraw support for this project. It expressed the view that it would be inappropriate to set minimum wages for children at a higher level than for adults, as stated in the CLPA. *v. Draft regulations that provide for a definition of employment in the context of CL.* The objective was to widen the prohibition of child labour to include forms of work that are clearly detrimental to the relevant children, but presently fall outside of the BCEA's prohibition, if this is found to be appropriate.

		This project has been incorporated into 1.4. above and reported on as such *vi. Engage in the process of drafting legislation on child trafficking* Incorporated into Children's Act, which was signed into law 06/06 vii. *Commercial Agriculture* Rapid assessment completed, project scope was extended to include subsistence agriculture. *viii. Scavenging & waste recycling* Includes on-site research at four waste sites, in two provinces. The report has been well received by NGOs working in the environmental field who have taken the issue of scavenging on board. *ix. Additional Policy development with regard to CL and WFLC* CUBAC being a made a separate and additional offence The Water prioritization tool being adopted by DWAF and incorporated into the technical assistance provided to Water Service Authorities nationally.
	1.6. Police and judicial officers; Home Affairs and other key government officials; helpline operators and teachers trained on CL issues (considering specific training needs according to their functions)	*i. Drafting of a web-based manual or printed resource file, based on actual needs.* A generic Manual was developed and used in the training of government officials. This Manual was adapted with department-specific realities. Training targeted: • Child Labour inspectors • Police • Judicial officers • Prosecutors • Child line operators • Teachers *Three training programmes: e.g. for police / judicial officers, Home Affairs officials, helpline operators and teachers* Completed and undertaken and funded jointly with SA-DOL One of the challenges is to integrate the Manual into departmental programmes
	1.7. An effective and coherent system of coordination to monitor the removal of children from CL made operational (CLM or "follow the child" system)	i. Project has two main components: CLM1: Assessment of information systems. ii. CLM2: Identification of CL indicators in information and reporting systems of key ministries to monitor CL The TPR of March 2008 states that this output has been partially achieved and that: TECL is "...i) conducting an assessment of current information and reporting information systems on reporting in terms of

		child labour indicators identified in the CLPA; as well as protocols or arrangements in place to follow children removed or at risk of child labour; and ii) providing technical assistance as part of a committee overseeing the revision of the current Child Protection Register of the Department of Social Development (DSD) which will also monitor cases of child labour in future; iii) TECL is also providing technical assistance to the preparation of a Surveillance Study on Child Abuse, Neglect and Exploitation which will feed into an overall CLM system. The concept paper for the Surveillance Study has been approved by the Canadian International Development Agency (CIDA) for funding for 5 years, and the study is planned to start mid-2008..."
	1.8. Monitoring and evaluation system for CLAP developed	i. Develop indicators to measure effectiveness of the implementation of CLPA (including ways of collecting such information). This has been completed and included in CLPA-2.
	1.9. Overall national awareness raising campaign designed and implemented	Strategy in place and adopted by the IC.
	1.10. Awareness raising campaigns aimed at employers and workers implemented	A strategy for has been designed as part of the conceptualisation mentioned under 1.9. Activities completed, as planned.
	1.11. Awareness raising campaigns on CL, and specifically on selected WFCL, aimed at the general public organised	Completed awareness raising activities on BCEA and CL and awareness raising occupational safety**.** Undertaken and funded jointly with SA-DOL
IO2: By the end of the project, models of intervention for dealing with selected WFCL in South Africa will have been developed to inform policy	2.1. Pilot interventions identified	i. Conducted rapid assessment and baseline studies on CSEC and child trafficking Rapid assessments done at National level and the following provinces: Gauteng, Western Cape, Limpopo, Mpumalanga and KwaZulu-Natal. ii. Phase 2 (qualitative RA in pilot projects) ended in 2006 iii. Targets achieved with regard to numbers of children withdrawn and prevented from child labour
	2.2. Pilot project(s) on CSEC implemented (CLAP 45 & 49)	i. 6 APs concluded and finalised. Four of these action programmes were extended to a second phase ii. In addition good practices and lessons learnt were collected as part of a separate good practice study for all the APs.
	2.3. Pilot project(s) on trafficking implemented	Combined with CSEC in 2.1
	2.4. Pilot project(s) on bonded labour implemented	i. Pilot focused on an element of bonded labour: Children Used by Adults to commit

		Crime (CUBAC. Baseline study included a child participation / research component. ii. Planned added value to enhance mainstreaming process: a further study, involving child participation, regarding CUBAC in rural settings, completed, which allows the comparison of results with those of the urban study.
	2.5. Pilot project(s) on education and child labour, with a focus on projects to: (a) provide educational rehabilitation for children educationally disadvantaged because of child labour (b) test ways in which schools can identify children involved in child labour, especially worst forms of child labour, and can call in appropriate agencies to assist (c) testing effect of changing school hours to accommodate acceptable work, thereby improving school attendance, implemented	i. All elements of the education pilot project have been concluded. Implementation started in November 2007 and had to be concluded by April 2008 (but interrupted by a 5-week December holiday and a 2-week holiday over Easter. ii. While it is clear that the outputs were achieved service providers questioned whether there was much impact because it was done in a rushed manner. iii. This does not dispute the fact that there were benefits in terms of reaching the desired numbers of beneficiaries, and piloting the SCREAM Education Pack. However, it is doubtful that this has been benefiting in a sustainable way, as service providers concurred that the project was rushed through and that the long-term benefits were questionable. Of particular note was also the lack of cooperation from the Department which meant that individual teachers might have benefitted but whether they could use it in the classroom was dependent on the Department of Education's approval to do so. iv. For a) a TECL study assessing the educational profile of AP beneficiaries and linking them with available and appropriate educational support was almost complete For b) educators that were exposed to the SCREAM workshops – teachers were definitely given the tools to be able to identify children in child labour. For c) CLPA the Implementation Committee decided to withdraw support for this project.
	2.6. Pilot project(s) on how to protect children 15-17 from hazardous work	i. Element of 'protecting children 15-17 from hazardous work' was focused on in the pilot on *prioritisation of water delivery to households furthest away from the sources of safe water* to address excessive work done by children in this regard ii. The pilot project has developed a prioritisation model for water service delivery, and the model has been used successfully in the pilot area in Ugu. The national Department of Water Affairs and

		Forestry remains engaged and has issued a DVD as part of their national guidelines highlighting the advantages of using the TECL developed prioritisation model.
IO3: By the end of the project, there will be an enabling environment for the elimination of WFCL in the BLNS countries, leading to effective national interventions against this problem	3.1. Qualitative and quantitative information on magnitude, characteristics, causes and consequences of selected forms of child labour, including WFCL, in BLNS countries	**Botswana**: Child work activities module as add-on to LFS, with Central Statistical Office (OSC) CSO has issued preliminary report during end Jan 08. However data still subject to final assessment pending feedback on report. Results in further delay till full analysis of children's activities. At time of writing report not sure of status Qualitative research on at least 2 priority areas (*As selected by PACC: CT & CSEC)* Finalised the studies on CSEC and CT. **Lesotho**: Literature review on CSEC, street children, herd boys and girls and child domestic workers (CDW) has been finalised **Namibia**: *Assist the Ministry responsible for labour with 2nd child activities survey* First draft of report made available to TECL for consideration and input. Current draft only focuses on child work broadly, without a consistent child labour focus. Ongoing engagement service provider to include consolidated child labour analysis in the report. Not sure of status at time of this report *Qualitative research on 3 priority areas (As selected by PACC: CT, CUBAC & children working used in charcoal production (Hazardous work)* Completed reports (a) Child Labour and Commercial Sexual Exploitation of Children in Namibia, including links to Child Trafficking & Children working used in charcoal production (Hazardous work), finalised. (b) Draft CUBAC report finalised, but awaiting finalisation of the supplementary CUBAC study (a value added-element) before finalisation. **Swaziland:** Qualitative research on 3 priority areas *(Focus areas as approved by PACC: CT, CUBAC and CSEC)* Studies finalised on CSEC, CUBAC and CT. Added value: *Provide input & advice to design of national census, to collect info relevant to child labour* Input provided to questionnaire; census has

		been done.
	3.2. Information on initiatives potentially having a significant effect on WFCL, , made available in the four countries	**Botswana:** Drafting of Discussion Document on CL in Botswana - completed **Lesotho:** Drafting of Discussion Document on CL in Lesotho – completed **Namibia:** Drafting of Discussion Document on CL in Namibia – completed **Swaziland:** Drafting of Discussion Document on CL in Swaziland - completed
	3.3. Action plans on child labour developed in the four countries	**Botswana**: In Feb 2008 the APEC was endorsed by PACC for submission to Minister and Parliament subject to final amendments, language and layout edit for publication purposes. **Lesotho**: Finalised for submission to Minister and Parliament subject to final amendments, language and layout edit **Namibia:** APEC was endorsed as part of a national Child Labour Conference (hosted by MLSW /TECL /RECLISA) as well as by an extended PACC (including a range of Ministries that do not normally form part of the PACC, but have some responsibilities in terms of the APEC) for submission to Minister and Parliament, subject to final amendments, language and layout edit for publication purposes. This phase completed and Child Labour was included in NDP3 (the national development plans as a value-added element). **Swaziland**: Endorsed by PACC to be submitted to Minister and Parliament subject to final amendments, language and layout edit for publication purposes.
	3.4. Pilot interventions implemented and documented	Pilot projects were not implemented because these countries chose the 4 streams instead of pilot projects (as can be seen in Country Annexure)
IO4: By the end of the project, there will be more effectives policies and programmes for tackling sub-regional child labour issues, especially in its worst forms, in the SACU region	4.1 Qualitative and quantitative information on the magnitude, characteristics, causes and consequences of child labour, including WFCL, of a sub-regional nature, produced	Appointed SP required to report on information relating to cross-border trafficking. Studies on CT in BLNS countries also to inform this process and possible action to be taken. Outcome of combined / consolidated regional study still due.
	4.2. Concerted action against WFCL in the sub-region facilitated	*Support existing forums dealing with WFCL at a sub-regional level.* This section is only based on a report

		received by TECL. i. Devised joint strategy with IOM, UNICEF and UNODC. Re training for existing forums and stakeholders. ii. Worked with UNODC on Trafficking manual for Southern Africa iii. Provided CT input to a handbook and training curricula on Trafficking by IOM. Outcome of various qualitative studies conducted in BLNS countries also to inform this process and possible action to be taken. iv. Drafted agreement regarding ILO (TECL), UNODC, IOM and UNICEF collaboration, but still awaiting their response. v. Held joint press conference with these agencies to raise public awareness about human trafficking in the sub-region and about this strategy of cooperation. *vi. Facilitated the adoption of proposed agreement* Assessed whether such agreement is required, and recommended to SADC that such a protocol be formulated. Finalised regional TECL report on child trafficking, setting the context and making recommendations. *vii. Draft proposed agreement on trafficking for use in sub-region* Draft correspondence to SADC submitted to SRO for approval and recommended procedure. Will not be possible to facilitate approval by SADC of a sub-regional protocol within the present TECL project period. *viii. Facilitating exchange visits:2 workshops:* a. Sharing workshop conducted with various representatives of PACCs of all BLNS countries, as well as SPs and other representatives from all 5 countries, to discuss lessons regarding the context, methodologies and research with children on worst forms of child labour. b. Sharing workshop conducted with various representatives of PACCs of all BLNS countries, as well as SPs and other representatives from all 5 countries, to discuss the assessing of the legislative and socio-political context of each country with the focus of CL and WFCL and drafting a programme of action for the elimination of CL and WFCL within each country: lessons and good practice experiences and methodologies.

3.4 Implementation Process / Efficiency

Despite the constraints faced by the project it was able to achieve an extraordinary amount of outputs. At one level this was achieved at what was observed to be quite a personal cost: working long hours, and being overworked and under enormous strain. Most of the respondents commented on the small staff employed to fulfil an incredible amount of work. This included:

- Working in 5 countries with a variety of stakeholders, at different levels of understanding, capacity and commitment
- Appointing and managing SPs across a span of specialist areas and giving their input and feedback to each of these
- In South Africa, facilitating institutional mainstreaming and at times working closely with departments to assist in their processes

A number of respondents have argued that the "...excessive use of consultants was not the most cost-effective way to work..." This issue is elaborated further in the report under 'use of Consultants but briefly the Area Office raised this as a key issue to be addressed in the evaluation. It was not possible within the scope of this evaluation to assess whether the use of consultants was cost-effective or not as this would require a cost-benefit analysis of every job where a consultant was appointed. However, it is noted that TECL used consultants to implement most of the activities. At times, when a particular consultant had done a good job in an initial contract they were re-appointed a number of times for different jobs.

To enhance efficiency, the TECL team have put various reporting systems (including a complete electronic as well as manual filing system, reporting templates, financial recording systems etc.) in place to monitor its progress, to improve its delivery on outputs and to keep adequate records for future use. While TECL have found these to be "*...valuable tools increasing efficient implementation and monitoring of progress...*"[22] SPs and IAs interviewed have almost without exception reported on the onerous reporting systems that impacts on efficiency of the implementation process:

1. The mid-term evaluation used the phrase "flooded with paper" which is a good description of what respondents reported.

2. IA's involved in Action Programmes felt overwhelmed by the stringent reporting requirements, some implying that these were imposed on the TECL team by ILO Geneva and therefore not seen as their fault. A few informants, however, put the responsibility at the door of TECL and in particular expressed dissatisfaction with the ominous and time consuming "Blue Form". Some IA's indicated that the kind of information required by them was not only insensitive but also unethical "*...asking children those kinds of questions was just not acceptable and assumes a prior relationship with the child which was not necessarily the case...*"

   An example in the Blue Form asks the questions: *Is the child involved in having sex for money or is the child involved in sex to meet basic needs*. In some cases for example Kids Haven where the children were resident at the facility there was a relationship with the child, whereas YDO went into schools to work with children that they did not have a prior relationship with, and unlikely to form a

[22] Technical Progress Report (TPR) – South Africa, Botswana, Lesotho, Namibia, Swaziland, March 2008

relationship with within the context of the school setting. Although the Blue form states *"...the form need not be filled in fully during the intake interview with the child...some of the questions may be too sensitive before you have developed rapport and established trust...*there seems to be an expectation stated or unstated that the forms must be completed, so it remains within this context that the issue around 'unethical questions' is noted.

IA's were provided with support from a consultancy appointed to build their capacity and the SP spent a lot of time helping them to complete these forms. TECL indicated that *"...some organisations recognised the usefulness of the form for their own monitoring purposes, as well as for preparing proposals for other donors. At least one of the organisations continued to use the system after their involvement with TECL ended..."* This was not found to be the case with any of the respondents interviewed although the organisation in question was not interviewed.

A stakeholder noted that *"...these systems for APs were designed for three reasons: (i) to gather the necessary information so as to report to IPEC and the donor as required; (b) to guide the IAs regarding the priority activities needed in terms of the action programme agreements; and (c) for monitoring of the actual implementation, and quality control.."*

The stakeholder further notes that *"...the DBRM designed by IPEC and to be used in future projects – although in a more user-friendly format (using Access instead of Excel); was based on the TECL "blue form template" used. This shows the benefit of TECL having gone through this thorough process of trying to address IPEC HQ and donor needs, as well as its own of monitoring – but certainly needs improvement..."*

While the purpose of a reporting or monitoring system is not being questioned the key issue to be considered when and if IPEC HQ and USDOL decide to review this system, is to determine what information is critical to be able to monitor implementation and provide the necessary information required. In reviewing this it is important to ask the question: Is this system actually serving the purpose outlined in the statement above while at the same time being sensitive to the situation of the child.

3. After a rigorous process of submitting a proposal and being appointed, SPs and IAs had to wait for a long time to start working. In the last year, there were serious delays in appointing IAs who were hard pressed with the final APs that were approved only in November 2007 and had to be completed by April 2008. For some that worked in schools, this meant that schools were closed during December to mid-January and then again during March. This placed enormous pressure on them but more importantly it has an impact on sustainability and the extent to which these programmes were really effective. It is clear that they were pressurised and that it was a rushed process. It appears that a big part of the delay can be attributed to the stringent procurement processes at the ILO in Geneva. Having said this, the delays really only affected two of the AP's but it is something that TECL should be cautious of in future as it affects implementation, as noted earlier.

4. Administratively, a number of SPs and IAs indicated that *"...it was a nightmare to meet TECL requirements especially organisations with less capacity and resources..."* As has been stated earlier, the delays have been attributed to the stringent procurement processes at the ILO in Geneva

5. TECL had an almost impossible mandate to fulfil with a small staff compliment. This was not necessarily a wise or good approach but might have been based on the CTA's own preferences. The scope was overly ambitious, within South Africa in assisting with implementing the CLPA and

management and oversight of the pilot projects. Then there was the regional work in Botswana, Lesotho, Namibia and Swaziland. There are differences of opinion from SPs with some commenting that they had prompt and detailed commentary on submission of their reports, and others saying that they waited months for feedback.

6. Information technology has been employed as far possible to increase efficiency and to ensure effective communication between TECL and various SPs, especially those in the BLNS countries etc., including extensive use of an Internet-based intranet to enable team members and consultants to share non-public information, and of the regional website set up for the purpose to share public information.

3.5 Gender Mainstreaming

Although TECL has as its main responsibility to address the issue of assisting government to mainstream issues of child labour, it does not appear that gender issues are clearly conceptualised into the TECL programme. At most they have managed to disaggregate gender data which is able to indicate the numbers of boys and girls that have been withdrawn from labour; but this is not mainstreaming. From general observation, media reports as well as experiences in similar programmes in Anglophone Africa, the girl child is particularly at risk especially with CSEC and Child Trafficking, and in fact the same might apply to children carrying water. One stakeholder however argues that *"...a point that was highlighted by various of those directly working on CSEC was that the assumption that it is girls that are more exploited in this regard is gender insensitive, since it negatives the fact that a very significant proportion of street boys are also subjected to CSEC..."*

It is especially for this reason that a gender analysis will provide more insight into how girl and boy children might be differently affected by the same issue. Without a proper gender analysis of all the TECL projects, there is a gap in understanding the different needs, constraints and realities of girl and boy children, as well as young men and women which might necessitate a different type of intervention. This evaluation concurs with the mid-term findings that if gender issues were addressed in the project design, this would need to be reflected in monitoring indicators and as such might have remained in the forefront or had a 'stronger profile' during implementation.

3.6 Monitoring Child Labour

The reason why the evaluators used the TPR[23] to write this section was largely because there was no evidence of a monitoring system in place that was specifically designed to monitor child labour, nor where CL was integrated into a department's existing monitoring systems. Although there was no time within the scope of this evaluation to review what systems were in place, most respondents were either not sure or said that it didn't exist. The DOL said they were *"...trying to incorporate a CLMS into their enforcement system but the details were unclear..."*

The CLM project as per TECL's Prodoc was split into two projects by TECL. CLM1 had to deal with the assessment of information systems and national indicators for reporting on CL in South Africa and CLM2 "Follow-the-child" research and the need for intra-government protocols.

The TPR defines Child labour monitoring (CLM) as follows *"...It involves the identification, referral,*

[23] TPR Progress Report, March 2008

protection and prevention of child labourers through the development of a coordinated multi-sector monitoring and referral process that aims to cover all children living in a given geographical area. Its principle activities include regularly repeated direct observations to identify child labourers and to determine risks to which they are exposed, referral of these children to services, verification that they have been removed and tracking them afterwards to ensure that they have satisfactory alternatives".

TECL notes that this definition is not necessarily the definition used in TECL. TECL has used the concepts as used in the CLPA, e.g. in action step 26 of CLPA-2, since TECL's main function is to work in support of this policy framework and the national response to international obligations by virtue of ratification of international conventions. In this regard the concept differs in the following respect from the broader IPEC definition:

- It talks to national monitoring systems, rather than systems to do with a given (smaller) geographic area.
- It generally does not involve "repeated direct observations" regarding child labourers.

In addition, the TPR states that preliminary discussions have started on the development of a comprehensive CLMS with the Department of Labour and that a national project on adapting government information systems to collect child labour data has started; the initial draft report has been submitted by the SP. The TECL programme has suggested that the Child Protection Register be updated and be used as an interdepartmental register to track reported cases of CL.

