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An Assessment of Knowledge and Practice in Achieving the Rights of the Child

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HIGHLIGHTS SUMMARY

**DOES POOR KNOWLEDGE MANAGEMENT PREVENT THE APPLICATION OF SOCIO-CULTURAL UNDERSTANDING
TO CHILD-RIGHTS PROGRAMMING?**

The UN-CRC places strong emphasis on children's participation and the incorporation of local knowledge in policy and practice. Yet, a decade of practice has failed to engender programmes with these priorities. A child-centred collaborative research initiative in Nepal led by Edinburgh University found limited impact in four child labour programme approaches stemmed from an inadequate flow of knowledge within and between organisations. The research suggests that progress made by the private sector and trade union movements is largely undocumented. This untapped potential may yet offer sustainable solutions to protect children and provide livelihood opportunities.

To date, there have been no comparative studies that examine changes in the quality of life of working children who have been supported through legislative, rehabilitative, protective or preventative programmes with those who have not been affected by interventions.

- The organisations adopting the protective approach, combining education and work, were more prepared to take risks and to incur higher transaction costs required for collaborative programming. These offer greatest scope to incorporate the private sector and trade unions.
- Children involved in community-based programmes and those who have not received any form of support have surprisingly strong well-being profiles (social, psychological, economic and physical) that compare positively to children who have been recipients of welfare programmes.
- Resources to combat child labour have continued to flow to the NGO sector yet their policy makers have failed to challenge the dominant international explanations of 'child labour' with their local understanding of child well-being. This has restricted innovation to address causal factors specific to the local context.

The collaborative research analysed and compared children's livelihoods and ambitions. The researchers worked with child beneficiaries as well as those who continue to work without intervention. This approach enabled an examination of the policy influence, programme planning and decision-making processes.

It emerged that:
- Physical and economic criteria have dominated the assessment of child well-being. This has neglected local socio-cultural understandings of childhood, including social and psychological well-being and the development of life-skills.
- There is insufficient understanding of the dynamics and causes of child migration. This research has exposed a previously unrecognised pull factor in child migration. Children returning to their villages under-report the hardships of work thus perpetuating the idealised notion that carpet work leads to economic gain and increased social status. Without appreciation of the intra-group dynamics between children, strategies to address problems associated with migration will fail to reach their development goals.

- Despite a growth in resources to combat child trafficking, these operate in a confined policy sphere that fails to link child labour and trafficking research and initiatives within a holistic analysis of migration.
- Studies undertaken are rarely shared between organisations resulting in duplication of research and conflicting conclusions that are rarely validated or compared.
- Knowledge management was prioritised in the private sector. Their profit-making agenda ensured that there were few restrictions on the information that was incorporated into programme and policy design. Consequently they were best able to use local knowledge rather than assuming the relevance of dominant international policy directives on child labour.
- It emerged that the trade unions had the most effective learning culture. Their philosophy of social justice and workers' rights provided the motivation to ensure that socio-cultural factors were recognised and incorporated into institutional frameworks.

Results of the research may offer clues to why a positive impact of child labour programmes have been slow to emerge from interventions. In particular, gaps in organisational capacity prevented staff conducting primary research and later assessing the impact of programmes. The study suggests a number of measures to further children's rights:

- Build on models of collaborative research to examine flexible education opportunities; vocational training in the current employment market and ways to overcome negative attitudes towards non-formal education.
- Further research concerning the causal factors of migration with a focus on peer influences
- Improve knowledge management and develop initiatives for regular resource and skills sharing between key stakeholders
- Awareness raising about the risks of urban migration through more innovative use of the media
- Support to bring university academics in the South and actors from the private sector and trade unions into the policy debate.

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AN ASSESSMENT OF KNOWLEDGE AND PRACTICE IN ACHIEVING THE RIGHTS OF THE CHILD

1 Background and Objectives

There is a growing consensus within international development that support for human rights is vital to processes of poverty reduction and meeting the international development targets. There is also increasing recognition that development priorities must attend to children's lives if they are to overcome structural inequalities and support active citizenship to achieve civil and political liberties. In ratifying the UN Convention of the Rights of the Child (UN-CRC), national governments have agreed to align their development strategies with a broad set of principles agreed to meet the best interests of children. The challenge lies in the development of practice that provides protection and enables freedom of expression and participation in decisions affecting their lives.[ii] The following three paragraphs outline the key research issues based on the research objectives.[iii]

1.1 Assessing child labour strategies

Despite the recognition of the need for a rights-based approach, the vast proportion of interventions for working children continue to be based on a welfare model. The disjunction between macro policy debate and grass-roots support for children demands urgent realignment. There is ample evidence of innovative practice towards the fulfilment of children's rights from a range of cultural contexts. However, it is suggested that learning within local arenas has failed to inform decision-making and policy at national and regional levels (Boyden et al, 1998). This research was designed to find out how children's lives have been affected by strategies to prevent exploitative work, and to understand how this knowledge was generated and used.

1.2 The influence of learning on practice

The current climate in child-centred development is one of enquiry. Practitioners are demanding appropriate tools with which they can work to further child rights with partner organisations. This requires an assimilation of learning from local experience, and improved information dissemination between sectors and countries. Knowledge management presents organisations with a range of challenges. Practitioners in the field of child rights in Nepal voiced concern about the lack of learning within and between organisations[iv] and about the effectiveness of their programmes in meeting children's needs.

1.3 Capacity development

A review of the international literature clarified the urgent need to align the principles of the UN-CRC with Nepal's socio-cultural, economic and political realities. The problem amongst organisations promoting child-centred development did not appear to be a lack of knowledge *per se*, but limited evaluative social research skills. Structural and cultural factors work against assimilating personal and organisational understanding generated through experience, and neglect

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[ii] Education policies now recognise the need to support children's empowerment and self-expression within and beyond schooling (Hammarburg 2000).

[iii] Research objectives are set out in the appendix.

[iv] During our initial assessment of the state of CR knowledge and practice (1998).

evidence generated by research in the region. In short, given that research generated by academics fails to translate into clear lessons for practice, practitioners felt the need to learn basic research skills in order to plan how best to implement the principles of the UN-CRC.

2 Methods

2.1 A collaborative multi-sectoral approach

The ESCOR funded research provided the opportunity to test a collaborative model of child-centred research within the programming and policy sphere. Recent innovative practice has highlighted the need for practitioners from different sectors (government, voluntary, private and trade union) to work together on a common project in order to establish channels of communication and trust[v].

In situating our study within the interaction between development practice and Nepal's carpet industry, we were able to engage a wide range of key actors in the research process and its outcomes. These included fieldworkers working directly with children, families and carpet factory owners, as well as managers of organisations employing fieldworkers, donors and policy makers. The core research team comprised twelve staff, two from each of six organisations[vi]. Six former child workers, now in their late teens, joined the team for the period of training and data collection on child well-being. This multi-sectoral team worked together for eight months to identify the sample, collect data and analyse the findings.

The team were guided by the principal researchers and the research co-ordinators, Katy Pepper and Jamie Cross[vii]. The research co-ordinators provided vital continuity in research training, support and communication during periods when the principle researchers were in the UK, and enabled the team as a whole to strengthen their relationships with key development actors tackling child rights in Nepal. They in turn received support from the British Embassy, the ILO, UNICEF, DFID-Nepal, Save the Children Fund and GTZ who recognised the value of the collaborative research venture. Child rights specialists from these and other organisations were invited to join an 'advisory board' whose role was to ensure that the analytical process fitted within the policy and programming context[viii]. This strategy was taken to avoid creating parallel structures[ix], but demanded high levels of personal and professional co-ordination and co-operation between team members and research co-ordinators.

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[v] UNICEF funded research on children in need of special protection in Tanzania identified the need for stakeholders from different sectors to work together in research and programme design (UNICEF 1998).

[vi] The research team comprised of staff from the Ministry of Labour, the Central Carpet Industrialists Association, the General Federation of Nepalese Trade Unions, and three NGOs named Child Development Society, NASPEC and Nepal Rugmark Foundation.

[vii] The original proposal included one research co-ordinator only. However, during the initial phase of fieldwork it was apparent that the need to strengthen research capacity within participating organisations was greater than envisaged. VSO's Overseas Training Programme were able to identify a highly capable student (Jamie Cross) whose year with the research team enhanced the learning experiences of individuals and organisations, and ensured that communication was maintained between all concerned parties.

[viii] Please see the appendix for a diagram to show the composition and roles of each part of the research team.

[ix] Judith Justice's work in Nepal's health sector reveals the barriers to development created by parallel structures (1986).

2.2 The process of organisational analysis

The aim of the organisational analysis was to test our second hypothesis[x] by assessing the capacity of participating organisations to integrate new learning in practice. At a National level, the challenge is to create an enabling environment for implementation of the UNCRC in the specific socio-cultural context. As anthropologists, we wanted to know how the practices of organisations and the relationships of power between stakeholders influence their ability to learn from local knowledge, and to change in ways that will achieve children's best interests.

Tools were developed within the organisational analysis framework to gather data showing how organisational philosophies, aims, structures, and practices influenced their capacity to learn. Within the growing critique of development in Nepal, several social scientists have focused on factors that hinder the effectiveness of NGOs. Bruce Britton's Learning NGO questionnaire was selected as a framework that embraced the key barriers: poor communication (between sectors such as government, private and workers rights organisations), the lack of systematic databases, and low staff skill-levels.[xi] Britton's learning organisations questionnaire was used to measure comparative strengths and weaknesses of each organisation according to eight aspects of learning (Britton 1998)[xii].

Three important adaptations were made to Britton's questionnaire to improve data validity in the Nepal context. First, the research team translated and piloted the forty-question questionnaire. Question sheets for researchers were prepared in both languages. Second, transactional analysis was undertaken to match interviewees with the interviewers by comparing personnel hierarchy in the organisations with the status of research team members. The team drew on collated knowledge and consulted data on their organisations in order to designate questions to avoid asking those with personal stakes or interests. The third and final preparatory task was to develop a visual method for administering the questionnaire as an alternative to a traditional interview format which tends to yield normative responses (Baker and Hinton 1999:8). While guarding against influencing informants, team members felt it important to allow interactive debate between researcher and informant before the informant settled on a final response to the question. To this end, a matrix rating was designed in which a moveable counter on a scale of 1 to 5 enabled the informant to carefully consider a final response.

2.3 Child-centred research tools

Owing to the variety of interventions to address child labour in Nepal within the last decade, it is possible to conduct research with young people who, as children, were working in the carpet industry and who have experienced different programme approaches. The study investigated the well-being of both current and former child workers. Hence informants included children (defined by the UN-CRC as those under the age of 18 years) and youth who began work in the carpet sector

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[x] Please see the appendix for research hypotheses.

[xi] (as stated in HMG Nepal and ILO-IPEC's Report of regional workshop on Child Labour Policies and Enforced Legislation held in May 1999, p11).

[xii] The eight dimensions of learning in Britton's questionnaire are creating a supportive culture, gathering internal experience, accessing external learning, communication systems, drawing conclusions, developing an organisational memory, integrating learning into strategy and policy and applying the learning.

when they were children. Adults, including parents and employers, were also interviewed to gain their perspectives on child well-being.

The advisory group provided input into the selection of the five informant groups: legislation; rehabilitation; protection; community based intervention and non-intervention as a control group.[xiii] The impact of interventions was studied at the individual and, where possible, at household level. In addition to six weeks data collection in Kathmandu, three weeks of fieldwork were conducted in Sindupalchowk, a rural district North of Kathmandu where many carpet weavers originate. These provided data on family socio-economic status, the expectations placed upon and held by children, as well as opportunities available in the village. As these were conducted during the festival Dasain, many children working in Kathmandu had returned to spend time with their families.

There is growing recognition within the social sciences that health and well-being in childhood depends on a combination of physical, social and psychological factors. Policy organisations acknowledge that stressors on an individual must be analysed within the context of "social relationships and knowledge within the cultural, political and economic environment characteristic of the society concerned" (WHO 1993).

2.3.1 A consultative child rights framework

The authors provided training through a series of courses based in Nepal and the UK. These focused on conducting research with children, the ethics of child-centred research and data analysis. Partner organisations contributed to the production of tools to measure children's well being across four key dimensions: physical; economic; social and psychological.[xiv] Expertise was drawn from academics and practitioners. Recent international expertise in this area was incorporated through the pioneering work of Jo Boyden and Judith Ennew.[xv] The local dimensions were ensured through sessions run by research staff from Save the Children, Tribhuvan University and UNICEF.