One stakeholder confirms that "*...The CLM1 and CLM2 reports were not developed to their full potential because of the time it took to engage with all the various information systems. However it resulted in a full analysis, and in clear recommendations being made, for implementation by DOL, as lead department for CLM1 and DSD as lead department for CLM2 (with possible assistance by TECL II)...Also note that CLM was discussed in some detail in the various of exit meetings held with the eight key government departments in SA...*"

The following explanation of TECL activities regarding the CLM are listed below, and provided after the data collection phase. It is included because it does reflect some progression from the original finding which is quite significant:

- *CLM1 – using existing government systems to report on broad child labour indicators as set out in chapter 9 of the CLPA*
- *The purpose of CLM1 was to conduct an intensive assessment of the systems used by government departments to capture information on child labour indicators and to report on such indicators under the lead of the DOL. This report was well received by the information and management sections of the various departments as it provided a comprehensive assessment of the systems per se and then linking child labour to either existing indicators or proposing minor amendments to accommodate such to enable monitoring and reporting.*
- *The report also concluded that through the current justice cluster's IJS system on children in conflict with the law is able to track and report on victims of CUBAC, CSEC and CT – the latter only once current legislation pertaining to trafficking is operationalised.*
- *Furthermore, the introduction of a school identity number for all children – currently being piloted in the Western Cape, is a further mechanism to track children. It recommended that the DOE's learner number be included in the database of the DSD on children in need of assistance and care as well as the IJS system children.*
- *These systems should, in due course, enable stakeholders to report on a national level on the nature and prevalence of child labour.*

- *Through this project TECL was able to engage in systems currently being developed and influence the inclusion of child labour indicators in such systems – including the DOE system, the IJS and the a DOL system. It could be interesting to note, that, were it not for this project, the DOL system would not have been amended to include child labour indicators, although the unit responsible for coordinating the CLPA was under the impression it was – i.e. the TECL SPs established that these issues were not in the draft new DOL system. They have apparently now been provided for, although this could not be checked because the system is still in development.*
- *Once these systems are operational national measures to record victims of child labour and children at risk of child labour, can be identified, monitored and report against. This latter element feed more into CLM2 – see below.*
- *Reporting directly on implementation of the CLPA: The purpose of the TECL CLM1 project within the timeframe available was therefore not to have reporting templates from the various departments to the DOL in place – i.e. a method for reporting directly on the implementation of the CLPA. A reporting template, designed by DOL with the assistance of TECL, had been in use before in reports to the IC. However, the new chair of the IC, and new staff of the DES, were not following up to ensure reporting through the IC. Instead DOL designed a detailed new reporting template as part of the CLPA costing exercise to enable departments to report on progress regarding implementation of the CLPA from 2003 to 2007.*
- *The CLM2 Follow-the-child project: The purpose of this project was to determine within two provinces (KZN and Gauteng) how stakeholders (including NGOs and government) ensure a child that's been identified, prevented and withdrawn of being at risk of or involved in child labour is 'handed over' from one to another – e.g. from DOL inspectors (picking up cases of child labour), to SAPS investigators, to NPA prosecutors. It also investigated which monitoring processes are needed for an effective referral system that secures appropriate support services for children; had to make recommendations on how to improve existing practices; recommend whether new protocols are needed. This project involved an assessment of cases of 64 children at risk of WFCL which the SPs tracked through the different NGOs and government systems they were passed through.*
- *The study showed that there is no national inter-sectoral protocol in place to identifying and assisting children at risk – including children at risk or engaged in child labour, although being envisaged to the Children's Act. However the report outlines a range of challenges key stakeholders are facing in this regard but also identifies areas of potential and recommendations on how to go about this.*
- *The TECL DBRM / "blue form" – this is referred to elsewhere in the report. The DBRM is a tool developed for the purpose of direct monitoring of services to children, and child labour status of children. It was used by the various APs and pilot projects and to enable reporting on child beneficiaries as required by the donor.*

3.7 Recommendations of mid-term evaluation

The mid-term evaluation lists 13 recommendations for the TECL team to consider as a way to strengthen the second phase of TECL I. The CTA referred the evaluators to the TPR which lists the recommendations as well as comments on the extent to which each recommendation has been achieved[24]. Moreover, TECL provided additional written information.

[24] Technical Progress Report (TPR) – South Africa, Botswana, Lesotho, Namibia, Swaziland, March 2008

Conditions for an extension should include that:	Comment by evaluator
1.The responsible role players in TECL, ILO Area and Regional Offices, ILO-IPEC Geneva and the donor work together as a team with a common goal, and as a matter of urgency, to find ways to minimise any further delays and inefficiencies in terms of administrative, procurement, reporting and other processes. This can be used as an opportunity to determine how systems can be adjusted or made more flexible to accommodate the requirements of demanding and in some respects unique programmes managed by competent teams.	While an additional finance person was appointed amongst the three USDOL funded projects to assist the Pretoria office After extensive engagement with the AO, standard operating procedures with expected turn-around times were agreed, and a TECL instituted a tracking system on all requests to the AO, for use by all the technical cooperation projects (not just TECL). This improved the process – although not fully removed the frustrations and difficulties. TECL joined meetings of the programming unit that improved flow of information, and alignment between TECL and the AO activities. TECL requested and held regular meetings with the ILO AO Director, to brief the director of developments, progress, and challenged. Although some challenges remained in AO support, these meetings assisted to keep them to a minimum. Despite this most respondents complained about delays and inefficiencies in terms of administrative, procurement, reporting and other processes.
2. The TECL team provides clear indications that the management, service providers and steering committees are using more effectively the results of the PMP, self-evaluations and the midterm review in order to move forward faster and strategically. At the same time the content of the PMP and structure of the self-evaluation exercise should be revised to be more useful and to offer more reliable information.	In SA the biggest problem is that the new chair does not feel comfortable about using the IC meetings as a way of following up with other departments on progress re key elements of implementation of the CLPA. He feels he cannot "call another department" to order and to report, because the DOL is not set above the other departments. In the BLNS, the PACC meetings proceeded at a satisfactory level, although all of them require restructuring and re-assessment of membership, and they move into a phase of implementation of their APECs. This is a process to be addressed in TECL II.
3. The TECL team focuses as a priority on establishing realistic targets for numbers of direct beneficiaries and making the pilot projects work as well as possible.	The revised Project Document did indicate targets for direct beneficiaries – these have been exceeded.
4. The TECL team plans and launches as a matter of priority initiatives that will ensure that **key** developments, lessons and good practices are systematically documented by role players using flexible frameworks that will allow comparison and ensure that institutional memory is not lost and that the best information is available for synthesis papers towards the end of the programme. This should	A study was commissioned on Lessons Learnt. This is a general report on lessons learned in TECL, which serves as an important way of passing on learnings to others – in target countries, elsewhere in the world, and to the TECL II team. Another report was commissioned on CUBAC

include a focus on compiling sub-regional lessons that can move the sub-regional agenda forward once TECL ends.	In addition "lessons learned" were recorded regarding all the other projects and these were communicated in different ways. For example a booklet was published jointly by TECL and DWAF on the lessons learned regarding the water fetching project "At a sub-regional level a study on Child trafficking in the Southern African sub-region was commissioned. This report has been finalized and is being published by the ILO office in Harare as a regional report.
5. The TECL team develops a management style that accelerates processes of planning and implementation, including drafting and finalising documents. This includes ensuring that roles and lines of responsibility and accountability within the team are clear, agreed upon and structured for optimal *management* effectiveness.	Since the evaluation TECL accelerated its processes of planning and implementation and as a result delivered on practically all outputs, spent practically its whole budget, and made much progress commented. This was one of their key strengths.

3.8 Institutional Arrangements

3.8.1 Role of government

By ratifying the ILO Convention No. 182 governments commit themselves to prohibiting and eliminating the WFCL as a matter of urgency through time-bound measures. A Time Bound Programme (TBP) is a tool to assist member states to fulfil their obligations in terms of the Convention within a defined period of time.

In South Africa, the process of developing a national framework to address CL commenced in 1996. "...*Much information on CL has been gathered and analysed. Broad consultation programmes have been run. Many government institutions have participated in formulating a wide range of measures addressing the causes or the effects of CL in the country*..."[25] Since then South Africa has launched the 1st Child Labour Programme of Action as well as recently updated this for the period 2008 – 2012. One can argue therefore that the South African government was way ahead in creating an enabling environment to address CL issues.

However, respondents from both government and other national partners in South Africa raised their concern around a perceived lack of political will and commitment from government to ensure that CL receives attention. The role and effort of the DOL is acknowledged in trying to lead the CLPA, and further in this section, the issue of the role and mandate of the IC which is chaired by the DOL is elaborated on. Apart from anecdotal evidence, factual evidence reflects that the CLPA has not yet been costed after almost 3 years since Cabinet instructed that it be costed before final endorsement. While this has not prevented certain departments from moving ahead and working on CL issues as it pertains to their work, many department officials have said that this has contributed to CL being seen as an 'add-on'. Until this is costed into their departments work and becomes part of their core business, in other words, mainstreamed, it will not receive the attention that it should.

[25] Final Southern Africa SACU Prodoc, September 2003

Government respondents in South Africa, while understanding the importance of CL, indicate that they have "their own development priorities and CL is often not seen as one of them", and some feel that it is imposed on them. This is partly about competing priorities, lack of capacity and resources and a continued lack of understanding about CL from certain quarters. Despite a number of awareness raising initiatives having taken place some government officials still ask the question: "*What does* child labour *have to do with us...it is the street children who are vulnerable to child labour, not children who are in schools...?* A limitation in all the countries has been the lack of a dedicated person to address CL issues, a CL focal person, or at the very least a focal person to deal with vulnerable children (of which CL is a part). In South Africa, the Department of Social Development has appointed such as person and time will tell whether any substance is given to this role or whether the person gets drawn into undefined territory. On the other hand, the DOL as the lead agency has added the responsibility for CL to that of the Executive Manager of Employment Standards. This is certainly not an adequate arrangement if the issue of CL is to be taken seriously.

The other issue is the lack of coordination even within one department, a case in point being the Department of Education where different directorates were involved in TECL, namely Inclusive Education, Curriculum Development and Monitoring and Evaluation. Respondents indicated how the lack of communication and coordination across the directorates lead to these representatives not knowing what the other was doing with regards to CL. TECL has tried to address this issue with the various units they've engaged with and also recommended that this matter be addressed during the costing of the CLPA as all these units are to meet to consider the various action steps to cost it and to report on progress to date. But TECL notes a high turnover of either senior management or the operational staff having hampered this in many instances.

There are however also examples of action that have highlighted and emphasized that child labour is a cross-cutting issue and where various departments have been brought together for the first time to engage on child labour and related issues. Thus not just trying to address the issue per department but across departments – for example making the link between children in conflict with the law and CUBAC (Department of Justice) including that in the Child Justice Bill and the prosecution of the adults that used children (National Prosecuting Authority) investigating alternative mechanisms of prosecuting adults and children in need of care and assistance (Department of Social Development) resulting in the inclusion of CUBAC in the Children's in the inclusion of CUBAC in the Children's Act and even the Department of Labour by including CUBAC in the regulations as part of the BCEA.
Apart from the limited contact with Swaziland the impression from the other BLNS countries is that governments have all in principle committed to the overall process leading to national plans to address CL and key players are engaged in the PACCs. In both Lesotho and Namibia the chairpersons of the PACC expressed commitment to taking the process forward but acknowledged the difficulties in getting other government departments to share the same level of commitment, not because CL issues were not important but because of other priorities.

3.8.2 Challenges of mainstreaming

In South Africa, the issue of mainstreaming has been on the development agenda for a number of years, starting with gender and HIV/AIDS. What is meant by mainstreaming was always part of this discourse. Mainstreaming as taken from a gender mainstreaming perspective (and can be applied to other areas of mainstreaming) is "*...the process of assessing the implications of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy to ensure that the issue is an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres...*"

In all spheres of government the issue of how to mainstream issues such as gender, HIV/AIDS, and now CL into departmental policies, programmes and projects, has been a challenge. TECL's approach to mainstreaming differed to some extent by them *"... considering each type of CL and each CL-related problem separately, determining which particular existing law, policies and programmes affected, or might affect, children involved in this type of CL, and then tried to have the law, policy or programme (or related instruments) changed accordingly..."*[26]

A consultative workshop identified the following as key challenges of mainstreaming[27]:

- There needs to be political buy-in at all levels – this has not always been the case for the either the government-led initiative in South Africa (CLPA) or the APEC process in the BLNS countries, which were supported by TECL.
- Administrative gatekeepers and departmental politics can impede progress.
- A general lack of awareness about CL issues and the complexity of intervening successfully.
- Maintaining commitment and co-ordination with role-players over the long-term.
- A lot of time needed to be spent on deciding on an effective strategy for getting the issues mainstreamed.
- As 'outsiders', it has been difficult for TECL to have power over government and insist on outputs from role-players.

3.8.3 Role and mandate of the Implementation Committee

There is no clear understanding of the role of the IC by any government informants, with it being described as "...coordinating, facilitating, and ensuring that the CLPA is implemented..." However, what became quite clear is that the IC in South Africa had many difficulties. Some of these are:

The leadership of the DOL: The DOL does not see itself holding IC members accountable for reporting on their departmental actions with regard to CL. The chair of the IC indicated *"...we are an inter-governmental structure where people come together in good faith, there is no authority and our working together is based on good will..."* When the IC were asked how they deal with issues of non-attendance, non-reporting, non-accountability from departments, non-compliance for example with regard to the costing exercise, the response was "*...the DDG forum's will deal with issues of non-compliance...*" However, it appears that even at DDG forums, because of the lack of attendance, this issue has not been addressed. Respondents indicate that the status of the IC was downgraded by the leadership in DOL being downgraded, first the DDG chaired, then the Chief Director and now it is a Director.

IC members argue that it is *"...less about commitment but more about the structural nature of the IC, that is the issue...There is no easy fit with child labour issues and the broader work of many departments...but no structure can enforce if there is no commitment and buy-in from government departments..."*

Purpose and mandate of the IC: This raises the issue of the purpose and mandate of the IC...it is clearly not able to enforce or provide oversight but what it does is serve a coordinating function around CL, it

[26] TECL Lessons learnt, ver3, June 2008
[27] Ibid, June 2008

facilitates certain processes, and acts as the spokesperson on CL. It also serves as the structure that adds 'legitimacy' and a human face to the CLPA, without it the CLPA would be a product. Respondents from government admitted to having little authority and capacity to make decisions but see this authority as being vested in the Cabinet once the CLPA has been fully costed and endorsed.

Location of the lead agency: A number of government and non-government respondents argued that DOL should not have been the lead agency to drive CL because children are not the mandate of the DOL. Suggestions were that CL would fit more snugly with Education and more so Social Development, although these same respondents did not express confidence in Social Development being more effective. In reality any government department would have a problem because of the inter-departmental nature of the work so no one department can determine priorities for other departments. Some mentioned forums such as the National Child Protection Committee that has different national and provincial departments and NGO's present and deals with all issues related to the protection of children.

Lack of consistency and continuity: Senior officials often sent junior officials to IC meetings without a proper briefing or authority to consult or make decisions. Reporting back to departments often did not happen in a consistent way because of other priorities, time constraints and having access to the right people. This means that departments are not 'on the same page' with regard to CL.

Other issues are:

i. Lack of coordination of CL issues within the same department
ii. High turnover of staff in government which impacts on the amount time spent in bring different people 'on board' all the time
iii. Non-reporting and not being accountable to the IC

In the BLNS countries respondents without fail indicated a similar constraint regarding government officials having other departmental-specific priorities, that senior officials do not attend PACC meetings and often send junior staff who do not have the authority to make decisions. In addition, and more importantly, they come to meetings with very little understanding about the issues, or the background to developments on the PACC, leaving the more committed and involved members extremely frustrated by "*...constantly having to go back over issues that have already been addressed...*"

3.8.4 TECL team

The TECL programme is managed and coordinated by a group of 5 people based at the ILO Area Office in Pretoria. Three of them, the Chief Technical Adviser (CTA), Senior Programme Officer (SPO) and an administrative staff member are full-time while the other 2 are consultants employed for specific outputs. All respondents assumed that the consultants were part of the full-time staff compliment because of the amount of time they spent at the TECL office and also that they were present at most of the TECL activities and events. Some concern was raised by the Area Office that they were appointed as consultants but were treated as full time staff and occupied office space at TECL.

The Project *Document states the role of the CTA as "...will have overall responsibility for the management of the project budget, as well as project direction, implementation and reporting. She or he will be directly responsible for implementing or sub-contracting activities at sub-regional level and have a supervisory and backstopping role towards activities under the national level components of the project. This will include final consideration and approval of requests for funding from the participating countries and taking the planning-cum-self-evaluation process forward at national level. Moreover, the*

CTA will be responsible for project management reporting (implementation and progress reports) with backstopping by IPEC HQs..."

The same document describes the role of the SPO as "...to assist the CTA with the implementation, management and monitoring of the project, including taking forward the planning-cum-self-evaluation process with the support of the CTA. The SPO will assist the CTA with management reporting, identification of partners and collaborators, and will also assist IAs in producing proposals and evaluating these proposals..."

Some observations were made about the role of the SPO who seemed to be side-stepped by the CTA and therefore, played a backseat role when she should have been at the forefront of the programme. This was evidenced in both the IC meeting in South Africa and the PACC meeting in Lesotho where all the presentations and discussions were lead by the CTA; yet especially in the BLNS countries it was the SPO that played a key role in liaising, facilitating and coordinating the processes in these countries. On the surface this did not seem to impact in any significant way on TECL's operations, although the SPO did seem very capable of fulfilling a more prominent role.

In general, the TECL team had an enormous amount of support from national stakeholders. Many said that it was a key achievement that they survived this process. All respondents (but one) acknowledged their role, commitment, dedication and acknowledged their hard work in keeping the CLPA alive. Many don't think that the CLPA process would go much further without the involvement of TECL.

It is noteworthy that some respondents observed that the entire senior team at TECL were white appointees. The senior team, as far as stakeholders were concerned and who were seen as the public face of TECL was the CTA, SPO, and the two consultants referred to above who most thought were full-time staff, hence they were seen as part of the senior team. This was found to be unusual for an internationally-based organisation like the ILO in a country that has worked hard to transform the workplace and to ensure that staff were representative of the country demographics. While this did not seem to have any impact on project implementation, it did raise issues of profile and credibility of the project and particularly as an ILO project. The ILO is held in high regard by stakeholders, an institution that they want to be associated with, but also one that has a particular international image that would support the transformation process in a country.

The CUBAC study on Good practices and lessons learnt[28] identified the more 'hands on' role played by TECL particularly in the beginning when the process was starting and people needed to be familiarised with the ILO requirements and procedures. Many SP's found this to be micro-managing and some found that they were being told what to do. At the same time however, many agreed that as the process unfolded and TECL developed '*more trust in us'* the relationship changed.

In the BLNS countries most respondents raised as a limitation, the absence of a country-based TECL person. While they acknowledged that the TECL team did their best they would have preferred having a more hands-on person readily available to them. The SPO very seldom spent more than a day at a time in each of these countries, which was not the most conducive approach. This does not mean that there was no contact, in fact there was very regular contact with the key people in each country and many teleconferences and video-conferencing held to sort out and address issues as they emerged. However, it is the face-to-face contact that was missing.

[28] CUBAC Good practices and lessons learnt

On this issue one stakeholder noted that "… *there was a possible outcome, namely that the PACC Secretariats and Chairpersons by default became the entry point for any inquiries pertaining to the issue of child labour and thus had to take ownership of the issue instead of passing the issue on to the NPC..."* While this seems to be a plausible reasoning, the evaluator was not able to independently verify whether this outcome materialized.
Some government respondents in South Africa raised concerns about what was perceived to be a blurring of roles with TECL and the IC and TECL and government departments. At the last meeting of the IC for TECL I, the chairperson indicated that *"...in future departments have to bring their own reports to the IC and not TECL as has been the case..."* This practice was not a wise one nor could it have been a very empowering one and as more than one government informant expressed "*...whose needs were we meeting government's needs or TECL's needs..?"*

On the one hand, the perception of TECL as an extended arm of the SA government to implement assigned action steps in close collaboration with the lead departments worked very well. This facilitated many processes and without taking this approach, TECL would not have had the many successes it had, since South African stakeholders are otherwise very wary as to any input coming from an international organisation – believing in home-grown solutions. At the same time, TECL was very cautious not to act on behalf of but in support of lead departments.

At the same time at IC meetings departments were requested to report on i) activities relating to TECL projects where they are the lead departments and ii) progress made on other action steps identified in the CLPA. However, since the chairperson did not hold departments accountable for this, it would have resulted in no report being given if TECL did not. TECL noted that "*...this matter was discussed often with the DOL, but with no improvement. In order to move matters on, TECL then stepped in and reported to the IC, asking it to engage and decide on critical matters. The TECL report was thus a comprehensive report on progress made...Sometimes TECL managed to get input from departments so that at the very least the progress report was jointly prepared..."*

The problem was further hampered by a high staff turnaround including in the DOL. Neither the current chairperson nor his staff were part of the IC meeting until about mid 2007 and thus did not have the institutional memory on the various phases and styles of reporting that was tested during this process. At the same time if you do not require key stakeholders to report the importance of the issue in comparison with other assigned responsibilities are diluted. As a funded programme, responsible for reporting on key activities and outputs, TECL could not afford not to report on progress made and seek comment and approval to proceed, where key stakeholders did not do their own reporting.