Children's active participation was a priority. Former working children participated as full members of the research team and trained in conjunction with the core team in using the child-focused tools. The interview checklists (please see the appendix) were used to record information generated by participatory visual activities conducted with child informants, rather than as formal questionnaires. To add qualitative depth to the semi-structured interviews and PRA activities a series of consultative day workshops were held with child informants and the rapport developed within these sessions produced valuable data on attitudes to work, learning and 'rights' within a Nepali context. The sessions also produced opportunities for the team to apply their learning with children outside a focused research environment to build rapport with children beyond the cultural confines of their societal roles.

[xiii] Many children were affected by more than one type of programme approach creating a more complex research design. See appendix for a definition of each programme approach.

[xiv] Topics covered by the research tools in each area of well-being are described in the appendix.

[xv] Boyden and Ennew 1997.

2.4 Sampling and ethical issues

Efforts were made to achieve a similar size of sample for each intervention group according to age and sex (please refer to the tables below). Previous research shows that ethnicity can act as an independent variable in comparisons of health and wellbeing. In order to make valid comparisons across the groups the factor for ethnicity was held constant. Tamangs were thus selected as they are the predominant ethnic group amongst carpet workers.[xvi] In debating the age of informant children the current laws against children under fourteen working were discussed. The research team collecting data on the 'non-intervention' and 'protection' groups did not approach children in this age category for ethical reasons. Direct research with under-age working children would have put these children, their employers and families at risk. The resulting focus on older children has meant that the age distribution within the five informant groups varies considerably.[xvii]

Anonymity was preserved through the use of pseudonyms in all research reports. Transcripts containing real names were kept within the research team. Consent was sought prior to taking photographs which were taken outside the work environment in order to protect children from possible recrimination by police or employers. The research team were encouraged to explain the scope of the study while requesting participation from potential informants as a measure to reduce expectations of material assistance.

Tables to show the age and sex distribution of the informant group according to intervention approach.

Age Group	10-14 years	15-19 years	20-22 years	Total
Legislation	1	16	5	22
Rehabilitation	31	6		37
Protection	15	10	4	29
Non-intervention	3	19	16	38
Community intervention	17	13	6	36
Total	67	64	31	162

Sex Distribution	Male	Female	Total
Legislation	7	2	9
Rehabilitation	36	12	48
Protection	9	20	29
Non-intervention	20	19	39
Community intervention	19	18	37
Total	91	71	162

The detail of the methodological processes for organisational analysis and the child-focused anthropological methodology are described in the appendix.

[xvi] 75% of all children are from the Tamang/Magar ethnic group (Shrestha, 1999) Future research should attend to possible social and physical differences between ethnic groups.

[xvii] This limits some statistical comparisons across groups.

3 Findings: organisational analysis

3.1 Learning cultures: incorporating local knowledge into policy and practice

3.1.1 Questioning organisational motivation

In his recent book, Maskay (1998) highlights the lack of management skills and organisational discipline, centralisation of NGOs in Kathmandu, and the exploitation of funding opportunities, an endeavour he asserts to be "propelled more by the profit motive than by any sense of social commitment and accountability" (ibid.145). This accusation is captured in the phrase often applied by members of the public to NGOs namely; '*dollar khetne*' meaning 'dollar farming'.

Our research did not find evidence to corroborate this lack of social commitment in the child rights sector. Rather, social and political structures perpetuate programmes based on received wisdom and imposed cultural realities. In contrast to current thinking, we found high levels of motivation and significant socio-cultural knowledge already present within the key child rights institutions. However their raison d'etre is still intrinsically linked to the funding opportunities, rather than to an overriding social responsibility. 'Dollar Khetne' attitudes may be less overt in organisation motivations, but this attitude was still a key factor in the personal motivations of individual's decision making strategies.

Generally, team members from the partner organisations held the least secure positions inside the lowest salary brackets and with little professional opportunity. The motivating factors that had led to employment in this sector were not related to an active social commitment but, depending on age and gender, a financial responsibility for dependants and social, economic and moral obligations to particular social roles (as father, son or husband). Nepali organisations supported by 'international' funding are sometimes seen as being able to supporting the fulfilment of these personal objectives. The energy expanded in search of continued funding or achieving programme targets, is not fuelled by expectations of bettering a professional position but simply to maintain it. When questions are raised concerning the future of an NGO or the ESCOR project it is not unusual to hear the semi-ironic statement: "Don't worry, DFID will provide".

3.1.2 Failure to use tacit knowledge and existing literature

The study showed that time pressure to secure on-going funding mitigates against a careful assimilation of existing research data on children's lives. Dominant explanations of 'child labour' are prioritised over the use of local knowledge and restrict the information that is incorporated into programme and policy design. When combined with a non-reading tradition, much valuable local knowledge fails to be prioritised by the decision-makers. It was the failure to apply learning that limited programme effectiveness. The learning achieved within organisations during the course of this study proved that working in active collaborative on specific research or planning activities can overcome traditional barriers within and between organisations.

Social hierarchies are mirrored in the application of knowledge. Relationships of power between stakeholders influence the extent to which local knowledge is adopted into institutional frameworks. The knowledge gained by field staff in daily working practice who have fewer years of education or who are illiterate is classified as 'less valid', whilst international wisdom is given high priority in terms of initial attention to the reports, dissemination of the knowledge and subsequent application of the data analysis. The fatalistic '*ke garne*' attitude means that lower level staff rarely fight for their voices to be heard (Bista, 1991). Inefficient documentation systems and an absence of structured information sharing are two structural barriers to the effective use of knowledge (please see appendix). The ke garne attitude also provides and 'excuse' not to deal with structural inequalities that deny a voice to certain groups. This study provided an opportunity for organisational directors to acknowledge the role of these barriers in their failure to incorporate socio-cultural factors in planning interventions to comply with international agendas.

This research has confirmed that the largest investment made by participating organisations is in symptom-based, reactive, programmes. Thus they frequently overlook opportunities to address causal factors to child migration and work. One exception to this is the Ministry of Labour who are piloting an agricultural and animal husbandry training programme to strengthen livelihoods in one village in 5 districts. NRF supported by UNICEF have a programme to inform children at community levels about risks associated with migration, whilst GTZ support a livelihoods approach developing cottage industries in Sindhupalckuk. Lessons could also be learnt from GTZ, ILO, and CWIN. CWIN as a local organisation have the potential to protect and inform children of the risks and opportunities associated with migration (teachers, VDC Chairman, Child Welfare Boards).[xviii]

3.2 Collaboration and organisational change

3.2.1 Donor funds and accountability

The research revealed low levels of collaboration between NGOs due to the steady flow of donor funds supporting their parallel existence, and to a relaxed political system that fails to hold NGOs accountable for what they do[xix]. In addition it showed a worrying absence of internal and external accountability. Short funding cycles contribute to the lack of impact assessments. Further hindrances to appropriate programme design include the speed at which initiatives are developed, lack of accurate statistics on aspects of child well-being, and poor knowledge of methods for monitoring impacts on children. Cultural barriers can result in a lack of social politic or protocol which can result in a mesh of misunderstood programme requirements and massive in-balances in the use of new technology for reporting and development of ideas. Financial resources are provided without adequate support for the skills required for good impact assessment or listening to local realities.

The research showed that achieving the rights of working children is but one of many different aims and agendas that dictate policy and programme decision-

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[xviii] Please see National conference report.

[xix] Similar reasons for poor collaboration between organisations were stated in a recent analysis of Nepal's NGO culture (Maskey 147).

making. While the potential for collaboration exists, it is dependent upon relationships between individuals in organisations that differ in size, status, and philosophy. In addition to accounting for the international policy context, history shapes action in children's rights at a national level.[xx] It can be concluded that the historical and political context to the emergence of institutions and approaches to 'child labour' has affected the current level and effectiveness of co-operation between organisations involved in assisting working children.[xxi]

Donors involved in this study readily acknowledged the problems of competition for funds between implementers and of replication of programme components. It is clear that the current climate in the donor sphere favours support for collaborative enterprises both in knowledge generation and sharing, and in the planning, implementation and monitoring stages of programmes. However, donor relationships are also subject to political and historical contextualisation. Research is currently underway to understand the difference between collaborative networks and collaboration between organisations for specific action (Bittel, 2000).

3.2.2 Who are the stakeholders?

The research highlighted the need to involve key government stakeholders in the development of an agenda for child rights if they are to be supportive partners in its execution[xxii]. A 'credible agenda' of development was also felt to require the participation of the trade unions[xxiii] and the private sector if sustainable improvements were to be made.

The study demonstrated extensive interest from the private sector in being involved in collaborative initiatives. Good working relations were developed despite deep-rooted resentments and mistrust between the carpet industry and the NGO sector.[xxiv] The need for external facilitation and mediation was clear as was tolerance by some NGO activists in recognising that motivation for involvement was primarily profit driven.

The challenge of the coming decade is to create the enabling environment for organisations across all sectors to implement the UNCRC and support children in achieving their rights.[xxv] What this means in practice is investing in the creation of an educated and skilled cohort of researchers working within (or amongst) practitioners. The creation of these human resources and hence an 'enabling environment' implies changing the dominant culture and therefore holds the potential for conflict at many levels (Chambers, 1997). One example of this is the

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[xx] See Hinton and Baker, 1999 for the critical factors within Nepal's history of working towards children's rights.

[xxi] Please see the appendix for further information on the political events of 1990 in Nepal and their consequences.

[xxii] According to Maskey, the effectiveness of collaboration will depend on two key factors. Firstly on whether NGOs can work together to produce a "tangible, credible agenda of development" with which they can negotiate space for NGOs with the government. Secondly on the "degree of latitude the government would be willing to impart" (ibid. 148).

[xxiii] Morice, 1995 argues that the trade unions were critical in the fight against child labour in Europe.

[xxiv] This is an historical situation caused by the plummeting of exports following media attention to child labour in the 1980s.

[xxv] Political will is often based on the economics that a healthier, more educated workforce can produce more for the national economy (Heady and Bhalotra, 1999).

need to reverse the current trend of donor contracting of social scientists with teaching posts in key higher education institutions for long periods of consultancy that prevent them from running effective courses. If investments are to shift towards greater human development, practices like these must change. The cost involved is minimal compared to the costs of curing the consequences of a failure to respond to the need for skilled personnel.

3.2.3 Organisational change

Within the framework of the research, participating organisations made improvements to documentation, cross-organisational training, team-initiated workshop discussions with academics and policy makers (South Asia Institute at GTZ) including the production of a joint CV for future research. Indicators of greater integration of learning in practice include: more pro-poor policy within CDS; NRF proposing new programme directions in vocational training in collaboration with the industry[xxvi] and CCIA designating a page on children and work in their monthly bulletin. By early September CCIA was seeking constructive debate with NRF and MoL with regards to the new child rights legislation.

3.3 Organisational analysis conclusion

The rhetoric of international conventions has been transferred into national programmes with little thought about the interpretation of 'rights' and 'childhood' within a cultural or political context. There is growing recognition that this critical omission is the root of problems in efforts to achieve children's rights (Baizerman 1997, Burman 1996, Boyden 1993). Government systems and civil society initiatives need to find appropriate ways of bringing children's perspectives into the political arena. Donors need to be more aware of the cultural dynamics of institutional mechanisms or organisational structures that they are working with. In addition to the investments of time, human resource development and money into applied research, organisations able to respond need to give a legitimate place to anthropological knowledge in the design of programmes.

The authors conclude that the effective implementation of the child rights agenda is dependent on relationships within and between organisations and that this in turn is influenced by the learning culture of the organisations, and the extent to which their working culture is informed by local knowledge. The research provides a model of organisational analysis that examines the learning capacity of organisations in relation to their ability to apply the UN-CRC.

Although guided by the research objectives, our early interactions with research informants resulted in a more innovative framework than originally planned. In its early stages it became clear that this study could serve a further purpose, namely to boost collaboration between research and programming organisations within South Asia, and initiate a dialogue on how to achieve more sustainable research processes within countries. The innovative research model aimed to involve those who influence children's lives in the research itself. One objective was that partner

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[xxvi] to address the regional realities of youth and the private sector group.

organisations would move beyond co-operation during research to collaborative practice in programming.[xxvii]

4 Findings on interventions to meet the best interests of working children

4.1 Understanding work and childhood in Nepal

Like a number of other contemporary anthropological studies on children, this research aimed to identify the effectiveness of formal and informal social mechanisms in protecting children from harm now and in the future, as well as the barriers preventing children from participating in society. This section outlines the findings related to child well-being in relation to the programme approaches to child work that were investigated.