One stakeholder stated "*we need to agree on what is critical, as opposed to the needs of TECL. So for example, CUBAC might be a nice-to-have but is it a priority for government...?"* TECL worked on what had already been identified by the SA government through a broad consultative process as activities needing further technical assistance and funding from outside. It did not set its own agenda. Furthermore, none of the projects – CUBAC included – was conceptualised, designed and implemented without the participation and approval of the lead department and the IC.

At the same time some argue that if TECL didn't push government they would not have achieved what they did; on the other hand, it could very easily create a dependency situation and more so one that doesn't create national ownership. The Area Office also questioned whether TECL had built the capacity of the national partners sufficiently so that they can continue with the programme without TECL support. The Area Office was strongly of the view that in South Africa TECL was doing the work that government should be doing, rather than the government taking responsibility themselves.

This leads to the issue of the location of the CTA and whether the CTA should be based in the DOL or where he currently is. In other words, should the CTA be providing more hands-on technical assistance and support to the DOL, mandated to drive the implementation of the CLPA as the lead agency? In working with government departments the CTA would therefore be seen as an 'insider' rather than an 'outsider'. This position has both pros and cons. The pros are that as an insider the CTA might be in a better position to access government departments, thereby having more influence in decision-making. It would also reduce the current impression with some government officials that "*...they don't understand government and we don't need them to build our capacity, we must do it ourselves...*" The other side of the coin is that it might be easy for an insider to be caught up with government processes, bureaucracies and therefore difficult to retain some independence and objectivity in the process.

3.8.5 Procurement Issues

The time that it took to procure the services of SP's, led to a number of delays in implementation. The processes are rigorous but also appear quite rigid. If one takes into account the feedback from some of the informants, it is apparent that this process is not enabling and in fact is extremely frustrating.

As it stands all SP's have attested to the stringent but credible and transparent processes that TECL uses to appoint SPs. There is a very high demand for quality. The IC or a Reference Group established with the relevant department plays a key role in the selection process.

The situation did not change since the mid-term evaluation[29] which found the "*...lengthy processes for development of terms of reference, the selection of SPs through a competitive bidding process, and procurement of their services as a key drawback. Delays have occurred for several reasons, but significant time has been lost waiting for technical inputs at several stages - during development of the project concepts, technical inputs after endorsement by the local steering committees and clearance by the ILO Procurement...*" It is quite critical therefore that TECL II continues the engagement that started with TECL I, with the appropriate structures at ILO-IPEC to find solutions to remove the bottlenecks that currently exist, while at the same time not foregoing the ethical and transparent prerogatives that are needed to ensure the integrity of the systems and processes. TECL noted that while delays were a major problem, it had reduced over time, which could be an indication of improved processes.

3.8.6 Management relationships

In the initial meeting with the Area Office a number of issues were raised for consideration in the evaluation, amongst these a) the excessive use of consultants (selection, choice and cost effectiveness, b) stakeholder participation in the design process, c) timing of the exit process, and d) sustainability with regard to building the capacity of government to take ownership. Additional points were raised about the separate 'branding' of TECL and the concern that TECL is a programme / project of ILO-IPEC and as such should not operate as if they were autonomous from ILO-IPEC.

Although the Area Office indicated that they provided "*...administrative and strategic support to the TECL team...*" one does not get a sense that this is how the TECL team experienced it, and anecdotal evidence suggests that they depended largely on their own resources and capacities and claim to have not received much support from the Area Office. Although an additional Finance Officer, shared by the three USDOL projects, was appointed to assist the Area Office with the processing of payment requests, etc,

[29] Mid-term evaluation, June 2005

the management of projects with reference to monitoring contracts, processing payments and related financial matters as well as the outputs per project of a range of SPs across a range of projects in the various countries is an intense and time consuming activity.

Informants moreover noted the following:

- *It also needs to be highlighted that when requested, TECL provided input and participated in a range of non-programme direct administrative and support matters in the AO.*
- *TECL represented the Pretoria office on at least two UN Committees including the UNCT/JUSTICE theme group and provided feedback to the Director and Programme Unit of the expectations and input required and provided.*
- *On the down side, the TECL programme was never briefed or consulted on the drafting of the first DWCP (Lesotho), with the consequence that TECL, only by default later realised that no reference to child labour was made nor the NPA process was made in the DWCP.*

The evaluation did not explore the reasons for the lack of administrative support from the Area Office but suffice to say that it seems to be indicative of a deeper problem between the Area Office and the TECL team, with the team indicating that they have made efforts to draw the Area Office in by exchanging information, providing reports and informing them of events taking place. The issues raised by the Area Office who is seen to be finally accountable for the TECL programme indicates a breakdown in communication between them. The fact that the Area Office has not raised these issues with the TECL team lends further support to this statement.

TECL noted the following as an indication of attempts to improve communication with the Area Office "*...TECL arranged monthly or bi-monthly briefing sessions with the Pretoria office management. Written updates were provided and key issues were discussed. Furthermore, based on the recommendations of a workshop held during the end of 2007 to better communication within the office – a problem identified by all staff at this workshop – technical cooperation unit staff members were invited to attend and participate in the office's programme unit meetings. As indicated this was only initiated earlier this year and although dates are set for these meetings it did not happen at regular intervals. Where possible the SPO / NPC attended these meetings and provided input and feedback on TECL projects".*

With regard to 'branding' of TECL as separate from the ILO-IPEC a point was raised that often TECL and the ILO Area Office would share a platform at a public event and this was questioned because TECL and the Area Office then seem to represent different organisations when in fact they ought to be one. Whatever the reasons it is crucial that the issues be discussed and resolved.

TECL indicated that the Director or any other member representing the Director in her absence was invited to either attend and or participate in what was discussed prior to such an event. In each instance the role, need or focus for various presentations were discussed and it was never indicated or alert to this being an unusual or inappropriate arrangement. In all instances both parties highlighted the position of TECL within the bigger ILO/IPEC programme.

3.8.7 Use of Service Providers / Consultants

Given that TECL was insufficiently staffed they relied almost exclusively on consultants to implement the TECL programme, especially those action steps in the CLPA that were being implemented with the support of TECL. Consultants/Service Providers were appointed to:

i. Conduct research
ii. Develop position papers

iii. Draft policy frameworks and in BLNS the NAP's
iv. Build capacity of Implementing Agents
v. Develop materials
vi. Train government and Implementing Agents
vii. Write reviews of the programme such as lessons learnt, good practices, etc
viii. Technical comment as country specialists

In some of the contracts that related to various phases of the projects (for example, the processes run in the BLNS countries, and in the pilot projects in SA), it was indicated explicitly in the initial requests for proposals that, if the outputs were to the satisfaction of TECL and the other members of the Reference Group that oversaw the implementation of this project, the selected SP may be appointed in subsequent phases of the project and in fact the preference was for the same SP to be appointed in all the phases, to facilitate continuity and integration of the different phases.

One example is the appointment of the same SP for implementing all three streams in Namibia, where the SP with pre-identified consortiums for the various stream activities was thus identified and selected through the procurement process for all three the stream activities. Another example was the CUBAC set of projects: the research studies were done by Community Law Centre (UWC) and due to the nature of services rendered they were requested to also do the design of the pilot project. This was anticipated and encouraged in the initial and subsequent requests for proposals.

TECL noted that "*...It was considered important to all stakeholders involved in the appointment process (through the relevant reference group) that the institution designing pilot projects should have an interest in being involved in the running of that pilot projects, since this would have ensured that the institution puts more care in the design to make it realistic and implementable. Also regarding the research components, if an institution anticipated that they may be appointed to design a project, they were more likely to think more carefully what research questions had to be answered...*"

In most instances, however, SPs were appointed through a process or requests for proposals, and they were evaluated and assessed through a very thorough procurement process involving not just TECL but the appointed Reference Group members, vetted by the AO and usually also by the head of finance for Africa in Addis Ababa, to identify and select the preferred SPs. In very few cases, the same SP was appointed for new and unrelated projects. In such cases, the SP may have gained experienced in CL related matters in earlier projects and this would have given them an advantage in this respect in the preparation of their proposal. However, previous engagement with TECL was not a criterion for selection. In some cases a SP that provided satisfactory outputs in earlier projects were not selected for a subsequent project, but a new external SP was appointed.

TECL argued that they would not have been able to accomplish what they have without specialists that were appointed as consultants. However, it must be noted that a bigger staff complement for some core team activities could have addressed some of the research where more generic rather than specialist skills were not necessary for a specific study.

As noted by TECL *"...Large number of SPs was used by TECL, more than 60 (excluding evaluators, means that the capacity of these SPs has been built. There is a big group of people who have gained skills and expertise, and are sensitised on issues of child labour, while there were very few when TECL started work. A number of the SPs has continued with work on child labour, for example, the Human Sciences Research Council is continuing with its work on child labour indicators (within their unit focusing on children's issues); and on water fetching by children (within their unit dealing with infrastructure issues);*

the researcher that did the study on waste picking / scavenging has chosen the topic for further post-degree studies; the SP who ran the projects in Botswana is feeding in the child labour issues in her continued work on children in HIV /AIDS in the country..."

SPs spoke highly of the TECL team in terms of providing them with support and providing a public face to the TECL programme by attending meetings, conferences and other events. As stated in the CUBAC report[30] "*...As the implementation of the pilot projects progressed, a very supportive working relationship developed between the TECL team and the project co-ordinating team, with joint appearances at meetings and conferences occurring, such as happened at a panel session at the National Conference on the Harmonization of Laws in October 2006, where the project co-ordinator and member of the TECL office featured together on the platform. There is no doubt that this symbiotic relationship added weight and impetus to efforts to make the TECL programme visible and to promote the profile of the TECL programme overall at a national level. This particular conference was attended by high level stakeholders from a range of government departments. A similar comment can be made regarding the child justice conference hosted by the Child Justice Alliance and the Open Society Foundation in August 2006, also attended by high-ranking policy makers and government stakeholders. ..*" Respondents mentioned that TECL was always available to assist when any obstacles cropped up in the process.

Some SPs found it very difficult to work with TECL "*...they are nice people but they leave you to your own devices often without a proper briefing and waiting months for feedback...*" TECL acknowledged that at times where the consultants were believed to be experts, they required less hands-on management. This statement does come from a SP that felt un-supported but it is definitely not a common feeling. Regarding the great majority of projects TECL was relatively hands-on, until it trusted that the SP knew exactly what was required, when a lighter level of guidance was provided. It is for this reason that many SPs have previously indicated a level of micro-management from TECL.

3.9 Coordination with other Child Labour projects

3.9.1 RECLISA

RECLISA and TECL are regarded as 'sister programmes', both funded by the US Department of Labor and focuses on the interface between CL and education, working from different yet complementary perspectives. RECLISA sees itself as working with direct beneficiaries while TECL's approach has been working with government and national stakeholders to mainstream CL and create an enabling environment. This does not mean that TECL does not work with direct beneficiaries and has done so over a range of projects such as CSEC, CT, CUBAC interlinked with education and other assistance. While there have been some attempts at sharing events such as the joint launch in Botswana and the joint workshop in Namibia this seems to be more around logistical arrangements rather than programmatic collaboration.

RECLISA describes the relationship with TECL as 'up and down' and acknowledge that there could have been more cooperation between the two but that neither made the time to do so. In the TPR of March 2008, TECL states the following with regard to strengthening the alignment between RECLISA and TECL to better understand the policy-practice link. "*...TECL has on an ongoing basis tried to increase engagement with RECLISA and the various partners within the countries. However, TECL's initiatives were unfortunately not as warmly embraced by RECLISA as was expected and hoped for especially in South Africa. Although engagement between TECL and RECLISA (including its partners) continues on*

[30] CUBAC Lessons Learnt and good practices

steering committee level and to some extent on Reference Group level, further engagement has unfortunately been reduced due to RECLISA's non-responsiveness to TECL's effort at collaboration on projects of joint concern, such as those on education in South Africa..."

An assumption is that there were territorial issues between RECLISA and TECL. Mention was made of duplication around certain projects for example a TECL and RECLISA person was in contact with the same organisation working with CSEC and CUBAC and RECLISA decided to withdraw and leave TECL to work with them. There was also overlap with SCREAM work and RECLISA felt that their approach was more relevant because they linked their training to OBE (Outcome-based education) which was country-appropriate, while SCREAM was considered an imported product. This situation created much discomfort during a visit from a consultant appointed by TECL / IPEC to provide training to partners on using SCREAM methodology. [31] All the participants at a workshop facilitated by the international consultant endorsed the SCREAM Education pack but not RECLISA. This conflict was bound to create confusion amongst partners who see the two programmes as complimentary rather than opposing.

There almost seems to be a 'territorial arrogance' between the two programmes, with TECL expressing some reluctance to working with direct beneficiaries saying "*...that is RECLISA's work while we are focusing on mainstreaming...*" On the other hand RECLISA feels that they have more practical experience in working with direct beneficiaries. There is a perception from both TECL and RECLISA that USDOL is more interested in targets (numbers) and therefore has a preference to work with direct beneficiaries. The fact that USDOL is willing and interested in financing a second phase of TECL shows that USDOL also understands the importance of mainstreaming and how both are needed. In fact, most USDOL technical assistance projects around the world focus on both mainstreaming CL issues and providing direct educational services to children engaged in or at risk of entering exploitive CL. As a matter of policy, USDOL argues that all CL mainstreaming should be based on research and the results of direct action programs.

In Lesotho, the informant from UNICEF was of the view that there could have been more cooperation between the Ministry of Labour and UNICEF especially as she had heard that the project was not continuing in Lesotho, and if they had known before, they might have been able to look at how they could address this issue. It is also noted that: ILO/TECL as part of the DWCP process – in which no reference is made to CL nor the NPA in spite of information, would have been a further instrument to make all stakeholders aware of the need for the identification of priority actions to be taken and funding needed for this. The Minister acknowledged this oversight and confirmed that a review of the DWCP will be initiated to address this.

At a sub-regional level there seems to be more networking and cooperation with other similar agencies, for example, TECL has drafted a collaboration agreement with UNDOC, IOM and UNICEF. Recently a joint press conference was held with these agencies to raise public awareness about human trafficking in the sub-region and about this strategy of cooperation.

3.9.2 Other networks

The evaluator was under the impression that there were no other partners outside of government, in South Africa that works specifically on CL issues, but discovered in the process of writing this report that there is a Network against Child Labour (NACL) in South Africa, operating from Johannesburg. In discussion with the SPO it appears that there was some contact but that NACL was not very forthcoming with

[31] Mission Report, Nick Grisewood, Nov-Dec 2007

information. A website search[32] found the following information "The NACL came into being in 1990 as a result of the concern of several organisations. It has steadily grown and is now the main centre of energy investigating the concerns around CL in South Africa. It is a dynamic network made up of 50 organisations, and individuals from diverse range of sectors including health, welfare, development, environment, law, labour human rights, education, and religious groups". This sounds like an organisation that clearly needs to be worked with, especially as its membership lists some well-known organisations in the children's sector (and it includes the ILO). Some of these organisations include:

- Childline
- Children's Rights and Advocacy Project
- Child Welfare (national and provincial)
- Gauteng Alliance for Street Children
- International Labour Organisation (ILO)
- Johannesburg Institute of Social Services
- Lawyers for Human Right
- National Children's Right Committee
- NICRO
- UNICEF

According to TECL, NACL is a standing member of the IC of the CLPA and served on a number of the TECL project reference groups. TECL went to considerable lengths to involve NACL, and approached it various times to encourage it to submit proposals on a projects where it appeared that NACL potentially had interest and something to offer. These included the following two projects: i) the study on immigrant and refugee children; and ii) assistance with the design and drafting of a capacity building manual. NACL was appointed but failed to deliver on any of these outputs despite various follow-up engagement and assistance rendered to them. Since its appointment its representative has not attended any of the meetings of the IC of the CLPA.

It has been further noted by a stakeholder that working with the NACL would be difficult as they are not presently active on child labour issues at all. The evaluation team was unable to verify this independently at the time of the data collection.

3.10 Pilot Projects / Direct Action

To strengthen the enabling environment, TECL assisted with the implementation of four pilot projects[33] to explore ways to target the rollout of government programmes and policies on poverty, employment, labour and social matters more effectively in areas where the work that children do has serious negative effects on them. Legislative measures to address WFCL (where required) have been drafted, always in close cooperation with the relevant line departments and social partners.

TECL identified four pilot areas, these being:

[32] www.childlabour.org.za

[33] The pilot projects also include Action Programmes but is broader in focus than in other IPEC projects solely aimed at providing direct assistance to vulnerable children. In TECL 'pilot projects' included several elements, one of them being Action Programmes but others being research and mainstreaming, etc. Action Programmes are therefore part of Pilot Projects but it is not one and the same thing. For ease of use, pilot projects in this section refer to 'direct action'.

Pilot project 1: Commercial sexual exploitation of children (CSEC) and child trafficking (CT) including a focus on prevention and educational rehabilitation

Pilot project 2
Children used by adults to commit crime (CUBAC)

Pilot project 3
Prioritisation of water service delivery to households far from sources of safe water

Pilot project 4
Educational projects on rehabilitating withdrawn child labourers (out-of-school children and youth), including integration of children of school-going age into schooling / appropriate educational intervention for out-of-school children.

All of these pilots involved direct intervention – direct engagement with and assistance to children. As indicated earlier in the report, there was not enough time to visit most of the pilot projects, although a visit was done to Kids Haven, an interview at TECL offices with YDO and a telephonic interview conducted with the Education service providers/NGO involved in Kwazulu Natal. The intention was to visit YDO but they indicated that children were not available because of the school holidays and the fact that their programme had come to an end. It would have been beneficial to visit more projects especially to meet with direct beneficiaries but with the inclusion of a field visit to Namibia this was not possible.

3.10.1 Understanding definitions (i.e. withdrawal and prevented, in the pilot projects) and their use
The few IAs interviewed spoke highly of the training that they received from TECL to help them understand concepts such as withdrawal and prevention and were able to reflect this in how they reported to TECL. In most instances the focus tended to be on prevention although there is evidence in projects such as Kids Haven that children are withdrawn from labour or potential labour. Without having visited projects involved in CSEC, knowledge of NGO's such as Lerato House and Berea Home of Hope involve both withdrawal and prevention.

An NGO gives the following example to illustrate the point:
"...A complex type of support for children in need like meals for children after school, supervision of homework, extra-curricular activities, facilitate access to identity documents, referrals to other community resources which has positive effects on the action against child labour. A multiple range of services helps keep children out of child labour..."

"...Children have to be supported through counselling, direct assistance or connected with any other assistance offered by government or civil society organizations and provided with alternatives like vocational and skills training, safe employment opportunities for those children eligible to work in order for prevention/withdrawal activities to be successful..."[34]

[34] CRISP Final AP Report

Table 1 and 2[35] below reflects the numbers of children as direct beneficiaries who have been withdrawn from labour. TECL have exceeded the targets set for this period.

Children prevented / withdrawn from child labour:									
Percentage of target reached to date									
	Children withdrawn or prevented from child labour through the provision of educational services or training opportunities			Children withdrawn or prevented from child labour through the provision of other non-education related services			Grand total		
	Target	**Actual**	**%**	**Target**	**Actual**	**%**	**Target**	**Actual**	**%**
Withdrawn	750	939	**125%**	1275	129	**10%**	**2025**	**1068**	**53%**
Prevented	2415	3826	**158%**	1155	186	**16%**	**3570**	**4012**	**112%**

Table 1: Percentage of children reached

Number of children prevented / withdrawn from child labour, by gender, during the total project period up until Feb 2008)						
Children withdrawn or prevented from child labour through the provision of educational services or training opportunities			Children withdrawn or prevented from child labour through the provision of other non-education related services			
Male	**Female**	**Total**	**Male**	**Female**	**Total**	**Grand total**
640	299	**939**	64	65	**129**	**1068**
2063	1763	**3826**	107	79	**186**	**4012**
2703	**2062**	**4765**	**171**	**144**	**315**	**5080**

Table 2: Number of children by gender withdrawn from labour

3.10.2 Criteria for selection of Implementing Agents/ Beneficiaries

As mentioned previously TECL identified the organisations identified through a research study undertaken by CASE[36]. The CASE research short-listed 12-15 organisations in Gauteng specifically working with children at risk of or involved in CSEC/CT. After further engagement with the organisation and a consultative process six organisations were selected. The level of these organisations differed with some operating at a much lower level of capacity. IAs in the other three pilot projects were similarly selected after a participatory process involving potential IAs as well as stakeholders.