4.2 Transition to adulthood

Children's responsibilities in the home begin early (at approximately 5 years of age) at middle childhood (approximately twelve years) ceremonies are performed to mark the entrance to adulthood. It is clear that social attitudes are based on children having a productive role in the household, as illustrated in the well-known Nepali proverb: "the riches of the poor are their children" (Lall 1991:ii). Children reported the verbal credit received for productive work.[xxviii] Enquiry amongst parents in Sindupalchowk (a hill district) shows that parents considered children of twelve years and above as capable of doing a day's work equivalent to that of an adult.[xxix] While the work of children below 10 years is seen as a contribution to the household economy, parents considered this to be a 'learning stage' rather than 'real work'.[xxx] A consultative visual exercise with child informants showed that the appropriateness of a task correlated to a child's physical and mental capacities rather than age pre se. (please refer to the appendix for qualitative data on this issue).

4.3 Migration in South Asia

Migration is widely understood to be causal factor in hazardous child labour. This study thus set out to gain children's perspectives on the process of living and working away from home.[xxxi] Steep hillsides, degrading land quality and an open border to India continue to be reported as contributing to migration, a feature of social organisation within the majority of Nepal's ethnic groups. In a comparison of historical evidence the research shows that the scale of migration and the aspirations surrounding it have changed significantly within the last decade.[xxxii] Changes in the political economy with Nepal's entry to the global market have

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[xxvii] It remains to be seen whether the team members have the capacity to expand learning beyond their sector and country.

[xxviii] RajBhandari 2000 child rearing study in Nepal reports a gendered difference in verbal affirmation.

[xxix] This confirms data from Nuwakot and Kathmandu's squatter areas, (Baker, 1998).

[xxx] Evidence for this comes from qualitative data in terms of interviews and fgd's with parents and caregivers.

[xxxi] The research team have expanded this issue in a paper by Sharma, Shrestha and Cross, 2000.

[xxxii] In the past children travelled with relatives for trading purposes and took part in seasonal labour migration.

exacerbated the effects of economic poverty, induced family conflict and a loss of self-esteem amongst parents and children (Gurung 1999:5). The findings confirm other participatory studies in Nepal that have shown children are under pressure to seek waged work outside the village, and they view migration largely in terms of opportunities.[xxxiii] The ambitions drawing activity show that children have ambitions to be teachers, tailors or health workers but recognise that there are no facilities to learn these skills in the village (please see appendix).

Children's reports pose questions to [families and] development practitioners regarding the extent to which they try to deter children from migrating, or attempt to better inform them of the possible scenarios awaiting them in the city. The study showed that children living in villages find out about the employment possibilities in the city from other children (the interviews indicate that peer stories were the primary motivating factor). Friends who return for festivals bring stories of watching films, motor vehicles and the different jobs available. The fact that they are wearing smart city clothes and bring presents for their families is seen as concrete evidence of economic opportunity in the city. Migrant carpet workers reports suggest that most returning migrant children failed to mention the discomforts, loneliness, worry and abuse they have experienced (Johnson, 1996).

Risks to physical health continue to be the key factor in arguing for an end to child labour.[xxxiv] Media reports, research studies and NGO surveys all focus on physical well-being: respiratory diseases caused by wool particles in the air and poor ventilation; back and hand injuries from long hours weaving at a wooden bench, and poor nutrition in factories serving only two meals of plain rice each day. Clearly these are serious health issues, however there is no evidence of comparisons with children working in their rural homes or in other urban informal jobs. While there was not scope within this study to undertake an exhaustive analysis of children's health, the data generated on several basic health indicators reveal interesting results that could be indicative of rural-urban trends.

A comparison of Body Mass Index (or BMI = kg/m2) of children in each intervention group provides a crude indicator of growth. [xxxv] Children's growth in terms of height and weight is affected by food intake, energy expenditure (for example in work) and levels of infection. Hence the relative BMI scores of each group can indicate the effects of recent living and working environments. The results below show the expected increase in BMI with age and slightly higher scores for girls than boys. Children engaged in agricultural work in the village have the lowest scores, and the highest scores are found amongst those still working in the carpet sector and living either with families (protection group) or in factory accommodation (non-intervention group). Previous research in Nepal comparing the nutritional status of rural and urban working children attributed these differences to a better quality diet and lower rates of infection (e.g. worms) in the city as compared to villages.[xxxvi] Hence, it cannot be argued that migration to the city or work in the carpet industry are necessarily a particular risk factors to children's nutritional status.

[xxxiii] See Johnson et al. 1996

[xxxiv] It was on these grounds that social activists raised the issue of children's exploitation in the carpet industry in the early 1990s (CWIN, 1992 *Misery Behind the Looms*).

[xxxv] It is recognised that BMI is not an accurate indicator of overall health.

[xxxvi] Panter-Brick et al 1996.

			Legis Mean	Rehab Mean	Prot Mean	N-Int Mean	CBI Mean
10-14 years	Boys	BMI	16.9	18.3	18.5	14.4	
	Girls	BMI	19.4	19.5	20.4	16.6	16.0
15-19 years	Boys	BMI	18.4	20.5	19.4	22.8	18.3
	Girls	BMI	18.0	20.3	19.4	20.3	19.8
20-22 years	Boys	BMI	21.7	20.2	.	20.4	19.8
	Girls	BMI	.	.	23.2	19.7	19.0

While differences between the groups in the incidence and duration of common infections (e.g. diarrhoeal disease) were not statistically significant,[xxxvii] the study suggests that children's work and living environment affects their access to health services. A comparison in the sources of treatment for illness showed that two thirds of children living with their families and working in the carpet sector (the 'protection' group) use the pharmacy, as against only one quarter of the young people in full time carpet work (the 'non-intervention' group). The majority of this group rely on help from friends or do not treat their illness.[xxxviii]

4.4 The right to fair treatment at work/Work, income and life-skills

Data from child to child interviews and focus groups show that although the risks to health were one factor in prompting children to leave the carpet factory and seek other work, the sense of economic exploitation was the most powerful push factor. Almost all respondents were unpaid during their training period of about six months, and some worked for several years without any real income as their earnings were kept by contractors for 'food costs'.

A comparison of average daily expenditure reveals that children who left the carpet sector and sought work in the urban informal sector have the largest disposable income (see barchart in the appendix). Their sources of income include collecting recyclable scrap, begging and guiding tourists. Although they report very fluctuating daily incomes, it is clear that they prefer jobs that offer the possibility to earn more than they could in the carpet factory and to rest when they wanted to. It is likely that a proportion of children expelled from carpet factories were less successful in economic terms. Research in Sindupalchowk showed that a number of children had returned home to the village, and the records held by NGOs offering services to street children indicate that others were less successful in earning on the street.

The majority of young people who are still weaving consider that payment on a piece rate basis enables them to dictate the hours they want to work in accordance with what they want to earn. Their main complaint is that the pay is so low that they feel obliged to work up to 16 hours per day before the Dasain festival (when they are expected to bring cash and presents home for their families). A further major concern is the lack of opportunity to increase their income and social status. Few

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[xxxvii] Rugmark study shows that the most frequent illness in the carpet factory was ARI related to dust particles, lack of ventilation, poor temperature control and cramped conditions (Rugmark, 1998: 18).

[xxxviii] NASPEC report that 76% of younger children were looked after by contractors (although treatment is likely to be non-professional drug provision) and 11% were forced to continue working (it should be noted that the sample was limited to 68) Shrestha, 1999.

see prospects of moving upwards within the carpet weaving industry and most feel that they do not have the education or skills to gain employment elsewhere.

4.5 Social responsibility

Nepali law states that minors are able to work for a maximum of 6 hours per day and 36 hours per week. Until July 2000 this applied to minors aged 14-16 years, but following ILO Convention 182, Nepal has raised the minimum age for work in 'hazardous occupations', including the carpet industry, to 16 years. The reported use of time amongst informants in our study shows that all young people working and living in the carpet factory work for more than six hours per day, and that over half of those spinning or weaving from home and those working in other informal sector jobs in the city top this legal maximum. Given that approximately a quarter of village children spent more than 6 hours in productive work on the family farm and more than 3 hours in household work, it would appear that long working hours are the norm for poor children who work. The question then is whether such long periods of work in a day or a week are inherently harmful or exclude them from educational opportunities. Children certainly consider the extremes to be unacceptable, although many will work more than 10 hours to earn money to take home in the annual Dasain festival. Yet informants from all groups placed greater emphasis on the quality of the working environment, the level and control over income, and opportunities to learn and improve their future livelihoods.

Do children who are taken out of carpet factories by development programmes experience inferior social status once their working role is removed? Or is this mitigated by being part of a scheme that has uniform schooling opportunities?

Recent debate amongst international policy-makers has been characterised by a dichotomy between two supposedly contrasting approaches to child labour (Fyfe 1999:5). The first is the 'conventional' approach as it advocates minimum age legislation and compulsory primary education as means of removing children from the workplace.[xxxix] The second approach can be termed the 'child-centred' approach, as it draws attention to positive elements of work for child development, and questions the application of universal standards in the face of large cultural and socio-economic variation across the world.[xl]

In practice, there is a large area of consensus in these two perspectives and, as shown in the following quote, policy-makers rarely come down on either side:
> "The ILO's experience (of) work on child labour shows that education is *an* important means of improving social status, bringing down gender barriers and breaking out of the vicious cycle of poverty by offering prospects of gainful employment." (ILO Nepal 1998:5, our emphasis)

Both approaches recognise that child labour is a structural and political problem, and that broader societal change is needed to reduce the pressure on children to work. The main difference lies in the extent to which children's agency with respect to work and education influences policy and programme design.

[xxxix] One of its greatest proponents Burra asserts that "all forms of work that the child does at the cost of his/her education and childhood has to be seen as being hazardous for the child" (1999:17).

[xl] The Concerned for Working Children have supported working children in forming their own union Bhima Sangha (Reddy 1995).

The majority of children now working full time dropped out of school between the ages of 11 and 13 years (please see the bar chart in appendix). They are likely to have gained a basic level of literacy and numeracy, but none had achieved the first recognised educational qualification, the School Leaving Certificate, usually taken by 16 year olds. In Nepal schooling is valued not only for its ability to inform and educate, but also for the social status that 'being educated' carries (Skinner and Holland 1996).

Much can be learnt about the potential to combine work and education from the varied experiences of children living in poor migrant families who weave or spin on an occasional basis (the 'protection' group). Their ability to combine this form of work with schooling is largely dependent on the stability of parental income. Approximately half the children who took part in this study spin after school or in the holidays for less than three hours per day. However in families where one or both parents are unable to earn, children consider their earning power and role in domestic work as necessary to the household economy. Many regret not being able to attend school because they fear this will prevent them doing well in life. Some expressed a wish to attend the Non-Formal Education (NFE) classes provided by the local community development programme, but said that their parents did not allow them to go. Many parents and children do not consider NFE to be a proper education; an attitude demanding consideration by those providing NFE services.

4.6 Self Esteem

Children's experiences of social hierarchies: Caste and gender (strategies to develop personal competencies, migrant children changing their names)
Results of the culture free questionnaire indicate that children with the lowest self esteem are those who have left the carpet industry and sought work in the city. Conversations with these children revealed a number of contributory factors including lack of family support structure, insecure income and a sense of social inferiority for the work they do. Children who beg and gather scrap for recycling are known as 'khate' (or 'street children') and experience discriminatory treatment from members of mainstream society. (please see appendix II).

Some young people in Kancha's position have been able to seize opportunities to move upwards in the social scale through small business opportunities, regaining a role in their family and village, or through marriage into the rural migrant community. It is important to rccognise that these have arisen through extensive informal social networks rather than the provision of training or entrepreneurial opportunities provide by the state, voluntary or business sector.

Self esteem amongst children working in the carpet sector both in family and factory settings was lower than amongst children who live in the village and amongst those who have been removed from factories and placed in rehabilitation hostels. This pattern can in part be explained by the exposure of children in Kathmandu to the barriers in career development they face as poor uneducated migrants. Children living in villages have never experienced these and children who are part of rehabilitation programmes reported feeling more positive about themselves and their future because they are being looked after and participating in NFE or school.