In most cases the NGOs have existing programmes and participants that they work with so the selection of beneficiaries was largely decided from their existing client-base. For example in Kids Haven the children were those who were taken off the streets and lived at Kids Haven. In YDO children were referred by the social worker from the DSD. It must be noted that children were only counted as TECL beneficiaries if they had individually benefited from assistance provided via the TECL programme.

[35] TPR March 2008 (adapted)

[36] Community Agency for Social Enquiry (CASE) 2006: Commercial and sexual exploitation of children and child trafficking: A South African situation analysis. Department of Labour, Pretoria

3.10.3 Effectiveness of the different projects implemented including capacity of community-level agencies and organisations

Different SP were appointed to provide capacity building in the different pilot projects. In the CSEC pilot projects a comprehensive programme was embarked on which included training as well as in-house support to the NGOs. Some of the activities included:

- Project Planning (including how to implement the APSO)
- Board training
- Fundraising
- Time management
- Report writing
- Managing people

According to the SP a lot of time was spent assisting the organisations practically to complete the monthly reports in the required formats as well as financial reporting. Their assessment was that most of the organisations did not have much capacity at all so a lot of time was spent providing hands-on support. In the end however, the capacity building SP appointed to assist the six IAs implementing CSEC/CT APs has been highlighted as a good practice exactly because the mentoring and support was available immediately and consistently throughout the implementation of the APs, and that capacity was built in the IAs through the training provided.

SPs and IAs concur that the capacity building helped them in many respects, and that their strategies in dealing with their focus area (e.g. children in CSEC), were enriched by this process. At the same time they require a different kind of support in order to continue with these activities and make these efforts sustainable; this support being funding. Earlier in the report it is mentioned that this was not TECLs role but some support was provided to build the fundraising skills of the IAs.

In working in Direct Action TECL's approach was not just to reach the numbers of children that were targeted but to test approaches and hope that these would be mainstreamed by government. While this was a good intention, it would have required a different approach from government if they had a role to play in the Action programmes (indirectly if not directly). Many of the IAs were NGOs doing the work that government should be doing but often not receiving financial support from government. It is likely though that through this process government would play a role with CSEC funding of the NGOs. Also in the water pilot project as mentioned earlier the experiences of the APs has partly been mainstreamed by the relevant government departments. The TECL AP in Nongoma has been integrated in the Integrated Development Plan and the issue of service delivery to needy rural areas has been integrated into DWAF technical assistance to Water Service Authorities.

In CUBAC the appointment of "*…a highly skilled, well connected and extremely experienced service provider was regarded as one of the good practices of this project…*" The study found that appointing SPs who *"…were familiar with local complexities, alive to regional and interdepartmental nuances and differences, and on top of their field. As leaders in their area, they were able to inspire confidence, get doors opened, and drive processes along, in the face of bureaucracy, inertia, and ignorance of the issue at hand…*"[37]

The intention of TECL in Direct Action was to learn lessons and then to contribute to these lessons being addressed in mainstreamed national initiatives that would reach many more children than TECL (or

[37] Lessons learnt

another externally funded initiative) could ever hope to do. This was only partially achieved. In Education, despite a few enthusiastic and committed individuals, the SPs battled to get any buy-in from the provincial and national education authorities, hence there is little hope that SCREAM would be used by the educators without official approval from national level (or provincial level). In Gauteng one of the District Offices took a keen interest in SCREAM and with her support was able to access the schools. However, they said that they could not take this further without permission from the authorities. In Kwazulu Natal, the provincial Department of Education is said to have cancelled a number of scheduled meetings with the service provider. Some argue that the reason why Education is not 'on board is because of the CL team and they do not see this as a problem in Education. A similar response was received at national level from Department of Education officials.

Notwithstanding the limited engagement and involvement of government in Direct Action, the capacity of the NGOs' and APSO's were built during this process, through a number of key activities:

i. NGO have increased awareness of forms of CL and better ways to assist affected children
ii. Introduction and training in the SCREAM methodology
iii. In organisations running diversion programmes that provide alternatives other than imprisonment for children in trouble with the law the organisations that were part of the TECL pilot now include a module on CUBAC in their diversion programmes.

3.11 Outcome and Sustainability

The outcomes of TECL have been noted throughout this report. Many of the key achievements would not have been possible without TECL's intervention. There has been a change in attitude and mind shift especially with those that have been closely involved in the TECL process. This now has to reach other echelons of government.

The wide variety of research studies, training materials, position papers and other resource materials that have come about as a result of TECL are key resources that will remain available as a resource to TECL II, and broadly to the sector involved in CL issues.

3.11.1 Mainstreaming

There are different views on the sustainability of the interventions and of the programme as a whole. Government respondents believe that it is sustainable because the CLPA has been internalised in government departments but that the CLPA needs a more coherent and consistent approach to be fully institutionalised. For this government needs to do a lot more work. One government official sees that "*...most Action steps have already been mainstreamed, but it now needs to change from policy to implementation...*"

In South Africa the second phase of the CLPA has been drafted and approved by the IC. Child labour legislation has been strengthened substantially and South Africa virtually has all the statutory powers needed to combat CL. Many areas of government policy and programmes now include aspects of CL that will help with sustainability in the medium term. Costing of the CLPA will provide the conditions for mainstreaming CL related policies, legislation and programmes within government as well as linking up with activities of other developing and/or cooperating partners. The acid test of implementation still lies ahead. In addition, the BLNS countries all have national action plans in place.

The lessons learnt document [38] states the following *"...One of the strong motivations for the mainstreaming approach was the belief of the TECL team that mainstreaming was more likely to result in sustainable results of the programme. Sustainability is a concern for all IPEC support programmes. In programmes that focus on direct beneficiary-oriented actions the issue relates to whether the children reached will remain outside child labour. It thus relates to the sustainability of the actions taken in respect of individual children..."*

The TECL team hoped to achieve sustainable systemic changes that would mean that government and other actors would, in future, work in a way that was more likely to prevent children landing in CL and more able to withdraw those who landed in this situation.

In this regard, some pilot projects produced significant achievements towards mainstreaming. The CUBAC project demonstrated not only impact but longer-term sustainability "*...There is incorporation of this issue in Justice College training material, some incorporation of CUBAC in guidelines and tools for relevant government departments or institutions such as the SAPS, and CUBAC has now been specified as a separate crime in the Children's Act. There are also separate indicators set for CUBAC in the Integrated Justice System to enable reporting on it...*"[39]

In respect of water, a tool was developed during the pilot project for use by local authorities for prioritising areas to receive water now includes an indicator of the distance over which water is fetched. The tool is now used by the Department of Water Affairs nationally, and especially in KwaZulu-Natal, where the pilot project was based.

In the work with educators SPs did not think that the work they did was sustainable firstly because of the short-term nature of the intervention and secondly because of the lack of involvement from the Department of Education. However, educators responded very well to the SCREAM training and one can assume that they will try to incorporate it into their teaching. Adult caregivers that were trained found it to be a very valuable tool and if they use it, it would have enormous benefit. Providing people with the tools to use SCREAM is sustainable because it provides them with skills that they can use in their work situations.
Swaziland and Lesotho respondents were quite cynical about sustainability saying that without TECL support they doubt that the NAP would be implemented because this is the stage where more support is needed. The BLNS country respondents didn't feel that their governments were ready to take forward and implement the NAP saying that they needed capacity building support to be able to do so. In Lesotho the UNICEF informant raised this as a key issue and expressed concern that it was not raised with the UN Agencies beforehand so that they might have considered ways to support an on-going programme.

3.11.2 Direct beneficiaries / IAs

While a range of services was rendered to direct beneficiaries it was difficult to assess the benefits or outcomes. There is the 'blue form' that serves as an important reporting tool (and monitoring) and IAs send in financial reports, but these monitoring tools do not talk to the benefits that beneficiaries experience. Talking to a group of beneficiaries at Kids Haven was the only place where one could hear of, and observe the benefits of the project on its targeted beneficiaries.

Especially in CSEC and CT, TECL selected organisations that were smaller and less resourced but provided a valuable service to vulnerable children. These organisations were run by a few people, often

[38] Lessons learned in mainstreaming child labour into national policies and programmes in five Southern African countries: The story of TECL, version 3, June 2008
[39] ibid

on a voluntary basis which they did because of a strong commitment to what they were doing. The evaluation of good practices found *that TECL came in with financial and technical support but in interviews with them they said they would not be able to continue with the activities that TECL supported if this support was no longer there*[40]. Some organisations have more resources and are stronger and will continue with the activities that TECL supported. Others will continue with the work they did prior to TECLs engagement with them and still address CL issues and providing assistance to victims of or children at risk of CL with whatever resources they have, but will not be able to continue those activities which TECL supported. One of the SPs said that they did not think that supporting these smaller organisations does much to advance the fight against CL.

3.11.3 Exit strategy

TECL has embarked on an exit strategy with key stakeholders in all the countries. This process is also outlined in detail on their website. TECL issued exit letters to key government departments, highlighting the various departments' responsibilities resulting from the TECL projects and linked to the CLPA. These letters were followed up with high level engagement regarding these responsibilities and further correspondence. The first high-level exit meeting with Deputy Director General (DDG) in South Africa took place on the 8August 2007, giving departments at least 6 working months to have bilateral discussions with each of the key departments and to hand over projects, and engaging at a top level with key departments regarding policy recommendations that arose. The main challenges will be in finding mechanisms to keep momentum in the absence of the pressure exerted by TECL and ensuring the effective transfer of the TECL experiences, information and knowledge. In the BLNS countries in particular, respondents have noted the need for engagement with the TECL experience after their national action plans have been drafted - even though this is likely to be only after TECL in its current form has ended.

Many respondents believe that the implementation of the CLPA will not happen without the support of TECL. An informant "*...I don't think that the IC will continue without TECL, we need the technical support otherwise all the gains made over the past 4 years will be lost...*"

3.12 Sub-regional activity

The objective for sub-regional work is that there would be more effective policies and programmes for tackling sub-regional CL issues, especially in its worst forms, in the SACU region. While interviews with respondents did not reveal much in terms of the scope of sub-regional activities, reports provided by the CTA indicated that TECL continued to work with other UN agencies to address regional trafficking in persons. Regional initiatives include:

- TECL has forged cooperation with other UN and International Agencies, namely the UNODC, IOM and UNICEF, regarding issues of human trafficking. This is a significant opportunity for achieving progress on sustained country-based and regional outcomes on child trafficking. This includes the following
    - Preparing a draft agreement regarding ILO (TECL), UNODC, IOM and UNICEF collaboration on issues of trafficking in SADC
    - Holding a well-publicised joint press conference to raise public awareness about human trafficking in the sub-region and about this strategy of cooperation between international agencies.

[40] Evaluation of good practice in addressing child labour: TECL projects in South Africa, Botswana, LESOTHO, Namibia and Swaziland, April 2008

A number of respondents indicated that it would have been very valuable to bring all TECL national partners together at a sub-regional level least once a year to share experiences, and learn from good practices of other countries. One stakeholder argued that there was very wide participation in the regional and country conferences which focused only on TECL SPs and implementation of the TECL programme:

- At three instances SPs (the first two only for the BLNS SPs, and the latter including South African SP as well) were brought together directly around TECL sharing and implementation issues. The first regarding BLNS Stream 1 and 2 activities; the second regarding BLNS Stream 3 activities; and the last regarding lessons learned.
- The first two sub-regional workshops was an opportunity for engagement, obtaining of a common understanding on the key issues and establishing networks for follow-up engagements amongst themselves.

Regional and country child labour conferences played a key role as part of the sub-regional activities:

- A major sub-regional conference (Botswana, Lesotho, Namibia, Swaziland and South Africa) on child labour was held in South Africa during July 2006. The conference was jointly organised by RECLISA (TECL's sister project) and TECL, although funded mainly through the former and thus presented as a RECLISA conference. This conference was an excellent example of cooperation between TECL and RECLISA, which delivered substantial benefit for the fight against child labour, and contributed directly to the objectives of each of these projects.

  Over 270 delegates representing regional governments, organised business and labour as well as the NGO sector attended the conference. The conference provided an ideal opportunity for all role-players to get together and debate pertinent issues surrounding child labour within the sub-region.

  It was a very effective awareness raising tool. E.g. TECL alone had taken part in about 50 television and radio interviews. Many media articles on child labour were also printed subsequent to the conference. TECL and its SPs roughly 2/3 of papers delivered were prepared by TECL and its SPs from all five countries, or facilitated / organised by TECL. This means that TECL contributed substantially, but also that it was a major opportunity to share information gathered to date, as well as lessons learned.

Country conferences:

- Three separate country conferences on child labour were convened and paid for by the RECLISA programme, but full support of TECL. These were held in Botswana, Lesotho and Swaziland, the first one in November 2006 and the last one in July 2007. A joint TECL-RECLISA country conference was held in Namibia in January 2008 – convened and paid for by both projects.

  SPs from other countries were invited to attend these country conferences, allowing cross-country sharing of ideas, findings and approaches. Centralised funding for travel expenses were limited, so only a limited number of SPs travelled in this way, but the benefit was substantial since all the SPs in the host country attended the relevant country conference, with the effect that they benefited by the input from SPs from other countries.

TECL's regional activities[41] are presently in their consolidation phase:

[41] TPR March 2008

- On a regional level, TECL is busy conducting a good practice study on child labour with the aim of consolidating good practices and lessons learnt over the project lifespan.
- TECL is producing consolidated regional report on what is now known about child labour, in view of all the research conducted by TECL over the past years.
- Lastly the TECL regional child trafficking report is being finalised for publication.

Section 4: Conclusions, lessons learnt and Recommendations

This section incorporates some conclusions and lessons learnt as well as recommendations to identify some steps to take as a result of these lessons. The conclusions have been consolidated under the key components as identified in the Terms of Reference.

4.1 Conclusions

4.1.1 Programme Design

The Programme Design was well conceptualised, sound, logical and coherent in terms of how the objectives were defined, and in terms of a general approach to the Logframe. In designing the programme, there could have been a case to focus on government and the mainstreaming agenda but it would have made sense to balance this with the involvement of other social partners, who are crucial in acting as the 'watchdogs' of child labour. So for example, resources and technical assistance could have been provided to worker's organisations to develop a policy on child labour so that it is placed on their agenda.

Many argued that the design of CLPA was over-ambitious despite the fact that government departments were extensively consulted during the design of the CLPA. The rapid turnover of staff in government is clearly reflected in statements such as these as it is fair to assume that the initial group that designed the CLPA through a consultation process within government and other stakeholders, are in the main not the same people who are now involved in the implementation of the CLPA. Hence, the CLPA is referred to, by many in government as an 'add-on' to their existing work.

Programme assumptions are critical to good risk management and TECL must be commended for the manner in which they managed the assumptions identified in the Design phase. In normal Logframe processes something that was considered to be beyond the control of a project would be a 'killer assumption' and mean a revision of the Design. Despite the fact that these assumptions were valid and has in some cases led to slow progress in implementation of the CLPA within government, TECL was able to develop strategies to address many of the assumptions that could have easily ground the programme to a halt. These include:

- Ensuring that significant government role players are involved all along the way thereby ensuring their commitment;
- Ongoing liaison and meetings with the South African Department of Labour
- Initiating a process of obtaining letters of commitments from key government departments and other stakeholders regarding elements of the CLPA directly related to the TECL project, while awaiting the approval of CLPA;
- Commencing with projects under the CLPA that individual departments had agreed to

ILO-IPEC requires the integration and mainstreaming of gender issues into all their programmes yet this did not appear in the design. The basic principle is that if it is not reflected in your conceptualisation and planning phase it won't happen. This logically becomes an add-on because it has to be done as a requirement rather than by conscious design.

A future design should identify what TECL is responsible for and how they fit into existing processes. At times the issue of attribution was difficult to determine because the departments might have been involved in a particular process anyway and TECL might have provided additional support and expertise to the process, but not be fully responsible for the outcome.

The design of Direct Action Programmes in future should involve the participation of the IA's involved so that they participate in the process from the design phase. At a broader conceptual level with TECL, IC and the relevant reference group, there was clearly a participatory planning process in identifying the Action Programmes. However, some of the IA's were clearly unprepared for implementing their AP and although all the objectives were met with capacity building and support provided by a SP, the principle of involving IA's in the design of the AP remains a key principle.

4.2 Relevance of the Programme

Although this might sound contradictory given the earlier statements about government having other development priorities; a CL programme remains very relevant in the Southern African context. However, it needs to go further and address the underlying causes of CL. If it doesn't do this it is merely dealing with the symptoms of a larger problem, which is extreme poverty, high unemployment and desperation that causes children to be used for CL in all its forms. Its relevance is also in addressing cultural issues related to CL, as can be seen in South Africa, with children fetching water and herding in Lesotho.

To a large extent the TECL programme has responded to the needs of stakeholders; in South Africa, the need was to support and facilitate the implementation of the CLPA. In order to do this it was necessary to create awareness within government and civil society about CL issues. The focus was on strengthening the enabling environment and in so doing increase the knowledge and capacity of relevant stakeholders and drafting new legislation against the WFCL. To ensure its continued relevance it is important that the capacity of national stakeholders and partners is built to be able to implement and enforce legislation and that all the efforts to date are not only paper presentations.

Building and enhancing the capacity of local NGOs to implement, monitor and manage the pilot projects has been very relevant as well. This is particularly the case with CSEC and CT where government is presently not the main implementer of services to vulnerable children, and it is not envisaged that this will be changed. In these areas it is mainly NGOs that implement these programmes. The main role of government has been to: (a) establish national frameworks / laws to deal with these issues – which government has partially done, with TECL's help, through the Children's Act and the Sexual Offences Act – both Acts of wide scope and breaking new grounds – in fact they are world class statutes; (b) to fund NGOs that provide these services – an area that requires substantial additional work by government; and (c) to provide appropriate support to the NGOs at local and provincial level – where much scope for improvement lies. Where government has played a central role has been in the CUBAC, education and excessive water-fetching pilot projects, which has resulted and will still result in significant advancement of government action on these issues.

4.3 Implementation Effectiveness

The achievements are many and have been documented in the report. The programme was ambitious and had to be met within a relatively short period of three years. The mid-term evaluation noted that the only way this the original time frames would be realistic was if*: (i) the TECL team's main task would have been to manage a myriad of SPs using highly efficient organisational and administrative systems; and (ii) implementation was based on clearly defined and agreed upon roles, responsibilities and targets; highly competent and effective partners and service providers; adequate human and financial resources; and excellent prediction and management of risk...*"

Despite the fact that these were not all in present, the achievements noted are amongst others: the number of departments that have either updated, amended existing legislation or drafted new legislation that addresses issues of CL. Mainstreaming child labour in government is a long process but despite this some departments have made incredible strides.

In South Africa, there has been significant expansion of measures to relieve household poverty which is the main driver of CL. In this respect, the law provides the child support grant (CSG) for children from poor socio-economic backgrounds; the foster care grant for those fostering children; and the care dependency grant for severely disabled children. The CSG mechanism is still largely viewed as a key mainstreamed measure addressing child poverty, and by implication, CL. The CSG was extended from age 14 to age 15, to align more closely with the minimum age for employment and compulsory schooling provisions.

Legislation to address CL has been strengthened substantially and South Africa has almost all the statutory powers needed to combat CL. The Basic Conditions of Employment Act (1997) prohibits any person from employing or providing work to any child under the age of 15 years or who have not completed the school year in the year the child turns 15 years old. The Children's Act (as amended in 2007) not only defines and prohibits a wide range of WFCL, but also deals with issues over which provincial governments have some jurisdiction. The Act covers explicitly deals with child trafficking, children used by adults to commit crime (CUBAC), and the commercial sexual exploitation of children of children. It also reinforces the provisions on forced labour in the Basic Conditions of Employment Act. The *Criminal Law (Sexual Offences and Related Matters) Amendment Act* was passed, which deals with sexual crimes against children and has provisions that relate to the prostitution of children; the exposure and use of children in child pornography, and trafficking (of adults and children); the extra-territorial application of such legislation, thus enabling SA Citizens and residents who commit these crimes against children abroad to be prosecuted on their return home and foreigners who commit crimes in SA against children to be prosecuted in their own countries. The *Child Justice Bill* – which deals with children in conflict with the law has been returned to Parliament and is presently being debated by the Parliamentary Portfolio Committee on Justice and Constitutional Development. It contains provisions of key importance for dealing with CUBAC. There is a policy *paper on the use and employment of children in liquor outlets & liquor manufacturing operations – to ensure mainstreaming of report findings workshops were held with stakeholders*. Finally, the Water prioritization tool being adopted by DWAF and incorporated into the technical assistance provided to Water Service Authorities nationally.