The research showed that children's gender, caste and ethnicity were as influential on their treatment in the work place as their age and consequent subordination. While children are to some extent able to overcome caste barriers by changing their names on arrival in the city, gender differences cannot be surmounted. Girls in the village consider that they have few educational and employment opportunities; "…because I am female I have to work in the house", "being female means that I will never reach any important positions of authority, but maybe in the future I will be a teacher". Conversely, older girls working in the carpet factory had considerably more spending power than their male peers who were sending large proportions of their money home to meet their filial obligations. These girls spend their extra cash on clothes, jewellery, make-up and movies, all of which portray an image of middleclass urban resident that is vastly different to their siblings or friends who remained in hill villages.

4.7 Child well-being and a rights perspective

This study undertook a broad analysis of child well-being on the premise that the improvements to children's livelihoods reported by programmes to reduce child labour may not be as comprehensive as they are portrayed to be (see hypotheses in the appendix). [xli] The findings presented above suggest that programme approaches to improve child well-being have been based on narrow interpretations of international documents (for example ILO Conventions which were produced in the North), [xlii] rather than a thorough analysis of what 'the best interests children' mean within Nepal's socio-cultural context. Culturally sensitive promotion of the UN-CRC in Nepal must recognise that in addition to living in a secure and supportive environment, poor children in Nepal wish to fulfil a productive role in their family and community, to extend their skills and abilities to earn during adolescence, to be valued as individuals within society and to uphold the social status of their family. Interventions that fail to recognise these priorities are in danger of offering inappropriate or temporary solutions to problems faced by working children.

[xli] For example, social workers in Kathmandu report the re-migration of a large proportion of children who had been reunited with rural families.

[xlii] Media interventions have failed to understand the level and nature of information sharing between children.

5 Key issues for dissemination

Issues for participating organisations
- **Private sector involvement:** Awareness raising about the importance of private sector involvement for any sustainable reduction in child labour.
- **Innovative use of the media:** Joint production of communication resources via popular media is required to raise awareness in rural communities about the risks of urban migration. Current initiatives have focused on parents, neglecting the social reality of existing flows of information between children. Eg child-to-child radio broadcasts.
- **Comparative advantages:** In the light of continuing duplication of programmes, there is a need to identify comparative advantages of organisations using existing methodologies such as Britton's Learning NGO Tool. Donors could work as facilitators.

Issues for donors working in Nepal
- **Protection model:** strengthen the protection model to resource children in the family context.
- **Flexible education opportunities:** Education models for working children need to be re-appraised. Learning is needed from South Asia about flexible schooling and how to address the perceived inferiority of non-formal education.
- **Vocational training:** An assessment is required of vocational training to meet the current employment market.
- **Impact assessment:** support for partners in impact assessment and reliable and valid data collection. Support for Inter and intra-organisational skill sharing offers a low-cost option for organisational learning.

Issues for international donors
- **Higher education:** investment in higher education, to maximise the potential for developing and influencing other actors in social research. To create a cohort who have the skills required to undertake valid social impact assessments.
- **Skill transfer:** External facilitation is required to encourage the sharing of resources and transfer of skills between organisations. The need for capacity building required to actively involve southern partners in research needs to be reflected in resource allocations.

Issues for the academic community
- **Collaborative research:** Piloting collaborative research models in which practitioners including the private sector train and engage in research to further understand and apply international human rights principles.
- **Causal factors:** Further research needed on programmes to reunite children with their families in rural areas need to understand the causal factors of migration in order to meet either the child's and family's needs.
- Support required to bring university academics into the policy debate.

6 APPENDIX I

Research hypotheses

1. Knowledge exists within industry, state and voluntary institutions that through effective collaboration would enable a reappraisal of international conventions taking into account the regional socio-cultural factors affecting the best interests of children.

2. Organisational culture is a significant factor in the exclusion of this socio-cultural knowledge from policy decisions, which contributes to programme replication based only on documented knowledge.

The two central research hypotheses stated above can be expanded as follows:

1) Dominant explanations of 'child labour' affect the use of local knowledge, influence institutional understanding, and restrict the information that is incorporated into programme and policy design. Programmes dictated by international agendas often fail to incorporate socio-cultural factors into the intervention strategy.

2) The learning culture of the organisations, and relationships of power between stakeholders, influence the extent to which local knowledge challenging existing policy is translated and adopted into institutional frameworks.

3) Partnerships that are made without input from the private, State and National voluntary sectors frequently overlook opportunities to assist working children through broader poverty alleviation strategies that address causal factors.

4) The positive impact of child labour programmes on the livelihoods of targeted children and their families is not as significant as existing documentation indicates.

In order to test these hypotheses, the research will examine outcomes of child labour initiatives that have been in progress for the last five years. The advantage of this longitudinal approach is twofold: Firstly, it allows researchers to work with young people who have 'graduated' from project interventions as well as those who continued to work without such intervention. Secondly, it enables the examination of the complete project cycle and policy processes which will shed light on how decisions are made. To date, there have been no studies comparing changes in the quality of life of children who have been supported through rehabilitative, protective or preventative programmes as well as those who have not been affected by interventions.

Research Objectives

- To assess the impact of strategies to improve the lives of children working in Nepal's carpet industry in order to improve the application of the UNCRC to the regional socio-cultural context
- To identify the extent to which knowledge of long-term impacts on children and their communities is fed into programme design, thereby exposing the relationship between institutional learning about 'child labour' and the activities implemented to address the issue
- To resource state, private and voluntary institutions currently addressing child labour in South Asia by suggesting approaches to improve lesson-learning

7 APPENDIX III   A brief history of child rights in Nepal

The emergence of 'child rights' as a social issue in Nepal is closely tied to the political movement that led to the restoration of multi-party democracy in 1990. This section shows the simultaneous and mutually reinforcing influence of national political change and international debate towards the UNCRC on the present policy environment. Within the last decade, local and international NGOs, plus the media, have played the greatest part in publicising the notion of rights for working children. In 1990, the tight state control over the media was replaced by a lively exchange of ideas about general social issues in Nepal, one of which is children's rights and the responsibilities of the government, voluntary sector and general public in meeting their needs. The loudest voice has often been that of local NGOs, whose number and power has dramatically increased this decade. One example is Child Workers in Nepal (CWIN), well-known for spearheading action over the last decade towards improving children's lives. It was born out of the more general desire for equality, freedom and social justice that characterised the movement against the one-party system of government (CWIN 1995:4).

In 1988, the first South Asian regional seminar on working children was attended by lawyers, independent researchers and social activists, as well as representatives from Nepal's state orphanage, NGOs from across South Asia and international organisations (including UNICEF, Save the Children, Oxfam and Terre des Hommes). It provided a forum to exchange information about child work in neighbouring countries and develop common strategies to tackle what were then defined as critical issues. In the case of Nepal, these were agreed to be the lack of public awareness, legal provision and political commitment to children. The UN Declaration was a source of regional solidarity and a raison d'etre for NGOs who were advised by the regional representative from UNICEF of their responsibility "to pressurise governments to ratify and abide by the provisions of the Convention on the Rights of the Child" (CWIN 1988:42). Nepal's ratification of the UNCRC in 1990 was one of several international statements towards greater social equality made by the newly-elected government.

APPENDIX II Methodological Report

7.1 The process of collaborative research

Participation in the research demanded considerable personal and professional commitment from field-level staff (often on low salaries and without guarantee of long term employment). In allocating staff time to the project, the heads of each organisation had an investment in its success and increasing interest in the learning process. Contracts were an essential element of formalising the agreement between the principal researchers, ILO and the heads of the participating organisations.[xliii] It is worth noting that financial remuneration for time allocated to training and research was not provided to the researchers or to the organisations employing them. The research team used existing office resources rather than establishing a separate research base.

7.2 Integrating training and research

Preparation for the research included 'on-the-job' training in organisational analysis and child-centred research. The authors' reasons for investing resources in training the team to a professional standard were to achieve the highest possible quality of data, and to maximise the opportunity to pass on research skills to practitioners whose on-going working roles include periodic research and monitoring of child rights.

A series of interactive training periods combined learning and data collection. Fieldwork was supervised by the authors and by two demographers from Tribhuvan University who checked the data gathered on a daily basis[xliv]. Ongoing dissemination of the research findings provided regular opportunities for team members to cross-check their data, and to gain validation as a research group. Opportunities also arose for regional and international presentations and sharing of skills including workshops (please see references).

7.3 Child Well-being checklists

The four following sections describe the purpose behind each of the well-being checklists. These need to be read alongside each individual checklist. It should be emphasised that these were not interview guides and questions were administered in an interactive child-focused manner. For each question this was agreed in advance for purposes of standardisation. A variety of techniques were employed including semi-structured interviewing, PRA visual matrix activities and card sorting.

Physical well-being
Growth measures in the form of Body Mass Index (BMI) were taken as a basic health indicator. The extent to which they had been ill over the last six months and the type and order of treatment sought was discussed and recorded. ?*no results*

[xliii] Contracts were signed by the ILO, the partner organisations and the Principal researchers.

[xliv] Further measures to ensure data validity included cross-checking results from different research tools, and preliminary analysis of trends by the research team to identify major inconsistencies or gaps in data.

*given on this:*Lifestyle habits were also discussed with the children including their use of drugs, alcohol and smoking.

Economic well-being
Average daily expenditure and the source of income was related to the type of work, system of pay, housing and food available. This data were collected using PRA methods, visual sorting cards and 'play' money. Qualitative data were generated in an attempt to understand who contributed to and who had access to the household income. Average weekly family income was compared. Cross-checks were built into the interview checklist.

Social well-being
The questionnaire guides suggested a comparison of time spent in productive work, in household work, and in leisure. Daily activity pie charts were drawn by informants comparing urban work and village life. Because historical data are problematic informants in the village corroborated data of the situation NOW compared to 'when in the village'.
Educational opportunities were discussed in relation to how working life has affected schooling opportunities. This enabled a comparison of the five informant groups who have attended and age of dropping out of government school, private, NFE, vocational training, and none at all. The data were related to parents' and children's quotes.

Psychological well-being
Self-esteem was assessed using an adapted culture-free questionnaire. Children's aspirations for their future were discussed and ideas drawn onto 'aspiration sheets'. The barriers to them meeting these aspirations were compared. A visual activity about their current level of 'happiness' was discussed in relation to their feelings in the village and their ideas about the future. The qualitative and quantitative data were compared.

8 APPENDIX III   References

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9 Figure1: How has child-labour programming affected the lives of working children in Nepal?

	Legislation: Work in a city job following expulsion from a carpet factory	Rehabilitation: shelter in a hostel, and provision of non-formal education and/or schooling	Protection: support in or near the, usually urban, workplace	Community-based intervention: General community development in rural hill villages
Physical environment and safety	Health risks in carpet factories removed, but nothing to prevent similar risks in child's next work place	Removal of health risks posed by dust, long work hours and poor diet. Basic needs met in hostel	Setting minimum standards by raising awareness amongst parents and employers	Preventing child migration, assuming that the village environment is safe
Social environment	Children 'free' to choose next social network	With peers but without family or community	Amongst family and community	With village community; including many returnee migrants
Use of Time	Over half spend more than 6 hours per day in productive work, but 70% have more than 3 hours of free time each day	Most children spend no time in productive work. Owing to NFE classes and cleaning duties, only half reported over 3 hours of free time per day	Over half spend more than 6 hours per day in productive work for their household. Domestic duties and schooling meant that only 7% had over 3 hours free time per day	Only 20% spend more than 6 hours per day in productive work for their household. Domestic duties and schooling meant that only 3% had over 3 hours free time per day
Income ^	Average income exceeds the minimum wage by 408 rupees per week. Large variation (150 to 1100 Rs) shows unpredictability of some urban jobs	As most children are not earning, the average income exceeds the minimum wage by only 25 rupees per week. $	Average income exceeds the minimum wage by 114 rupees, with some degree of variation (-50 to 500 rupees)	Average income exceeds the minimum wage by 295 rupees, but large variation (-200 to 800 rupees)

^ Nepal's national minimum wage for minors (aged 14-16 years) is 1025 rupees per month (approx. = 256 rupees per week)
$ Evidence suggests that this loss of income affects both the household's ability to provide basic needs, and the individual child's status within the family.