In addition BLNS countries have managed to finalise their national action plans and they have existing structures in place (the PACC) to take this process forward.

In all the countries, awareness has been created and CL has been put on the agenda of government, labour, employers and civil society, and institutional linkages have been facilitated. SPs have produced information that enabled CL practitioners to use in their attempts to address issues of CL. The multi-disciplinary nature and bringing together role-players from diverse sectors and parts of society around a common strategy has resulted in increased networking and communication. New areas of child labour have been recognised that were not seen in this way before, as in children fetching water to an excessive degree. Time and resources were spent on developing skills and capacities necessary to gather and analyse data from communities; implementing actionable interventions; and lobbying for CL-related activities. Targets for Direct Action have been met and exceeded in some cases.

There is a body of knowledge available that didn't exist before TECL. The TECL website provides access to a range of documents making it easily accessible (to those who have access to computers and the internet).

The process of costing which should have been completed has been retarded by the lack of response from government departments. Unless some decisive steps are taken by DOL to ensure that this happens, it is unlikely that all the relevant government departments would have done their costing by the end of 2008. This remains a key weakness of the programme, again one that TECL was not in control of despite all efforts and attempts to ensure its finalisation.

With regard to implementation processes and efficiency: TECL was able to achieve an incredible amount of outputs over the duration of this project given that they covered 5 countries with different needs, approaches and peculiarities. Taking the size, scope and small team into account, the project was efficient in addressing child labour in the SACU region. At one level this was achieved at what was observed to be quite a personal cost: working long hours, and being overworked and under enormous strain, a significant challenge for a small team.

Consultants were used extensively in the process. Without a proper cost-benefit analysis it would be difficult to say whether it was cost-effective although the outputs produced throughout the process has resulted in important impacts both in South Africa and the BLNS countries. The TECL team could have been expanded with more full-time staff which would have developed a pool of in-house skills and expertise. However, this would not have not have necessarily replaced the use of consultants although it might have reduced the use of consultants in some instances, but not where a specific knowledge base and expertise was required. Permanent staff present their own challenges and if you make the wrong choice you could be stuck with that person for a long time as due process is followed, sometimes at great expense (in terms of time, energy and money).

The stringent administrative and reporting requirements might be necessary for reporting and accountability but is certainly not efficient in terms of the time, effort and energy that went into doing this. TECL and ILO-IPEC seem to believe that more forms and more paperwork create more accountability. This is not necessarily the case and has created an unnecessary burden especially with those IAs who have less capacity to spend hours to meet TECL requirements. The aim should be to create an enabling environment so that includes more agencies rather than a complex process that is largely exclusive. TECL did provide support and capacity building to the IA's but even more experienced SP battled through the process.

With regard to procurement two views emerge, one that there are extreme delays from ILO which is not conducive for effective and efficient working. Procurement processes were seen as unnecessarily lengthy and bureaucratic leading to delays in appointments and then in implementation. The other view notes that

engagement with the desk office has lead to a reduction in the delays experienced and a more improved process. This bodes well for TECL II if procurement processes have been made more efficient.

4.4 Enabling Environment / Capacity Building

Role of government: TECL has played a key role in keeping government departments focused on CL. In principle, the government is committed to addressing issues of CL and the South African government has taken many progressive steps to deal with issues affecting children, most notably: the Children's Amendment Act which expressly prohibits the WFCL, the amendment to increase the age limit of the *Child Support Grant* (CSG), to align with the minimum age for employment and compulsory schooling provisions, the *Criminal Law (Sexual Offences and Related Matters) Amendment Act* which deals with sexual crimes against children and has provisions that relate to the prostitution of children; the *Child Justice Bill* – which deals with children in conflict with the law and the pilot project on excessive water hauling in KwaZulu-Natal. Despite this, the ability of government to implement and enforce these policies and legislation is a challenge.

In some instances however, their lack of action has been criticised. The costing exercise has yet to be finalised after 5 years. What this shows is a leadership vacuum. Senior leadership in government is silent and absent from these processes. Other layers of leadership do not have the status and authority to effect action or change, or to hold their peers accountable. The amount of time and resources that have gone into bringing the CLPA and the NAPs to this stage warrants a more demonstrated commitment from government.

Location of Child labour: In all the countries the debate has continued of who should be driving or leading CL issues, and whether the DOL is the best place to locate CL, after all, labour is a DOL issue but children are not. Once a child is identified in a situation of worst forms of CL or hazardous work, that matter is not referred to the DOL but to other departments, mainly to Social Development, although other departments such as Police Services, Education and Justice are involved. It remains inconclusive as to where child labour is best placed and which department demonstrates the institutional commitment for dealing with the issue of CL. The main point is to ensure that the child is dealt with in a holistic manner and for this purpose it requires a multi-disciplinary approach and an inter-departmental commitment to cooperation and coordination; driven by a strong and decisive leadership that is confident to hold departments accountable for their actions, or lack thereof. Finally, wherever CL is located it requires a dedicated CL focal person and not an official that has CL added to their portfolio.
Implementation Committee: At the moment the IC operates as a coordinating structure with an unclear mandate. The leadership of the IC is not decisive enough and operates on the goodwill of its partners, which is not sufficient to ensure accountability. While it is less so in South Africa and more in the BLNS countries, there is no consistency in attendance and often junior officials attend who have no access to reporting structures within their departments so there is little feedback from the IC to the departments.

The IC doesn't see itself as the mandated authority to ensure compliance and don't seem to have the confidence to become this, suggesting that the DDG forums should fulfil this function. If someone at DDG level is not part of the IC and delegates this responsibility to someone else, unless there are very strong reporting systems in place, there will be 'second-hand' reporting at DDG level, and the question will still remain of who holds who accountable.

TECL Implementation Team: The TECL team are committed, passionate and have displayed an enormous amount of drive and energy in leading the project for the past 4 years. They have operated with a limited

number of people taking responsibility for content, financial, and administrative issues as well as managing a whole range of service providers. They are respected and supported by all those they work with even when differences have emerged.

Their hands-on approach and persistence has sometimes been seen as over-stepping boundaries and blurring of roles. Especially in government at times it appeared that government had to report to TECL. The nature of the project gives rise to various complexities not least of all that TECL has to report on their outputs to ILO-IPEC as well as USDOL so they had to deliver. On the other hand they have to work within government time frames and constraints which could, in a different scenario, have caused them not to achieve their objectives. The strategic issue to clarify is whether TECL is to provide technical assistance or to implement; this is crucial to determine for TECL II.

The lack of an in-country person to be more accessible to the PACC's in each country was a limitation, as was the little time spent in each country. A lot of handholding was done in South Africa with much less in the BLNS countries. It is therefore an achievement that the NAPs were delivered at the end of the project.

TECL chose the option of appointing SPs to take on the various activities that needed to be completed and consulted with departments and involved them at critical stages throughout the process to get buy-in and ownership. Sometimes they had to put pressure on departments in order to deliver the outputs and some departments did not take kindly to this. This is the reality of a project of this nature and also shows the irony of who pulls the strings and at whose pace does the project move. Notwithstanding, a project of this nature is not easy and TECL had to manage and mediate some difficult relations which were bound to create tensions, some more severe than others.

SPs experienced a lot of micro-managing and directing, which on one hand, was interpreted as lack of confidence in their ability to deliver; on the other hand it reflects more a particular management style and approach. It is important that TECL and the ILO in general be sensitive to country dynamics and in this respect take transformation and issues of diversity and representivity into account when appointing staff and consultants. There is a pool of exceptional and talented black consultants and SPs in Southern Africa who produce good quality work but the will and intention of the TECL leadership and management must be there to find them or attract them to TECL.

Management relationships: There are concerning management issues that need to be addressed between the TECL team and the Area Office. It appears that some systems and procedures need to be put in place to ensure effective communication. In addition, roles and responsibilities do not seem clear and well as mechanisms that allowed for example, the concerns around the appointment of consultants, to be raised in a collegial way during the past 3 years rather than leave it unresolved. If TECL is a project of the ILO Area Office then it stands to reason that it has to be managed as such without obviously hindering the progress of the project. There wasn't adequate scope in this evaluation to examine the situation more extensively but that should be done.

TECL and other Child Labour initiatives: TECL and RECLISA did not work together as well as they should have although they launched some joint initiatives which were more cost-saving than because of programmatic imperatives. Underlying this seems to be some territoriality and not really affirming what the other is doing.

The problem is less in the inter-relationships than in the conceptualisation of the projects in the first place as these are symptomatic of a bigger issue. It is possible that the terms of funding two programmes that worked in the same geographical areas and had the same or similar target groups was bound to create

confusion. Apart from this, it also showed up the contradictions in approach and methodology of the funded programmes. In this case, SCREAM which has been branded in most ILO-IPEC programmes as the approach to use to address issues of CL from an education and awareness point of view, was 'undermined' as being imported and not localised while RECLISA's education programme was indigenised. The merit or demerit of this statement is not in question here rather the way this appeared to people who were receiving these messages and the confusion that it could have created.

There is a need for TECL to work more closely with and collaborate more with other agencies working on issues of child labour.

Child labour monitoring systems: There was little evidence that much has been done at the time of this evaluation with regard to child monitoring systems, apart from the work that was being done by a SP but the report was not submitted at the time of conducting the evaluation. Some departments such as Social Development have a child protection register and DOL has some enforcement system that could incorporate CL as an aspect to be added. Other departments similarly have their own monitoring systems so the challenge is to see how CL can be incorporated into their existing systems rather than creating a separate one. The other aspect is to ensure that there is a centralised child labour monitoring system in place that has some synergy with existing departmental monitoring systems. It is difficult to comment on this though because it is not yet practically in place. The critical importance though of such a system cannot be over-emphasised.

Sub-regional activity: The objective for sub-regional work is that there would be more effective policies and programmes for tackling sub-regional CL issues, especially in its worst forms, in the SACU region. Comments reflected a need for more sharing of information at a sub-regional level noting that the value of these exchanges cannot be over-emphasised as a way of learning and reflection. Reports indicate though a number of sub-regional activities that respondents' were not aware of, probably because the respondents were not involved in these activities.

4.5 Direct Action

TECL was not entirely convinced of Direct Action especially when it involved providing direct services to individual beneficiaries. On the other hand, TECL more strongly favoured the approach of focusing on mainstreaming because rightfully it is seen as more sustainable. It has been shown in TECL as well as other ILO-IPEC programmes in other countries (Anglophone Africa is a case in point) that Direct Action has advantages and disadvantages. The advantages relate to the direct support provided to children withdrawn from labour or prevented from going into labour. In addition, Action Programmes were used to pilot, test and learn lessons from the Action programmes to address policy and programme gaps.

The disadvantages relate to the sustainability of such actions when the support is withdrawn. As it stands the better resourced NGOs (especially with CUBAC) are the ones that have a better chance of mainstreaming CL into their programmes and continuing with these activities. Those that are less resourced (especially with CSEC) might continue as a service (many run on a voluntary or part-voluntary basis anyway) but not able to continue with the activities that they were supported with through TECL.

It has not been possible within the scope of the evaluation to assess the impact of some of the Action Programmes, especially in CSEC and CT. Notwithstanding, there were a number of achievements in these Action Programmes (with targets exceeded) and clearly children benefitted through these programmes, whether through educational or non-educational opportunities.

The positive spin-off from Direct Action is that these are documented and hopefully replicated. The absence of government involvement in these Action Programmes leaves some doubt as to whether they would scale up some really innovative, but small scale interventions carried out by NGO's (and even CBO's). It seems more likely that bigger NGO's would be better placed to scale up these activities.

In discussing Action Programmes, particularly in South Africa, the role of government in supporting those organisations that actually do the work that government is unable to do in terms of direct service delivery comes into question. Many of these organisations are either not funded, and some only partially subsidised leaving them to battle to survive. Although calls have been made for TECL to play an advocacy role, this might not be easy to achieve nor within the mandate of TECL. This probably has to do with TECL working more with NGO's rather than doing advocacy on their behalf.

4.6 Sustainability

The outcomes and benefits of TECL I has been noted throughout this report. There have been key achievements that might not have been possible without TECL's intervention. A number of interventions lend to sustainability, most notably, many areas of government policy and programmes now include aspects of CL that will help with sustainability in the medium term. In BLNS the NAPs are in place and will provide the framework for action.

The knowledge, skills and understanding of government, SPs and IAs has been developed and in some cases enhanced so that they are able to become ambassadors of CL in the country. There has also been a change in attitude and mind shift especially with those that have been closely involved in the process. The challenge is how to convince a critical mass.

The outcome and sustainability of Direct Action projects is not as easy to assess. There have been some immediate benefits in terms of raising awareness and in some cases providing direct assistance, but the sustainability of these actions are questionable especially with the smaller, less resourced organisations. A different model should be looked at that perhaps provides support to bigger organisations that have as a condition of the grant a mentoring role to play by partnering with smaller organisations in the same field, although this must be carefully considered and planned so that the smaller organisations are respected and do not become 'colonised' by the bigger ones. These comments relate largely to the CSEC and CT Action programmes. The outcomes and sustainability of other Action programmes such as CUBAC and the have clearly resulted in sustainable actions as a result of its mainstreaming into government policy.

There is a pool of consultants, NGOs that are now child labour experts; this might be an unanticipated outcome of the programme but there is no reference in documentation that this was the intention of the programme. If the work had been awarded to NGO's as some indeed has, there would have been more chances of replication and sustainability as the NGO's are at the coalface of much of the work at community level. Consultants will only replicate and use the knowledge and skills that they have acquired through this process if they are appointed by government or NGOs to do this. For example TECL notes a particular consultancy continuing to respond to inquiries and matters relating to CL and providing such input without any cost. This consultancy noted it as a problem because their contractual obligations were completed but they were still called upon to provide information.

A body of knowledge exits that was not there before: research studies, training materials, position papers and other resource materials. These provide a resource hat did not exist before and that has been

developed through TECL I. They are a sustainable source of knowledge and information in the sense that these documents exist and are available for people to use. SPs have developed materials that are being mainstreamed into the work of some departments. The challenge is to determine how these are used and by whom, which was not reviewed as part of this brief.

The exclusion of Lesotho and Swaziland from the next phase is a risk factor for sustainability as one is not sure whether they will continue in their efforts to address issues of child labour. There are a number of factors that support this risk, namely that of the government's lack of capacity to implement policies and legislation and competing development priorities.

TECL has embarked on an exit strategy which is meant to ensure the effective handover of responsibilities to key government departments and to ensure long-term sustainability. The main challenges will be in finding mechanisms to keep the momentum in the absence of the pressure exerted by TECL and ensuring the effective transfer of the TECL experiences, information and knowledge.

There are serious doubts whether government would be able to implement the CLPA and NAP's without TECL support. There is not much confidence demonstrated from within government circles and externally that this will happen. It is a crucial phase for both South Africa and BLNS, and it is at this stage that sustainability could be risked. It is clear that the objective of sustainability will only be successfully achieved if the work done in TECL I, is consolidated through a second phase. TECL has focussed concertedly on mainstreaming CL issues, and mainstreaming is an involved process requiring longer term engagement and follow-through. It has also taken the current team a long time to establish relationships especially in government, to gain their trust and confidence so it seems short-sighted to not use the same team (but expanded) to take forward TECL II.

4.7 Lessons learnt

TECL has documented its lessons learnt and good practices, and this would go a long way as not only as a learning and sharing reference point but for purposes of replication. The conclusions above also allude to a number of learnings, but some additional points are noted:

- In any planning processes, the tendency is often to want to do as much as possible and not consider aspects that are beyond its control. A programme must know what it is accountable for and determine what is in its control. If it is not in control of the project, it should not be in the Logframe
- The issue of attribution is also a consideration when working through the above. While it is often difficult in development work to assign attribution to only one source, in a project like this the issue of attribution is important. This links to the question of defining if a programme is there to facilitate or to implement. The lines between these were sometimes blurred, hence attribution became blurred. It is quite obvious that a programme could fulfil a variety of roles and that it is not mutually exclusive. So TECL could facilitate some processes and implement others. In the case of TECL I some government respondents were concerned that TECL was implementing rather than facilitating. The principle, therefore, is to clarify the role that the programme is meant to play and to be open about communicate these to all stakeholders concerned.
- If gender is not consciously included as part of the Logframe planning process and indicators identified to be able to measure its progress, in other words, it is mainstreamed into the work of

an organisation, then like any attempts to mainstream CL so too will gender be seen as an add-on and not given serious attention

- Mainstreaming is also about changing mind-sets about particular issues, and this takes time but also requires commitment and leadership
- Amidst many development challenges one can at times make the mistake of thinking an issue is not considered an important issue when in fact it is more about people being overwhelmed by their immediate objectives (the tasks they have to perform) and not seeing other issues as a priority. This does not mean that they don't view the issue as important
- Country contexts have to be taken into account, not only programmatically but institutionally as well. In other words, a programme must take account of its local context and country dynamics and translate this into institutional realities. This would add to its legitimacy and credibility.
- To ensure sustainability of any programme, project and process requires much foresight from the donors that support these. Resources, time, energy, and money would be wasted if the approach is simply that objectives have been achieved, indeed it has, but in order to institutionalise and therefore add to its sustainability, additional time, commitment and understanding from donors is required. Withdrawal from a process at the wrong time is a threat to sustainability and should be carefully considered.

4.8 Recommendations

1. A future design programme must include:
    i. Be more realistic and focused – distinction between 'must-have' and 'nice-to-have'
    ii. Apart from working with government, support should be provided to Workers and Employers Organisations. The possibility of working with a trade union federation and providing resources and technical assistance to them to develop a policy on child labour so that it is placed on their agenda, and mainstreamed into their operations, would be quite an achievement
    iii. Attribution must be clearly defined, what is TECL responsible for and that is within their control
    iv. The design of Action programmes must ensure the active participation of the Implementing Agents, so that there is buy-in and ownership.
    v. TECL must incorporate a gender analysis in the design phase and plan for gender mainstreaming
    vi. The next 5years is crucial especially in South Africa as it enters the second 5year phase of implementation, hence sustainability must be built into the design phase so it remains a conscious focus for the next period. If there was a TECL III South Africa should be in a position to assist other countries in consolidating the implementation of their country programmes and not be a recipient of direct TECL support. That would be proof of real progress and sustainable action.
    vii. If the budget allows some sub-regional activities in terms of sharing and learning should be built into the design. This is the face-to-face forums where key stakeholders from each country can participate in an annual or bi-annual (2year) event that brings them together at a sub-regional level to share learnings.

2. TECL must:
    i. Increase their staff compliment including employing a coordinator in Botswana and Namibia. Measures must be taken to find the right person for the job because this is a

critical challenge but it must be a permanent employee and not a consultant. If the correct skills base is developed, this person could potentially become the focal person appointed by the Ministry.

ii. In appointment of staff and consultants TECL must carefully consider transformation, representivity and diversity, and there is no contradiction in this and the point above.

iii. Continue to explore with ILO-IPEC possibilities for a more efficient and simplified reporting and procurement process. The CTA would usually be a very senior person (and should be) and able to sign off on more than is currently possible. ILO-IPEC should put mechanisms for accountability in place and ensure that appropriate systems are upheld.

3. TECL must continue to support the implementation of TECL II in the identified countries:
    i. TECL must ensure that its role as Technical Advisor must be spelt out clearly (whether it is facilitator, implementer or both)
    ii. In South Africa, costing of the CLPA must be completed with Cabinet giving a clear time frame for this to be concluded
    iii. TECL should continue to support interventions with targeted departments
    iv. In BLNS countries, the lessons learnt from South Africa should be used when supporting implementation of the NAPs
    v. A country coordinator must be appointed in Botswana and Namibia accountable to TECL and have a reporting function to the PACC

4. The DOL must have a dedicated focal person for child labour to lead the next phase of implementation of the CLPA. The role of this person should be amongst others to:
    i. Drive the implementation of the CLPA in government
    ii. Chair the IC
    iii. Coordinate and facilitate processes in departments
    iv. Work closely with TECL who should provide the technical assistance

5. The IC and PACC's must be reviewed, and restructured if necessary and include:
    i. A dedicated and mandated representative that must have this included in their KPA's, thereby ensuring accountability. A second person must be identified in case the first mandated representative is not available but this has to be at the same level.
    ii. The role of the IC in terms of ensuring compliance to actions in the CLPA must be clarified as well as whether they are only a coordinating structure or whether they have the mandate to ensure compliance. If not, there should be clarity on where this authority is vested and how does one ensure action from a higher structure (DDG forum).

6. Some mediation must take place between the Area Office in Pretoria and TECL where:
    i. Roles, parameters and expectations are clarified
    ii. Where existing tensions are addressed and resolved

7. Child labour monitoring systems must be put in place, synergised with existing departmental systems but able to act as a stand-alone system for providing the necessary information required for monitoring child labour.

8. With Direct Action:
    i. Organisations must be identified early in the process so that impact and sustainability are more discernable.

ii. A model of using bigger organisations to work with smaller organisations doing similar work and in a partnership model (see CINDI example in Kwazulu Natal) is a useful one to explore. This will improve the chances of building more sustainable organisations and interventions over a period of 3-4 years. The criteria for such a partnership is vital so that smaller organisations are not disrespected or 'colonised' in the process

9. For impact and sustainability it would make sense to use the same team of TECL I (although expanded). A new team would spend at least half of the time establishing relationships, getting to know government systems, becoming acquainted with departmental policies, and so forth and much time will be lost in the process. It is important to immediately build on the gains made in TECL I and address the outstanding work that must be done. This is the priority for TECL II.

Appendix I: Terms of Reference

International Labour Organisation- International Programme on the Elimination of Child Labour
ILO/IPEC

Final Version: Basis for Contract: May 2008

Terms of Reference
For

Independent Expanded Final Evaluation
Supporting the Time-bound programme for the elimination of the worst forms of child labour in South Africa and laying the basis for concerted action in Botswana, Lesotho, Namibia and Swaziland TECL I

ILO Project Code	RAF/03/50/USA
ILO Project Number	P250.16.100.050
ILO Iris Code	12260
Country	South Africa, Botswana, Lesotho, Namibia, Swaziland
Duration	57 months
Starting Date	September 2003
Ending Date	June 2008
Project Locations	South Africa, Botswana, Lesotho, Namibia, Swaziland
Project Language	English
Executing Agency	ILO-IPEC
Financing Agency	US DOL
Donor contribution	USDOL: US $5,000,000

List of Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
AO	Area Office
AOI	Area of Impact Framework
AP	Action Programme
APEC	Action Programme on the Elimination of Child labour
APSO	Action Programme Summary Outline
BLNS	Botswana, Lesotho, Namibia & Swaziland
C182	ILO's Worst Forms of Child Labour Convention, No. 182 of 1999
CL	Child Labour
CLPA	South African Child Labour Programme of Action
DED	ILO/IPEC Geneva's Design, Evaluation and Documentation Section
DWCP	Decent Work Country Programmes
HIV	Human Immune Deficiency Virus
HQ	Headquarters
IA	Implementing Agency
ILO	International Labour Organization
IO	Immediate Objective
IPEC	International Programme on the Elimination of Child Labour
SACU	Southern African Customs Union
SPIF	Strategic Programme Impact Frame-work
TBP	Time Bound Programme
UNICEF	United Nations Children's Fund
USDOL	United States Department of Labor
WFCL	Worst Forms of Child Labour

I. Background and Justification

1. The aim of the International Programme on the Elimination of Child labour (IPEC) is the progressive elimination of child labour, especially its worst forms. The political will and commitment of individual governments to address child labour - in cooperation with employers' and workers' organizations, non-governmental organizations and other relevant parties in society- is the basis for IPEC action. IPEC support at the country level is based on a phased, multi-sector strategy. This strategy includes strengthening national capacities to deal with this issue, legislation harmonization, improvement of the knowledge base, raising awareness on the negative consequences of child labour, promoting social mobilization against it, and implementing demonstrative direct action programmes (AP) to prevent children from child labour and remove child workers from hazardous work and provide them and their families with appropriate alternatives.

2. A Time Bound Programme (**TBP)** is essentially a national strategic programme framework of tightly integrated and coordinated policies and initiatives at different levels to eliminate specified Worst Forms of Child Labour (WFCL) in a given country within a defined period of time. It is a nationally owned initiative that emphasizes the need to address the root causes of child labour, linking action against child labour to the national development effort, with particular emphasis on the economic and social policies to combat poverty and to promote universal basic education. ILO, with the support of many development organizations and the financial and technical contribution of the United States' Department of Labor (USDOL) has elaborated this concept based on previous national and international experience. It has also established innovative technical cooperation modalities to support countries that have ratified the ILO's Worst Forms of Child Labour Convention, No. 182 of 1999 (C182) to implement comprehensive measures against WFCL.[42] [Do the TORs perhaps need to note that the interpretation of TBP, particularly in South Africa, was slightly different from standard for ILO/IPEC?]

3. The most critical element of a TBP is that it is implemented and led by the country itself. The countries commit to the development of a plan to eradicate or significantly diminish the worst forms of child labour in a defined period. This implies a commitment to mobilize and allocate national human and financial resources to combat the problem. The TBP process in Southern Africa is one of 19 programmes frameworks of such nature that are being supported by IPEC at the global level. [43]

[42] More information on the TBP concept can be found in the Time Bound Program Manual for Action Planning (MAP), at http://www.ilo.org/childlabour.

[43] The term "national TBP" normally refers to any national programme or plan of action that provides a strategic framework for or plan for the implementation of Convention 182 on the worst forms of child labour. TBP is a generic term for such frameworks and for a concept or proposed general approach which will be used in different ways in different national contexts. In many cases the terminology TBP is not used even though the process and the framework will have many of general characteristics of the approach. ILO/IPEC has formulated the TBP concept and approach based on the work of ILO and partners. ILO/IPEC is providing support to the TBP process as in the different countries through "projects of support", which is seen as one of the many component projects, interventions and development partner support to the TBP process.

4. From the perspective of the International Labour Organisation (ILO), the elimination of child labour is part of its work on standards and fundamental principles and rights at work. The fulfilment of these standards should guarantee **decent work** for all adults. In this sense the ILO provides technical assistance to its three constituents: government, workers and employers. This tripartite structure is the key characteristic of ILO cooperation and it is within this framework that the activities developed by the Time-Bound Programme should be analyzed. However, it has to be taken into account that TECL's focus was not limited to ordinary 'employment' but also extended to work falling outside the definition of employment.

5. ILO Decent Work Country Programmes (DWCPs) have subsequently been developed and are being introduced in the ILO to provide a mechanism to outline agreed upon priorities between the ILO and the national constituent partners within a broader UN and International development context. For further information please see http://www.ilo.org/public/english/decent.htm

6. The DWCP defines a corporate focus on priorities, operational strategies as well as a resource and implementation plan that complement and supports partner plans for national decent work priorities. As such DWCP are broader frameworks to which the individual ILO project is linked and contributes to. DWCP are beginning to be gradually introduced into various countries' planning and implementing frameworks. Out of Towards the Elimination of the Works Forms of Child Labour's (TECL) 5 programme countries, the DWCP has been introduced in Lesotho and is at the concept note stage in **South Africa.** The DWCP has therefore not had a major impact on TECL's activities due to its current limited implementation. Please refer to for the complete document(South Africa): http://www.ilo.org/intranet/english/bureau/program/dwcp/country/africa/south.htm.
In **Lesotho**, the DWCP document is in its final version and can be found at the following address: www.ilo.org/intranet/english/bureau/program/dwcp/country/africa/lesotho.htm

Programme[44] TECL Background

7. The Southern Africa Customs Union (SACU) countries consisting of South Africa, Botswana, Lesotho, Namibia and Swaziland have all ratified the ILO Convention No. 182 on the Worst Forms of Child Labour.

2.2 Programme approach and strategy

8. Because the needs and circumstances of South Africa on the one hand and Botswana, Lesotho, Namibia and Swaziland (known as the BLNS countries) on the other differ in many respects, the latter are being dealt with separately in this project. In South Africa, the aim of the project was to 'kick-start', expand or promote actions and initiatives aimed at the elimination of WFCL and other serious forms of CL. The activities in South Africa were based on the South African Child Labour Programme of Action (CLPA), a national action plan aimed at addressing child labour developed in 2003. The TECL programme in South Africa focused on one-off activities that lay the groundwork for ongoing sustainable action by government and others based on the CLPA. This is being done in the framework of the Child Labour Programme of Action. In the BLNS countries, national action plans on child

[44] The TECL project is referred to as "programme". Except in cases of direct quotations from the project document

labour had not been developed prior to TECL's inception. The aim of the TECL programme in the BLNS countries is mainly **to increase knowledge on WFCL and to design an Action Programmes on the Elimination of Child labour (APEC), or national plans to national policy framework to address them**. An extract from TECL's project document provides an overview of its objectives below:

Component	Immediate Objectives
A. South Africa	**I/O 1: By the end of the project, there will be more effective policies and programmes for tackling child labour, especially in its worst forms in South Africa** **I/O 2: By the end of the project, models of intervention for dealing with selected WFCL in South Africa will have been developed to inform policy**
B. BLNS Countries	**I/0 3: By the end of the project, there will be an enabling environment for the elimination of WFCL in the BLNS countries, leading to effective national interventions against this problem.**
C. Sub-regional	**I/O 4: By the end of the project, there will be more effective policies and programmes for tackling sub-regional child labour issues, especially in its worst forms, in the SACU region.**

2.3 South Africa

9. The South African government, in particular, has in collaboration with other stakeholders over the past 10 years been engaged in a process since 1996 towards a comprehensive national **Child Labour Programme of Action**[45] (CLPA) which was provisionally adopted in 2003. This Programme served as a national time-bound programme framework and identifies a wide range of action steps which needs to be taken to eliminate child labour.

10. In response to the commitment made by the Government of South Africa, ILO/IPEC developed the programme **Towards the Elimination of the Worst Forms of Child Labour TECL (TECL**) in September 2003 with an original end date of December 2006. The end date has subsequently been extended to June 2008. The **TECL** programme in South Africa aimed to assist, with respect to many of its programmes, with the effective embedding of child labour issues into mainstream policies and in the implementation of key elements of the CLPA, having prioritised assisting stakeholders with 35 of its Action Steps. The programme effectively started in May 2004, when the CTA was appointed. Accordingly it has been recommended that the programme period be extended at least until end June 2008.

11. The TECL programme promoted policies and activities that assist with the prevention of child labour, the protection of children doing legal work, the withdrawal of children from work that harms them and the rehabilitation of such children. The funding for the TECL programme was initially obtained to assist the South African government departments to fulfil their most urgent obligations in terms of the South African Child Labour Programme of Action.

12. In South Africa, the TECL programme focused on strengthening the CLPA, in particular by **leveraging resources**, **establishing linkages** with other national policy and programme frameworks, and gathering information through research to support it. With the aim of

[45] Name changed by key South African stakeholders in 2006 from the Child Labour Action Programme (Child Labour Programme of Action).

strengthening the enabling environment for the elimination of the WFCL at the macro level. The programme had also been designed to reduce the incidence of priority forms of child work, such as addressing the infrastructure needs where households are very far from sources of water, in some cases resulting in children spending excessive time to fetch water.

13. To strengthen the **enabling environment**, TECL is assisting with the **implementation of** four **pilot projects**[46] to explore ways to target the rollout of government programmes and policies on poverty, employment, labour and social matters more effectively in areas where the work that children do has serious negative effects on them. **Legislative measures** to address WFCL (where required) have been drafted, always in close cooperation with the relevant line departments and social partners.

14. The CLPA also identified the need for an **awareness raising campaign** on child labour, and the TECL programme has been tasked with the conceptualisation and start-up of such a campaign. The campaign aims at raising the overall awareness of child labour in South Africa with a focus on the most prevalent forms occurred in the country.

15. The TECL programme in South Africa (Immediate Objective 1) has been grouped into 19 projects.[47] A list of projects is provided in the annex.

2.4 BLNS Countries

16. The governments in the BLNS countries with the assistance of TECL are all working towards developing and adopting their own national Action Programmes on the Elimination of Child Labour (APECs) by late 2006 / early 2007. So far, APECs have been adopted in three of the countries with Lesotho's APEC adoption plan for May 2008. Development of such national programme frameworks is called upon for ratifying states of ILO Convention 182. Subsequently this has been the focus of the programme in the BLNS countries with the drafting / adoption of the APECs. The process has been set out in the approved Country Annexure for these countries, forming part of TECL's Project Document.

17. All the BLNS countries did not have specific policies and programmes in place to address child labour specifically prior to TECL's inception. Therefore, the governments and social partners in the BLNS countries have requested the TECL programme to assist them with drafting specific and comprehensive plans to address child labour through the above activities.

18. TECL has therefore assisted the BLNS countries, in terms of a planned process as set out in the Country Annexure for each country, with activities aimed at:

- ✓ Increasing knowledge and information on the extent, nature and causes of worst forms of child labour;
- ✓ Assessing the policy environment;

[46] The pilot projects also include Action Programmes but is broader in focus than in other IPEC projects solely aimed at providing direct assistance to vulnerable children. In the context of the TECL programme in the present TOR all reference to 'projects' refer to Action Programmes.
[47] See Country Annex for South Africa, August 2005.

- ✓ Formulating a programme of action to eliminate the worst forms of child labour and to address other forms of child labour as a national time bound programme framework;
- ✓ Sharing experience and good practice in addressing the worst forms of child labour.

19. Activities at the national level within each of the countries were defined in a stakeholder driven planning exercise which took place at the beginning of project implementation. A detailed national assessment and planning exercise, based on the SPIF methodology but adapted to the circumstances, has taken place. The SPIF methodology allowed stakeholders to jointly define the logic model including necessary outcomes for the progressive elimination of child labour and the urgent eradication of the worst forms of child labour in a given country. The SPIF is a participatory process that tries to clarify and create consensus on the 'theory of change' or 'logic model' leading to the elimination of the WFCL in a given context, e.g. a country.

2.5 Sub-regional activities

20. The objectives of the sub-regional aspects of the programme were:
    - To improve knowledge on the magnitude, characteristics, causes and consequences of child labour, including WFCL, at a sub-regional level.
    - To render support and build capacity in the sub-region to enable concerted action against WFCL.

21. The TECL strategy in this regard was as follows:
    - To conduct a rapid assessment that will investigate WFCL of a sub-regional nature, focusing mostly on child trafficking. This involved consolidating information gathered through the studies on trafficking in South Africa and the BLNS countries. Further information was gathered, with a regional report on CL being produced in addition to the report on CT, which was not included in the project document. Where appropriate, the strategy could involve other neighbouring countries such as Zimbabwe and Mozambique.
    - Supporting existing forums of a sub-regional nature, facilitate special meetings of existing forums, as required; drafting a proposed agreement on trafficking and facilitating the adoption thereof by the governments of the sub-region where possible.
    - Facilitating exchange visits to share lessons learnt and to exchange views with counterparts on WFCL.
    - Rendering technical support on national surveys and other research in the BLNS countries and South Africa aimed at collecting information on child labour or WFCL. To date this included:
        - Assistance to the Botswana Central Statistical Office, to attach a module on children's work-related activities to the regular Labour Force Survey, conducted in 2005 and 2006.
        - Assistance to the Lesotho Ministry of Labour and Employment to analyse and write-up of rapid assessments on child domestic workers, child sex workers, herd boys and street children.
        - Technical input in a project of UNICEF Lesotho to research child domestic work.
        - Assistance to the Namibian government to analyse the Namibian Child Activities Survey.

- Technical input and drafting of a report on the child labour module that was added to the March 2006 Labour Force Survey in South Africa.
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2.6 Current status of the TECL Programme

22. A mid-term evaluation was carried out as per IPEC procedures, through a participatory consultative process in April / May 2006. The mid-term evaluation made several concrete recommendations to the key stakeholders, ILO/IPEC and TECL. **Since the mid-term evaluation the fight against child labour has gained momentum in all programme countries.**

23. *Notable achievements are listed below:*
    - In South Africa the *Second Phase of the Child Labour Programme of Action (CLPA-2), 2007 to 2012* was finalised and re-endorsed by the national steering committee (Implementation Committee) in September. The CLPA forms the basis of TECL's work in South Africa,[48] and incorporates the extensive findings and policy work done by TECL to date. The costing of the CLPA-2 has eventually commenced in real earnestness and it is anticipated to be finalised by the end of 2008 by the SA-DOL as lead department.
    - The South African *Children's Act*, (No.38 of 2005), dealing with matters falling within the ambit of the government at national level, had been passed into law in mid-2006. In November the Children's Amendment Act, dealing with provincial responsibilities, was passed. These two pieces of legislation together forms a comprehensive statute.
    - In Botswana, Namibia and Swaziland (Lesotho to follow shortly), national action plans on child labour (NAPs, referred to in the region as Action Programmes for the Elimination of Child labour, or APECs) have been finalised and have been endorsed in by the Programme Advisory Committees on Child Labour (PACCs), extended for the endorsement meeting to include all Ministries that have responsibilities assigned to them. In Namibia this coincided with its first and very successful national conference on child labour, hosted jointly by the Ministry responsible for labour, TECL and RECLISA (Reducing Exploitative Child Labour in Southern Africa, the Education Initiative grantee).
    - *Awareness regarding child labour* has also increased substantially over the last two years. This is borne out by the exponential increase in media reports on child labour.
    - TECL is currently producing consolidated regional report on what is now known about child labour, in view of all the research conducted by TECL over the past years.

2.7 Phase II of the TECL Project

24. ILO/IPEC is currently preparing a follow up phase to TECL I. The proposed TECL II programme will cover South Africa, Botswana and Namibia[49]. The programme duration will be for 48 months (24 months in South Africa and 48 in Botswana and Namibia). The proposed programme will support **and monitor the implementation of National Plan of Actions in these countries**. In South Africa, the aim of the proposed project will be to continue with mainstreaming of the CLPA. In Botswana and Namibia, will be provided to

[48] The name was changed in February 2006 from the *Child Labour Action Programme* (CLAP), as it was formerly known.
[49] Subject to approval by the donor

get APECs adopted and costed, if required; kick-starting some of the action steps identified in the APECs requiring outside technical assistance, including further policy work and research; and implementing of direct action programmes on selected key areas. The project design process is currently underway and the first draft of the project proposal is expected for July 20th 2008.

2.8 Evaluation Background

25. A mid-term evaluation was carried out in April / May 2006. The evaluation took place later than planned and was undertaken by an evaluation team over a 40 day period and included field visits to South Africa and to Swaziland. The mid-term evaluation made several concrete recommendations to the key stakeholders, ILO/IPEC and TECL. (See Mid-term evaluation report for further details).

26. The final evaluation is required by ILO/IPEC policies and procedures as well as per donor requirement. It is intended to serve as key tool for planning and learning and in particular in view of both the innovative nature of the TBP process and the underlying focus on facilitating and supporting the further action on child labour where solid documentation and analysis of the experience from current support initiative are important.

27. Final evaluation of ILO/IPEC projects of support are done as expanded final evaluations. Usually, it includes specific impact studies to provide clear quantified data (but not limited to) on broader and longer term impact on direct beneficiaries. A detailed review of mainstreaming (enabling environment component efforts) can also be conducted. This evaluation will include a sub-study (desk review) in the form of a Policy Impact Study on the impact of the work of the project at the policy level, in particular on the mainstreaming of child labour into relevant policies. The Policy Impact Study will help inform the approach to other similar studies and to the development of a methodology as part of the Impact Assessment Framework project of ILO/IPEC.

28. As this evaluation will be one of the first final evaluations of a full phase TBP project, the design of this evaluation has been influenced by the initial work done to develop a standard framework for the evaluation of TBP projects of support. It is expected that the expanded final evaluation and others of the first generation will allow for the full development of such an evaluation framework, which will be used for sub-sequent generations of TBP projects of support.

29. The present final evaluation will include field visits to South Africa, Lesotho and Namibia. Due to budgetary constraints it will not be possible to undertake field visits to all programme countries. Lesotho and Namibia was identified by DED for field visits. Out of the 5 programme countries, Lesotho and Swaziland were not identified as programme countries under TECL II currently being developed and designed. Swaziland was visited in the mid-term evaluation of TECL I, therefore, with the closure of the TECL I project, Lesotho would be the only country that would not have been evaluated by direct site visits. Namibia has been selected as it is a project country under TECL II and it was felt by stakeholders that an external view of achievement, challenges and lessons learnt would be important for the design of the future phase.

II. Scope and Purpose

Scope

30. The evaluation will cover the TECL programme in South Africa and the BLNS countries. This final evaluation will focus on focus on the ILOIPEC programme mentioned above, its achievements and its contribution to the overall national efforts to achieve the elimination of WFCL, and especially the national CLPA framework in South Africa. The evaluation should focus on all the activities that have been implemented since the start of the projects to the moment of the field visits.

31. The scope of the present IPEC evaluation includes all project activities to date including Action Programmes or 'projects' in this context. The evaluation should look at **the programme as a whole**, including issues of initial project design, implementation, lessons learnt, replicability and recommendations for future programmes and any specific recommendations for use in TECLII. The project of support to the Child Labour Programme of Action in South Africa and towards the APECS in the BLNS countries.

32. The contribution of IPEC to the national TBP process normally covers the promotion of an enabling environment, and the role of technical advisor or facilitator of the process of developing and implementing the national TBP strategic programme framework. In order to access the degree to which this contribution has been made, the evaluation will have to take into account relevant factors and developments in the national process. The focus of the evaluation however will be on the IPEC project in support of the South African CLPA.

33. The evaluation is expected to emphasize the assessment of key aspects of the programme, such as strategy, implementation, and achievement of objectives. It will assess the effect and impact of the work carried out during the implementation phase, using data collected on the indicators of achievement and the associated impact assessment studies to provide detailed assessment of achieved and potential impact. It will also evaluate the effectiveness, relevance, and elements of sustainability of the programme activities carried out.

2.8.3 Purpose

34. Overall, the purpose of the evaluation should be to provide TECL and its various stakeholders, including IPEC HQ and the donor, with reflections on achievements and shortfalls in the programme strategy and approach. It should evaluate the strategy and structures put in place to reach TECL's goals, and what all the above can learn from this experience them. It will show how these lessons can be applied in programming future activities(including in TECLII),

35. In addition, the evaluation will serve to document potential good practices, lessons learned and models of interventions that were developed in the life cycle of this project. It will serve as an important information base for key stakeholders and decision makers regarding any policy decisions for future subsequent activities in the country. Given that the design process for a phase II of the TECL project is currently underway, the current evaluation will also serve as background input to the design of a new phase of TECL.

36. The evaluation will have to take relevant factors and developments into account within the context of the national TBP process. This is in view of the focus on the contribution of the ILO/IPEC Programme of Support to the general TBP process in the promotion of an enabling environment, and as a facilitator in the overall national TBP strategic programme framework. However, the main focus of the evaluation will be on IPEC Programme of Support as a component of the national TBP process.

37. Given that the broader TBP approach is relatively young internationally (since 2001), the innovative nature and the element of "learning by doing" of the approach should be taken into account. The TBP concept is intended to evolve as lessons are learned and to adapt to changing circumstances. The identification of specific issues and lessons learned for broader application for the TBP concept, as a whole, would be a particular supplementary feature of this evaluation.

38. The Policy Impact Study will focus on assessing TECL's impact at the policy level in mainstreaming child labour into policies and plans at different levels. This would in particular focus on how the project has worked to bring about the outcomes regarding child labour concerns in national, provincial, and district development plans and policies. The assessment will focus on identifying how such policies and plans have incorporated child labour issues and are working on child labour related aspects; and how this can be attributed to ILO/IPEC programme and ILO efforts.

39. The results of the evaluation will be used as part of strategic planning and orientation for Phase II of the TECL Programme, including models of interventions to be replicated

III. Suggested Aspects to be Addressed

40. The evaluation should address the overall ILO evaluation concerns such as relevance, effectiveness, efficiency and sustainability as defined in the ILO Guidelines on "Planning and Managing Project Evaluations" 2006. This is further elaborated in the ILO document "Preparation of Independent Evaluations of ILO Programmes and Projects" 1997.
For gender concerns see: ILO Evaluation Guidance: Considering Gender in Monitoring and Evaluation of Projects, September 2007.

41. The evaluation should be carried out in adherence with the ILO Evaluation Framework and Strategy, the ILO Guideline, the specific ILO-IPEC Guidelines and Notes, the UN System Evaluation Standards and Norms, and the OECD/DAC Evaluation Quality Standard.

42. In line with results-based framework approach used by ILO-IPEC for identifying results at global, strategic and project level, the evaluation will focus on identifying and analysing results through addressing key questions related to the evaluation concerns and the achievement of the Immediate Objectives of the project using data from the logical framework indicators.

43. The focus will be on the contribution of the ILO/IPEC Programme of Support to the Child Labour Programme of Action (CLPA) framework.

44. Annex I contains specific suggested aspects for the evaluation to address. Other aspects can be added as identified by the evaluation team in accordance with the given purpose and in consultation with ILO/IPEC Geneva's Design, Evaluation and Documentation Section (DED) and TECL. It is not expected that the evaluation address all of the questions detailed in the Annex; however the evaluation must address the general areas of focus. **The evaluation instrument should identify the general areas of focus listed here as well as other priority aspects to be addressed in the evaluation.**

Below are the main categories that need to be addressed:

- Design
- Achievements (Implementation and Effectiveness) of Objectives
- Relevance of the project
- Sustainability
- Special Aspects to be Addressed

Aspects for Policy (Mainstreaming) Impact Study

45. As mentioned above, the purpose of the impact assessment study on policy impact is to obtain more detailed information on the programme's efforts in mainstreaming child labour concerns into national/broader international policies, frameworks and processes. The focus of the study should be on the link between the policies and the contribution of the project to these policies/reviews. Some of the specific aspects to be addressed by the policy impact assessment study are the following:

- Review guidelines and policies adopted; laws drafted or adopted with a positive impact (whether current or future) on child labour or children's issues, linked to the role of TECL or TECL-related processes. The review should more specifically focus on policies / laws that have an impact on the activities of key stakeholders, such as the Ministries of Labour, Social Welfare and the Criminal Justice Systems of the respective countries.
- Determine whether awareness about child labour and related issues has been increased. The review should include awareness amongst key stakeholders, in addition to awareness more broadly. The latter could potentially be measured by an increased number of reports on child labour in the media.
- The process of mainstreaming is much more time-consuming and involved that thought by some. A very important element of the evaluation should be a general assessment / comment on what is required for full mainstreaming of child labour issues, especially in a context such as that of the SACU countries. This should include issues such as:
    - Factors impacting on timelines, including what could have be seen as a 'good' or more realistic timeline, taking the following factors into consideration: of these factors; levels of staffing (including seniority of staffing) required in similar IPEC for appropriate engagements for policy makers;
    - Range of issues to be addressed in such projects – i.e. how feasible is it to address a wide range of issues involving a wide range of ministries and stakeholders, compared to a limited but more focused programme;

- Impact of perception by policy makers on low levels of child labour – and how relevant it is for IPEC to consider when selecting countries for intervention.
- Whether the strategy to combine mainstreaming activities with direct action programmes has been successful and what lessons have been learnt through this strategy.
- In this regard the evaluation team should therefore make recommendations on how IPEC can plan for mainstreaming effectively, including factors it should consider when engaging donors around projects of this nature.

IV. Expected Outputs of the Evaluation

46. The expected outputs to be delivered by the **evaluation team leader** are:

- A desk review of appropriate material
- Preparation of an evaluation instrument reflecting the combination of tools and detailed instruments needed to address the range of selected aspects. The instrument needs to make provision for the triangulation of data where possible.
- Guidance and Comments on the impact assessment study report produced by the impact assessment study consultant.
- Field visit to South Africa and Lesotho[50]
- Stakeholder workshops facilitated by the evaluator in Pretoria, Maseru and Windhoek including pre-workshop programme and briefing note
- Draft evaluation report. The evaluation report should include stakeholder workshop proceedings and findings from the field visit by evaluator and sub-study inputs
- Final evaluation report including: (model outline for the report will be provided by DED)
  - ✓ Executive Summary with key findings, conclusions and recommendations
  - ✓ Clearly identified findings
  - ✓ Clearly identified conclusions and recommendations
  - ✓ Lessons learnt
  - ✓ Potential good practices and effective models of intervention.
  - ✓ Appropriate Annexes including present TORs
  - ✓ Standard evaluation instrument matrix

47. The expected outputs to be delivered by the **impact assessment study consultant** are:

a. Briefing with DED and project management
b. Desk review study of relevant documents and interviews as appropriate with partners
c. Draft annotated results of findings
d. Report on the impact assessment study to be submitted in consultation with the evaluation team leader

[50]Due to budgetary constraints it will not be possible to undertake field visits to all five countries. Lesotho is being proposed as the new phase of TECL will not cover Lesotho nor Swaziland. The MTE visited Swaziland in April and therefore it is now proposed to cover Lesotho.

e. Participation in evaluation stakeholder workshop (providing a brief presentation of the findings of the study)

48. The total length of the report should be a maximum of 30 pages for the main report, excluding annexes; additional annexes can provide background and details on specific components of the project evaluated. The report should be sent as one complete document and the file size should not exceed 3 megabytes. Photos, if appropriate to be included, should be inserted using lower resolution to keep overall file size low.

49. All drafts and final outputs, including supporting documents, analytical reports and raw data should be provided both in paper copy and in electronic version compatible for Word for Windows. Ownership of data from the evaluation rests jointly with ILO-IPEC and the consultants. The copyright of the evaluation report will rest exclusively with the ILO. Use of the data for publication and other presentations can only be made with the written agreement of ILO-IPEC. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

50. The final report will be circulated to key stakeholders (those participants present at stakeholder evaluation workshop will be considered key stakeholders), including TECL for their review. Comments from stakeholders will be consolidated by the Design, Evaluation and Documentation Section (DED) of ILO/IPEC Geneva and provided to the team leader. In preparing the final report the team leader should consider these comments, incorporate as appropriate and provide a brief note explaining why any comments might not have been incorporated**.**

V. Evaluation Methodology

51. The following is the proposed evaluation methodology. While the evaluation team can propose changes in the methodology, any such changes should be discussed with and approved by DED and TECL provided that the research and analysis suggests changes and provided that the indicated range of questions is addressed, the purpose maintained and the expected outputs produced at the required quality.

Final evaluation mission

52. An international evaluation consultant (team leader) will conduct a detailed desk review of project related documents. The team leader will provide guidance and technical support to the national consultant/company carrying out the indirect impact assessment study.

53. The evaluation team leader will be asked to include as part of the specific evaluation instrument to be developed, the **standard evaluation instruments** that ILO/IPEC has developed for documenting and analyzing achievements of the projects and contributions of the projects (Action Programmes) to the programme.

54. The methodology for the evaluation should consider the multiple levels involved in this process: the framework and structure of the national efforts to eliminate the WFCL in South Africa (the CLPA Programme) and the BLNS countries, and IPEC's support to this

process through this programme. Data gathering and analysis tools should consider this methodological and practical distinction, also between South Africa and the BLNS countries.

55. The evaluation will be carried out using a desk review of appropriate materials, including the project documents, progress reports, outputs of the programme and the projects (action programmes), results of any internal planning process and relevant materials from secondary sources. At the end of the desk review period, it is expected that the evaluation consultant will prepare a brief document indicating the methodological approach to the evaluation in the form of the evaluation instrument, to be discussed and approved by DED and provided to TECL for input prior to the commencement of the field mission

56. The evaluation team leader will undertake field visits to programme locations in South Africa and Lesotho as well as to Namibia. The evaluator will conduct interviews with project partners and implementing agencies, direct beneficiaries and teachers and facilitate a workshop towards the end of the field visits. The workshop will be attended by IPEC staff (incl. TECL) and key partners, including the donor as appropriate, as an opportunity for the evaluation team to gather further data, as appropriate present the preliminary findings, conclusions and recommendations and obtain feedback. This meeting will take place towards the end of the fieldwork. The results of this meeting should be taken into consideration for the preparation of the draft report. The consultant will be responsible for organizing the methodology of the workshop. The identification of the number of participants of the workshop and logistics will be the responsibility of the project team in consultation with the team leader. Key programme partners should be invited to the stakeholder workshop.

57. The evaluation team leader will interview the donor representatives and ILO/IPEC HQ and regional backstopping officials through a conference call early in the evaluation process, preferably during the desk review phase.

58. The evaluation will be carried out by an evaluation consultant that previously has not been involved in the project. The evaluator is responsible for drafting and finalizing the evaluation report. The evaluator will have the final responsibility during the evaluation process and the outcomes of the evaluation, including the quality of the report and compliance with deadlines.

59. The background of the **evaluator** (International Consultant) should include:

TEAM LEADER

Responsibilities	Profile
• Desk review of programme documents • Develop evaluation instrument • Briefing with ILO/IPEC-DED • Telephone Interviews with IPEC HQ desk officer, donor • Technical guidance to national consultant of indirect IA study • Undertake field visits in South Africa for two week period and field visits to one of the BLNS	o Relevant background in social and/or economic development. o Experience in the design, management and evaluation of development projects, in particular with policy level work, institution building and local development projects. o Experience in evaluations in the UN system or other international context as team leader o Relevant regional experience preferably prior working experience in South Africa and the BLNS countries. o Experience in the area of children's and child labour issues and rights-based approaches in a normative framework are highly

countries (the latter to be decided in consultation with stakeholders) • Facilitate stakeholder workshop • Draft evaluation report • Finalize evaluation report	appreciated. o Experience at policy level and in the area of education and legal issues would also be appreciated. o Experience in the UN system or similar international development experience including preferably international and national development frameworks in particular PRSP and UNDAF. o Familiarity with and knowledge of specific thematic areas. o Fluency in English is essential o Experience facilitating workshops for evaluation findings.

60. The evaluator will be responsible for undertaking a **desk review** of the programme files and documents, undertake **field visits** to the programme locations, **and facilitate the workshop.**

61. The evaluator will be responsible for **drafting** the evaluation report. Upon feedback from stakeholders to the draft report, the team leader will further be responsible for **finalizing** the report **incorporating** any comments deemed appropriate.

62. The evaluation will be carried out with the technical support of the IPEC-DED section and with the logistical support of the programme office in Pretoria and with the administrative support of the ILO office in Pretoria. DED will be responsible for consolidating the comments of stakeholders and submitting it to the team leader.

63. It is expected that the evaluation team will work to the highest evaluation standards and codes of conduct and follow the **UN evaluation standards and norms**.

Policy Impact Assessment Study

64. A consultant will design and implement an indirect impact assessment study through desk review, interviews with project staff and project partners and with oversight from the evaluation team leader.

65. The following is the suggested approach to the Policy Impact Study

i. Based on these TORs and initial desk review of relevant policy documents both from the ILO/IPEC project directly and other relevant policy documents, an initial annotated outline and analytical framework (study design) is prepared. This should indicate the policy areas of analysis as related to the work of the project and the identified policies to mainstream child labour into; the methodology to be used in the analysis and the relevant sources of information, including key respondents to talk
ii. The study design will be discussed with the international team leader, ILO/IPEC Pretoria, , IPEC HQ, TECL and the ILO/IPEC DED; and revised based on received comments
iii. Further desk review and data collection will take place through study of policy documents, follow-up interviews etc as per agreed analytical framework

iv. Interviews will be conducted with a list of key respondents to be agreed upon by the national consultant, ILO/IPEC South Africa (TECL) and DED.
v. The national consultant will participate in the national stakeholder evaluation workshop as an observer.
vi. Consultations will be held with the overall evaluation team during the in-country work of that team. This will include adjustment in the analytical framework to provide key information and analysis for the evaluation on policy.
vii. A revised annotated outline will be presented immediately before the first analysis for quick comments
viii. An initial presentation of key analysis and findings will be prepared in time for use by the overall evaluation team for the first draft of the report on the expanded final evaluation.
ix. A more comprehensive draft is presented for comments by the functions indicated in bullet point (ii).
x. Final technical sign-off by DED and the evaluation team leader.

66. The background of the consultant should include:

Responsibilities	Profile
• Desk review of project documents • Briefing with ILO/IPEC-DED • Telephone Interviews with IPEC HQ desk officer, donor • Undertake desk review of project related documents • Interview project management and project partners • Draft report and share with the team leader • Finalize the report with inputs from the team leader	o Experience with policy analysis, strategic planning and design of country programmes o Familiar with the development policy set-up in South Africa; knowledge of the specific policies is desirable o Experience in policy level evaluation or assessment o Experience evaluating gender issues. o Knowledge and experience of child labour or at the very least children's issues. o Familiarity with impact assessment debates or experience in implementing impact assessment o Relevant background in social and/or economic development. o Experience in the design, management and evaluation of development projects, in particular with policy level work, institution building and local development projects. o Experience in the UN system or similar international development experience including preferably international and national development frameworks in particular PRSP and UNDAF. o Familiarity with and knowledge of specific thematic areas

2.8.4 Timetable and Workshop Schedule

67. The total duration of the evaluation process including submission of the final report should be within two months from the end of the field mission.

68. The evaluator will be engaged for 5 workweeks of which two weeks will be in country in South Africa and 3 days in Lesotho and 2 days in Namibia). The timetable is as follows:

Phase	Responsible Person	Tasks
I	Study consultant	o Briefing with ILO/IPEC o Desk Review of programme related documents o Interviews with programme sstaff and partners o Draft indirect IA study report
II	Evaluation team leader	o Telephone briefing with IPEC DED, donor, IPEC HQ and ILO regional o Desk Review of programme related documents o Evaluation instrument based on desk review
III	Impact Study consultant with evaluation team leader	o Present preliminary findings to evaluation team leader o Finalize the indirect impact assessment study with inputs from team leader
IV	Team leader with logistical support by project	o In-country to South Africa, Lesotho and Namibia for consultations with programme staff o Consultations with ILO Office in Pretoria o Consultations with TECL programme staff /management o Field visits o Consultations with girls and boys, parents and other beneficiaries o Workshop with key stakeholders
V	Evaluation team leader	o Draft report based on consultations from field visits and desk review, impact assessment study and workshop for South Africa, Lesotho and Namibia
VI	DED	o Circulate draft report to key stakeholders o Consolidate comments of stakeholders and send to team leader
VII	Evaluation team leader	o Finalize the report including explanations on why comments were not included

Schedule and Duration

2.8.4.1 Phase	2.8.4.2 Duration	2.8.4.3 Dates
2.8.4.3.1 I	20 days	May 19-June 13
II	5 days	May 19-23
III	Including in phase I	June 9-13
IV	14 days	June 4 to June 19
V	5 days	June 20-25
VI		
VII		By June 30

2.8.5 Sources of Information and Consultations/Meetings

Available at HQ and to be supplied by DED	• Project document • DED Guidelines and ILO guidelines
Available in project office and to be supplied by project management	• Progress reports/Status reports • Technical and financial reports of partner agencies • Other studies and research undertaken • Action Programme Summary Outlines • Project files • National workshop proceedings or summaries • National Action Plans • TECL website information

Consultations with:

- TECL project management and staff
- ILO/HQ and regional backstopping officials

- Partner agencies
- RECLISA project staff
- Social partners Employers' and Workers' groups
- Government stakeholders (e.g. representatives from Department of Labour, Social Development etc)
- Direct beneficiaries, i.e. Boys and Girls (taking ethical consideration into account.)
- Community members as identified by the project management and evaluation team leader
- Parents of boys and girls
- government representatives, legal authorities etc as identified by evaluation team
- National Steering Committee
- Telephone discussion with USDOL
- US Regional Labour Officer in Johannesburg and the BLNS countries as appropriate
- National Partners in the CLPA involved in the further development, enhancement and implementation of national processes.

2.9 Final Report Submission Procedure

69. For independent evaluations, the following procedure is used:

- The evaluator will submit a draft report to **IPEC DED in Geneva**
- IPEC DED will forward a copy to **key stakeholders** for comments on factual issues and for clarifications
- **IPEC DED** will consolidate the comments and send these to the **evaluator** by date agreed between DED and the evaluator or as soon as the comments are received from stakeholders.
- The final report is submitted to IPEC DED who will then officially forward it to stakeholders, including the donor.

VI. Resources and Management

2.10 Resources

70. The resources required for this evaluation are:

- For the evaluation team leader:
  - Fees for an international consultant for 48 work days
  - Fees for local DSA in project locations in South Africa, Lesotho and Namibia
  - Travel from consultant's home residence to South Africa, Lesotho and Namibia in line with ILO regulations and rules

- For the study consultant
  - Fees for a national consultant for 20 days

- For the evaluation exercise as a whole:
  - Fees for local travel in-country
  - Stakeholder workshop expenditures in Pretoria, Lesotho and Namibia
  - Any other miscellaneous costs.

A detailed budget is available separately.

Management

71. The evaluation team will report to IPEC DED in headquarters and should discuss any technical and methodological matters with DED should issues arise. IPEC project officials and the ILO Office in Pretoria will provide administrative and logistical support during the evaluation mission.

ANNEX I of the ToR: Suggested Aspects to Address

Design

- Determine the validity of TECL's design, the effectiveness of the methodologies and strategies employed and whether it assisted or hindered the achievement of TECL's goals as set out in the Project Document.
- Assess whether the programme design was logical and coherent and took into account the institutional arrangements, roles, capacity and commitment of stakeholders.
- Assess the internal and external logic of the programme (degree to which the programme fits into existing mainstreaming activities that would impact on child labour).
- Analyze whether available information on the socio-economic, cultural and political situation in South Africa and the BLNS countries was taken into consideration at the time of the design and whether these were reflected in the design of the programme.
- To what extent were external factors identified and assumptions identified at the time of design? Have these underlying assumptions on which the programme has been based proven to be true?
- Assess whether the problems and needs were adequately analyzed and determine whether the needs, constraints, resources and access to project services of the different beneficiaries were clearly identified taking gender issues into concern.
- How well did the programme design take into account local efforts already underway to address child labour and promote educational opportunities for targeted children and existing capacity to address these issues?
- Are the time frame for programme implementation and the sequencing of programme activities logical and realistic? If not, what changes are needed to improve them?
- Is the strategy for sustainability of programme results defined clearly at the design stage of the programme?
- How relevant are programme indicators and means of verification? Please assess the usefulness of the indicators for monitoring and measuring impact. More specifically, have the IPEC indicators used to measure the programme been appropriate for TECL, in light of the focus on direct action programmes in combination with mainstreaming activities?
- What lessons were learned, if any, in the process of conducting baseline survey for the identification of target children?
- Were the objectives of the programme clear, realistic and likely to be achieved within the established time schedule and with the allocated resources (including human resources)?
- Were the linkages between inputs, activities, outputs and objectives clear and logical? Do the projects designed under the programme provide clear linkages and complement each other regarding the programme strategies and programme components of intervention? Specifically regarding:
    - Programme strategies:
        - Policy, programme planning, research and documentation;
        - Capacity building
        - Targeted action social partners (direct action)
    - Programme Component of Intervention:
        - Capacity building;
        - Policy development and legislation;

- Monitoring and enforcement;
- Awareness raising;
- Social mobilization; and
- Education

Achievements (Implementation and Effectiveness) of Objectives

- Examine the preparatory outputs of the delivery process in terms of timeliness and identifying the appropriate resources/persons to implement the process.
- Assess the effectiveness of the programme i.e. compare the allocated resources with results obtained. In general, did the results obtained justify the costs incurred?
- Examine delivery of programme outputs in terms of quality and quantity; were they delivered in a timely manner?
- Assess whether the programme has achieved its immediate objectives, especially in regards to meeting the target of withdrawing and preventing children by means of the pilot interventions.
- Review whether the technical guidance provided by programme staff, partner organizations and relevant ILO units (including ILO Geneva, Area Office Pretoria, and Regional Office) was adequate. How has this advanced / hindered the programmes work?
- Did the programme meet its stated purpose and outputs in the project document? If not, what were the factors that contributed to the programme's delay and were they justifiable?
- How were recommendations from the midterm evaluation acted upon by the programme and to what effect?
- Assess the programme monitoring system including the PMP, work plans, processes or systems.
- Evaluate the programme's data collection strategies
- How did factors outside of the control of the programme affect programme implementation and programme objectives and how did the programme deal with these external factors?
- Assess the programme's gender mainstreaming activities.
- How effective were the APs, research projects, and policy projects, and how did they contribute to the project meeting its immediate objectives?
- How was the capacity of the implementing agencies and other relevant partners to develop effective action against child labour enhanced as a result of programme activities?
- To what extent were rapid assessments, policy papers, discussion documents, and other forms of project research shared with relevant stakeholders and linked to programme activities?
- How did the programme respond to obstacles (both foreseen and unforeseen) that arose throughout the implementation process? Was the programme team able to adapt the implementation process in order to overcome these obstacles without hindering the effectiveness of the programme?
-

Enabling environment (Capacity Building)

- Examine the National Steering Committee (NSC) mechanism (Programme Advisory Committees on Child Labour in the BLNS countries and the Implementation Committee of the Child Labour Programme of Action in South Africa). How did these structures participate in terms of programme implementation? How effective has it been in carrying out its duties? How did these bodies contribute to local ownership of the national programme?
- Assess the results of the relationship between the SA Implementation Committee and the implementing agencies, what is their collaboration.
- Examine any networks that have been built between organizations and government agencies working to address child labour on the national, provincial and local levels.
- Assess the level of government involvement in the programme and how their involvement with the programme has built their capacity to continue further work on their CLPA.
- How effective has the programme been at stimulating interest and participation in the programme at the local and national level?
- Examine the capacity constraints of implementing agencies and the effect on the implementation of the designed projects.
- Analyse if / how the CLPA-IC / PACCs and other IPEC programmes in the programme countries coordinated with each other and with sub-regional initiatives? Were interventions complementary or competitive? Were there synergies of impact and resource sharing initiatives in place? How do these relationships affect implementation?
- How effectively has the programme leveraged resources (e.g., by collaborating with non-IPEC initiatives and other programmes launched in support of the CLPA / APEC processes thus far?
- Assess the cooperation with RECLISA, and cooperation from RECLISA with TECL.
- How successful has the programme been in mainstreaming the issue of child labour into ongoing efforts in areas such as education, alternative employment promotion and poverty reduction?
- How relevant and effective were the studies commissioned by the programme in terms of affecting the national debates on child labour?
- Examine how the ILO/IPEC project interacted and possibly influenced national level policies, debates and institutions working on child labour.
- Assess to what extent the planning, monitoring and evaluation tools have been promoted by the programme for use at the level of CLPA-IC and by other partners.
- Assess the influence of the programme on national data collection and poverty monitoring or similar process (such as CLMS) processes.
- Assess the extent to which the ILO/IPEC programme of support has been able to mobilize resources, policies, programmes, partners and activities to be part of the CLPA.
- To what extent were rapid assessments, policy papers, discussion documents, and other forms of project research shared with relevant stakeholders and linked to project activities?

Direct Targeted Action

- Do the IPEC programme and project partners understand the definitions and their use (i.e. withdrawal and prevented, in the pilot projects) and do the partners have similar understanding of the terminology used? Please assess whether the programme is accurately able to report on direct beneficiaries based on partners' understanding of the definitions/terminology.
- Assess the effectiveness of the different projects (action programmes) implemented and their contribution to the immediate objectives of the programme. Has the capacity of community level agencies and organizations been strengthened to plan, initiate, implement and evaluate actions to prevent and eliminate child labour? Has the entire target population been reached? Were the expected outputs delivered in a timely manner, with the appropriate quantity and quality?
- What kinds of benefits have the target beneficiaries gained?
- How effective were the strategies implemented for child labour monitoring? Are the initiatives on child labour monitoring likely to be sustainable?
- Assess the process for documenting and disseminating pilot projects.
- Identify whether actions have been taken to ensure the access of girls/other vulnerable groups to services and resources.
- Assess the criteria for selecting beneficiaries / Implementing Agencies for the projects.

Relevance of the Project

- Examine whether the programme responded to the real needs of the beneficiaries and stakeholders.
- Validity of the programme approach and strategies and its potential to be replicated.
- Assess whether the problems and needs that gave rise to the programme still exists or have changed.
- Assess the appropriateness of the sectors/target groups and locations chosen to develop the projects based on the finding of baseline surveys.
- How is this programme supporting and contributing to the CLPA? Do local stakeholders perceive the country's CLPA as different as and broader than the IPEC programme of support to the CLPA?
- How did the strategy used in this project fit in with the CLPA, national education and anti-poverty efforts, and interventions carried out by other organizations? Did the programme remain consistent with and supportive of the CLPA?
- Did the strategy address the different needs and roles, constraints, access to resources of the target groups, with specific reference to the strategy of mainstreaming and thus the relevant partners, especially in government?

Sustainability

- Assess to what extent a phase out strategy was defined and planned and what steps were being taken to ensure sustainability. Assess whether these strategies had been articulated/explained to stakeholders
- Assess what contributions the programme has made in strengthening the capacity and knowledge of national stakeholders and to encourage ownership of the programme to partners.

- Assess the long-term potential for sustained action and involvement by local/national institutions (including governments) and the target groups.
- Examine whether socio-cultural and gender aspects endanger the sustainability of the programme and assess whether actions have been taken to sensitize local institutions and target groups on these issues.
- Assess programme success in leveraging resources for ongoing and continuing efforts to prevent and eliminate child labour in the context of the CLPA. Analyse the level of private sector / employers' organizations support to the CLPA, paying specific attention to how these groups participate in programme activities.
- How has the continuation plan (exit strategy) worked out, and is it in place that the work of TECL will continue after closure of the project?

Specific Aspects for BLNS Countries:

- Analyse whether available information on the socio-economic, cultural and political situation in the BLNS countries were taken into consideration at the time of the design and whether these were taken into consideration and reflected in the design of the programme.
- Assess the role of the TECL programme in furthering government involvement and support to the programme and for the future programmes aimed to eliminate the worst forms of child labour in the BLNS countries.

The Specific Aspects on the SACU sub-regional component level:

- Assess the methodology and approach to identify and share good practices, to replicate and upscale such practices between the SACU countries.
- How have experiences with the Child Labour Programme of Action and action against WFCL in South Africa and in limited extent the BLNS countries been shared amongst the SACU countries?

Special Aspects to be Addressed:

- Examine the extent and nature to which the TECL programmes as a ILO/IPEC programme of support has provided key technical and facilitation support to the further development, enhancement and implementation of the Child Labour Programme of Action.
- In addition to the general lessons learned and recommendations provide specific lessons and recommendations on how to integrate the lessons from the programme into planning processes and implementation for the Child Labour Programme of Action as a TBP approach in South Africa, particularly focusing on identifying elements of emerging effective models of interventions.
- How was the Strategic Programme Impact Framework or similar strategic planning approaches used as a national planning process with national key stakeholders?

Appendix II: Interview framework for Evaluation of towards the Elimination of the Worst Forms of Child Labour (TECL)

Draft Interview Schedule	Questions	How will we obtain the information? Key stakeholders: • TECL Staff • Partner / Implementing Agency • Government • Beneficiary communities
Design	• How did the design take into account the institutional arrangements, roles, capacity and commitment of stakeholders	• Interviews • Project Inception document
	• What was the baseline condition at the beginning of the project? Was a gender analysis carried out?	• Interviews (staff, IA, government) • Project Inception document
	• To what extent did the programme fit into existing mainstreaming activities that would impact on child labour)?	• Interviews • Project Inception document • Progress Reports
	• To what extent were external factors identified and assumptions identified at the time of design? Have these underlying assumptions on which the programme has been based proven to be true?	• Project Inception document
	• Are the time frame for programme implementation and the sequencing of programme activities logical and realistic? If not, what changes are needed to improve them?	• Interviews • Project Inception document • Progress Reports
	• Were the objectives of the programme clear, realistic and likely to be achieved within the established time schedule and with the allocated resources (including human resources)?	• Project Inception document • Progress Reports
	• How relevant are programme indicators and means of verification? How useful were the indicators for monitoring and measuring impact. More specifically, have the IPEC indicators used to measure the programme been appropriate for TECL, in light of the focus on direct action programmes in combination with mainstreaming activities? • How should they be modified to be more useful?	• Project Inception document • Progress Reports
	• What lessons were learned, if any, in the process of conducting baseline survey for the identification of target children?	• Interviews • Mid-term evaluation
	• Were the linkages between inputs, activities, outputs and objectives clear and logical? Do the projects designed under the programme provide clear linkages and complement each other regarding the programme strategies and programme components of intervention? Specifically regarding: • **Programme strategies:** • Policy, programme planning, research and documentation; • Capacity building	• Project Inception document • Mid-term evaluation • Progress Reports

	• Targeted action social partners (direct action) • **Programme Component of Intervention:** o Capacity building; o Policy development and legislation; o Monitoring and enforcement; o Awareness raising; o Social mobilization; and o Education • Is the strategy for sustainability of programme results defined clearly at the design stage of the programme?	
Relevance	• How has the programme / project responded to the real needs of the beneficiaries and stakeholders? • Has the problems and needs that gave rise to the programme still exists or have changed? • Has the sectors/target groups and locations chosen to develop the projects based on the finding of baseline surveys been appropriate? • How did the strategy used in this project fit in with the CLPA, national education and anti-poverty efforts, and interventions carried out by other organizations? Did the programme remain consistent with and supportive of the CLPA? • Did the strategy address the different needs and roles, constraints, access to resources of the target groups, with specific reference to the strategy of mainstreaming and thus the relevant partners, especially in government? • How well does the project compliment and link to activities of other donors at local level?	• Interviews (staff, IA, government) • Focus group discussions with beneficiaries at pilot projects
Efficiency	• Have resources (funds, human resources, time, expertise, etc) been allocated strategically to achieve outcomes? • Have resources been used efficiently? Have activities supporting the strategy been cost-effective? In general do the results achieved justify the costs? Could the same results be achieved with fewer resources?	• Interviews (staff, IA, government) • Project documents
Implementation and Effectiveness	• Has the project made sufficient progress towards its planned objectives? Will it be likely to achieve its planned objectives upon completion? • Have the quality and quantity of the outputs produced so far been satisfactory? Do benefits accrue equally to men and women? • Are the project partners using the outputs? Have these been translated into project outcomes? • How do the outputs and outcomes contribute to ILO's mainstreaming strategies? • How have stakeholders been involved in project implementation? Has it been effective in terms of establishing national ownership? Has the project been appropriately responsive to the needs of national constituencies and changing partner priorities? • Was the technical guidance provided by programme staff, partner organisations and relevant ILO units (including ILO Geneva, Area Office Pretoria and Regional Office) adequate? How has it advanced or hindered programme work? • How have the recommendations of the mid-term evaluation been acted upon and what was the effect? • Has the project approach produced demonstrated successes? • In which areas have the project had the greatest achievements? What contributed to these successes? What were the constraining factors and why? Were these justifiable? How can they be overcome? • How did factors outside of the control of the programme affect programme implementation and programme objectives	• Interviews (staff, IA, government) •

	and how did the programme deal with these external factors? • What alternative strategies would have been more effective in achieving objectives?	
Effectiveness of management arrangements	• Are management capacities adequate? • Does project governance facilitate good results and efficient delivery? Is there a clear understanding of roles and responsibilities of all parties involved? • Does the project receive adequate political, technical and administrative support from its national partners? • Do implementing partners provide for effective project implementation? • Does the Steering Committee have a good grasp of the project strategy? How do they contribute to local ownership of the national programmes? How do they contribute to the success of the project? What systems are in place for work plans, processes or systems – especially monitoring systems? Assess to what extent the planning, monitoring and evaluation tools have been promoted by the programme for use at the level of CLPA-IC and by other partners. • How has the programmes collected data, how would you assess the usefulness of this? • How has gender been mainstreamed? Comment on its effectiveness, any challenges?	• Interviews (staff, IA, government) • Review of documentation
Enabling environment (Capacity building)	• How do the SA Implementation Committee and the implementing agencies collaborate and work together? • List any networks that have been built between organizations and government agencies working to address child labour on the national, provincial and local levels. • Assess the level of government involvement in the programme and how their involvement with the programme has built their capacity to continue further work on their CLPA. • How effective has the programme been at stimulating interest and participation in the programme at the local and national level? • How would you assess the capacity constraints of implementing agencies and the effect on the implementation of the designed projects? • How did the programme respond to obstacles (both foreseen and unforeseen) that arose throughout the implementation process? Was the programme team able to adapt the implementation process in order to overcome these obstacles without hindering the effectiveness of the programme? • How effectively has the programme leveraged resources (e.g., by collaborating with non-IPEC initiatives and other programmes launched in support of the CLPA / APEC processes thus far? • What cooperation has taken place with RECLISA and TECL? How has this worked? What are some of the challenges? • How successful has the programme been in mainstreaming the issue of child labour into ongoing efforts in areas such as education, alternative employment promotion and poverty reduction? • How relevant and effective were the studies commissioned by the programme in terms of affecting the national debates on child labour? • How has the ILO/IPEC project interacted and possibly influenced national level policies, debates and institutions working on child labour?	• Interviews (staff, IA, government)
Direct targeted action	• Do the IPEC programme and project partners understand the definitions and their use (i.e. withdrawal and prevented, in the pilot projects) and do the partners have similar understanding of the terminology used? Please assess whether the programme is accurately able to report on direct beneficiaries based on partners' understanding of the	• Interviews (staff, IA, government) • Focus group discussions with beneficiaries at pilot projects

	definitions/terminology. • How effective has the different projects (action programmes) been implemented and how have they contributed to the immediate objectives of the programme. • Has the capacity of community level agencies and organizations been strengthened to plan, initiate, implement and evaluate actions to prevent and eliminate child labour? • Has the entire target population been reached? Were the expected outputs delivered in a timely manner, with the appropriate quantity and quality? • What kinds of benefits have the target beneficiaries gained? • How effective were the strategies implemented for child labour monitoring? Are the initiatives on child labour monitoring likely to be sustainable? • How have pilot projects been documented and disseminated? • What actions have been taken to ensure the access of girls/other vulnerable groups to services and resources? • What are your views on the criteria for selecting beneficiaries for the projects?	
Impact and sustainability	• Can observed changes (in attitude, capacities, and institutions) be causally linked to the project interventions? • Is the project making a significant contribution to broader and longer-term development impact? Is it likely that it will eventually make one? Is the project strategy geared towards impact? • Is there a need to scale up or scale down the project? If so how do project objectives and strategies need to be adjusted? • Is there an exit strategy for the project? Is it being gradually handed over to the national partners? Once funding ends will the Implementing partners be likely to continue the project or carry forward its results? • Are national partners willing and committed to continue with the project? How effectively has the project built national ownership? How effective has the project built the necessary capacity of national partners and institutions? • Has the project successfully strengthened an enabling environment(laws, policies, people's attitudes) • Are the project results likely to be sustainable? Are they replicable? Is this likely to happen? What would support its replication? • What should the 2nd phase focus on to consolidate achievements?	• Interviews (staff, IA, government) • Focus group discussions with beneficiaries at pilot projects

Appendix III: List of people interviewed

United States Department of Labor

Patrick White	

Area office

Joseph Ajakaye	Deputy Director, Officer-in-Charge
Sipho	
Teresa	

TECL staff

Dawie Bosch	Chief Technical Advisor
Elna Hirschfield	Senior Programme Officer
Gladys Mirugi-Mukundi	Administrator

South Africa

Virgil Seafield	Executive Manager, Employment Standards
Mathilda Bergman	Assistant Manager, Employment Standards
Lerato Beesmaar	Senior Practitioner, Employment Standards
Musa Mbere	Department of Social Development Directorate: Child Protection
Stephanie Scholtz	Department of Social Development Directorate: Child Protection. Previous focal point
Stephen Marais	Department Water Affairs and Forestry: Director Water Services Planning
Nick de Villiers	Deputy Director Public Prosecutions: Asset Forfeiture
Nolwandle Qaba	Project Manager: Human Trafficking
Herseela Naidoo	Monitoring and Evaluation Department of Education
Kobus Kleynhans	Business Unity South Africa
Sharmaine Mannah	SADTU
Dawn le Roux	FEDUSA National Gender & HIV/AIDS coordinator
Oupa Lebepe	School teacher
Erens Moeng	School teacher
Benita Pavlicevic	Service Provider: capacity building
Carol Bower	Service Provider
Jackie Gallinetti	Service Provider (CUBAC) – Community Law Centre
Andrew Charman	Service Provider (Liquor)
Debbie Budlender	Service Provider
Sharon Harpring	RECLISA
Moira Simpson Susan Daly Anna Masiba	Kids Haven
Bashi Devnarain	CRISP Trust

Medi Couzins	
Rene Botha Constance Leshaba	National Youth Development Outreach
Astrid	Consultant
Thomas Verryn	Consultant

Attended final meeting of TECL I and IC meeting

Botswana

Claude Mojafi	PACC Chairperson
Lesego Pule	Principle in Industrial Relations, Ministry of Labour
Sissy Seemule	Deputy Commissioner of Labour

Lesotho

Mrs Matsoso	Commissioner of Labour, Chair of PACC
Elliot Ramochela	Secretary General Lesotho Congress of Democratic Unions
Sefora	UNICEF
Bolaoane Khotle	Department Social Welfare
Masoabi Thosa	Lesotho Mounted Police Service: Child & Gender Protection Unit
Thuto Ntselche Mokhehle	Ministry of Education & Training
Manthako Mphei	Economic Specialist US Embassy, Maseru

PACC Meeting: APEC endorsement and TECL I Evaluation

Namibia

Ulitalah Hiveluah	Permanent Secretary, Ministry of Labour, Chair of PACC
Christiaan Horn	Deputy Director: International Relations
Rinna Hough	Namibian Employer's Assn and Agriculture Employer's Association
Elizabeth Terry	Service Provider
Ulfried Schwacke Doufi	Service Providers
Anna Beukes	Namibian NGO Forum
Lena Zimba	Ministry of Health and Social Services, Social worker
Patience Mubita	Ministry of Gender Equality & Child Welfare, Social Worker

Swaziland

Thuli Mamba	Department of Guidance & Counselling in Ministry of Education: Career Guidance Officer
Jacinta Uwamba	Service Provider: IDCG

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